

**Minutes of the Development Control Committee  
Wednesday 18th August 2021 at 6.00 pm  
In the Council Chamber, Council House, Dudley**

**Present:**

Councillor D Harley (Vice-Chair in the Chair)

Councillors K Ahmed, J Clinton, D Corfield, S Mughal, D Stanley, W Sullivan, E Taylor and M Westwood.

**Officers: -**

J Hindley - Project Engineer, S Hollands – Senior Planning Officer, C Mellor – Planning Manager, P Mountford – Head of Planning and Regeneration, P Reed - Principal Planning Officer, R Showell – Contaminated Land Manager (Directorate of Regeneration and Enterprise), I Grove – Principal Environmental Health Officer (Directorate of Public Health and Wellbeing), G Breakwell – Solicitor and K Griffiths – Democratic Services Officer (Directorate of Finance and Legal).

**Also in Attendance: -**

P Martin – Inward Investment and Business Support Officer - Observing

30 members of the public

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15. **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillors A Goddard, M Hanif and C Neale.

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16. **Appointment of Substitute Members**

It was reported that Councillors D Stanley, K Ahmed and J Clinton had been appointed as substitute Members for Councillors A Goddard, M Hanif and C Neale respectively, for this meeting of the Committee only.



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17. **Declarations of Interest**

No Member made a declaration of interest in accordance with the Members' Code of Conduct in respect of any matter to be considered at this meeting.

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18. **Minutes**

**Resolved**

That the minutes of the meeting held on 14<sup>th</sup> July 2021 be approved as a correct record and signed.

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19. **Change in Order of Business**

Pursuant to Council Procedure Rule 13(c) it was: -

**Resolved**

That the order of business be varied and the agenda items be considered in the order set out in the minutes below.

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20. **Plans and Applications to Develop**

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

The following persons were in attendance at the meeting, and spoke on the planning applications as indicated: -

<b><u>Application No.</u></b>	<b><u>Objectors/Supporters who wished to speak</u></b>	<b><u>Agent/Applicant who wished to speak</u></b>
P20/1306	Councillor A Aston (Objector) Mrs M Holden (Objector)	Ms R Bolger (On behalf of the Applicant)
P21/0178	Mr A Knight (Objector)	Mr M Walton (On behalf of the Applicant)
P21/1010	Councillor P Harley (Supporter)	Mr J Jowitt (On behalf of the Applicant)



(a) **Planning Application No. P20/1306 – Land at Bourne Street and Cedar Avenue, Coseley – Erection of 72 dwellings with associated open space, infrastructure and associated works**

**Resolved**

That the application be approved subject to conditions numbered 1, 4 to 9 (Inclusive), 11 to 25 (inclusive), 27 to 32 (inclusive), 34, 36, 38 to 40 (inclusive), as set out in the report submitted, amended conditions 2, 3, 10, 26, 33, 35, 37 and additional conditions numbered 41 to 43, as set out below: -

2. SKM135-BTP-01 Rev F replaced by SKM135-BTP-01 Rev G.
3. SKM135-PL-01 Rev V replaced by SKM135-PL-01 Rev W.
10. SKM132-BTP-01 Rev D replaced by SKM135-BTP-01 Rev G.
26. Notwithstanding the details contained within the ecological assessment, no development shall commence (excluding site clearance) until full details of nature conservation mitigation and enhancement including the management of the nature conservation mitigation areas to the west, north and east of the site have been submitted to and approved in writing by the Local Planning Authority. The approved nature conservation mitigation and enhancement shall thereafter be provided in accordance with a timetable to be agreed in writing by the Local Planning Authority.
33. Following implementation and completion of the approved remediation scheme as required by condition 32 above and prior to the first occupation of the development or an individual dwelling, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

35. Following the investigation and remediation of those areas required by condition 34 above, remediation of the site must be undertaken in complete accordance with the Remediation Strategy as detailed within the 'Geo-Environmental Assessment Report and Remediation Strategy' by Travis Baker Geo-Environmental Ltd, dated 27 May 2021 unless otherwise agreed in writing by the Local Planning Authority. Furthermore, no part of the development shall be brought into use or individual dwelling first occupied until the relevant verification report(s) have been submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.
37. Notwithstanding the details contained within the ecological assessment, no development shall commence (excluding site clearance) until full details of nature conservation mitigation and enhancement including the management of the nature conservation mitigation areas to the west, north and east of the site have been submitted to and approved in writing by the Local Planning Authority. The approved nature conservation mitigation and enhancement shall thereafter be provided in accordance with a timetable to be agreed in writing by the Local Planning Authority.
41. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.  
REASON: To ensure the protection of Controlled Waters and to comply with BCCS Policy ENV5. (EA)
42. No development shall commence (excluding site clearance and land reclamation) until details of the design, materials and colour(s), of the retaining walls hereby approved on the site have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details prior to occupation and the walls shall be retained and maintained as approved for the lifetime of the development.  
REASON: In the interests of the visual amenities of the site and the surrounding area and to comply with Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings and Policy D2 Incompatible Land Uses (in part).

43. Demolition or construction works shall not take place outside 1800 hours to 0700 hours Mondays to Fridays and 1700 hours to 0800 hours on Saturdays nor at any time on Sundays or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the amenities of nearby residents in accordance with BCCS Policy ENV1 and DBDS Policy D5.

(b) **Planning Application No. P21/0178 – 11 Hagley Road, Stourbridge – Change of use from Hair Salon (E) to Hot Food Takeaway (sui generis) with alterations to elevations to include extract flue, fresh air intake grill and new shop front and door**

In considering the report, Members took into account the concerns raised by a local Ward Councillor and objector as outlined in the report and as reported at the meeting, in particular, the lack of parking facilities to support collections and deliveries associated with the proposed use of the premises. Although Officers provided a separate presentation on the concerns raised confirming that a private car park was located to the rear of the premises and sufficient on street parking was available in the vicinity of the area, Members requested that a site visit be arranged in order for them to assess the issues raised prior to a decision being made.

**Resolved**

That the application be deferred for a site visit.

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(c) **Planning Application No. P21/1010 – 52 Mount Pleasant, Kingswinford – Two storey side/rear extensions, single storey rear extension and single storey side extension to create garage (Retrospective)**

In considering the report, Members took into account the comments provided by a local Ward Councillor and the Agent on behalf of the applicant as outlined in the report and as reported at the meeting, in particular, the inaccurate information provided to the applicant during the time of purchase, that the proposals would enhance the area and that there would be no impact on the character of neighbouring properties or amenities.

**Resolved**

That the application be approved as it was considered that the proposals enhance the area and that there would be no impact on the character of the area or the amenities of neighbouring properties.

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(d) **Planning Application No. P20/1801 – Pegasus Grab Hire, Bott Lane, Lye, Stourbridge – The continued use of land as an aggregate sorting and recycling facility and the installation of new aggregate washing facility (Retrospective)**

In considering the report, Members welcomed the planning application for the continued use of the site. Although Members acknowledged that the site was designated for residential development, they felt that approval of the planning application should be extended to a five year term instead of three years as outlined in the report to allow additional time to secure an alternative site and provide employment security as well as safeguarding the area for future residential opportunities.

**Resolved**

That the application be approved subject to conditions numbered 2 to 11 (inclusive), as set out in the report submitted and amended condition 1, as set out below: -

1. The development/use hereby permitted shall cease on or before 1 September, 2026 and the site reinstated to its previous condition within 8 weeks of development/use ceasing.  
REASON: The development must be of a temporary nature as its long term retention would be inappropriate relative to the Black Country Core Strategy Policies CSP2 and RC13 and DBDS Policies D2, D5 and D6, as its long term retention would prejudice the residential based regeneration of the wider Lye area.

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(e) **Planning Application No. P21/0533 – 1 Lodge Close, Halesowen – two storey side extension (following demolition of existing snug and utility)**

Members were informed that the above planning application had been withdrawn.

The meeting ended at 8.00 pm

CHAIR



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