

## **DEVELOPMENT CONTROL COMMITTEE**

Monday, 5th April, 2004, at 6.00 p.m.

### **PRESENT:-**

Councillor Mrs Wilson (in the Chair)  
Councillors Banks, Mrs Bowkley, M Davis, G H Davies, James, Mottram, Southall and Stanley, together with Messrs Boland, Cheetham, Glews, Isherwood, Limbrick and Mellor (Directorate of the Urban Environment), Mr K Edwards and Mr J Jablonski (Directorate of Law and Property).

### 116 **MINUTES**

#### **RESOLVED**

That the minutes of the meeting of the Committee held on 15th March, 2004, be approved as a correct record and signed.

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### 117 **DECLARATIONS OF INTEREST**

No Member made a declaration of interest in accordance with the Members' Code of Conduct.

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### 118 **APOLOGY FOR ABSENCE**

An apology for absence for the meeting was submitted on behalf of Councillor Finch.

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### 119 **APPOINTMENT OF SUBSTITUTE FOR THIS MEETING OF THE COMMITTEE**

It was reported that Councillor Mottram had been appointed to serve as a substitute for Councillor Finch for this meeting of the Committee only.

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### 120 **SITE VISITS**

Consideration was given to the following planning applications in respect of which a site visit had been made on Tuesday, 30th March, 2004, by the Development Control (Site Visiting) Working Party.

#### **RESOLVED**

That the site visit applications be dealt with as follows:

- (i) Plan no. P02/1466 – Manor Farm, Manor Way, Halesowen – Erection of porch and link to outbuilding, and installation of satellite dish and security lights (retrospective)
- (ii) Plan no. P03/1572 – Manor Farm, Manor Way, Halesowen – Retrospective Application for Stone Flood Barrier Cages (gabions) and associated earth works and infilling – amendment to withdrawn application PO2/1818 showing reduction in height of gabions to 2.3m to 1.5m high

Decision: That further consideration of these applications be deferred to enable independent legal advice to be obtained and further discussions to be held with English Heritage on the courses of action available to the Council in this matter; that the courses of action include the possibility of joint action with English Heritage in respect of the unauthorised works already undertaken and that members of the Committee be consulted on the outcome of the further discussions to be held regarding independent legal advice and with English Heritage.

- (iii) P03/2118 – 19 Swan Street, Stourbridge – Demolition of Existing Bungalow and erection of four bedroom detached dwelling and garage

Decision: Approved, subject to conditions numbered 1 to 7 (inclusive) as set out in the report of the Director of the Urban Environment.

- (iv) Plan no. P03/2370 – 1 Brook Crescent, Kingswinford – Erection of three no. 4 bedroom dwellings

Decision: Approved, subject to conditions numbered 1 to 10 (inclusive), as set out in the report of the Director of the Urban Environment.

- (v) Plan no. P03/1748 – Land off Salop Street/Nith Place, Dudley – Reserved matters application (following outline permission P01/1253) for the erection of 229 dwellings (flats, houses and bungalows), associated roads, sewers and regrading of existing ground levels

Decision: That the Director of the Urban Environment, in consultation with the Chair, Vice-Chair, Shadow Chair and Ward Councillors, be authorised to determine the application subject to all outstanding issues, including access to the development, and any necessary variations to the existing Agreement under Section 106 of the Town and Country Planning Act, 1990, being agreed and to the imposition of appropriate conditions.

- (vi) Plan no. P03/1629 – Vacant land at former MEB office headquarters, Mucklow Hill, Halesowen – Outline application for residential development comprising 6391 square metres gross floor area
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Decision: Approved, subject to the applicant's entering into a Agreement under Section 106 of the Town and Country Planning Act, 1990 (as amended) for a contribution towards children's play and off site improvements to public open space in accordance with Detailed Guidance for Housing Development contained in Section Nine of the adopted Dudley Unitary Development Plan; that the applicants provide an element of Affordable Housing on site in accordance with Policy H5 (Affordable Housing) of the Revised Dudley Unitary Development Plan and to conditions numbered 1 to 30 (inclusive) as set out in the report of the Director of the Urban Environment.

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### CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13 (c) it was

RESOLVED

That the order of business at agenda item no. 6 be varied in order to enable planning applications numbered P04/0020, P04/0121, P04/0250 to be dealt with prior to the remaining planning applications in agenda item no. 6.

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### PLANS AND APPLICATIONS TO DEVELOP

Reports of the Director of the Urban Environment were submitted on plans and applications to develop and the following persons were in attendance at the meeting and spoke on the planning applications indicated:

- (i) Plan no. P04/0020 – Shops and Surgery, Turners Lane, Withymoor Village, Brierley Hill – Renewal of Planning Approval 98/50507 for two storey extension to form ground floor shop units with first floor office unit above. (Also to include planning approval no. P00/50432 to omit condition 11 of approval number 98/50507 to allow the additional floorspace to be incorporated into the existing adjacent unit – Mr Downing, an objector.
- (ii) Plan no. P04/0121 – 281 Hagley Road, Pedmore – Retrospective application for first floor side and two storey rear extension to provide kitchen, shower rooms and dressing room (resubmission of approved application P03/1163 – Mr Francis, on behalf of the applicants

- (iii) Plan no. P04/0250 – 7 Kempsey Close, Halesowen – Single storey side and rear extensions to create conservatory and granny flat including kitchen, bathroom, living room and bedroom (resubmission of refused application P03/1848) – Mrs Hampson on behalf of her parents who lived next door to the application site.

## RESOLVED

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

- (i) Plan no.P04/0020 – Shops and Surgery, Turners Lane, Withymoor Village, Brierley Hill – Renewal of Planning Approval 98/50507 for two storey extension to form ground floor shop units with first floor office unit above. (Also to include planning approval no. P00/50432 to omit condition 11 of approval number 98/50507 to allow the additional floor space to be incorporated into the existing adjacent unit
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Decision: That consideration of the above application be deferred pending a site visit to be held prior to the next meeting of the Committee to address concerns expressed.

- (ii) Plan no. P04/0121 – 281 Hagley Road, Pedmore – Retrospective application for first floor side and two storey rear extension to provide kitchen, shower rooms and dressing room (resubmission of approved application P03/1163)
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Decision:

1. Refused, for the reason set out in the report of the Director of the Urban Environment.
  2. That Planning Enforcement Action be authorised to secure removal of the unauthorised first floor extension
- (iii) Plan no. P04/0250 – 7 Kempsey Close, Halesowen – Single storey side and rear extensions to create conservatory and granny flat including kitchen, bathroom, living room and bedroom (resubmission of refused application P03/1848)
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Decision: That consideration of the above application be deferred pending a site visit to be held prior to the next meeting of the Committee to address concerns expressed.

- (iv) Plan No. P03/0319 – High Oak, Pensnett – Change of use to Hand Car Wash (Retrospective)

Decision:

1. Refused, for reasons 1 and 3 as set out in the report of the Director of the Urban Environment and for an amended reason, numbered 2, a follows
2. The drainage provision is inadequate, which would result in increased detriment to neighbouring amenity and to an unacceptable risk of pollution of the water environment. As such this proposal is contrary to Policy 83 “Development Control – Residential Areas” of the adopted Dudley Unitary Development Plan.
2. That Planning Enforcement Action be authorised to secure cessation of the unauthorised use of the site as a hand car wash.

- (v) Plan no. P03/0712 – 61 Cromwell Drive, Dudley – Erection of retaining walls and garage in rear garden (retrospective)

Decision:

1. Refused, for the reasons set out in the report of the Director of the Urban Environment.
2. That Planning Enforcement Action be authorised in respect of the unauthorised works to date.

- (vi) Plan no. P03/1356 – Land at Moor Street, Brierley Hill – Residential Development (Outline)

Decision: Refused, for the reason set out in the report of the Director of the Urban Environment.

- (vii) Plan no. P04/0247 – 149 The Ridgeway, Dudley – to fell one lombardy and two grey poplars

Decision: Approved, subject to conditions numbered 1 to 4 as set out in the report of the Director of the Urban Environment.

- (viii) Plan no. P04/0287 – Site off Dibdale Road West, Dudley – Fell two poplar trees, one cherry tree and one almond tree

Decision: That the application be approved only in respect of the felling of the two poplar trees and subject to conditions numbered 1 to 6 as set out in the report of the Director of the Urban Environment.

- (ix) Plan no. P04/0381 – 44 Ferndale Park, Stourbridge – Fell one  
pine tree
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Decision: Approved, subject to conditions 1 to 4 as set out in the report of the Director of the Urban Environment.

The meeting ended at 7.05 pm.

CHAIR