

DEVELOPMENT CONTROL COMMITTEE

Monday 13th May, 2013 at 6.00 pm
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Harris (Chair)
Councillor Roberts (Vice-Chair)
Councillors Casey, J Jones, Perks, S Turner, Mrs Westwood, C Wilson and Zada

OFFICERS:-

Mr J Butler, Mrs H Martin, Mr D Owen, Mr P Reed and Mrs S Willetts (all Directorate of the Urban Environment), Mrs G Breakwell and Mrs M Johal (Directorate of Corporate Resources)

90 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillors Herbert and Wright.

91 **APPOINTMENT OF SUBSTITUTE MEMBERS**

It was reported that Councillors Perks and J Jones had been appointed as substitute members for Councillors Herbert and Wright for this meeting only.

92 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 22nd April, 2013, be approved as a correct record and signed.

93 **SITE VISIT**

Consideration was given to the following planning application in respect of which Members of the Committee had undertaken a site visit earlier that day.

Plan No P13/0327 – 248, Northway, Sedgley, Dudley – Part A First Floor Side Extension (Resubmission of Withdrawn Application P12/1262). Part B Single Storey Rear Extension

Decision: That both Part A and Part B of the application be approved subject to the following conditions:-

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- (2) The materials to be used in the approved development shall match in appearance, colour and texture those of the existing building unless otherwise agreed in writing with the Local Planning Authority.

94

PLANS AND APPLICATIONS TO DEVELOP

A report of the Director of the Urban Environment was submitted on the following plans and applications to develop. In addition, where appropriate, details of the plans and applications were displayed by electronic means at the meeting. In addition to the report submitted, notes known as Pre-Committee notes had also been circulated updating certain of the information given in the report submitted. The content of the notes were taken into account in respect of the applications to which they referred.

The following persons referred to had indicated that they wished to speak at the meeting and, unless indicated, spoke on the planning applications:-

Plan No P12/0773 – Mr John Barton – an objector and Mr Alex Patrick-Smith – applicant

Plan No P13/0290 – Councillor Branwood (Ward Councillor) - supporter and Mrs Bates – applicant

Plan No P13/0336 – Councillor Alan Taylor (Ward Councillor) – as an objector

Plan No P13/0433 – Ms Debbie Ward and Councillor Wright (Ward Councillor) – objectors and Councillor Branwood – an agent

- (i) Plan No P12/0773 – Ketley Quarry, Dudley Road, Kingswinford – Review of Conditions Attached to Planning Permission 97/50322 for the Extraction of Marl and Subsequent Restoration in Accordance with the Environment Act 1995

Decision: Approved, subject to amended conditions for the Decision Notice under application number: 97/50322 in relation to the periodic review of Mining Sites in accordance with the Environment Act 1995, numbered 1 to 21 (inclusive), as set out in the report submitted.

- (ii) Plan No P13/0290 – Land Adjacent to 28 Flavells Lane, Lower Gornal, Dudley – Erection of 1 No Bungalow
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Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee.

- (iii) Plan No P13/0336 – 39 Manor Abbey Road, Halesowen – Part A: Retrospective Application for the Erection of a Two Storey Side/Rear Extension and Single Storey Front and Rear Extensions and Loft Conversion with Side and Rear Dormers. Part B: Retrospective Application for the Erection of a Detached Garage in Garden (Following Demolition of Existing Garage and Shed)
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Decision:

- (1) That Part A of the retrospective application for the erection of a two storey side/rear extension, single storey front and rear extensions and loft conversion with side and rear dormers, be refused for the reasons as set out in the report submitted.
- (2) That Part B of the retrospective application for the erection of a detached garage in garden (following demolition of existing garage and shed, be approved.
- (3) That the Director of the Urban Environment be authorised to take immediate enforcement action for the removal of the two storey side/rear extension, the single storey front and rear extensions and loft conversion with side and rear dormers, Part A of the application.

- (iv) Plan No P13/0433 – Baggeridge Social Welfare Centre, The Straits, Dudley – Landscaping of the Existing Hardstanding Tennis Courts at the Rear of the Club with a Layer of Topsoil. The Area Would be Levelled and Turfed and used for 2 No Children’s Mini Football Pitches
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Decision: That the Director of the Urban Environment be authorised to approve the application subject to no adverse comments being received following the expiration of the public consultation period on 18th May, 2013, discussions to be held with the applicant in respect of additional fencing and to conditions, numbered 1, 3 and 4, as set out in the report submitted, together with a revised condition, numbered 2 and additional condition, numbered 5, as follows:-

2. The development hereby permitted shall be carried out in accordance with the following approved plans: The elevation plan showing the 30cm depth of the topsoil, and the revised plan showing the single 9 and 10 year olds mini soccer pitch, the fencing plan and the 1:1250 Site Location Plan.

5. Prior to the first use of the pitch hereby approved, the facility and an appropriate run off area shall be enclosed with fencing and a gate of a type and height of between 2m and 2.4m that shall first have been submitted to and agreed in writing by the Local Planning Authority. The pitch shall thereafter remain secured by the management of the club outside the hours of use permitted by condition 3 of this permission and shall only be opened by the management of the club to permit authorised usage of the pitch by children unless otherwise agreed in writing by the Local Planning Authority.

At this juncture the Chair adjourned the meeting at 7.50 pm and reconvened at 8.00 pm

- (v) Plan No P12/1627 – Land Adjacent to the Old Windmill, Vale Street, Upper Gornal, Dudley – Erection of 14 No Dwellings with New Access to Highway and Diversion of a Public Right of Way

Decision: That the application be deferred to the next meeting to enable officers to consider concerns about highway safety around the site and on possible alternatives.

- (vi) Plan No P13/0149 – Mary Stevens Park, Worcester Street, Stourbridge – Change of use of the Existing Print Room to a Café with Minor Elevational Changes. The Installation of an Underground Silt Trap on the Car Park Located Towards the North East of Swinford Common. Dismantling, Refurbishment and Re-Instatement of Principal Park Gates and Lanterns and Alterations/Amendments to the Existing War Memorial Plinth and Improvements to its Setting

Decision: Approved, subject to conditions, numbered 1 to 9 (inclusive), as set out in the report submitted.

- (vii) Plan No P13/0150 – Mary Stevens Park, Stourbridge – Listed Building Consent for the Dismantling, Refurbishment and Re-Instatement of Principal Park Gates and Lanterns

Decision: Approved, subject to conditions, numbered 1 to 6 (inclusive), as set out in the report submitted.

- (viii) Plan No P13/0151 – Mary Stevens Park, Stourbridge – Listed Building Consent for the Alterations/Amendments to the Existing War Memorial Plinth and Improvements to its Settings

Decision: Approved, subject to conditions, numbered 1 to 6 (inclusive), as set out in the report submitted.

- (ix) Plan No P13/0232 – 99 Bridgnorth Road, Wollaston, Stourbridge – One and Two Storey Rear Extension to Create Additional Flat at First Floor Level (Resubmission of Refused Planning Application P2/1577)
- Decision: Approved, subject to conditions, numbered 1 to 6 (inclusive), as set out in the report submitted.
- (x) Plan No P13/0285 – 35 Ridge Street, Wollaston, Stourbridge – Single Storey Rear Extension (Following Demolition of Existing Rear Extension and Conservatory)
- Decision: Approved, subject to conditions, numbered 1 to 3 (inclusive), as set out in the report submitted.
- (xi) Plan No P13/0317 – 16 Jardine Close, Amblecote, Stourbridge – Fell 5 Sycamore Trees; Prune 1 Conifer Tree
- Decision: Approved, subject to the condition, numbered 1, as set out in the report submitted.
- (xii) Plan No P13/0338 – Land Between Rear of 32 Melrose Avenue and Public Footpath, Stourbridge – Part A: - Fell 1 Oak Tree, Part B: Fell 1 Oak Tree and Prune 2 Oak Trees
- (1) That Part A of the application to fell 1 Oak Tree be refused as it was not deemed appropriate given that the tree was in a reasonable condition with no major defects present.
- (2) That Part B of the application to fell 1 Oak Tree and prune 2 Oak Trees be approved subject to conditions, numbered 1 and 2, as set out in the report submitted.
- (xiii) Plan No P13/0359 – 19 Dingle Close, Dudley – Rear Conservatory (Resubmission of Withdrawn Application P12/1428)
- Decision: Approved, subject to conditions, numbered 1 to 3 (inclusive), as set out in the report submitted.
- (xiv) Plan No P13/0377 – Land Adjacent to Unit 19, North Street, Brierley Hill – Prior Approval Under Part 24 of the Town and Country Planning (GPDO) for a Telecommunications Development Comprising the Removal of Existing 15M High Monopole and 1 No Equipment Cabinet and Replace with 15M Dual User Pole, Radio Base Station and 2 No Additional Radio Equipment Cabinets
- Decision: Prior approval not required.

- (xv) Plan No P13/0385 – 14 Jardine Close Amblecote, Stourbridge – Fell 1 Sycamore Tree; Crown Reduce 1 Silver Birch and 2 Sycamore Trees by 12 Feet in Height and 9 Feet in Spread Including Pruning Works

Decision: Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted.

- (xvi) Plan No P13/0394 – Lister Road Depot (Environmental Management Division, Lister Road, Dudley – Provision of a Canopy to Existing Storage Building to Provide Cover for Horticultural Machinery

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

- (xvii) Plan No P13/0462 – Hurst Lane, Entrance to Enterprise Trading Estate, Brierley Hill – Prior Approval Under Part 24 of the Town and Country Planning (GPDO) for a Telecommunications Development Comprising the Removal of Existing 15M High Pole and Replace with 15M Jupiter Streetworks Pole, 1 No Equipment Cabinet and 1 No Electrical Meter Cabinet

Decision: Prior approval not required.

95 NATIONAL PLANNING POLICY FRAMEWORK (MARCH 2012) AND THE CONFORMITY OF THE SAVED UNITARY DEVELOPMENT PLAN (OCTOBER 2005), ADOPTED CORE STRATEGY (FEBRUARY 2011) AND ADOPTED BRIERLEY HILL AREA ACTION PLAN (AUGUST 2011)

A report of the Director of the Urban Environment was submitted on the recognition of the conformity of the saved Unitary Development Plan (UDP) policies, Adopted Core Strategy (February 2011) and the Adopted Brierley Hill Area Action Plan (Adopted August 2011) to the National Planning Policy Framework (NPPF).

RESOLVED

That the saved Unitary Development Plan policies, Adopted Core Strategy (February 2011) and the Adopted Brierley Hill Area Action Plan (Adopted August 2011) be recognised as conforming to the National Planning Policy Framework (NPPF) and that the policies continue to be used as the Development Plan for the Borough given their consistency with the NPPF.

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DEVELOPMENT CONTROL PERFORMANCE

A report of the Director of the Urban Environment was submitted on decisions made on applications determined under 'delegated powers' by the Director of the Urban Environment and decisions on appeals made against the Council's decision on planning applications.

RESOLVED

That the information contained in the report, and Appendices to the report submitted, on the performance of the Development Control Service with regard to decisions made on applications determined under 'delegated powers' by the Director of the Urban Environment and decisions on appeals made against the Council's decision on planning applications, be noted.

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REMARKS

This being the last meeting of the municipal year, the Chair thanked Members and Officers for their hard work throughout the municipal year. The Committee also thanked the Chair for the way she had conducted meetings.

The Committee congratulated Mr Owen on his forthcoming marriage and extended their best wishes.

The meeting ended at 9.05 pm.

CHAIR