

## **DEVELOPMENT CONTROL COMMITTEE**

Monday, 16<sup>th</sup> January, 2006 at 6.00 pm  
in Committee Room 2, The Council House, Dudley

### **PRESENT:-**

Councillor Stanley (Chairman)  
Councillor James (Vice-Chairman)  
Councillors Banks, Mrs Collins, Debney, Southall, Donegan and Mrs Wilson.

### **OFFICERS:-**

Mrs H Brookes-Martin, Mr C Cheetham, Mr T Glews, Mr G Isherwood, Mr J Pattinson and Mr P Reed, (Directorate of the Urban Environment), Mrs G Breakwell and Mrs L Jury (Directorate of Law and Property).

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### **MINUTES**

#### **RESOLVED**

That the minutes of the meeting of the Committee held on 19<sup>th</sup> December, 2005 be approved as a correct record and signed.

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### **DECLARATIONS OF INTEREST**

No member made a declaration of interest in accordance with the Members' Code of Conduct.

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### **APOLOGY FOR ABSENCE**

An apology for absence from the meeting was submitted on behalf of Councillor G Davies.

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### **SITE VISITS**

Consideration was given to the following planning applications in respect of which a site visit had been made on Thursday 12<sup>th</sup> January, 2006 by members of the Development Control (Site Visiting) Working Party.

#### **RESOLVED**

- (i) Plan no. P05/0414 – Polly Brooks Yard, Pedmore Road, Lye – Outline application for residential development (design, external appearance and landscaping reserved for subsequent approval)

Decision: Approved, subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act 1990, for a commuted sum towards upgrading of existing public open space in lieu of on-site provision and play facilities and that in the event that Agreement has not been completed within eight weeks of the decision to grant approval the application be refused, if appropriate, together with conditions numbered 1 to 5 (inclusive), and 7 to 12 (inclusive) as set out in the report of the Director of the Urban Environment, together with an amended condition, numbered 6, and an additional condition, numbered 13, as follows:

6. Before any dwelling hereby approved is first occupied, a car-parking scheme, which allows for access to the rear of existing shops and flats shall first have been submitted to and approved in writing by the Local Planning Authority and the scheme implemented on site in accordance with such approved details. Such parking scheme shall thereafter be retained for the life of the development unless agreed in writing by the Local Planning Authority.
13. Development (including any building works) shall not begin until an air quality assessment has been carried out for the proposal and a scheme for protecting future residents in the proposed buildings from nitrogen dioxide has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be completed before the permitted buildings are occupied.

- (ii) Plan no. P05/1941 – 24 Cider Avenue, Brierley Hill – Alteration to rear garden to include retaining wall (retrospective)

Decision: Approved, subject to conditions numbered 1 to 3 (inclusive) as set out in the report of the Director of the Urban Environment.

PLANNING APPLICATIONS TO DEVELOP

A report of the Director of the Urban Environment was submitted on the following plans and applications to develop.

## RESOLVED

That the plans and applications be dealt with as follows:

- (i) Plan no. P05/1857 - Former MEB Headquarters, Mucklow Hill, Halesowen – Removal of condition no. 4 of P03/1629

Decision:

1. Approved, subject to the applicant entering into an Agreement Under Section 106 of the Town and Country Planning Act 1990 together with conditions numbered 1 to 29 (inclusive) as set out in the report of the Director of the Urban Environment.
2. That condition numbered 4, attached to planning application no. P03/1629, be deleted.

- (ii) Plan no. P05/1876 – Land off Piper Place, Amblecote – Erection of 6 no. 2 bedroom flats and associated car parking

Decision: Approved, subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act 1990, for a commuted sum towards the upgrading of existing public open space in lieu of on-site provision and that in the event that Agreement has not been completed within eight weeks of the decision to grant approval the application be refused, if appropriate, together with conditions numbered 1 to 8 (inclusive), as set out in the report of the Director of the Urban Environment.

- (iii) Plan no. P05/2288 – 72 High Street, Amblecote – Front and side extensions to create covered yard and garage. Erection of boundary wall

Decision:

1. Refused, for the reason as set out in the report of the Director of the Urban Environment.
2. That Enforcement action be authorised to ensure the removal of the wall and extension.

(iv) Plan no. P05/2374 – Former Gas Works Site, High Street, Stourbridge – Residential development of 116 apartments and associated works (resubmission of refused application P05/0002)

Decision: Approved, subject to conditions, numbered 1 to 3 (inclusive) as set out in the report of the Director of the Urban Environment.

(v) Plan no. P05/2393 – Land adjacent to Parkinson House, Jews Lane, Upper Gornal – Residential development (outline) (siting, design, external appearance and landscaping reserved for subsequent approval)

Decision: That consideration of the application be deferred pending a site visit to be held prior to the next meeting of the Committee, to address concerns raised by Members regarding the siting of the proposed residential developments to nearby industrial establishments.

(vi) Plan no. P05/2007 – Land off Salop Street/Nith Place, Dudley, (Wolverhampton University Site/Dudley Campus) - Substitution of house types to incorporate the erection of 22 dwellings comprising of 1 no. bed terrace houses and 1 and 2 no. bed apartments in place of 18

Decision: That consideration of the application be deferred to enable officers to contact the developers to discuss submitting alternative dwellings.

(vii) Plan no. P05/2473 – Land fronting School Street and Wolverhampton Street, Dudley – Residential development (outline) (All matters reserved for subsequent approval) (Resubmission of refused application P05/0842)

Decision: That consideration of the application be deferred to enable officers to contact the developers to discuss submitting details of access onto the site.

- (viii) Plan no. P05/2481 – Land at 1 Hampton Street, Coseley – Outline application for extension to create a bungalow (siting, design and access to be considered) (Resubmission of refused application P05/1579)

Decision: That consideration of the application be deferred pending a site visit to be held prior to the next meeting of the Committee at the request of a Ward Councillor.

- (ix) Plan no. P05/2512 – Land at Burton Road/Jews Lane, Upper Gornal – Industrial development (outline) access to be considered. All other matters reserved for subsequent approval (Resubmission of refused application P05/2035)

Decision: That consideration of the application be deferred pending a site visit to be held prior to the next meeting of the Committee, to address concerns raised by Members regarding the siting of the proposed residential development to nearby industrial establishments.

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## ENFORCEMENT REPORT

A report of the Director of Law and Property and the Director of the Urban Environment was submitted on proposed enforcement action.

### RESOLVED

That the Local Planning Authority, having regard to all the provisions of the adopted Dudley Unitary Development Plan and all other material considerations before them authorises the removal of the ATM from the land known as McDonalds, Kent Street, Upper Gornal, in it's entirety within one month from the service of notice.

The meeting ended at 8.05pm.

CHAIRMAN