

DEVELOPMENT CONTROL COMMITTEE

Monday 6th January, 2014 at 6.00 pm
In Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Zada (Chair)
Councillor Casey (Vice-Chair)
Councillors A Ahmed, J Martin, Perks, Roberts, Taylor, Mrs Westwood and
C Wilson

OFFICERS:-

Mr J Butler, Mrs H Martin, Mr D Owen, Mrs S Willetts (all Directorate of the
Urban Environment), Mrs G Breakwell and Mrs M Johal (Directorate of
Corporate Resources)

56 **APOLOGY FOR ABSENCE**

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

57 **APPOINTMENT OF SUBSTITUTE MEMBER**

It was reported that Councillor Taylor had been appointed as a substitute
member for Councillor Wright for this meeting only.

58 **DECLARATIONS OF INTEREST**

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

Councillor Wilson in Planning Application No P13/1340 (98 Vicarage Road,
Wollaston, Stourbridge) as he was a friend of the applicant and he withdrew
from the meeting during consideration of the item.

Councillor Taylor in Planning Application No P13/1781 (McDonalds,
Bromsgrove Road, Halesowen) as he had submitted a written objection prior
to the meeting.

59 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 9th December, 2013, be approved as a correct record and signed.

60 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 referred to had indicated that they wished to speak at the meeting and, unless indicated, spoke on the planning applications:-

Plan No P13/1640 – Ms Viv Leadbetter – an objector

Plan No P13/1781 – Ms Catherine Golightly and Councillor Vickers (Ward Councillor) – objectors and Ms Asia Sirkhot – an applicant

- (i) Plan No P13/1640 – Hayley Group PLC, Site 2 (Hayley), Shelah Road, Halesowen – Installation of 4 No Air Conditioning Units and Associated 2M High Acoustic Fencing (Retrospective)

Members noted the comments made by the objector in that the air conditioning units would not be maintained, the units posed a health risk, the inappropriate location of the units, that the units were unsightly and clearly visible, the continual noise from the units, that there had been no consultation with residents and that the applicant had disregarded the planning application process and had again made a retrospective application.

During deliberations Members raised concerns about the total disregard of the planning process by the applicant, that there was insufficient evidence that an acoustic fence would eliminate noise levels and that the units were unsightly.

Decision: Refused, for the following reasons:-

1. Insufficient information has been submitted to demonstrate that the proposal would not cause unacceptable levels of noise pollution to the occupiers of neighbouring residential properties. As such the proposal is contrary to Saved Policies DD4 and DD5 of the adopted Unitary Development Plan.
2. It is considered that the units due to their location would have a detrimental impact on the visual appearance of the street scene. As such the proposal would be contrary to Policies DD4 and DD5 of the Saved Unitary Development Plan.

- (ii) Plan No P13/1781 – McDonalds, Bromsgrove Road, Halesowen – Variation of Condition 3 of Planning Application P10/1001 to be Revised to “The Premises Shall not be Open to the Public Before 0600 Hours on any Day Nor After 2300 Hours on any Day”

Members noted the comments made by the objector and the Ward Councillor in that the restaurant was surrounded by residential properties, current restrictions on the delivery times was not being adhered to, residents endured noise nuisance, young people congregated on the car park and residents have had to ask customers to be quiet.

Decision: That the application be approved subject to the condition that it shall be for a temporary period of six months from the date of this permission and not for the period stated in the report in the light of the comments made by the objectors at the meeting.

- (iii) Plan No P13/1311 – Unit 3, Conyers Trading Estate, Station Drive, Lye, Stourbridge – Use of Premises as a Waste Transfer Station (OSG)

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

- (iv) Plan No P13/1340 – 98 Vicarage Road, Wollaston, Stourbridge – Dropped Kerb

Decision: Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted.

- (v) Plan No P13/1605 – 105, Birmingham Street, Stourbridge – Part Change of use from Car Wash to Car Sales and Storage of Cars (Retrospective)

Decision: Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted.

- (vi) Plan No P13/1654 – Dudley Market, High Street, Dudley – Redevelopment of Dudley Market Place to Replace Existing Stalls with new Market Stalls, Storage Facility, Traders Toilet and Pump Room Building and Provision of Temporary Stalls During the Phased Development

Decision: Approved, subject to no objection or call-in from the Secretary of State as a result of being notified and to conditions, numbered 1 to 12 (inclusive), as set out in the report submitted.

- (vii) Plan No P13/1674 – Dudley Market Place and Castle Street, Dudley Town Centre, Dudley – Variation of Condition 3 of Planning Approval P13/0643 to be Revised to 'No Closure or Demolition of the Toilet Block and Store Shall Take place Until a Permanent Replacement Public Toilet Facility and a Temporary Store within Dudley Town Centre has been Provided and is Fully Operational'

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

CHANGE IN ORDER OF APPLICATIONS

It was agreed that Planning Application No P13/1752 be considered as the next application and the remaining applications be considered in accordance to their pertaining areas relating to Dudley North and Dudley South.

- (viii) Plan No P13/1752 – 6 and 8 The Vista, Sedgley – Crown Thin 2 Lime Trees by 20% and Crown Lift

Decision: Approved, subject to the condition, numbered 1, as set out in the report submitted.

- (ix) Plan No P13/1680 – Island at Tansey Green Road/Stallings Lane, Dudley – Display of 3 No Non-Illuminated Sponsorship Signs

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

- (x) Plan No P13/1684 – Island at Wolverhampton Road and Holbeache Road, Wall Heath – Display of 3 No Non-Illuminated Sponsorship Signs

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

- (xi) Plan No P13/1685 – Island at Blowers Green Road and Tanfield Road, Dudley – Display of 4 No Non-Illuminated Sponsorship Signs

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

- (xii) Plan No P13/1686 – Island at Mill Street/Mount Pleasant, Brierley Hill – Display of Non-Illuminated Advertisement Signs

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

- (xiii) Plan No P13/1689 – Island at Dudley Road/Waterfront Way, Brierley Hill – Display of Non-Illuminated Advertisement Signs

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

- (xiv) Plan No P13/1690 – Island at Birmingham Road/Tipton Road, Dudley – Display of Non-Illuminated Advertisement Signs

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

- (xv) Plan No P13/1691 – Island at Blackacre Road/Southern Bypass, Dudley – Display of Non-Illuminated Advertisement Signs

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

- (xvi) Plan No P13/1692 – Island at Cinder Bank/Blowers Green Road, Dudley – Display of Non-Illuminated Advertisement Signs

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

- (xvii) Plan No P13/1693 – Island at Stourbridge Road and Dudley Southern Bypass, Dudley – Display of 4 No Non-Illuminated Sponsorship Signs

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

- (xviii) Plan No P13/1694 – Island at Kingswinford Road and Pensnett Road, Dudley – Display of 4 No Non-Illuminated Sponsorship Signs

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

- (xix) Plan No P13/1695 – Island at Himley Road and Milking Bank, Dudley – Display of 3 No Non-Illuminated Sponsorship Signs

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

- (xx) Plan No P13/1697 – Island at Thorns Road/Caledonia, Quarry Bank, Brierley Hill – Display 3 No Non-Illuminated Sponsorship Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxi) Plan No P13/1681 – Island at Queensway/Hagley Road, Halesowen – Display 4 No Non-Illuminated Sponsorship Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxii) Plan No P13/1682 – Island at Stourbridge Road and Furnace Lane, Halesowen – Display of 4 No Non-Illuminated Sponsorship Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxiii) Plan No P13/1683 – Island at Dudley Road and Mucklow Hill, Halesowen – Display of 4 No Non-Illuminated Sponsorship Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxiv) Plan No P13/1687 – Island at Mucklow Hill/Long Lane, Halesowen – Display of Non-Illuminated Advertisement Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxv) Plan No P13/1688 – Manor Way, Halesowen – Display of Non-Illuminated Advertisement Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxvi) Plan No P13/1696 – Island at Heath Lane and Worcester Street, Stourbridge – Display of 3 No Non-Illuminated Sponsorship Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxvii) Plan No P13/1698 – Island at Ham Lane/Wollescote Road, Stourbridge – Display 4 No Non-Illuminated Sponsorship Signs
- Decision: Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
- (xxviii) Plan No P13/1699 – Island at Hagley Road/Ham Lane, Stourbridge – Display 4 No Non-Illuminated Sponsorship Signs

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

- (xxix) Plan No P13/1700 – Island at Mucklow Hill/Sylvan Close Green, Halesowen – Display of Non-Illuminated Advertisement Signs

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

- (xxx) Plan No P13/1701 – Island at Manor Lane/Spies Lane, Halesowen – Display of 4 No Non-Illuminated Sponsorship Signs

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

61 ADOPTION OF THE MEMBERS AND OFFICERS CODE OF CONDUCT – PLANNING MATTERS

A report of the Director of the Urban Environment was submitted on the amended Code of Conduct for Members and Officers – Planning Matters. A copy of the amended code was appended to the report submitted.

RESOLVED

That the information contained in the report, and appendix to the report, submitted on the amended Code of Conduct for Members and Officers – Planning Matters, be noted and that any comments be submitted to the Head of Planning, prior to consideration of the amended code by Cabinet, as part of the constitution of the Council, at its meeting to be held on 12th February 2014.

The meeting ended at 7.40 pm.

CHAIR