

DEVELOPMENT CONTROL COMMITTEE

Monday 31st March, 2014 at 6.00 pm
In Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Zada (Chair)
Councillors A Ahmed, Caunt, Hale, J Martin, Perks, Roberts, Mrs Westwood
and C Wilson

OFFICERS:-

Mr J Butler, Mrs H Martin and Mr P Reed (all Directorate of the Urban
Environment), Mrs G Breakwell and Mrs M Johal (Directorate of Corporate
Resources)

78 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of
Councillors Casey and Wright.

79 **APPOINTMENT OF SUBSTITUTE MEMBER**

It was reported that Councillors Caunt and Hale had been appointed as
substitute members for Councillors Wright and Casey respectively for this
meeting only.

80 **DECLARATIONS OF INTEREST**

In accordance with the Members' Code of Conduct, non-pecuniary interests
were made by the following:-

Councillor Roberts in Planning Application Nos P13/1751 (Dudley College,
The Broadway Dudley) and P13/1758 (Evolve (Dudley College, Tower Street,
Dudley), as she was a colleague of the speaker.

Councillor Caunt in Planning Application No P11/0107 (Land at Lowndes
Road/Bradley Road, Stourbridge) in view of him being the Chairman of
Stourbridge Navigation Trust.

81 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 10th March, 2014, 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. 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 persons had indicated that they wished to speak at the meeting and spoke on the planning application:-

Plan No P14/0166 – Mr Dale Homer – an objector and Mr Bennett – an agent/applicant

- (i) Plan No P14/0166 – Somerset House, 121 Enville Street, Stourbridge – Part A – Erection of Smoking Shelter to the Eastern Boundary (Retrospective) Part B – Single Storey Side/Rear Extension and Alteration of Access for First Floor Office Accommodation
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Decision:

- (1) That Part A of the application be refused for the reason as set out in the report submitted.
- (2) That Part B of the application be approved subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (3) That the Director of the Urban Environment be authorised to take enforcement action against the unauthorised smoking shelter, should negotiations regarding a more appropriate location not succeed.

- (ii) Plan No P11/0107 – Land at Lowndes Road/Bradley Road, Stourbridge – Outline Application for Development of up to 80 Dwellings (Access to be Considered with all Other Matters Reserved) (Resubmission of Refused Application P06/0001) _____

Arising from the presentation of the report it was considered that a Section 106 contribution should also be made towards upgrading the towpath.

Decision: Approved, subject to the following:-

- (1) The signing of a legal agreement to guarantee the provision of
i) a scheme for the off-site provision and future maintenance of public open space and children's play facilities to be submitted to and approved by the Local Planning Authority in accordance with the requirements of the Open Space and Planning Obligations Supplementary Planning Documents; ii) a contribution towards either upgrading the stop poles in the surrounding area to shelters or towards improvements to bus services in the area; iii) affordable housing, iv) a management and monitoring fee and iv) a contribution to upgrade the adjacent towpath.
- (2) The completion of the Agreement by 31st June, 2014 and, in the event of this not happening, the application being refused, if appropriate.
- (3) Conditions, numbered 1 to 30 (inclusive), as set out in the report submitted.

and that the Director of Urban Environment be authorised to make amendments to these as necessary.

Prior to the consideration of the following matter the meeting adjourned and reconvened at 7.00 pm.

- (iii) Plan No P13/1751 – Dudley College, The Broadway, Dudley – Variation of Condition 4 of Planning Approval P13/0932 to be Revised to 'The Existing Drive Adjacent to Number 12 The Broadway Shall not be used at any Time for Vehicular Access or Egress from the Car Park or at any Time by Contractors' _____

Arising from the presentation of the report Members were of the view that there was no justification in opening the passageway for access and egress and that it would have an impact on residential amenity.

Decision: Refused for the following reason:-

The proposed development, by virtue of increased pedestrian movements will result in an unacceptable level of increased noise and disturbance to the occupiers of numbers 10 and 12, The Broadway contrary to the requirements of saved policy DD4 of the UDP (2005).

(iv) Plan No P13/1758 – Evolve (Dudley College), Tower Street, Dudley – Formation of New Pedestrian Crossing

Arising from the presentation of the report Members made various points and comments including the view that there did not seem to be any justification to open the passageway as students used the crossings at Ednam Road and the Broadway to access the College. Reference was also made to the zoo garage and if students were encouraged to use the passageway they would potentially have to walk in front of the working garage.

During the ensuing debate consideration was given to the information given on the pedestrian count and some Members were of the view that the number of students using the passageway could potentially increase which would result in additional noise and disturbance thus impacting on residential amenity. The crossing would also exacerbate the existing problem of traffic congestion and have a further impact on air quality in the area.

Decision: Refused for the following reasons:-

- (1) The proposed development would have an adverse impact on the amenities of the occupants of 10 and 12, The Broadway, by reason of disturbance resulting from people congregating whilst waiting to use the crossing facility, sounds emanating from the operation of the associated crossing equipment and the starting and stopping of vehicles, contrary to Saved UDP Policy DD4 (Development in Residential Areas).
- (2) The proposed development would result in queuing vehicles along this part of The Broadway which will result in a degradation in air quality within the vicinity of the crossing in close proximity to a location which has been identified as having poor air quality to the detriment of the amenities of the occupants of The Broadway, contrary to Saved UDP Policy DD4 (Development in Residential Areas) and Black Country Core Strategy Policy ENV8 Air Quality.

(v) Plan No P14/0002 – Northern Edge of the Former Cradley High School, Cradley, Halesowen – Approval of Reserved Matters for Erection of 9 No Dwellings, Garages, Associated Works and Emergency Access to the Retirement Village (Following Outline Approval P12/1447)

Decision: Approved, subject to conditions, numbered 1 to 6 (inclusive), as set out in the report submitted, together with additional conditions, numbered 7 to 9, as follows:-

7. Prior to the development first being occupied the detailed design of the extension of Ormande Close and the provision of the emergency access from Homer Hill Road to Ormande Close shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with those details prior to the first occupation of the development and it shall be retained as such thereafter.
 8. Notwithstanding the details shown on the approved plans full details of the access roads and parking areas including cross-section, lines, widths, levels, gradients, drainage and lighting shall be submitted to and agreed in writing prior to those works being commenced. The development shall be carried out in full accordance with the approved details prior to the development first being brought into use and shall be retained as such for the life of the development.
 9. No additional vehicular access points to the site shall be inserted in the boundary other than those shown on the approved plans.
- (vi) Plan No P14/0066 – 25 Dunsmore Drive, Quarry Bank, Brierley Hill – Conversion and Extensions to Existing Garage to Create Habitable Room. Single Storey Side/Front Extension and New Front Porch

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

- (vii) Plan No P14/0106 – 3 Linden Drive, Oldswinford, Stourbridge – Single and Two Storey Side, First Floor Side/Rear and Two Storey Rear Extensions. Part Conversion of Existing Garage to Create Habitable Room. (Resubmission of Withdrawn Application P13/1704)

Decision: Approved, subject to conditions, numbered 1 to 4 (inclusive), as set out in the report submitted.

- (viii) Plan No P14/0162 – Corner Site of Clement Road and Nimmings Road, Black Heath – Erection of a Two Storey Building to Create 6 No Apartments

Decision: Approved, subject to conditions, numbered 1 to 4, 6 to 20 (inclusive), as set out in the report submitted, together with an amended condition, numbered 5, and additional condition, numbered 21, as follows:-

5. The development shall not commence until details of the access road and the car parking bays including, structures, lines, widths, levels, gradients, form of construction, cross sections, lighting and drainage have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the first dwelling and thereafter retained for the lifetime of the development.
21. No development shall commence until details for the provision of external electric vehicle charging points, in accordance with the specification within the Parking Standards Supplementary Planning Document, have been submitted to and approved in writing by the Local Planning Authority. The charging points shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.
- (ix) Plan No P14/0165 – Land Adjacent to 31 Gads Green, Netherton, Dudley – Erection of 1 No Dwelling to Include Lower Ground Floor Associated 1 No Bedroom Annex with Ancillary Works
(Resubmission of Withdrawn Planning Application P13/0612)

Decision: Approved, subject to conditions, numbered 1 to 11 and 13 to 18 (inclusive), as set out in the report submitted, together with an amended condition, numbered 12, as follows:-

12. Development shall not commence until details of the retaining wall, including structural calculations, slope stability analysis, drainage and method of construction, have been submitted to and approved in writing by the Local Planning Authority. Prior to first occupation the retaining walls shall be implemented in accordance with the approved details and thereafter maintained for the life of the development.

The meeting ended at 7.50 pm.

CHAIR