

DEVELOPMENT CONTROL COMMITTEE

Monday, 15th January, 2007 at 6.00 pm
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Wright (In the Chair)
Councillor Southall (Vice Chairman)
Councillors Banks, Mrs Collins, G Davies, Donegan, Mottram, Mrs Turner
and Mrs Wilson.

OFFICERS: -

Mr P Boland, Mrs H Brookes-Martin, Mr J Butler, Mr T Glews, Mr P Jarratt,
Mr P Reed, (Directorate of the Urban Environment), Mrs G Breakwell and
Mrs L Jury (Directorate of Law and Property).

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DECLARATIONS OF INTEREST

Councillor Mrs Wilson declared a personal interest in respect of planning application no. P06/2178 – Merry Hill Centre and the Waterfront, Merry Hill, Brierley Hill – Introduction of a car park management system to include entrance and exit barriers, enhanced entrance lighting general car park modifications, VMS road signs and external pay stations. Also the permanent use of Engine Lane and former RMC site for staff car parking to include resurfacing, lighting and CCTV coverage - due to her living in close proximity to the centre.

Councillor Donegan declared a prejudicial interest in respect of planning application no. P06/1606 – 178-179 High Street, Lye – Single storey rear extension and new shop front - due to previous comments made at a recent Lye Safety Committee.

Councillor Donegan left the room during consideration of this application.

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MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on
18th December, 2006, be approved as a correct record and signed.

RECEIPT OF PETITIONS

A 121-signature petition was received from Ms C Kenney on behalf of local residents objecting to the plan to charge for parking at the Merry Hill Centre in connection with planning application no. P06/2178 – Merry Hill Centre and the Waterfront, Merry Hill, Brierley Hill - Introduction of a car park management system to include entrance and exit barriers, enhanced entrance lighting general car park modifications, VMS road signs and external pay stations. Also the permanent use of Engine Lane and former RMC site for staff car parking to include resurfacing, lighting and CCTV coverage, to be considered under agenda item no. 6.

SITE VISITS

Consideration was given to the following planning applications in respect of which a site visit had been made on Thursday, 11th January, 2007, by members of the Committee.

RESOLVED

- (i) Plan no. P06/1465 – Former Henley’s Foundries Site, Banners Lane/Overend Road, Halesowen – Reserved matters application for the erection of 181 dwellings and associated works following approval of outline application P04/1829.

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

(Councillor Donegan requested that his name be recorded as having abstained from voting on this application).

- (ii) Plan no. P06/1812 – 118 Spring Parklands, Dudley – Erection of a single storey link building from existing garage block to existing two storey building to provide an additional garage, gym and lobby. New roof to existing garage at no. 118 and garage at no. 119 Spring Parklands.

Decision: Approved, subject to conditions numbered 1 to 5 (inclusive), as set out in the report of the Director of the Urban Environment, together with an additional condition, numbered 6, as follows:

6. C07A – Details of existing retaining walls.

- (iii) Plan no. P06/2056 – Land adjacent to 35 Barr Street, Dudley – Erection of a detached dwelling with new access to highway.
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Decision: Refused, for the following reasons:

1. The proposed development would be detrimental to the character and residential amenities of the locality due to the incongruous siting and appearance of the buildings which are also likely to overshadow the private rear gardens and accommodation of nearby dwellings contrary to Policy DD4 of the adopted Unitary Development Plan.
2. The proposed development would be detrimental to highway safety and will adversely impact upon on-street car parking by failing to make adequate provision for the parking and manoeuvring of vehicles associated with the development for access and egress, contrary to Policies DD4 and DD6 of the adopted Unitary Development Plan.

- (iii) Plan no. P06/1929 – 248 Northway, Dudley – Single storey side extension to convert existing car port into living room with bay window. Flat roof entrance porch to side.
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Decision: Refused, for the following reason:

The proposed development would appear as an incongruous addition to the architectural appearance of the host property and would detract from the appearance of the frontage of which the premises form part to the detriment of the character and visual amenities of the area contrary to Policy DD4 of the adopted Unitary Development Plan.

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CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13(c) it was

RESOLVED

That the order of business be varied to allow agenda item no. 8 and planning applications P06/0535, P06/1606 and P06/2178 to be considered prior to the remaining applications at agenda item no. 7.

PREPARATION OF FOUR CONSERVATION AREA CHARACTER APPRAISALS

A report of the Director of the Urban Environment was submitted regarding the preparation and undertaking of public consultation of draft Conservation Area Character Appraisals, including management proposals, for the following four canal-based Conservation Areas: Delph Locks (Brierley Hill), Stourbridge Sixteen Locks (Wordsley), Stourbridge Branch Canal (Amblecote) and Stourbridge Brach Canal (Canal Street).

RESOLVED

- (1) That the information contained in the report submitted regarding the preparation and the undertaking of public consultation of draft Conservation Area Character Appraisals, including management proposals, for four canal-based Conservation Areas as stated in the report, be received and approved.
- (2) That the results of the public consultation and the finalised documents be reported to a future meeting of this Committee for consideration, including, as appropriate, a recommendation that the Council's Cabinet Member for Economic Regeneration approve the finalised documents for publication and implementation of any necessary revisions to conservation area boundaries.

PLANNING 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 applications indicated:-

- (i) P06/0535 – Land off Whitehall Road, Halesowen – Outline application for the erection of four blocks of residential apartments (design, external appearance and landscaping reserved for subsequent approval) – Councillor James (Ward Member) an objector and Mr P Downs – the agent.
- (ii) P06/1606 – 178-179 High Street, Lye – Single storey rear extension and new shop front – Councillor A Turner (Ward Member) an objector and Mr M Iqbal – the agent.

- (iii) P06/2178 – Merry Hill Centre and the Waterfront, Merry Hill, Brierley Hill – Introduction of a car park management system to include entrance and exit barriers, enhanced entrance lighting general car park modifications, VMS road signs and external pay stations. Also the permanent use of Engine Lane and former RMC site for staff car parking to include resurfacing, lighting and CCTV coverage – Ms C Kenney (TK Max) – an objector and Mr B Jebb – the applicant.

RESOLVED

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

- (i) Plan no. P06/0535 – Land off Whitehall Road, Halesowen – Outline application for the erection of four blocks of residential apartments (design, external appearance and landscaping reserved for subsequent approval).

Decision: That consideration of the application be deferred pending a site visit to be held prior to the next meeting of the Committee to address concerns raised by Members with regards to noise, pollution and access.

- (ii) Plan no. P06/1606 – 178-179 High Street, Lye – Single storey rear extension and new shop front.

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

- (iii) Plan no. P06/2178 – Merry Hill Centre and the Waterfront, Merry Hill, Brierley Hill – Introduction of a car park management system to include entrance and exit barriers, enhanced entrance lighting general car park modifications, VMS road signs and external pay stations. Also the permanent use of Engine Lane and former RMC site for staff car parking to include resurfacing, lighting and CCTV coverage.

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

- (iv) Plan no. P06/1191 – Former Alumasc Works, Malt Mill Lane, Halesowen – Erection of 11 industrial units.

Decision: Approved, subject to conditions numbered 1 to 7 (inclusive) and 9 to 16 (inclusive), as set out in the report of the Director of the Urban Environment, together with an amended condition, numbered 8, as follows:

8. None of the units shall be occupied until works for the disposal of foul and surface water drainage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved by the Local Planning Authority.

(v) Plan no. P06/2156 – 11 Chaffinch Road, Stourbridge – Two-storey side extension to create garage with bedrooms above. Single storey rear extension to enlarge kitchen and dining room. New front entrance porch and canopy (resubmission of refused application P06/1808).

Decision: That consideration of the application be deferred pending a site visit to be held prior to the next meeting of the Committee to address concerns raised by Members with regards to the proposed over-development of the site.

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INTRODUCTION OF A CHARGE TO DEVELOPERS IN ORDER TO FUND THE PLANNING OBLIGATIONS (SECTION 106) OFFICER POST

A report of the Director of the Urban Environment was submitted on the introduction of a charge to developers for the work carried out by the recently appointed Planning Obligations (Section 106) Officer.

RESOLVED

That the information contained in the report submitted on the introduction of a charge, from 1st February, 2007, to developers for the work carried out by the recently appointed Planning Obligations (Section 106) Officer, together with the charges review process referred to in the report, be approved with immediate effect.

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DELEGATION OF ENFORCEMENT FUNCTIONS

A report of the Director of the Urban Environment was submitted on proposals for implementing revised enforcement process with increased delegation of enforcement functions to the Director of the Urban Environment.

RESOLVED

That, in accordance with paragraph 15.02 of Part 2 of the Council's Constitution, the Leader of the Council, with the approval of the leaders of the opposition groups, be recommended to agree that the Constitution be amended so as to authorise the Director of the Urban Environment in consultation with the Chairman of this Committee, or Vice-Chairman in his absence, to institute proceedings for breaches of the Town and Country Planning Act 1990 (as amended) as indicated in paragraph 10 of the report submitted.

The meeting ended at 7:40 pm.

CHAIRMAN