

DEVELOPMENT CONTROL COMMITTEE

Tuesday, 6th April, 2010 at 6.00 pm
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Wright (Chairman)
Councillor Banks (Vice-Chairman)
Councillors Barlow, K Finch, Mrs Roberts, Southall, Mrs Turner, C Wilson
and Mrs Wilson

OFFICERS:-

Mr J Butler, Mr C Cheetham, Mr S Roach, Mr P Reed, Mr D Owen and Mrs
S Willetts (Directorate of the Urban Environment), Mrs G Breakwell and Mrs
M Johal (Directorate of Law, Property and Human Resources)

88 DECLARATION OF INTEREST

Councillor Southall declared a personal interest in planning application
number P10/0127 (Green Care Depot, Wordsley Park, Lawnswood Road,
Wordsley, Stourbridge) as he was acquainted to people who lived and
worked on the Park and also in view of being a Governor at the Belle Vue
School.

89 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 15th
March, 2010, be approved as a correct record and signed.

90 SITE VISITS

Consideration was given to the following planning applications in respect of
which a site visit had been made on Thursday, 1st April, 2010, by Members
of the Committee.

- (i) Plan No P10/0034 – Factory, 225 Dudley Road, Halesowen –
Change of Use to Indoor Go-Karting Operation (Sui-Generis)

Decision: Approved, subject to conditions numbered 1 to 6
(inclusive) as set out in the report submitted.

- (ii) Plan No P10/0177 – Land Adjacent to 34 Oak Street, Netherton, Dudley – Erection of 1 No Dwelling

Decision: Approved, subject to the following: -

- (1) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the delivery of transport infrastructure improvement works, improvements to library provision, improvements to the public realm and public open space, a financial contribution for nature conservation enhancement measures and a management and monitoring fee has been submitted to and agreed in writing by the Local Planning Authority.
- (2) The scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council's planning obligations policies.
- (3) Conditions numbered 1 to 5 (inclusive) as set out in the report submitted;

and that the Director of the Urban Environment be authorised to amend the foregoing conditions as necessary.

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, were in attendance at the meeting and spoke on the planning applications indicated:-

- (i) Plan No P09/1656 – Councillor M Knowles – an objector and Mr Scott Briden – an agent/applicant
- (ii) Plan No P10/0196 – Mr Williams – an objector and Councillor Ms Partridge – a supporter

- (i) Plan No P09/1656 – Aldi Stores Ltd, Bridgnorth Road, Wollaston, Stourbridge – Change of use from Domestic Gardens (C3) to Additional Car Parking Area for Retail Shop (A1) (Retrospective)

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

- (ii) Plan No P10/0196 – 109 Seymour Road, Wollescote, Stourbridge – Single Storey Side/Rear Extensions with New Pitched Roof (Resubmission of Refused Planning Application P09/1516)

Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee.

- (iii) Plan No P08/1230 – Land Adjacent, Woodlea, Woods Lane, Quarry Bank, Brierley Hill – Erection of 1 No 2 Bedroom Detached Bungalow with Associated Access (Resubmission of Refused Application P08/0577)

The Committee noted the reduction in the transport infrastructure contribution.

Decision: Approved, subject to the following: -

- (1) The development not beginning until a scheme for the submission and approval of a planning obligation to guarantee a payment towards off-site public open space/play provision and enhancement, library and transport improvements and a management and monitoring fee has been submitted to and agreed in writing by the Local Planning Authority.

- (2) Conditions numbered 1 to 8 (inclusive) as set out in the report submitted;

and that the Director of the Urban Environment be authorised to amend the foregoing conditions as necessary.

- (iv) Plan No P09/1532 – Pottery Farm, Mucklow Hill, Halesowen – Conversion of Existing Barns into 3 No Dwellings (Resubmission of Withdrawn Application P09/0758)

Decision: Approved, subject to the following: -

- (1) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee a sum for the provision, maintenance and enhancement of site public open space and play provision, nature conservation, transport improvements, library and public realm has been submitted to and agreed in writing by the Local Planning Authority.
- (2) The scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council's planning obligations policies.
- (3) Conditions numbered 1 to 13 (inclusive) as set out in the report submitted;

and that the Director of the Urban Environment be authorised to amend the foregoing conditions as necessary.

- (v) Plan No P09/1610 – TDR Transport Services Ltd, Peartree Lane, Dudley – Erection of Office Building (Retrospective)

Decision: Approved, subject to the following: -

- (1) Within three months of the date of approval, a scheme for the submission and approval of a planning obligation to guarantee a sum for transport improvements shall be submitted to and agreed in writing by the Local Planning Authority.
- (2) The scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council's planning obligations policies.
- (3) The condition numbered 1 as set out in the report submitted;

and that the Director of the Urban Environment be authorised to amend the foregoing conditions as necessary.

- (vi) Plan No P09/1729 – King Arthur Public House, Priory Road, Dudley – Erection of 2 and 3 Storey 70 No Bedroom Hotel Adjacent to and Adjoining Existing Public House

Decision: Approved, subject to the following: -

- (1) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee off site transport infrastructure improvements, onsite nature conservation and a management and monitoring charge plus onsite public art being at least 1% of the design and development costs has been submitted to and agreed in writing by the Local Planning Authority.
- (2) The scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council's planning obligations policies.
- (3) Conditions numbered 1 to 23 (inclusive) as set out in the report submitted;

and that the Director of the Urban Environment be authorised to amend the foregoing conditions as necessary.
- (4) That approval be given to the King Arthur Public House being added to the Council's List of Buildings of Local Historic Importance.

- (vii) Plan No P10/0025 – Land Adjacent to 99 Brook Street and 6 Park Street, Lye, Stourbridge – Erection of 11 No Dwellings

Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee.

- (viii) Plan No P10/0124 – Hillcrest School and Community College, Simms Lane, Netherton – Use of all Weather Sports Pitch for Driver Instruction and Training (OSG) on Saturdays and Sundays (Retrospective)

Decision: Approved, subject to conditions numbered 1 and 4 as set out in the report submitted, together with amended conditions, numbered 2 and 3 as follows:-

2. The use of the all weather sports pitch for driver instruction and training shall not be operated before 08.00 hours or after 17.00 hours on Saturdays and not before 09.00 or after 17.00 on Sundays and not at all during weekdays.
3. The use of the all weather sports pitch for driver instruction and training shall not exceed 5 No instructor vehicles at any one time.

- (ix) Plan No P10/0125 – Hillcrest School and Community College, Simms Lane, Netherton – Display Non-Illuminated Banner Sign (Retrospective)

Decision: Approved, subject to standard advertisement conditions and conditions numbered 1 to 5 (inclusive) as set out in the report submitted.

- (x) Plan No P10/0127 – Green Care Depot, Wordsley Park, Lawnswood Road, Wordsley, Stourbridge – Erection of Single Storey Welfare/Office Block

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

- (xi) Plan No P10/0133 – 33 Carters Lane, Halesowen – Single Storey Front and Rear Extension. Two Storey Side/Rear Extension (Following Demolition of Existing Utility Room)

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

- (xii) Plan No P10/0150 – 87 Windmill Hill, Colley Gate, Halesowen – Change of use of Offices to Living Accommodation (C3) for Existing Retail Shop

Decision: Approved, subject to the following: -

- (1) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the delivery of transport infrastructure improvement works, improvements to library provision, improvements to the public realm and public open space and a financial contribution for nature conservation enhancement measures has been submitted to and agreed in writing by the Local Planning Authority.
- (2) The scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council's planning obligations policies.
- (3) Conditions numbered 1 to 3 (inclusive) as set out in the report submitted;

and that the Director of the Urban Environment be authorised to amend the foregoing conditions as necessary.

- (xiii) Plan No P10/0171 – The Ridgeway Surgery, 175 The Ridgeway, Sedgley – Display 1 No Internally Illuminated Fascia Sign (Resubmission of Refused Application P09/0449)

Decision: Approved, subject to conditions numbered 1 to 8 (inclusive) as set out in the report submitted.

- (xiv) Plan No P10/0211 – Shop, 7 New Street, Dudley – Change of use from Retail Shop (A1) to Foothealth Shop (A1/D1) Mixed Use

The Committee noted that no agreement had been reached concerning either on site contributions towards the removal of the roller shutters to improve the public realm or the agreement to the off site sum towards public realm improvements and associated costs.

Decision: Refused, for the following reason:-

The lack of an undertaking to make a contribution towards Public Realm Improvements is contrary to the requirements of the adopted Dudley Unitary Development Plan (2005) Policy DD7 (Planning Obligations) and would result in a failure to enhance the wider Public Realm with no compensation or enhancement, thus resulting in harm to the wider community around the site.

- (xv) Plan No P10/0265 – 190 Cot Lane, Kingswinford – Erection of 1 No Dwelling with Detached Garage Block (Resubmission of Approved Application P09/0205)

The Committee noted that a Unilateral Undertaking had been submitted and verified that day.

Decision: Approved, subject to the following: -

- (1) The development not beginning until a scheme for the submission and approval of a planning obligation to guarantee a contribution for the provision of off site transport infrastructure improvements, open space, sport and recreation improvements, library improvements, public realm improvements and nature conservation enhancements has been submitted to and agreed in writing by the Local Planning Authority.
- (2) The scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council's planning obligations policies.

- (3) Conditions numbered 2 to 10 (inclusive) as set out in the report submitted and the deletion of the condition, numbered 1;

and that the Director of the Urban Environment be authorised to amend the foregoing conditions as necessary.

- (xvi) Plan No P10/0270 – Maidensbridge Primary School, Beachcroft Road, Wall Heath, Kingswinford – Single Storey Extension to Create Nursery and Covered Play Area

Decision: That, subject to no objections being received by 21st April, 2010, the Director of the Urban Environment be authorised to approve the application, and subject also to: -

- (1) A sum being transferred to the Council's highways budget and to the Council's budget for management and monitoring contributions prior to commencement of the development.
- (2) Conditions numbered 1 to 4 (inclusive) as set out in the report submitted.

- (xvii) Plan No P10/0317 – 169 Ivyhouse Lane, Coseley – Erection of 4 No Dwellings with Vehicular and Pedestrian Access from Andersleigh Drive

Decision: Approved, subject to the following: -

- (1) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the provision of a contribution towards library improvements, open space, sport and recreation improvements, transport infrastructure improvements, public realm improvements and a management and monitoring charge has been submitted to and agreed in writing by the Local Planning Authority.
- (2) The scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council's planning obligations policies.
- (3) Conditions numbered 1 to 9 (inclusive) as set out in the report submitted;

and that the Director of the Urban Environment be authorised to amend the foregoing conditions as necessary.

The meeting ended at 7.20 pm.

CHAIRMAN