

## **DEVELOPMENT CONTROL COMMITTEE**

Tuesday, 23<sup>rd</sup> February, 2010 at 6.00 pm  
in Committee Room 2, The Council House, Dudley

### **PRESENT:-**

Councillor Wright (Chairman)  
Councillor Banks (Vice-Chairman)  
Councillors Barlow, K Finch, J Martin, Mrs Roberts, Southall, Mrs Turner C Wilson.

### **OFFICERS:-**

Mr J Butler, Mr N Howell, Mr S Roach Mr R Stevenson and Mrs S Willetts (Directorate of the Urban Environment), Mrs G Breakwell and Mrs M Johal (Directorate of Law, Property and Human Resources)

### 78                    **APOLOGY FOR ABSENCE**

An apology for absence from the meeting was received on behalf of Councillor Mrs Wilson.

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### 79                    **APPOINTMENT OF SUBSTITUTE MEMBER**

It was reported that Councillor J Martin had been appointed as a substitute member for Councillor Mrs Wilson for this meeting only.

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### 80                    **DECLARATIONS OF INTEREST**

Councillors Banks, Barlow, K Finch, J Martin, Mrs Roberts, Southall, Mrs Turner, C Wilson and Wright declared a personal interest in planning application number P10/0010 (Hill Ville Lodge, Swincross Road, Oldswinford), as they all knew the applicant.

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### 81                    **MINUTES**

#### **RESOLVED**

That the minutes of the meeting of the Committee held on 1<sup>st</sup> February, 2010, be approved as a correct record and signed.

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## SITE VISIT

Consideration was given to the following planning application in respect of which a site visit had been made on Thursday, 18<sup>th</sup> February, 2010, by Members of the Committee.

Plan No P09/1676 – Harry’s of Lye, 178-179 High Street, Lye –  
Repositioning of Extraction Flue

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

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## 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 person referred to had indicated that he wished to speak at the meeting and spoke on the planning application indicated:-

Plan No P09/1401 – Mr Wayne Etheridge – an agent/applicant

- (i) Plan No P09/1401 – The Cross Inn, Hagley Road, Stourbridge –  
Change of Use of Land for the Siting of a Mobile Catering Trailer  
(Retrospective)
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Some Members were of the opinion that the catering trailer was visually prominent and incongruous within the street scene and that its appearance did not suit the surroundings. Concerns were also raised about vehicular access into and out of the site and that vehicles would park on double yellow lines causing obstruction. Some Members were of the view that the trailer should be placed to the rear of the car park so that it was less visible. The Chairman stated that the trailer had been operating since September, 2009 and pointed out that no complaints had been received. It was suggested that the application be temporarily approved for a period of 12 months during which time an assessment would be made of any problems that occurred.

Decision: That approval be given to the application for a period of 12 months.

- (ii) Plan No P09/1275 – Charlton House, 51 New Street, Dudley – Change of use from Offices (B1) to Restaurant (A3)
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Decision: Approved, subject to conditions numbered 1 to 8 (inclusive) as set out in the report submitted.

- (iii) Plan No P09/1607 – Redhill Works, 200 Prospect Row, Dudley – Demolition of Existing Factory and Water Tower for an Outline Application for the Erection of 34 No Dwellings and Associated Car Parking (Access to be Considered)
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The Committee noted that the first paragraph of paragraph 12 of the report submitted had been replaced with the following wording “Group Engineer (Development) – No objections subject to the provision of a visibility splay of 2.4m x 59m, existing kerbs on the adjacent footway to be replaced and a Traffic Regulation Order”.

Decision: Approved, subject to the following: -

- (1) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the transport infrastructure improvements has been submitted to and agreed in writing by the Local Planning Authority.
- (2) The scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council’s planning obligations policies.
- (3) Conditions numbered 1 to 13 and 15 to 17 (inclusive) as set out in the report submitted, the replacement of the condition, numbered 14, together with an additional condition, numbered 18, as follows:-
  14. Prior to commencement of development a scheme to provide for a Traffic Regulation Order on Prospect Row shall be submitted to the Local Planning Authority unless, based on the reserved matters approved for the layout of the site, this requirement had previously been confirmed as not being necessary by the Local Planning Authority.

18. A Nature Conservation Mitigation Strategy, based on adequate and up to date survey work (including badger and bats) will be submitted to the Local Authority Planning Ecologist for approval. No works on site will commence before this Strategy is approved and all works must be carried out in accordance with the approved Strategy. Following the principles as set out in the Worcester Wildlife Consultancy's Phase 1 Habitat Survey and Protected Species Survey Assessment report for the site (dated February 2010), the Strategy should detail mitigation measures for protected species on site and any loss of habitat, including trees. It should also detail how the required level of Nature Conservation Enhancements (as set out in the Planning Obligations SPD) will be delivered onsite in addition to any works needed for mitigation purposes. Both mitigation and enhancement should, where possible, be used to ensure strategic benefits occur for the biodiversity of the locality.

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

- (iv) Plan No P09/1618 – Wrens Nest Nature Reserve, North of Wrens Hill Road, Wrens Nest, Dudley – Access Improvements Around Wrens Nest National Nature Reserve to Include Footpath and Step Improvements, New Handrails, Fencing, Viewing Platforms, Wheelchair Access and Construction of Visitors Car Park
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Decision: Approved, subject to conditions numbered 1 to 3 (inclusive) as set out in the report submitted.

- (v) Plan No P09/1648 – Wordsley Hospital Housing Redevelopment Site, Stream Road, Wordsley – Amendment to Planning Approval P06/1640 to Increase Dwellings to Blocks 8,9 and 17 from 24 to 31, Bin Store and Associated Car Parking
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The Committee noted that paragraph 44 headed “Notes” should be amended to read:-

“The development hereby permitted shall be built in accordance with the approved plans numbered WH1008, WH1002A, WH/1003A, WH/P24E, WH/P23D, WH/P26B, WH/P25B, WH/P41C, WH/P34C, WH/P/BinaA unless otherwise agreed in writing by the Local Planning Authority.

Decision: Approved, subject to the development not beginning until a deed of variation linking this application to planning permission P06/1640 and its attached S106 Agreement has been submitted to and agreed in writing by the Local Planning Authority, conditions numbered 1 to 21 and 23 (inclusive) as set out in the report submitted, an amended condition, numbered 22, together with an additional condition, numbered 24, as follows:-

22. Development shall not begin until a scheme for protecting residents in the proposed Building 17 dwellings from noise from Stream Road has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed before occupation of the permitted dwellings, unless otherwise agreed in writing by the Local Planning Authority.

Habitable rooms located on the ground floor of Building 17 shall be provided with background mechanical ventilation to ensure that as far as possible the windows of the dwellings can be kept closed to protect future occupants against loss of amenity from road traffic noise.

24. None of the development hereby approved shall be first commenced until details of vehicle restraint measures, preventing motor vehicles from using the footway between Building 17 and Building 1. The restraint measures shall be provided in accordance with the approved plans and shall be installed before Building 17 is first occupied. The vehicle restraint measures shall thereafter be retained for the life of the development.

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

- (vi) Plan No P10/0007 – Land to the West of Tipton Road Opposite Alderney Close, Dudley – Temporary Car Park Consisting of 221 Spaces of which 14 are Disabled Together with Approximately 140M of 6M Wide Access Road with Pedestrian Footpath Facilities Linking the Car Park to the Tipton Road (A4037)
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Decision: Approved, subject to conditions numbered 1 to 14 (inclusive) as set out in the report submitted.

- (vii) Plan No P10/0010 – Hill Ville Lodge, Swincross Road, Oldswinford, Stourbridge – Single Storey Front and Rear Extensions and Enlarge Existing Garage
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Decision: Approved, subject to conditions numbered 1 and 2 (inclusive) as set out in the report submitted.

- (viii) Plan No P10/0019 – 15 Engine Lane, Stourbridge – Two Storey Side/Rear Extension to Create 1 No Apartment
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Decision: Approved, subject to the following: -

- (1) The development not commencing until a scheme for the submission and approval of a planning obligation to guarantee contributions towards open space, sport and recreation improvements, library improvements, public realm improvements, transport infrastructure improvements and a management and monitoring charge has been submitted to and agreed in writing by the Local Planning Authority.
- (2) The scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council's planning obligations policies.
- (3) Conditions numbered 1 to 7 (inclusive) as set out in the report submitted, together with additional conditions, numbered 8 and 9 as follows:-
  8. That the applicant be requested to submit a further amended layout plan showing 5 parking spaces only.
  9. That the applicant be requested to submit details if a bat box to be installed on the extension.

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

- (ix) Plan No P10/0021 – 10 Market Street, Kingswinford – Change of use of Coffee/Juice Bar (A1/A3) to Café/Restaurant (A3) and Hot Food Takeaway (A5) with Single Storey Rear Extension and New Fume Extraction. (Resubmission of Refused Application P09/1603)
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Decision: Approved, subject to the following:-

- (1) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the provision of contributions towards transport infrastructure improvements and a monitoring and management charge has been submitted to and agreed in writing by the Local Planning Authority.

- (2) The scheme shall include the method, timing and arrangements including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council's planning obligations policies.
- (3) Conditions numbered 1 to 8 (inclusive) as set out in the report submitted;

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

- (x) Plan No P10/0043 – Oriel Care Home, Ibstock Drive, 87 Hagley Road, Oldswinford, Stourbridge – Single Storey Side/Front and Single Storey Rear Extensions (Resubmission of Refused Planning Application P09/1410)

Decision: Approved, subject to the following:-

- (1) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the provision of off site contributions towards transport infrastructure improvements, public realm and nature conservation enhancements and a monitoring and management charge has been submitted to and agreed in writing by the Local Planning Authority.
- (2) The scheme shall include the method, timing and arrangements including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council's planning obligations policies.
- (3) Conditions numbered 1 to 5 (inclusive) as set out in the report submitted;

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

- (xi) Plan No P10/0086 – 203-204 Wolverhampton Street, Dudley – Repair and Refurbishment of Architectural Detail and Provision of Security Gates

Decision: Approved, subject to conditions numbered 1 to 5 (inclusive) as set out in the report submitted.

- (xii) Plan No P10/0088 – 158 and 160 Stourbridge Road, Scotts Green, Dudley – Change of use of 2 No Residential Dwellings into 11 No Bedroom Care Home to Include Elevational Changes and Single Storey Front and Rear Extensions (Resubmission of Refused Application P09/1481)
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Decision: That, subject to any new objections on issues not covered in the report being reported back to Committee, on expiry of the neighbour consultation period, the Director of the Urban Environment be authorised to approve the application and to the following:-

- (1) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee a sum for the provision and enhancement of transport improvements and nature conservation has been submitted to and agreed in writing by the Local Planning Authority.
- (2) The scheme shall include the method, timing and arrangements including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council's planning obligations policies.
- (3) Conditions numbered 1 to 6 (inclusive) as set out in the report submitted;

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

- (xiii) Plan No P09/1716 – 5 Rectory Road, Oldswinford, Stourbridge – First Floor Side and Single Storey Rear Extension
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Members were of the opinion that the dormer window on the proposed front elevation was an incongruous addition and did not suit the street scene.

Decision: Refused, for the following reason:-

The proposed dormer window within the roof space on the front elevation would form an incongruous addition to the dwelling and would form a visually discordant feature within the street scene thereby having an adverse impact upon the character of the area being contrary to Policy DD4 (Development in Residential Areas) of the Adopted Dudley Unitary Development Plan (2005).



The meeting ended at 7.20 pm.

CHAIRMAN