

DEVELOPMENT CONTROL COMMITTEE

Tuesday 26th February 2008, at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT: -

Councillor Wright (Chairman)
Councillors Banks, Mrs Collins, G. Davies, K. Finch, Southall, Mrs Turner,
C. Wilson and Mrs Wilson.

OFFICERS: -

Mr J. Butler, Mr N. Howell, Mr J. Pattinson, Mr P. Reed and Mr S. Roach
(Directorate of the Urban Environment); Mrs G. Breakwell and Mr R. Jewkes
(Directorate of Law and Property).

69

DECLARATIONS OF INTEREST

Councillor Wright declared a personal and prejudicial interest in accordance with the Members' Code of Conduct in respect of planning application number P07/2227 – 23 Grosvenor Road/Central Drive, Dudley, in view of the fact that he had previously been employed by the applicant.

70

MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 4th February, 2008, be approved as a correct record and signed.

71

PLANS AND APPLICATIONS TO DEVELOP

A report of the Director of the Urban Environment was submitted on the following plans and applications to develop. The 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 application indicated: -

- (i) P07/2103 – Councillor Ahmed, an objector and Ward Member, and Mr H. Gore, the agent/applicant.
- (ii) P07/2227 – Councillor Mrs Millward, an objector and Ward Member, and Mr D. Bremner, the agent/applicant.

- (iii) P08/0036 – Mr Haddon, an objector.

RESOLVED

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

- (i) Plan No. P07/2103 – 59-60 Tower Street, Dudley – Conversion of listed building to 4 apartments and erection of new apartment block containing 6 apartments. Demolition of single storey rear buildings.

Decision: Refused, for the following reasons: -

1. The proposed scheme would result in the overdevelopment of the site demonstrated through an excessive density compared to the surrounding area contrary to Policy DD4 (Development in Residential Areas) of the Adopted Dudley Unitary Development Plan (2005) and to the Council's New Housing Development: Establishing Local Context Supplementary Planning Document.
 2. No agreement has been made by the applicant/developer to a means to provide improved off site provision of public open space/play area. The Local Planning Authority is not satisfied that such necessary infrastructure improvements would be provided. The proposal is therefore considered to be contrary to Policies DD7 (Planning Obligations), DD8 (Provision of Open space, Sport and Recreation Facilities), LR2 (Access to Public Open Space [errata]) and LR3 (Children's Play Area) of the adopted Dudley Unitary Development Plan and the adopted Planning Obligations Supplementary Planning Document.
- (ii) Plan No. P07/2122 – 59-60 Tower Street, Dudley – Listed building consent to convert listed building into 4 apartments and erection of a new apartment block containing 6 apartments. Demolition of single storey rear buildings.

Decision: Listed building consent approved in principle, pending the submission of a revised version of planning application number P07/2103, in which the reason for refusal of that application, as set out above, is addressed.

- (iii) Plan No. P07/2227 – 23 Grosvenor Road/Central Drive, Dudley – Erection of 9 dwellings comprising 3 four bed detached on the Grosvenor Road frontage and 6 two bed semi-detached (3 pairs) on the Central Drive elevation.

(Having earlier declared a personal and prejudicial interest in respect of this application, Councillor Wright left the room during its consideration)

Councillor Banks (Vice Chairman) (in the Chair)

Decision: Refused, for the following reasons: -

1. The provision of 9 no. dwellings on a plot of this size would lead to an over intensification of the application site adversely impacting upon the street scene. The proposed development is therefore contrary to Policy DD4 of the adopted Unitary Development Plan (2005).
2. The lack of an undertaking to make a contribution towards public open space is contrary to the requirements of UDP policies DD7, DD8 and LR1 and would result in an increase in the demand on local facilities with no compensation or enhancement, thus resulting in harm to the wider community around the site.

(At the conclusion of this item Councillor Wright returned to the meeting and resumed the Chairmanship)

(iv) Plan No. P08/0036 – Land off the Paddock, Pedmore – Erection of 1 five bedroom detached dwelling.

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 the provision of off site public open space and play area, library, public realm and transport improvements has been submitted to and agreed in writing by the Local Planning Authority.
2. Conditions numbered 1 to 6 (inclusive), as set out in the report of the Director of the Urban Environment, the deletion of condition number 7, and its replacement with a new condition, to be numbered 7, as follows: -
 7. Prior to the commencement of development, details of a scheme for the enclosure and landscaping of the frontage of the site edged in blue on the approved plan shall be submitted to and approved in writing by the Local Planning Authority, and shall thereafter be implemented prior to the occupation of the dwelling;
and

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

- (v) Plan No. P07/1851 – Land adjacent to 18 Birch Terrace, Netherton - Erection of a one bedroom bungalow.

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

- (vi) Plan No. P07/2236 – 75 Northfield Road, Netherton – Demolition of existing building and erection of 54 dwellings (outline) (access, layout and scale to be considered).

Decision: 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 the provision, maintenance and enhancement of off-site public open space and play provision, a planning obligation to guarantee the provision of off site ecological enhancement, a planning obligation to guarantee the provision of an off site traffic regulation order and the provision of on site affordable housing units has been submitted to and agreed in writing by the Local Planning Authority.
2. Conditions numbered 1 to 26 (inclusive), as set out in the report of the Director of the Urban Environment, and the deletion of conditions 27 to 29.

- (vii) Plan No. P07/2345 – St Thomas’s Vicarage, King Street, Dudley – Change of use from vicarage and apartments to offices (B1).

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 the delivery of transport infrastructure improvements has been submitted to and agreed in writing by the Local Planning Authority.
2. Conditions numbered 1 to 3 (inclusive), as set out in the report of the Director of the Urban Environment; and

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

- (viii) Plan No. P07/2350 – Netherbrook Primary School, Chester Road, Netherton – Creation of a multi-use games area, play area and access path.

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

- (ix) Plan No. P07/2354 – 15 Baptist End Road, Netherton – Demolition of existing building and erection of 9 one and two-bedroom apartments with new access to highway (resubmission of refused application P07/0387).

Decision: Refused, for the following reasons: -

1. No agreement has been made by the applicant/developer to a means to provide improved off site provision of public open space/play area, off site improvement to the public realm and improvements to off site library facilities and provision. The Local Planning Authority is not satisfied that such necessary infrastructure improvements would be provided. The proposal is therefore considered to be contrary to Policies DD7 (Planning Obligations), DD8 (Provision of Open space, Sport and Recreation Facilities), LR2 (Access to Public Open Space [errata]) and LR3 (Children's Play Area) of the adopted Dudley Unitary Development Plan and the adopted Planning Obligations Supplementary Planning Document.
2. The proposed scheme would result in the overdevelopment of the site demonstrated through an excessive density compared to the surrounding area contrary to Policy DD4 (Development in Residential Areas) of the Adopted Dudley Unitary Development Plan (2005) and to the Council's New Housing Development: Establishing Local Context Supplementary Planning Document.

- (x) Plan No. P07/2372 – Phase V/Service Yard C, Merry Hill, Brierley Hill – Alteration and Extension to form new Food Court.

Decision: Approved, subject to the following: -

1. Referral to the Government Office for the West Midlands under the Town and Country Planning (Shopping Development) England and Wales (No. 2) Direction 1993.
2. Conditions numbered 1 to 5 (inclusive), as set out in the report of the Director of the Urban Environment; and

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

- (xi) Plan No. P07/2374 – Land adjacent to 54 Heydon Road, Pensnett – Erection of 1 four bedroom detached dwelling.

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 contributions towards public open space, libraries, public realm and transport improvements has been submitted to and agreed in writing by the Local Planning Authority.
 2. Conditions, numbered 1 to 9 (inclusive), as set out in the report of the Director of the Urban Environment; and
- that the Director of the Urban Environment be authorised to amend the foregoing conditions as necessary.
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72

PROPOSED ADDITION OF A BUILDING TO THE COUNCIL'S LIST OF BUILDINGS OF LOCAL HISTORIC IMPORTANCE

A report of the Director of the Urban Environment was submitted on a proposal to add the building known as 'The Grove', 47 Wollescote Road, Stourbridge, to the Council's List of Buildings of Local Historic Importance.

RESOLVED

That the building known as "The Grove", 47, Wollescote Road, Stourbridge, West Midlands DY9 7JS, be added to the Council's List of Buildings of Local Historic Importance.

The meeting ended at 7. 15pm

CHAIRMAN