

## **DEVELOPMENT CONTROL COMMITTEE**

Monday, 5<sup>th</sup> February, 2007 at 6.00 pm  
in the Council Chamber, The Council House, Dudley

### **PRESENT:-**

Councillor Wright (In the Chair)  
Councillor Southall (Vice Chairman)  
Councillors Banks, G Davies, Donegan, Mottram, Mrs Turner and Mrs Wilson.

### **OFFICERS: -**

Mrs H Brookes-Martin, Mr J Butler, Mr C Cheetham, Mr S Roach and Mrs A Rutt (Directorate of the Urban Environment), Mrs G Breakwell and Mr J Jablonski (Directorate of Law and Property).

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### **APOLOGY FOR ABSENCE**

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

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### **DECLARATIONS OF INTEREST**

Councillor Southall declared a personal and prejudicial interest in respect of planning application no. PO6/2167 – Dudley College of Technology, The Broadway, Dudley – Erection of new care and manufacturing centre and new learner services centre. Reorganisation of site roads and car parking. Demolition of locally listed building known as blocks D and E – as his daughter is employed by the college.

Councillor Wright declared a personal and prejudicial interest in respect of planning application no. PO6/2067 – 39 Ladbroke Grove, Dudley – Extension to roof to create bedroom en-suite in loft space with rear dormer window, car port at side to support extended roof area (re-submission of refused application PO6/0668 – as he is a personal acquaintance of the proposed builder.

Councillors Southall and Wright left the meeting during consideration of the respective applications.

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MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 15<sup>th</sup> January, 2007, be approved as a correct record and signed.

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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, 1<sup>st</sup> February, 2007, by members of the Committee.

RESOLVED

- (i) Plan no. P06/0535 – Land off Whitehall Road, Halesowen – Outline application for the erection of four blocks of residential apartments (design, external appearance and landscape reserved for subsequent approval)

Decision: Refused, for the following reason:-

The site is exposed to high levels of road traffic noise from dual carriageways running along two opposite boundaries which would be detrimental to the amenities of future occupiers of the dwellings. As such, the proposed development would be contrary to policy EP7 of the adopted Dudley Unitary Development Plan.

- (ii) Plan no. P06/2156 – 11 Chaffinch Road, Stourbridge – Two-storey side extension to create garage with bedrooms above. Single storey rear extension to enlarge kitchen and dining room. New front entrance porch and canopy (Re-submission of refused application PO6/1808)

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

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CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13(c) it was

RESOLVED

That the order of business be varied to allow planning applications PO6/1639, PO6/1771, PO6/2037, PO6/2167, PO6/2241, PO6/2268 and PO6/2315 to be considered prior to the remaining applications at agenda item no 6.

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### 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 had indicated that they wished to speak at the meeting, and, unless indicated, were in attendance at the meeting and spoke on the planning applications indicated:-

- (i) P06/1639 – Mrs Whitworth and Councillor James (Ward Member) objectors and Mr R Cobb – Agent/Applicant.
- (ii) P06/1771 – Councillor Mrs Ridley (Ward Member) an objector and Mr M Akhbar – the Agent.
- (iii) P06/2037 – Councillor Mrs Millward (Ward Member) an objector and Mr A Walmsley – on behalf of the applicant.
- (iv) PO6/2167 – Mr P Laight – an objector and Mr J Scott – on behalf of the applicant.
- (v) PO6/2241 – Mr Rhead – an objector and Mr T Farley, the Agent.
- (vi) PO6/2268 – Mr J Small – an objector and Mr J Guck, the Agent.
- (vii) PO6/2315 – Councillor Mrs Ridley (Ward Member) - an objector and Mr M Akhbar – the Agent.

### RESOLVED

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

- (i) Plan no. P06/1639 – Halesowen College, Whittingham Road, Halesowen – Erection of new education building to include shop, refectory and social learning facility (re-submission of refused application PO6/0171)

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 at the meeting.

- (ii) Plan no. P06/1771 – Land adjacent to 24 Pickrell Road, Coseley – Change of use of land from highway/public amenity space to residential garden space

Decision: Refused, for the following reasons:-

The change of use of the land will have an adverse impact on the character of the area and is detrimental to visual amenity and the street scene, contrary to policy DD4 of the adopted Unitary Development Plan.

- (iii) Plan no. P06/2037 – 2 Coopers Bank Road, Dudley – Demolition of existing dwelling and erection of six five bed and three four bed detached dwellings with associated access road (outline) (access, layout and scale to be considered with all other matters reserved by 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 at the meeting.

- (iv) Plan no. P06/2167 – Dudley College of Technology, The Broadway, Dudley – Erection of new care and manufacturing centre and new learner services centre. Reorganisation, site roads and car parking. Demolition of locally listed building known as blocks D and E

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 at the meeting.

- (v) Plan no. P06/2241 – 175 High Street, Lye – Change of use from Bank (A2) to Bar (A4) with ancillary dining

Decision: Refused, for the following reason:

The application site does not have a dedicated area for the loading and unloading of commercial vehicles, which may lead to the parking of such vehicles within the bus layby and marked yellow box area immediately to the front of the site on the High Street to the detriment of highway safety and the free flow of traffic along the High Street. As such the proposal is contrary to policy DD6 of the adopted Unitary Development Plan.

- (vi) Plan no. PO6/2268 – Wordsley Methodist Church, New Street, Wordsley – Part demolition and conversion of a church to six apartments including a single storey rear extension

Decision: Approved, subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act, 1990, for a contribution of £6,688.84 to off-site public open space and children's play enhancement; and that in the event that the Section 106 Agreement has not been completed within two months of the resolution to grant approval, the application be refused if appropriate; and subject to conditions numbered 1 to 9 (inclusive) as set out in the report of the Director of the Urban Environment; and that the Director of the Urban Environment be authorised to amend the forgoing conditions as necessary.

- (vii) Plan no. PO6/2315 – 24 Pickrell Road, Coseley – Demolition of dwelling and erection of new dwelling (retrospective)

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 at the meeting.

- (viii) Plan no. PO5/2604 – Fish 4 Dogs, Units 8 and 17 Saltbrook Trading Estate, Saltbrook Road, Halesowen – Retrospective application for refrigeration unit and security fencing. Proposed chimney

Decision: Approved, subject to conditions numbered 1 and 2, as set out in the report of the Director of the Urban Environment.

- (ix) Plan no. PO6/0182 – Former Royal Brierley Crystal Works, North Street/Moor Street, Brierley Hill – Reserved matters application for the erection of 179 houses, flats, access roads, associated garaging and car parking

Decision: Approved, subject to conditions numbered 1, 2 and 4, as set out in the report of the Director of the Urban Environment and to an amended condition, numbered 3, and an additional condition, numbered 5, as follows:-

3. Proposed site lay out plan Moor Street/North Street, Brierley Hill: showing minimum glazing specifications given sound pressure levels measured (Amended 21/9/06)

5. C05A

- (x) Plan no. PO6/2012 – 63 Mushroom Green, Dudley – Demolition of Chain Shop (retrospective) and the erection of a residential annex associated with and ancillary to the main house, walls and outbuildings (re-submission of withdrawn application PO6/1746)

Decision: Approved, subject to conditions numbered 1 to 14 (inclusive) as set out in the report of the Director of the Urban Environment and to additional conditions, numbered 15 and 16, as follows:

15. C09B (contaminated land investigation)  
16. C10C

- (xi) Plan no. PO6/2060 – Seven Stars Public House, Gospel End Road, Dudley – Erection of a single storey all weather garden

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

- (xii) Plan no. PO6/2067 – 39 Ladbrook Grove, Dudley – Extension to roof to create bedroom en-suite in loft space with rear dormer window, car port at side to support extended roof area (re-submission of refused application PO6/0668)

(Having earlier declared a personal and prejudicial interest in respect of this planning application the Chairman left the meeting prior to its consideration)

Councillor Southall (Vice Chairman) (in the Chair)

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 at the meeting.

(At the conclusion of this item Councillor Wright returned to the meeting and resumed the Chairmanship)

- (xiii) Plan no. PO6/2155 – Former Jolly Collier Public House, Bromley, Pensnett – Demolition of existing public house and erection of five dwellings

Decision: Approved, subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act, 1990 for a contribution of £9406.13 towards off-site public open space and children's play area enhancement; and that in the event that the Section 106 Agreement has not been completed within two months of the resolution to grant approval, the application be refused if appropriate, and subject to conditions numbered 1 to 11 (inclusive) as set out in the report of the Director of the Urban Environment; and that the Director of the Urban Environment be authorised to amend the foregoing conditions as necessary.

- (xiv) Plan no. PO6/2184 – Black Horse Playing Fields off Dudley Wood Road, Saltwells Estate, Dudley – Installation of a multi purpose play area

Decision: Approved, subject to conditions numbered 1 to 3 (inclusive) as set out in the report of the Director of the Urban Environment and to an additional condition, numbered 4, as follows:

4. C09B (contaminated land investigation)

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## 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 1<sup>st</sup> October to 31<sup>st</sup> December, 2006.

### RESOLVED

That the information contained in the report, and Appendices to the report, submitted on decisions made by the Planning Inspectorate on planning appeals over the period 1<sup>st</sup> October to 31<sup>st</sup> December, 2006, be noted.

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## ENFORCEMENT ACTION

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, authorise the following enforcement action:-

- (i) Discontinuance of the use of land at 10 Salcombe Grove, Coseley, for the purpose of storing/parking of a commercial vehicle and trailer/skips used for commercial purposes; and
- (ii) Removal of the commercial vehicle from land at 10 Salcombe Grove, Coseley, and any trailer or skip brought thereon in connection with the said use.

such actions to take place within four months of the service of Notice.

The meeting ended at 8.30 pm.

CHAIRMAN