

DUDLEY METROPOLITAN BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE – 2nd April 2013

REPORT OF THE DIRECTOR OF THE URBAN ENVIRONMENT – DEVELOPMENT CONTROL PERFORMANCE

Purpose of report

- 1 To inform Committee of the decisions made on applications determined under 'delegated powers' by the Director of the Urban Environment. This report also includes decisions on appeals made against the Council's decision on planning applications as set out in the attached appendices.

Background

- 2 Planning applications submitted to the Council are either considered by the Development Control Committee or delegated to the Director of the Urban Environment for decision in line with the constitution.
- 3 Applications are normally referred to the Development Control Committee if there is a substantial objection from local residents or statutory consultees, the proposal is in conflict with the development plan; or where the Committee Chairman or Ward Councillor requests (on sound planning grounds) that the application be referred to committee. Where none of the above criteria apply the decision making can be delegated. Appendix A lists all the applications determined under delegated authority since the last committee date.
- 4 When a planning application is determined; either to refuse or approve subject to conditions the applicant does not agree with, the applicant can submit an appeal to the Planning Inspectorate. The Inspectorate then independently re-assesses the planning proposal and can decide to uphold the Council's decision or to overturn it and allow the appeal. Appendix B lists all the appeals decided since the last committee date.

Finance

- 5 There are no direct financial consequences arising from this report, and the costs of determining planning applications are covered by existing budgets. However under the appeal process claims for costs can be made, and if the Inspectorate is satisfied that the behaviour of a party is unreasonable full or partial costs can be awarded. In the event that an award of costs went against the Local Planning Authority it would also have to be met through the existing budget resources.

Law

- 6 Sections 70-76, 78, 195, 196 of the Town and Country Planning Act, Section 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990, Regulation 17 of the Town and Country Planning (Control of Advertisements England) Regulations 2007.

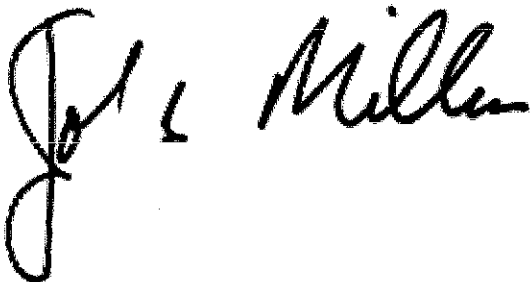
Decisions are made in line with Dudley Metropolitan Borough Council Constitution.

Equality Impact

- 7 The proposals contained within this report takes into account the Council's equal opportunities policies and assist with the Council Plan's objective of achieving a fairer society.

Recommendation

- 8 That the Committee note the contents of this report.



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Appendix A – The Following Table shows delegated applications in the period 11.3.13 – 2.4.13. These include decisions made by officer delegation and delegations made in consultation with the Chair (highlighted in Bold)

<u>Application number</u>	<u>Decision</u>	<u>Decision date</u>	<u>Development description</u>	<u>Location</u>
P12/1499	Granted	11/03/2013	Display 2 no. internally illuminated fascia signs and 1 no. non-illuminated sign	Former Comet, Station Drive, Merry Hill, Brierley Hill, West Midlands, DY5 1SY
P12/1568	Refused	22/03/2013	Change of use of newsagents to spray tanning and sun bed centre with erection of extension	49a, Kent Street, Upper Gornal, Dudley, DY3 1UZ
P12/1579	Granted	02/04/2013	Change of use from vacant retail shop (A1) to residential (C3)	76, High Street, Quarry Bank, Brierley Hill, DY5 2AD
P12/1604	Granted	22/03/2013	Substitution of house types on plots 24 - 29 and 31 - 34 to previously approved	Land Between Lodgefield Road & Coombs Road, Halesowen, West Midlands
P13/0014	Granted	11/03/2013	Change of use from dwelling (C3) to non-residential education and training centre	14, The Broadway, Dudley, West Midlands, DY1 4AR
P13/0011	Refused	15/03/2013	Outline application for erection of retail unit (A1) with two flats above (C3)	Lye Pocket Park, 182-184, High Street, Lye, Stourbridge, West Midlands, DY9 8LH
P13/0030	Granted	28/03/2013	First floor and two storey side and single storey rear extensions	110, Gayfield Avenue, Brierley Hill, West Midlands, DY5 2BU
P13/0035	Granted	14/03/2013	One and two storey rear and first floor side extension. Loft conversion with rear dormer	112, Oakham Road, Dudley, DY2 7TQ
P13/0037	Granted	14/03/2013	Single storey rear extension (retrospective)	42, Buffery Road, Dudley West Midlands, DY2 8ED
P13/0039	Granted	14/03/2013	Installation of two motor centre control kiosks (Retrospective).	Lower Gornal Sewage Treatment Works, Himley Road, Lower Gornal, West Midlands

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P13/0055	Granted	28/03/2013	Infill side and rear walls of existing garage/entrance	16 Caroline Street, Dudley, West Midlands, DY2 7DZ
P13/0057	Granted	26/03/2013	Single and two storey rear extension	The Burrow, 12, Duncombe Street, Wollaston, Stourbridge, DY8 3QU
P13/0058	Granted	21/03/2013	First floor side extension. Single storey side extension to enlarge existing kitchen	86, Kingsley Road, Kingswinford, DY6 9RT
P13/0061	Granted	25/03/2013	Lawful Development Certificate for an existing use as a supermarket (A1)	Food City, 54, High Street, Lye, Stourbridge, DY9 8LQ
P13/0063	Granted	11/03/2013	Single storey front extension to garage and conversion into habitable rooms	26, Greenhill Road, Halesowen, B62 8HA
P13/0060	Granted	21/03/2013	Variation of condition 13 of Planning application P12/0159	Poets Corner Ph, 240, High Street, Pensnett, West Midlands
P13/0067	Granted	14/03/2013	Two storey front and side/rear extension, single storey rear extension	216, Cot Lane, Kingswinford, DY6 9QH
P13/0068	Granted	13/03/2013	Two storey side/rear and single storey rear extension (following demolition of existing)	63, Highfield Road, Dudley, DY2 7QE
P13/0069	Refused	19/03/2013	New front and rear dormer windows	Flat 3, 74, High Street, Pensnett, Brierley Hill, DY5 4EB
P13/0071	Granted	13/03/2013	First floor side extension	112, Manor Abbey Road, Halesowen, West Midlands, B62 0AA
P13/0065	Granted	20/03/2013	Display various illuminated and non-illuminated signage	133-134, High Street, Stourbridge, DY8 1DS
P13/0073	Granted	22/03/2013	Conversion of garage into habitable room with front bay window and canopy roof.	109, Sledmore Road, Dudley, DY2 8DZ

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P13/0082	Granted	21/03/2013	Rear conservatory	20, Hallchurch Road, Dudley, DY2 0TH
P13/0081	Granted	18/03/2013	Display of illuminated fascia, projecting and totem signs.	Car Wash, 58, High Street, Pensnett, Brierley Hill, DY5 4RH
P13/0080	Granted	14/03/2013	Elevational changes to include over-cladding, new doors and windows and blocking	Gill Mechanical Services Ltd, Platts Road, Amblecote, Stourbridge, DY8 4YR
P13/0088	Granted	26/03/2013	Single storey side extension to create garage.	45a, Crossgate Road, Holly Hall, Dudley, West Midlands, DY2 0SY
P13/0091	Granted	28/03/2013	Display one non-illuminated sign and one externally illuminated fascia sign	113, Bridgnorth Road, Wollaston, Stourbridge, Dudley, DY8 3NY
P10/0080/E1	Granted	22/03/2013	First floor side extension with front and rear dormers	194, Cradley Road, Netherton, Dudley, DY2 9TE
P13/0092	Granted	15/03/2013	Single storey front extension	7, Snowdon Grove, Hayley Green, Halesowen, B63 1JP
P13/0094	Granted	27/03/2013	Single storey side extension	3, Mons Hill, Dudley, DY1 4LT
P13/0095	Granted	20/03/2013	Installation of new freestanding ATM and bollards (following removal of existing facility)	Dixons Green Service Station, Dixons Green Road, Dudley, West Midlands, DY2 7DJ
P13/0097	Granted	25/03/2013	Single storey side and rear extension and new enlarged roof with rear dormer	1, Tansley Hill Road, Dudley, DY2 7ER
P13/0090	Granted	20/03/2013	Single storey side extension and extension to front canopy	1, Blossomfield Close, Kingswinford, DY6 7DS
P13/0100	Granted	22/03/2013	Installation of platform lift to front elevation	26, Spring Vale Close, Coseley, Bilston, WV14 9JB
P13/0103	Granted	18/03/2013	Alterations to ground floor to create disabled shower facility, first floor extension	Ski & Yachting Club, Lodge Farm Reservoir, Highbridge Road, Dudley, DY2 0HB
P13/0102	Granted	22/03/2013	Two storey side and single	29, Poplar Road, Norton, Stourbridge, DY8 3BD

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			storey rear extension	
P13/0101	Granted	18/03/2013	Single storey rear extension and convert garage into habitable room.	15, Strathern Drive, Coseley, Bilston, WV14 9HE
P13/0110	Granted	02/04/2013	Display 2 no. internally illuminated fascia signs and 1 non internally illuminated sign	20, Albion Street, Brierley Hill, West Midlands
P13/0114	Refused	26/03/2013	Change of use from vehicle body repair workshop to vehicle tyre centre (sui-generis)	Oldswinford Vehicle Refinishers, 2, Heath Lane, Stourbridge, DY8 1RE
P13/0118	Granted	20/03/2013	Lawful Development Certificate for a proposed extension to roof	31, Meadowbrook Road, Halesowen, West Midlands, B63 1AG
P13/0120	Granted	14/03/2013	Removal of conditions 3 and 4 of planning application 99/51173	37, Avenue Road, Coseley, Bilston, WV14 9DJ
P13/0124	Granted	14/03/2013	First floor rear extension (retrospective). Single storey side extension	Masdaq Mortgages And Property Services, 124, Nimmings Road, Halesowen, B62 9JH
P13/0121	Granted	22/03/2013	Single storey rear extension (following demolition of existing out buildings)	127, Malt Mill Lane, Halesowen, B62 8JE
P13/0112	Granted	12/03/2013	Single storey front and two storey side/rear extension (following demolition of existing)	17, Mucklow Hill, Halesowen, B62 8NY
P13/0127	Granted	11/03/2013	Change of use from retail (A1) to financial and professional services (A2)	Shop, 14, Castle Street, Dudley, DY1 1LF
P13/0128	Granted	28/03/2013	Removal of condition 5 of planning application	5 - 7 Hagley Road, Halesowen, West Midlands, B63 4PU

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			C/C/89/52255	
P13/0131	Granted	22/03/2013	Single storey front and rear extensions	68, Belbroughton Road, Stourbridge, DY8 3BG
P13/0132	Granted	02/04/2013	Change of use to either class A1, A2, or A3	Building Society, 1, Foster Street, Stourbridge, Stourbridge, DY8 1EL
P13/0133	Granted	21/03/2013	Variation of condition 18 of planning application P08/0906 allowing site alterations	Land Adjacent To And To The Rear Of, 107, Long Lane, Halesowen, West Midlands
P13/0134	Granted	28/03/2013	Single storey rear extension	9, Greenland Close, Kingswinford, DY6 7EF
P13/0137	Granted	26/03/2013	Two storey side and single storey rear extension (resubmission of refused application)	47, Brook Street, Wall Heath, Kingswinford, DY6 0JG
P13/0139	Granted	02/04/2013	Change of use of ground floor from retail (A1) to flat (C3) with elevational changes	115, New Street, Quarry Bank, Brierley Hill, DY5 2BB
P13/0140	Granted	22/03/2013	Single storey rear extension	428, Hagley Road, Halesowen, B63 4JS
P13/0141	Refused	02/04/2013	Two storey side and single storey rear extension	6, Blossomfield Close, Kingswinford, DY6 7DS
P13/0142	Granted	02/04/2013	Single storey front and rear extension. Alterations to roof shape to enlarge house	71, Sandhurst Avenue, Stourbridge, DY9 0XL
P13/0143	Granted	21/03/2013	Single storey side extension to create double garage, new pitched roof	141, Tipton Road, Woodsetton, Dudley, DY3 1AA
P13/0146	Granted	14/03/2013	Two storey side and first floor extension with new pitched roof (resubmission)	31, Ivyhouse Lane, Coseley, Bilston, WV14 9JH
P13/0159	Granted	28/03/2013	Single storey rear/side extension	60, Olive Hill Road, Halesowen, West Midlands, B62 8JN

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P13/0158	Granted	11/03/2013	One and two storey side extension (following demolition of existing utility room	101, Love Lane, Oldswinford, Stourbridge, West Midlands.
P13/0164	Granted	21/03/2013	Two storey side extension	21, Apley Road, Wollaston, Stourbridge, DY8 4PA
P13/0153	Granted	14/03/2013	Single storey side extension	28, Downfield Drive, Sedgley, Dudley, DY3 1SQ
P13/0170	Granted	14/03/2013	Creation of car park with 24 spaces (resubmission of refused application	Gibbons Industrial Estate, Kingswinford, DY6 8XF
P13/0171	Granted	26/03/2013	Erection of rear conservatory	9, Rock Road, Coseley, Bilston, WV14 9HA
P09/1533/C1	Granted	02/04/2013	Discharge of conditions 1, 2 and 3.	Swindon Road/Kidderminster Road, Wall Heath, Kingswinford, West Midlands
P13/0166	Granted	26/03/2013	Erection of 7 no. dwellings (plots 6 - 12) with associated parking, boundary walls	Land Off Turley Street, Dudley, West Midlands, DY1 3RW
P13/0189	Granted	26/03/2013	Conversion of first floor offices into 2 no flats and 5 no. bedsits .	Priory Court, 5, New Street, Dudley, DY1 1LU
P13/0192	Granted	13/03/2013	Prune lower branches of Birch tree nearest property .	9, Chaddesley Drive, Stourbridge, DY9 0RN
P13/0196	Granted	22/03/2013	Change of use of D1 (non-residential institute) to A1 (retail)	Unit U76a, Upper Mall, Phase V, Merry Hill Centre, Brierley Hill, DY5 1SY
P13/0195	Refused	22/03/2013	Single storey front extension with new front porch, single storey rear extension	83, Dudley Road, Brierley Hill, DY5 1HB
P13/0182	Granted	20/03/2013	Single storey rear infill extension and new shop front (resubmission of previous	30, Madeley Road, Kingswinford, DY6 8PF
P13/0207	Granted	22/03/2013	Part change of use from retail (A1) to veterinary surgery (Sui Generis)	Unit 4, Phase 3, The Merry Hill Centre, Brierley Hill, West Midlands, DY5 1SY

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P13/0210	Granted	26/03/2013	Erection of raised decking area at rear of property (retrospective)	29, Tansley Hill Avenue, Dudley, DY2 7TW
P13/0214	Granted	14/03/2013	Crown reduce 1 Maple by 30% and crown thin by 20%	53, Poplar Crescent, Norton, Stourbridge, DY8 3BA
P10/1250/C1	Granted	14/03/2013	Discharge of conditions 1, 3, 5, 6, 7, 8 & 12	Former Chapel Windows Site, Dudley Wood Road/Lantern Road, Netherton, Dudley, West Midlands, DY2 0DJ
P13/0218	Granted	26/03/2013	Demolition of existing dwelling and erection of 1no. new dwelling to form 2no. apartments	42, Delph Road, Brierley Hill, DY5 2TN
P08/0438/A1	Granted	13/03/2013	Non material amendment to previous approved application P08/0438/A1	46, Frankley Avenue, Halesowen, B62 0EA
P12/1468/C1	Granted	18/03/2013	Discharge of Condition 2, 3 and 5.	32, West Road, Cradley, Halesowen, B63 2US
P13/0229	Granted	25/03/2013	Conversion of garage into habitable room. Elevational changes to windows and doors	16, Pine Walk, Stourbridge, Stourbridge, West Midlands, DY9 7JN
P12/0672/C1	Granted	25/03/2013	Discharge of conditions 8 and 10	Poets Corner Public House, High Street, Pensnett, West Midlands
P12/0281/A1	Refused	27/03/2013	Non material amendment to previous approved application P12/0281	The Manse, 33, New Road, Stourbridge, West Midlands, DY8 1PA
P09/1067/A1	Granted	27/03/2013	Non material amendment to previous approved application P09/1067	17 & 18, Broad Street, Pensnett, Brierley Hill, West Midlands, DY5 4DH

Appendix B – Appeals Decided in the Period 11.3.13 – 2.4.13- All the appeals were dealt with by written representation, 4 dismissed, 1 allowed. 1 Appeal was made after Planning Committee's decision to refuse application (highlighted in bold) Copies of the full Appeal decisions follow this table summary

Application Number	Location/Address	Development Description	Date of Decision	Committee/Delegated Date
P12/0741	Land adjacent to Bird Street, Lower Gornal	Erection of 6 Dwellings	Dismissed 21.3.13	11.10.12
P12/0850	34 High Street, Wall Heath	Change of use from A1 (retail) to A5 (takeaway)	Allowed 12.3.13	18.9.12
P12/1320	2 Morvale Street, Lye	Domestic Extension	Dismissed 18.3.13	13.12.12
P12/1350	22 Alderdale Avenue, Sedgley	Domestic Extension	Dismissed 26.3.13	13.12.12
P12/1493	5 Jardine Close, Stourbridge	Domestic Extension	Dismissed 14.3.13	8.1.13