

DEVELOPMENT CONTROL COMMITTEE

Monday 7th April 2008, at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT: -

Councillor Wright (Chairman)
Councillors Banks, Mrs Collins, G. Davies, K. Finch, Ryder, Southall, Mrs Turner and Mrs Wilson.

OFFICERS: -

Mrs H. Brookes-Martin, Mr J. Butler, Mr C. Cheetham, Mr T. Glews, and Mr P. Reed (Directorate of the Urban Environment); Mr M. Farooq and Mr R. Jewkes (Directorate of Law and Property).

78 **APOLOGY FOR ABSENCE**

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

79 **APPOINTMENT OF SUBSTITUTE MEMBER**

It was noted that Councillor Ryder had been appointed as a substitute Member for Councillor C. Wilson for this meeting of the Committee only.

80 **DECLARATIONS OF INTEREST**

No member made a Declaration of Interest in accordance with the Members' Code of Conduct.

81 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 17th March, 2008, be approved as a correct record and signed.

82 **PLANS AND 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 application indicated: -

- (i) P07/1715 – Councillor A. Turner, an objector and Ward Member.
- (ii) P07/1736 – Councillor Ms. Craigie, an objector and Ward Member, and Mr S. Fletcher, the agent/applicant.
- (iii) P08/0061 – Miss P. Barber, an objector, Councillor Crumpton, an objector and Ward Member, and Mr M. Newall, the agent/applicant.
- (iv) P08/0220 – Mr S. Campbell, an objector, Councillor A. Turner, an objector and Ward Member, and Mr M. Newall, the agent/applicant.

RESOLVED

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

- (i) Plan no. P07/1715 – 48-49 High Street, Lye, Stourbridge – Change of use from (A1) retail to (A3) restaurant with takeaway facility. Two storey side and rear extensions and erection of emergency exit stairs. Creation of 8 bed sits.

Decision: Refused, for the following reason: -

The proposal would result in a proliferation of restaurant/takeaway uses along this part of Lye High Street, the cumulative impact of which would adversely affect the amenities of existing nearby residents and the occupants of the proposed flats by reason of noise disturbance. The proposal is therefore contrary to Policy CR11 of the Unitary Development Plan.

- (ii) Plan no. P07/1736 – 25 New Street, Dudley – Installation of chiller unit and extended security screen to fire escape (Retrospective).

Decision:

1. Refused, for the reason set out in the report of the Director of the Urban Environment.
2. That enforcement action to secure the removal of the unauthorised structure, within two months of the service of notice, be authorised.

- (iii) Plan no. P08/0061 – Land at rear of 139 Park Road, Cradley – Reserved matters approval for erection of 2 two-bedroom semi-detached dwellings (following outline approval P06/2303) (Resubmission of refused application P07/2145).

Decision: Refused, for the following reason: -

The design of the proposed dwellings is unacceptable as it will give rise to development which fails to adequately assimilate in with the streetscene, and would therefore appear incongruous and discordant with the existing character of the area, causing visual harm. The proposal is therefore contrary to UDP policies DD1, DD4.

- (iv) Plan no. P08/0220 – 34 Cemetery Road, Lye, Stourbridge – Demolition of existing bungalow and erection of 1 block of 4 one-bedroom apartments.
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Decision: Refused, for the following reason: -

The development proposed would appear as an incongruous feature in the streetscene in terms of design, scale and massing resulting from overdevelopment of the site to the detriment of residents' amenities and the character of the area, contrary to Policies DD1 and DD4 of the adopted Dudley Unitary Development Plan (2005).

- (v) Plan No. P07/2323 – 1-2 Bromley Street, Lye – Erection of 4 units for B1, B2 and B8 use (Outline) (Access and scale to be considered with all other matters reserved for subsequent approval) (Resubmission of withdrawn application P07/0005).
-

Decision: Approved, subject to the following: -

1. The development not beginning until a scheme for the submission and approval of a planning obligation to guarantee provision of off-site transport improvements has been submitted to and agreed in writing by the Local Planning Authority.

2. Conditions numbered 1 to 12 (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.

- (vi) Plan no. P08/0206 – 27 High Street, Wollaston – Change of use from residential (C3) to dental surgery (D1) and single storey side extension for bin store.
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Decision: Approved, subject to conditions numbered 1 to 6 (inclusive), as set out in the report of the Director of the Urban Environment.

- (vii) Plan no. P08/0237 – Land off Dearne Court, Woodsetton – Erection of 4 detached dwellings.
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Decision: Approved, subject to the following: -

1. The development not beginning until a scheme for the submission and approval of a planning obligation to guarantee the payment of £6180.13 for transport infrastructure improvements, libraries, public open space and public realm improvements, has been submitted to and agreed in writing by the Local Planning Authority.
2. Conditions numbered 1 to 2 and 4 to 10 (inclusive), as set out in the report of the Director of the Urban Environment, together with an amended condition, numbered 3, as follows: -

3. The dwellings hereby permitted shall not be occupied until screen fences not less than 1.8 metres high have been erected between the points marked A-B on the plan attached to this permission in materials to be first approved in writing by the Local Planning Authority; and

that the Director of the Urban Environment be authorised to amend the foregoing conditions as necessary.

- (viii) Plan no. P08/0240 – Land at High Street and Bell Street South, Brierley Hill – Conversion, refurbishment and extension to existing building to create 3 one-bedroom apartments with erection of 4 one-bedroom apartments at first and second floor levels over existing car parking area (Resubmission of refused application P07/1309).
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Decision: Approved, subject to the following: -

1. The development not beginning until a scheme for the submission and approval of a planning obligation to guarantee off site public open space/play provision and enhancement and library, public realm and transport improvements, has been submitted to and agreed in writing by the Local Planning Authority.
2. Conditions numbered 1 to 10 (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.

- (ix) Plan no. P08/0243 – Asda Stores Ltd, The Cornbow Centre, Queensway, Halesowen – Installation of mezzanine floor to create customer cafe and toilets, changing rooms, toilets and restaurant for staff, and office area.
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Decision: Approved, subject to conditions numbered 1 and 3 (inclusive), as set out in the report of the Director of the Urban Environment; together with the deletion of the condition numbered 2; and

that the Director of the Urban Environment be authorised to amend the foregoing conditions as necessary.

- (x) Plan no. P08/0253 – Redlands, Quarry Park Road, Stourbridge – Retention of existing house ‘Redlands’. Erection of 2 detached dwellings on its grounds with associated access drive including removal of trees. (Resubmission of refused application P07/1553).

(Councillor Southall, in view of comments he had made at a previous meeting of the Committee regarding a similar application, which he felt could be perceived as indicating that he had pre-determined this matter, elected to leave the meeting for the duration of the Committee’s consideration of the application)

Decision: Approved, subject to the following:

1. The development not beginning until a scheme for the submission and approval of a planning obligation to guarantee off site public open space/play provision and enhancement and library, public realm and transport improvements, has been submitted to and agreed in writing by the Local Planning Authority.
2. Conditions numbered 1 to 17 (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.

(At the conclusion of this item Councillor Southall returned to the meeting)

CHANGES TO THE VALIDATION OF PLANNING APPLICATIONS

A report of the Director of the Urban Environment was submitted on changes in the operation of Development Control, with effect from 6th April, 2008, in relation to the validation of planning applications. It was noted that, in addition those considered in the report submitted, a further three responses to the consultation on the proposed changes had been circulated with the pre-Committee notes for the meeting.

RESOLVED

1. That the information in relation to changes in the operation of Development Control with regard to the validation of planning applications, as set out in the report submitted, be noted.
2. That the proposed amendments to the validations checklist, as referred to in the report submitted, be endorsed, and that, therefore the checklist, as amended, be adopted.

The meeting ended at 7.55pm

CHAIRMAN