

## DEVELOPMENT CONTROL COMMITTEE

Monday, 22<sup>nd</sup> April, 2013 at 6 pm  
in Committee Room 2, The Council House, Dudley

### PRESENT:-

Councillor Harris (Chair)  
Councillor Roberts (Vice-Chair)  
Councillors Casey, Perks, S Turner, Mrs. Westwood, C. Wilson and Wright

### OFFICERS:-

Mr. J. Butler, Mr. T. Glews, Mrs. H. Martin, Mr P Reed and Mrs S Willetts  
(all Directorate of the Urban Environment), Mrs. G. Breakwell and Mr. J.  
Jablonski (Directorate of Corporate Resources)

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82                    APOLOGY FOR ABSENCE

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

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83                    APPOINTMENT OF SUBSTITUTE MEMBER

It was reported that Councillor Perks had been appointed as a substitute  
member for Councillor Herbert for this meeting of the Committee only.

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84                    DECLARATIONS OF INTEREST

Councillor Wright declared non pecuniary interests in the following planning  
applications, for the reasons indicated, and left the meeting during their  
consideration :-

P13/0316 – Rear of 34 Linnet Close, Halesowen – as the applicant was  
personally known to him as a friend.

P13/0260 – 20 Ferndale Park, Pedmore, Stourbridge – as the applicant was  
personally known to him as a friend.

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85                    MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 2<sup>nd</sup> April, 2013, be approved as a correct record and signed.

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86

SITE VISIT

Consideration was given to the following planning application in respect of which a site visit had been made earlier today, 22<sup>nd</sup> April, 2013, by members of the Committee.

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87

PLAN NO. P12/0304 – LAND ADJACENT TO 1 AND 2 FURNACE HILL, HALESOWEN – OUTLINE APPLICATION FOR THE ERECTION OF THREE DWELLINGS (ACCESS, LAYOUT AND SCALE TO BE CONSIDERED) (RE-SUBMISSION OF REFUSED APPLICATION\_ P11/0338)

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Decision:-

Approved, subject to conditions numbered 1 to 2, 4 to 7 and 9 and 10 together with amended conditions, numbered 3 and 8, as follows:-

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no development referred to in Schedule 2, Part 1, Classes A to H, Part 2, Class A, Part 31 and Part 40, Classes A to I shall be carried out without the express grant of planning permission.
  - 8 Development shall not begin until details of the construction of the access road and public right of way at the site have been submitted to and approved in writing by the Local Planning Authority. The buildings shall not be first occupied until that access has been constructed in accordance with the approved details and such access shall be retained in perpetuity for the life of the development.
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88

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 application 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. P13/0109 – Mr Hussain – an objector and Mr F Suleman – the applicant.

Plan No. P13/0260 – Mr A Reeves – the applicant.

Plan No. P13/0327 – Mrs S Hickman and Councillor Evans - objectors and Mr S Cove – the applicant.

- i) Plan No. P13/0109 – 20 Albion Street, Brierley Hill – Change of use from office and workshop (B1) to Pharmacy (A1). New proposed access ramp.

Following consideration of the points raised by the objector and applicant on this application concerns were raised by Members with particular regard to the opening hours of the proposed pharmacy. Suggestions were made as to restricting the hours to comply with neighbouring businesses and in the light of the location of the premises so as to reduce inconvenience to nearby residents.

Decision:-

Approved, subject to conditions, numbered 1 and 2, 4 to 7 and 9, as set out in the report submitted together with amended conditions, numbered 3 and 8, as follows:-

- 3 The premises shall be open to the public as set out below:-

Monday – 8.00 a.m. – 7.00 p.m.

Tuesday – 8.00 a.m. – 8.30 p.m.

Wednesday – 8.00 a.m. – 8.30 p.m.

Thursday and Friday - 8.00 a.m. – 7.00 p.m.

Saturday – 9.00 a.m. – 5.30 p.m.

Sunday – either 10.00 a.m. – 4.00 p.m. or 11.00 a.m. – 5.00 p.m. and that the Director of the Urban Environment be authorised to determine which of these times should apply.

- 8 The ground floor of the existing office shall be used for a pharmacy only and for no other purpose, including the sale of food or household convenience goods and any other purpose in Class A1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification.

- ii) Plan No. P13/0260 – 20 Ferndale Park, Pedmore, Stourbridge – Fell 1 Maple tree.

This application had been recommended for refusal and the applicant set out the reasons why he wished the Maple tree to be felled citing restriction of light to his property, problem with leaves and affect on neighbours indicating also that his neighbours wished the tree to be felled. He also reported that he would be willing to plant a replacement tree. The members of the Committee concurred with comments made.

Decision:-

That, subject to conditions, numbered 1 and 2 below, the application be approved : -

1. The tree works subject of this consent shall be carried out in accordance with British Standard BS3998:2010 “recommendations for tree work”.
2. A replacement tree shall be planted between the beginning of November and the end of March, within one year of felling (and replanted if necessary) and maintained until satisfactorily established. The size, species and location of the replacement tree shall be agreed in writing with Local Planning Authority prior to the felling of the tree to which this application relates.

- iii) Plan No. P13/0327 – 248 Northway, Sedgley – Part A first floor side extension (Re-submission of withdraw application P12/1262) Part B single storey rear extension

Decision:-

That consideration of this application be deferred pending a site visit, to be held on Monday, 13<sup>th</sup> May, 2013 commencing at 3.00 p.m. from the Council House, Dudley, prior to the next meeting of this Committee.

- iv) Plan No. P12/0619 - Former Stuart Crystal Works, Land off Argyle Close, Wordsley – Erection of 48 2, 3 and 4 Storey Dwellings with associated works

Decision:-

That the application be deferred until the next meeting of the Committee so as to allow further negotiations on the provision of Planning Obligations to be undertaken.

- v) Plan No. P13/0173 – 15 Briery Road, Halesowen –  
Erection of first floor extension

Decision:-

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

- vi) Plan No. P13/0263 – Roundabout on Himley Road, Milking Bank, Dudley – Prior approval under Part 24 of the Town and Country Planning (GPDO) for a Telecommunications Development comprising the installation of a 15 metre high pole with 3 shrouded antennae and 2 additional radio equipment cabinets

Decision:-

Prior approval not required.

- vii) Plan No. P13/0275 – Existing Vodaphone Base Station, Wollescote Road, Dudley – Prior approval under Part 24 of the Town and Country Planning (GPDO) for a telecommunication development for the removal of existing telecommunications equipment and 12.5 metre tower and replace with new 15 metre dual user pole, 3 shrouded antennae, 2 radio equipment cabinets and ancillary development thereto

Decision:-

Prior approval not required.

- viii) Plan No. P13/0316 – Rear of 34 Linnet Close, Halesowen – Fell 3 Sycamore trees; reduce and reshape 2 Sycamore trees; reduce 1 Thorn tree

Decision:-

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

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DEVELOPMENT CONTROL PERFORMANCE

A report of the Director of the Urban Environment was submitted on decisions made on applications determined under delegated powers by the Director of the Urban Environment including decisions on appeals made against the Council's decision on planning applications as set out in the attached appendices.

**RESOLVED**

That the information contained in the report, and Appendices to the report, submitted be noted.

The meeting ended at 7.53 p.m.

CHAIR