

DEVELOPMENT CONTROL COMMITTEE

Monday 30th January, 2012 at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor C Wilson (Chairman)
Councillor Banks (Vice-Chairman)
Councillors Barlow, Ms Harris, J Jones, Mrs Roberts, Southall, Mrs Turner and Mrs Wilson.

OFFICERS:-

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

56

MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 9th January, 2012, be approved as a correct record and signed.

57

SITE VISITS

Consideration was given to the following planning applications in respect of which a site visit had been made on Thursday, 26th January, 2011, by Members of the Committee.

- (i) Plan No P11/1346 – Moor Street Industrial Estate, Moor Street, Brierley Hill – Change of use from Reclaiming Yard to Vehicle Dismantling/Recycling Car Parts (B2) (Amended Site Boundary) _____

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

- (ii) Plan No P11/1026 – Ketley Quarry, Dudley Road, Kingswinford South, Dudley – Improve and Upgrade Site Access (A4101), Compound, Site Offices, Weighbridge, Ancillary Facilities, New Security Fencing and Associated Car Parking (Part Retrospective) _____

Decision: Approved, subject to conditions numbered 1 to 5 (inclusive), as set out in the report submitted, together with a revised condition, numbered 6 and additional condition, numbered 7, as follows:-

6. The development hereby permitted shall be carried out in accordance with the following approved plans: 10-068-30, 10-068-31, 10-068-32 Rev A, 10-068-33, 10-068-38, 10-068-39, NW/EAL/KETLEY.1/03 Rev D, NW/EAL/KETLEY.1/02 Rev 2 and site location plan.
7. Within three months of the date of this approval, fixed high pressure wheel washing and wheel spinning facilities shall be located and operational in the area designated for such on drawing number 10-068-38 in conjunction with the revised haul road as shown on drawing 10-068-39 and the specification of previously submitted details unless otherwise agreed in writing with the Local Planning Authority. Such facilities shall thereafter be utilised during wet and damp conditions in accordance with details to be submitted to discharge condition 1 for the duration of development at the quarry.

58

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 spoke on the planning applications indicated:-

Plan No P11/1479 – Councillor K Shakespeare – an objector and Mr Ali – an applicant

Plan No P11/1584 – Councillor L Walker – a supporter

- (i) Plan No P11/1479 – 78 Long Lane, Halesowen – Change of use from A1 to A3 with New Fume Extraction (Resubmission of Previously Refused Application P11/1136)
-

The Committee noted points and concerns made by Councillor Shakespeare, the objector, in that access to the car park was tight, customers did not utilise the facility, the car park was also used by those people residing in the flats above the premises, parking problems would be exacerbated and that the Shell Corner area was already saturated by a night time economy.

The Committee also noted comments made by the applicant in that the rear car park could accommodate up to twenty-eight cars, which was more than adequate for customers and those people residing in the flats above, the unit was the only premises in the area that had adequate off road parking facilities and that there were other takeaways in the area. It was also pointed out that it was better for investment purposes to have an open business rather than a closed shop.

Arising from the comments made Members were concerned about the width of the access to the car park and that problems could occur particularly if cars were to reverse back onto the road to let oncoming vehicles through and that the area was already highly congested and problematic.

Decision: Refused, for the following reason:-

By virtue of the proposed access point being narrow, the parking area to the rear of the premises would be unlikely to be used to accommodate the vehicular trips associated with the proposed A3 use, resulting in additional indiscriminate on-street parking in what is already a highly congested and problematic area, to the detriment of highway safety in the locality and therefore is contrary to Policy DD4.

- (ii) Plan No P11/1584 – 62 Kirkstone Way, Brierley Hill, Dudley – Single Storey and Two Storey Side Extension

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 P07/2020/E1 – 112 High Street, Amblecote, Stourbridge – Extension of Time of Previously Approved Application for Erection of 1 No Block of 24 One and Two Bedroom Apartments

Decision: Refused, for the following reason:-

The lack of a completed undertaking to make a contribution towards Affordable Housing and Public Realm Improvement Works and the provision of a management and monitoring fee would result in the development having an unacceptable impact upon local infrastructure with no compensation or enhancement to mitigate against those impacts thereby resulting in harm to the wider community contrary to the provisions of Policies DEL1 (Infrastructure Provision) and HOU3 (Delivering Affordable Housing) of the Adopted JCS (2011) and the adopted Supplementary Planning Document – Planning Obligations (March 2009).

- (iv) Plan No P11/1480 – Red Lion Public House, Lawnswood Road, Wordsley, Stourbridge – Elevational Changes and Single Storey Side Extension (Following Demolition of Existing Outbuildings) to Create Retail Unit (A1) with Associated Parking. Erection of 2M High Fencing to Provide Refuse Area

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

59 UPDATE ON THE BLACK COUNTRY BUSINESS FRIENDLY PLANNING PROJECT AND CHANGES TO THE VALIDATION OF PLANNING APPLICATIONS

A report of the Director of the Urban Environment was submitted on the Black Country Local Enterprise Partnership (LEP) Planning Project and the changes in the operation of development control with regard to the validation of planning applications.

RESOLVED

That the information contained in the report, on the Black Country Local Enterprise Partnership (LEP) Planning Project and the changes in the operation of development control with regard to the validation of planning applications, be noted.

60 PROPOSED AMENDMENTS TO PUBLIC SPEAKING PROTOCOL FOR DEVELOPMENT CONTROL COMMITTEE

A joint report of the Director of the Urban Environment and the Director of Corporate Resources was submitted on proposed amendments to the public speaking protocol for the Development Control Committee. A copy of the current rules on Public Speaking at Development Control Committee, as contained in the Council's Constitution, had been attached as an Appendix to the report.

Arising from the presentation of the report it was commented that proposals for materials such as photographs or plans being submitted to Officers prior to the start of the meeting should be supported but it was requested that a time limit of at least 24 hours, should be stipulated, as currently Members did not have sufficient time to inspect material if circulated at the time of speaking. However, it was also stated that material should not be precluded if circulated on the day, as some people may not be able to provide the information beforehand.

RESOLVED

That Council be recommended to approve amendments as outlined in the report submitted to the Code of Practice, as contained in the Council's Constitution, subject to a further amendment to revised paragraph 4(3) by the insertion of the words "preferably 24 hours (and in any event a reasonable time period)" before the words "prior to the start of the meeting" in the first sentence of that revised paragraph.

The meeting ended at 7.05 pm.

CHAIRMAN