

DUDLEY METROPOLITAN BOROUGH

PLANNING COMMITTEE – 13th NOVEMBER, 2023

PRE - COMMITTEE NOTES

Page 7 Application No. P22/1180 - PEGASUS GRAB HIRE, BOTT LANE, LYE, STOURBRIDGE, DY9 7AW

P22/1180 - Pegasus Grab Hire, Bott Lane, Lye, Stourbridge

Para 11. Should read, *“24 letters of objection were received, following consultation with 42 adjoining neighbours...”*

Condition 5 - amended to read, *“Until 31 December 2024 no heavy good vehicles (whether laden or unladen) shall enter or leave the site, before the hours of 06.30 nor after 18.00 on Monday to Friday; before the hours of 07.00 nor after 1730 on Saturdays and not at all on Sundays and Public Holidays.*

“From 1 January 2025 no heavy good vehicles (whether laden or unladen) shall enter or leave the site, before the hours of 06.30 nor after 18.00 on Monday to Friday; before the hours of 07.00 nor after 14.00 on Saturdays and not at all on Sundays and Public Holidays (unless otherwise agreed in writing by the Local Planning Authority)”.

A letter has been received from the applicant's agent, main issues raised,

- Welcome the positive recommendation.
- Do not support the imposition of condition 7 consider sufficient information was submitted with P20/1801.
- Do not consider that the coal mining conditions (conditions 8 and 9) should be imposed. Consider it not to be appropriate on a temporary permission.
- Consider there is sufficient information previously presented in relation to dust and direct control on the highway (condition 12).

In response to the above, conditions 7, 8 and 9 were included with planning permission P20/1801. There is considered to be no change in circumstances since the last application for the LPA to take a different view. Moreover, it is matter for the Coal Authority as to whether conditions should not be imposed due to their statutory function and public safety remit.

With regard to condition 12, the highway officer has raised concerns about material being deposited on the public highway, which has been evident from site visits, and therefore a condition is required to ensure that this matter is better controlled than at present.

It should be noted as these are not pre commencement conditions and that the LPA is not obliged to seek the agreement of the applicant.