

DEVELOPMENT CONTROL COMMITTEE

Monday, 19th March, 2007 at 6.00 pm
In Committee Room 2, 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:-

Mrs. H. Brookes-Martin; Mr. J. Butler; Mr C. Cheetham; Ms J. Pilkington;
Mr. P. Reed and Mr S. Roach (Directorate of the Urban Environment); Mrs.
G. Breakwell and Mr. J. Jablonski (Directorate of Law and Property).

97 DECLARATION OF INTEREST

Councillor Mrs Collins declared a personal interest in respect of agenda item number 8 – Finalised Conservation Area Character Appraisals and Management Proposals for four canal-based conservation areas located on the Stourbridge and Dudley Canals as her son, Dr P Collins, is a Director of the Stourbridge Navigation Trust.

98 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 27th February, 2007, be approved as a correct record and signed.

99 SITE VISITS

Consideration was given to the following planning applications in respect of which a site visit had been made on Thursday, 15th March, 2007, by members of the Committee.

RESOLVED

- (i) Plan no. P06/2303 – Land at rear of 139 Park Road, Halesowen – outline for the erection of 2 semi-detached dwellings (access and layout to be considered)

Decision: Approved, subject to conditions numbered 1 to 7 (inclusive) as set out in the report of the Director of the Urban Environment.

- (ii) Plan no. P06/2252 – 4 The Straits, Dudley – Side extension to enlarge lounge and create garage, kitchen and utility with en-suite bedroom in roof space above. Front dormer windows

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

- (iii) Plan no. P06/2284 – 8 Westridge, Dudley – First floor side extension to create bedroom, lobby and wc (re-submission of previously withdrawn application PO6/1970)

Decision: Approved, subject to conditions numbered 1 and 2, as set out in the report of the Director of the Urban Environment.

100

CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13(c) it was

RESOLVED

That the remaining items on the agenda be considered in the following order:-

Agenda Item numbers 9, 7, 8, 6 and 10.

101

CHANGES TO THE DELEGATION INVOLVING PLANNING APPLICATIONS SUBJECT TO A LEGAL AGREEMENT

A report of the Director of the Urban Environment was submitted on a proposal to enable planning applications requiring a legal agreement primarily under Section 106 of the Town and Country Planning Act, 1990, as amended, to be determined by the Director of the Urban Environment, under delegated authority, as appropriate.

During the consideration of this matter members expressed concerns at the proposal and it was suggested and agreed that the proposal be varied to meet those concerns.

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 as follows:-

That, subject to all members of the Development Control Committee receiving the weekly list of planning application reports prepared in accordance with the delegated function numbered (2) in the terms of reference of the Committee and to a review of the operation of the delegation after six months of operation, Function (2)(d) of the terms of reference of the Development Control Committee be amended so as to allow the delegation to the Director of the Urban Environment, in consultation with the Chairman of the Committee, of the determination of the following applications requiring a legal agreement primarily under Section 106 of the Town and Country Planning Act, 1990, as amended:-

- Residential development of less than or equal to either 100 houses or 1 hectare
- Commercial development of less than or equal to 5000 sq metre gross floorspace or 0.5 hectare
- Retail of less than or equal to 1000 sq metre gross floor space or 0.5 hectare

102

FINALISED CONSERVATION AREA APPRAISAL AND MANAGEMENT PROPOSALS FOR THE WORDSLEY HOSPITAL CONSERVATION AREA

A report of the Director of the Urban Environment was submitted on the results of public consultation undertaken in respect of the Draft Conservation Area Character Appraisal and Management Proposals for the Wordsley Hospital Conservation Area and on proposals for its publication and implementation.

During consideration of this item it was noted that a copy of the finalised document that included the Public Consultation Process Report had been circulated to members of the Committee and in this regard Councillor Southall wished to dedicate the report to the memory of a local historian, Fred Willets, who had worked on the site, had commented on the proposals and who had recently died.

Members also asked that their thanks to Pete Boland and Jayne Pilkington for the work carried out in connection with the proposals be recorded.

RESOLVED

That the information contained in the report submitted, on the results of the public consultation exercise undertaken in respect of the draft Wordsley Hospital Conservation Area Character Appraisal and Management Proposals, be noted and that approval be given to the publication of the Proposals and to the authorisation of the Director of the Urban Environment to take all necessary steps to implement the proposals contained therein.

103

FINALISED CONSERVATION AREA CHARACTER APPRAISALS AND MANAGEMENT PROPOSALS FOR FOUR CANAL BASED CONSERVATION AREAS LOCATED ON THE STOURBRIDGE AND DUDLEY CANALS

A report of the Director of the Urban Environment was submitted on the results of public consultation undertaken in respect of four Draft Conservation Area Character Appraisals and Management Proposals for the following canal based Conservation Areas:-

Delph Locks (Brierley Hill); Stourbridge Sixteen Locks (Wordsley); Stourbridge Branch Canal (Amblecote) and Stourbridge Branch Canal (Canal Street), and proposals arising therefrom.

During consideration of this matter members requested that their thanks to Pete Boland and Jayne Pilkington for the work carried out in respect of the proposals be recorded.

RESOLVED

- (1) That the results of the public consultation undertaken in respect of the four draft Conservation Area Character Appraisal and Management Proposals documents in relation to Delph Locks (Brierley Hill); Stourbridge Sixteen Locks (Wordsley), Stourbridge Branch Canal (Amblecote) and Stourbridge Branch Canal (Canal Street) be noted and that approval be given to the publication of the finalised Conservation Area Character Appraisal and Management Proposals documents and to the authorisation of the Director of the Urban Environment to take all the necessary steps to implement the proposals contained therein.
- (2) That the Cabinet Member for Economic Regeneration be recommended to take the necessary action to implement the revised conservation area boundaries for the four canal conservation areas, as set out in the finalised Conservation Area Character Appraisals and Management Proposals documents.

104

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 application indicated:-

- (i) P06/1311 – Mr D McDougal – for the agent and Councillor James (Ward Member) an objector.

RESOLVED

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

- (i) Plan no. P06/1311 – All Electric garage site, Earlsway, Halesowen – demolition of existing garages and show room and erection of 121 apartments (re-submission of withdrawn application P05/1850)

Decision: Refused, for the following reason:-

The proposed development is an over intensification of the site and as such is contrary to Unitary Development Plan Policy DD4.

- (ii) Plan no. P06/1490 – Land at Tenlands Road, Halesowen = outline residential (all matters reserved)

Decision: Approved, subject to the owners/successors in title entering into an Agreement under Section 106 of Town and Country Planning Act, 1990, for a contribution to off-site public open space enhancement; and that in the event that the Section 106 Agreement has not been completed within two months of the resolution to grant approval, the application be refused if appropriate; and

subject to conditions numbered 1 to 13 (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.

- (iii) Plan no. P06/1599 – Priory Boxing Club, Priory Park, Priory Road, Dudley – Extension to existing boxing club with entrance ramps and new entrance lobby

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

6. Before the development is brought into use, signs directing car borne visitors to the car park at Priory Hall shall be erected in positions to be agreed in writing by the Local Planning Authority and shall be retained for the duration of the development or at all times that the car park is available.

- (iv) Plan no. P07/0089 – Fanum House, Dog Kennel Lane, Halesowen – demolition of existing building and new residential development consisting of 85 dwellings

Decision: Approved, subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act, 1990, for (a) a contribution to off-site public open space enhancement and the provision of children's play area and (b) affordable housing in accordance with the Council's approved policy; and that in the event that the Section 106 Agreement has not been completed within two months of the resolution to grant approval, the application be refused if appropriate; and

subject to conditions numbered 1 to 11 (inclusive) as set out in the report of the Director of the Urban Environment and to the following additional conditions, numbered 12, 13 and 14, as follows:-

12. No development shall commence at the site until Dog Kennel Lane has been widened as shown on the approved plans.

13. Development shall not begin until the details of the modifications to Dog Kennel Lane to permit the creation of the highway access to the development have been submitted to and approved by the Local Planning Authority and implemented in accordance with the approved details within one month of the commencement of the development.

14. The inclusion of suitable wording to the effect that the crack willow on the banks of the adjoining River Stour are to be preserved; and

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

- (v) Plan no. P07/0094 – 16 Ascot Gardens, Stourbridge – erection of five new prefabricated garages

Decision: Approved, subject to conditions numbered 1 and 2, as set out in the report of the Director of the Urban Environment and to an amended condition, numbered 3, as follows

3. The use of the garage block hereby approved shall be ancillary to the residential use of number 16 Ascot Gardens for the parking of vehicles only and not for business, commercial or any other purpose.

(Councillor Mrs Wilson requested that her abstention from voting on this application be recorded).

(vi) Plan no. P07/0127 – Queens Road, Stourbridge – erection of six dwellings

Decision: Approved, subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act, 1990, for a contribution to off-site recreational public open space enhancement; and that in the event that the Section 106 Agreement has not been completed within two months of the resolution to grant approval, the application be refused if appropriate; and

subject to conditions numbered 1 to 6 (inclusive) as set out in the report of the Director of the Urban Environment and to an additional condition, numbered 7, as follows:-

7. Development shall not begin until a comprehensive written site investigation strategy (in a form to be agreed by the Local Planning Authority), has been submitted to and approved by the Local Planning Authority. Such a strategy shall facilitate the identification of methane and carbon dioxide. Where the investigations identify the presence of methane and/or carbon dioxide the development shall not begin until a scheme to protect the development from the effects of such gases has been submitted to and approved by the Local Planning Authority.

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

(vii) Plan no. P06/2353 – 23 Pickrell Road, Coseley – erection of two storey extension to provide double garage and utility with en-suite bedroom over (re-submission of PO6/1850)

Decision: Refused, for the following reasons:-

The proposed development by reason of its design and its positioning forward of the building line shared with number 22 Pickrell Road would cause a detrimental visual impact upon the street scene contrary to policy DD4 of the Adopted Unitary Development Plan.

- (viii) Plan no. PO7/0105 – 41 Woodside Road, Dudley – single and two storey extensions to side and rear to create ground floor en-suite bedroom, wc and utility with bedrooms above

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

The meeting ended at 8.30 p.m.

CHAIRMAN