
Halesowen Area Committee – 28th June 2006

Report of the Area Liaison Officer

Responses to Questions Raised at the Halesowen Area Committee held on 22nd March 2006

Purpose of Report

1. To inform the Committee of the written responses made to questions asked at the previous meeting.

Background

2. At the meeting of this Committee held on 22nd March 2006, questions were raised under the Public Forum and Ward Issues items and the responses to those questions are as follows:-
3. A petition had been submitted in relation to the James Grove Development. A number of residents complained about the height and proximity of the factory to residential properties and queried the planning decision to approve the site. It was also mentioned that residents had been informed of the original planning application P03/2182, however they had not been informed of the revised application P05/0155.

Following investigations a response was sent to all of the complaints detailing the following outcome:-

"After a thorough investigation it is apparent that both planning applications followed the correct consultation procedure in line with the Town and Country Planning (General Development Procedure) Order 1995. The neighbour consultation in relation to P03/2182 was sent out on the 21st November 2003, the public notice was displayed on the 25th November 2003 and the details were published in the Express & Star on the 22nd November 2003. The neighbour consultation in relation to P05/0115 was sent on the 24th January 2005, the public notice was displayed on the 28th January 2005 and the details were published in the Express & Star on the 29th January 2005.

The first application P03/2182 initially went to the Development Control Committee on the 24th May 2004, the decision was deferred for a site visit by members. On return to Development Control Committee, the application was approved subject to conditions. Application P05/0115 went to the Development Control Committee on the 14th March 2005 and the application was approved subject to conditions.

We received only one neighbour consultation for the planning application P03/2182, this commented upon, an increase in commercial traffic, an industrial development in a predominantly residential area and pollution. These comments were taken into consideration within the Officers report and when the final decision was made at the Development Control Committee. The Highways Traffic & Road Safety Team confirmed

that they had no objection to PO3/2182 or PO5/0115.

Following consultation on planning application PO5/0115 we received one letter. The letter did not comment on that application but referred specifically to a further planning application (PO3/2429) referring to residential development on an adjacent site.

The Town & Country Planning (General Development Procedure) Order 1995, determines the consultation procedure. Article 19 of that Order states that a Local Planning Authority shall, in determining an application for planning permission, take into account any representations made, where any notice of the application has been made within 21 days beginning with the date when the notice was served on that person.

The second application PO5/0115 was a resubmission of the approved application PO3/2182, in terms of the proposed James Grove factory, and only proposed changes to the frontage development on Stourbridge Road and associated parking. Drawing No 1763-1004 submitted with application PO3/2182 and Drawing No 1736-1004 B submitted with PO5/0115, show the James Grove structure to the rear of the site. The structure is identical on both applications, and therefore gained approval based on the original application.

Both of the planning applications show the height and location of the new structure, they are clearly marked out on the location plan and elevation drawings. When considering the application the planning officer has to take into consideration the relevant policies, the consultation responses and other planning matters. When following policy there is a presumption in favour of retaining existing industrial uses, the relocation of the unit to the rear of the site allowed the business to operate in a reduced area, thus allowing additional area for rental, this was in accordance with adopted policies. The original factory siting would not have been the issue when considering a planning application for new units; officers take into account the new proposals, they make an informed recommendation on the proposal using all relevant planning policies and consultation responses.

As has been mentioned these approvals were subject to a number of conditions which must be satisfied. The conditions need to be complied with at different times throughout the development process. The relevant conditions apply to the PO5/0115 application. Those conditions which need addressing at this time are numbers 1,2,5,10,11,12,15,16,18 and 19.

I can confirm that with the exception of conditions 10 and 11, all of these conditions have been duly discharged. Information in relation to conditions 10 and 11 has been submitted to the Council and is being assessed at this time.

Investigation has also been undertaken to ensure that the building work which has taken place to date is in accordance with the approved plans. This investigation has found that to date the development is in accordance and therefore no further action can be taken in respect of this".

4. A resident queried the renegotiated lease and the Green Care budget figures in relation to Leasowes Park and sought clarification on where and what it had been spent on. A detailed breakdown of the figures was requested. The Head of Design and Projects has provided a response and in respect of the renegotiated lease has submitted plans to the questioner indicating that the Halesowen Golf Club is now being included in the lease and full vehicular and pedestrian access is being retained by the Council. As a result, visitors to the park will enjoy the same access to the land as they currently do even though the legal interests in the land will have changed. The future maintenance of this area will be

subject to review through the 10 year management and maintenance plan, for which Landscape Design Associates have been appointed and of which the Friends of the Leasowes are taking a key role in the preparation.

In relation to the budget issue it has been clarified that there was an error in the figures previously submitted as the Leasowes Wardens budget (2005/6 £138,200) actually included the GreenCare site maintenance budget (2005/6 £28,102) and this figure is recharged to GreenCare each year in respect of grounds maintenance at the site. The following is a summary which shows a breakdown of the current annual expenditure, using the current 2006/7 budgets:

Salaries and salary related budgets (Includes NI & pension contributions)	£76,300.00
Running costs (Includes car allowances, equipment, health & safety & telephones)	£9,900.00
Rates, electricity & water	£3,000.00
Grounds Maintenance	£40,700.00
General expenditure	£14,300.00
<hr/> Total 2006/7	<hr/> £144,200.00

The general expenditure element has been spent each year on a number of areas which include site maintenance, habitat management, responding to vandalism and other anti-social behaviour, litter picking, guided walks, education visits, liaison with visitors, neighbours and partners, interpretation, publicity and volunteer support, to the benefit of the park and its visitors.

5. Mention was made of discussions that were currently taking place with Councillors in relation to a rumour that Lye and Wollescote Cemetery was being transferred to a rock venue. Detailed reports on the Chapel have been reported to the Stourbridge Area Committee in recent years and a summary of the situation is detailed below.

In summary the Director of the Urban Environment was authorised by Stourbridge Area Committee in November 2005 to approach the West Midlands Historic Buildings Trust and request that they apply to the Architectural Heritage Fund for grant assistance to undertake a feasibility study on the Chapel. The aim of a feasibility study (or options appraisal) is to investigate appropriate and possible future options for the building, analyse the viability of each one (particularly long-term financial viability) and recommend the most suitable use for providing a secure future, including an analysis of the estimated costs and possible sources of funding.

The Trust duly applied to the Architectural Heritage Fund for an Options Appraisal Grant, The application was successful and was reported to Stourbridge Area Committee on 13th February, 2006 where support was provided for the West Midlands Historic Buildings Trust to accept the grant offer with the assistance of match funding provided by Dudley MBC. During this meeting several ideas were put forward by Members as to possible future uses for the Chapel, none of which were for the building to be converted into use as a rock venue.

A preliminary report outlining the results of the feasibility study is expected in late Summer 2006 at which time public consultation will take place before the report recommendations are finalised. The consultants undertaking the options appraisal will be announcing the date, time and venues for the public consultation exercise. When the results of the study are available, a further report will be taken to Stourbridge Area Committee for their full consideration.

Finance

9. There are no direct financial implications arising from the report.

Law

10. Section 111 of the Local Government Act, 1972 enables the Council to do anything that is calculated to facilitate or is conducive or incidental to the discharge of its functions.

Equality Impact

11. The report takes into account the Council's Equal Opportunities Policy.
12. This report will have no specific effect on children and young people. There is no requirement for consultation with children and young people or the involvement of children and young people in noting the report.

Recommendation

13. The Committee is recommended to note the contents of the report.



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List of Background Papers
None