

DEVELOPMENT CONTROL COMMITTEE

Monday, 15th August, 2005 at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Stanley (Chairman)
Councillor James (Vice-Chairman)
Councillors Banks, Mrs Collins, G H Davies, Donegan, Southall, Mrs Wilson
and C. Woodall.

OFFICERS:-

Mrs H Brookes-Martin, Mr C Cheetham, Mr T Glews, Mr G Isherwood,
Mr C Mellor (Directorate of the Urban Environment), Mrs G Breakwell and
Miss L Turner (Directorate of Law and Property).

MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 19th
July, 2005, be approved as a correct record and signed.

DECLARATIONS OF INTEREST

Councillor Southall declared a prejudicial interest in respect of Planning
Application no. P05/1472 – 31 Drew Road, Pedmore, Stourbridge – Single
storey extensions to create enlarged store and staff toilet/lobby. Installation
of 2 no. condensing units to side, insofar as an objector speaking against
the application is a friend.

Councillor Southall left the meeting during consideration of this item.

APOLOGY FOR ABSENCE

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

SUBSTITUTE MEMBERS

It was reported that Councillor C. Woodall had been appointed to serve as a
substitute for Councillor Debney for this meeting only.

SITE VISITS

Consideration was given to the following planning applications in respect of which a site visit has been made on Thursday 11th August, 2005 by the Development Control (Site Visiting) Working Party.

RESOLVED

That the site visit applications be dealt with as follows:

- (i) Plan no. P05/1255 – Mill View, Dog Kennel Lane, Halesowen – Retention of existing rear Dormer windows (retrospective application).

Decision: Approved subject to the condition as set out in the report of the Director of the Urban Environment.

- (ii) Plan no. P05/0524 – Land to rear of 8 Clifton Street, Stourbridge – Demolition of existing building and erection of 4 no. 2 bedroom apartments.

Decision: Refused for the following reason:

That the proposed development is over-intensive, out of character with the area and has insufficient parking.

CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13 (c) it was

RESOLVED

That the order of business at agenda item no. 5 be varied in order to enable planning applications numbered P05/0824, P05/1434, P05/1472 and P05/1320 to be dealt with prior to the remaining planning applications in agenda item no.6.

PLANNING APPLICATIONS TO DEVELOP

A report of the Director of the Urban Environment was submitted on the following plans and applications to develop. The persons referred to were in attendance at the meeting and spoke on the planning applications indicated:

- (i) Plan no. P05/0824 – Garage site and adjoining land off Netherby Road, Sedgley – Erection of 2 no. 4 bedroom semi-detached dwellings and 2 no. 3 bedroom detached dwellings with associated parking – Mr Jukes, an objector and Mr Higgs, the applicant.
- (ii) Plan no. P05/1434 – 29 Garland Crescent, Halesowen – First floor side extension to create enlarged bedroom and study. Ground floor front extension to create enlarged garage and porch (retrospective) – Mrs Mann, an objector and Mr Kelly, the applicant.
- (iii) Plan no. P05/1472 - 31 Drew Road, Stourbridge – Single storey extensions to create enlarged storeroom and staff toilet/lobby. Installation of 2 no. condensing units to side – Mr Gould, an objector, Councillor Kettle, Ward Councillor spoke in objection and Mr Morris, the agent.
- (iv) Plan no. P05/1320 – 106 Stourbridge Road, Dudley – Outline application for the demolition of existing buildings and erection of 9 no. apartments (siting, means of access and design included). (Resubmission of refused application) – Mr Falk, an objector and Mr Singh, the applicant.

RESOLVED

That the plans and applications be dealt with as follows:-

- (i) Plan no. P05/0824 – Garage site and adjoining land off Netherby Road, Sedgley – Erection of 2 no. 4 bedroom semi-detached dwellings and 2 no. 3 bedroom detached dwellings with associated parking.

Decision: Approved subject to conditions numbered 1 to 7 (inclusive) together with additional conditions, numbered 8 9 and 10, as follows:

- 8. The site access road should maintain a minimum carriageway of 4.1 metres.
 - 9. C05A – To ensure construction of access road is suitable to sustain the weight of refuse vehicles.
 - 10. C09B – Contaminated land condition.
- (ii) Plan no. P05/1434 – 29 Garland Crescent, Halesowen – First floor side extension to create enlarged bedroom and study. Ground floor front extension to create enlarged garage and porch (retrospective).

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 .

- (iii) Plan no. P05/1472 - 31 Drew Road, Stourbridge – Single storey extensions to create enlarged storeroom and staff toilet/lobby. Installation of 2 no. condensing units to side.

Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee to address concerns raised by members in respect of the size and proximity of the condensers to local residents.

- (iv) Plan no. P05/1320 – 106 Stourbridge Road, Dudley – Outline application for the demolition of existing buildings and erection of 9 no. apartments (siting, means of access and design included).

Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee to address concerns raised by members in respect of the density of the proposed development, street scene and traffic impact.

- (v) Plan no. P03/2393 – M H Berlyn Co. Ltd, Dudley Road, Halesowen – Demolition of factory units and erection of 18 no. flats and 5 no. houses plus parking.

Decision: That further consideration of this application be deferred in order for officers to discuss with the developers the possibility of reducing the number of dwellings proposed.

- (vi) Plan no. P05/0632 – Former Rockrippers, Dibdale Road, Dudley – Demolition of existing depot and the erection of 45 dwellings (2 and 2.1/2 storey houses and apartments) with associated parking and access (resubmission of refused application P04/1038).

Decision: Refused for the following reasons:

1. That the proposed development would be contrary to Policy 99 –

2. That the proposed development would be contrary to Policy 39 –

- (vii) Plan no. P05/0795 – Land adjacent to 35 Barr Street, Dudley – Outline application for a three storey detached house (design landscaping and external appearance reserved for subsequent approval).

Decision: Noted, that this application had been withdrawn from consideration at this meeting.

- (viii) Plan no. P05/0819 – 118A Stourbridge Road, Dudley – Demolition of existing warehouse and erection of 11 dwellings (consisting of 8 no. 3 bedroom 2.1/2 storey houses and 3 no. 3 bedroom 2 storey houses) with associated parking (resubmission of refused application P04/2452).

(Councillor Craigie, Ward Councillor, spoke in objection to this application).

Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee to address concerns raised by the Ward Member and members of the Committee in respect of problems relating to the width of access.

- (ix) Plan no. P05/0994 – 160 Old Park Road, Dudley – One and two storey rear extension to 160 Old Park Road to convert existing dwelling into 3 no. 2 bedroom flats. Erection of a two-storey building to provide 2 no. 2 bedroom flats. Associated parking and new access to highway.

Decision: Approved, subject to conditions numbered 1 to 8 (inclusive) as set out in the report of the Director of the Urban Environment.

- (x) Plan no. P05/1298 – 22 Shearwater Drive, Brierley Hill – Erection of boundary fence, garden shed and decking area (retrospective).

Decision: Approved, subject to the amended condition, numbered 1, as follows:

1. No development shall commence until details of the proposed type of additional fencing to be erected on the boundary with no. 21 Aston Close have been submitted to and approved in writing by the Local Planning Authority.
 2. That the Director of the Urban Environment or his authorised representative be authorised to approve the application on the receipt of a satisfactory investigation into the stability of the structure.
- (xi) Plan no. P05/1362 – Land to rear of 48-52 Foundry Road, Wall Heath, Kingswinford – Erection of a three bedroom detached bungalow and new access and parking area for 52 Foundry Road (resubmission of refused application P05/0725).
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Decision: Approved, subject to conditions numbered 1 to 3 (inclusive) as set out in the report of the Director of the Urban Environment, together with additional conditions, numbered 4 to 8, as follows:

4. Details of the two vehicular accesses to Casewell Road shall be submitted to and agreed by the Local Planning Authority prior to the commencement of the development.
5. The rear vehicular access to no. 52 Foundry Road shall be implemented in accordance with the agreed details and brought into use prior to the commencement of the development.
6. The development shall not be occupied until the means of access to the new dwelling, from Casewell Road has been constructed in accordance with the agreed details.
7. An assessment of the stability of the bank between no. 52 Foundry Road and Casewell Road shall be undertaken and the result submitted to and agreed by the Local Planning Authority, prior to the commencement of the development. The agreed recommendation of the report shall be implemented and thereafter maintained prior to the creation of the rear vehicular access to no. 52 Foundry Road.
8. C09B – Contaminated land condition.

ENFORCEMENT REPORTS

A joint 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 enforcement action:

- (a) To discontinue the display and sale of motor vehicles from the car park of the Bull's Head Public House, 132 Pensnett Road, Brierley Hill, within one month.
- (b) To remove the 1.8 metre high palisade fence from the existing boundary wall on The Former Green Dragon Public House, Kent Street, Upper Gornal, within one month.
- (c) To discontinue the unauthorised taxi booking office and private hire from the premises known as 30 Castle Hill, Dudley, within one month.

PLANNING APPEALS

A report of the Director of the Urban Environment was submitted on decisions made by the Planning Inspectorate on planning appeals over the period April 2005-June 2005.

RESOLVED

That the information contained in the report, and Appendix 1 to the report, submitted regarding decisions made by the Planning Inspectorate on Planning Appeals over the period April 2005 to June 2005, be noted.

EXCLUSION OF THE PUBLIC

RESOLVED

That, under Section 100A of the Local Government Act, 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12 of the Act, in particular the paragraph of Part 1 of that Schedule indicated below:

Description of Item

Relevant Paragraph
of Part 1 of
Schedule 12A

Ombudsman Ruling

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OMBUDSMAN RULING

A report of the Director of the Urban Environment was submitted on the outcome of an Ombudsman Ruling.

RESOLVED

That the report now submitted be noted and that local settlement be approved for the reasons and in the sum indicated in the paragraph 11 of the report.

The meeting ended at 8.30pm.

CHAIRMAN