

DEVELOPMENT CONTROL COMMITTEE

Monday, 15th March, 2010 at 6.00 pm
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Wright (Chairman)
Councillor Banks (Vice-Chairman)
Councillors Barlow, K Finch, Mrs Roberts, Southall, Mrs Turner, C Wilson
and Mrs Wilson

OFFICERS:-

Mr J Butler, Mr C Cheetham, Mr T Glews, Mrs H Martin, Mr P Reed and
Mrs S Willetts (Directorate of the Urban Environment), Mrs G Breakwell and
Mrs M Johal (Directorate of Law, Property and Human Resources)

84 **DECLARATIONS OF INTEREST**

No Member made a declaration of interest in respect of any matter to be considered at this meeting.

85 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 23rd
February, 2010, be approved as a correct record and signed.

86 **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, unless indicated, were in attendance at the meeting and spoke on the planning applications indicated:-

- (i) Plan No P10/0119 – Mr D Millward – an agent/applicant
 - (ii) Plan No P10/0177 – Mr Griffin – an objector and Mr P Fellows – an agent/applicant
 - (i) Plan No P10/0119 – 10 Wellington Road, Dudley – Stationing of a Mobile Caravan for Hot Food Takeaway Sales (Resubmission of Refused Application P08/1610)
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Decision: Refused, for the reasons as set out in the report submitted.

- (ii) Plan No P10/0177 – Land Adjacent to 34 Oak Street, Netherton, Dudley – Erection of 1 No Dwelling
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Members requested that the site be “pegged out” in time for the site visit.

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 P08/1738 – Forum Bingo Club, Commonside, Pensnett, Brierley Hill – Demolition of Existing Bingo Hall and Erection of 7 No Terraced Houses, Rear Gardens and Ancillary Front Car Parking
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Decision: Approved, subject to the following: -

- (1) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the provision, maintenance and enhancement of site public open space and play provision, library, public realm and management and monitoring fee has been submitted to and agreed in writing by the Local Planning Authority.
- (2) The scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council’s planning obligations policies.
- (3) Conditions numbered 1 to 2 and 4 to 11 (inclusive) as set out in the report submitted, together with a revised condition, numbered 3, as follows:-

3. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Should any areas of building be rendered, such render shall be of a through coloured type that will not be subject to colour denudation. The development shall be carried out in complete accordance with the approved details.

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

- (iv) Plan No P10/0034 – Factory, 225 Dudley Road, Halesowen – Change of use to Indoor Go-Karting Operation (Sui-Generis)

Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee.

- (v) Plan No P10/0041 – 24 Manor Lane, Halesowen – Siting of Temporary Unit in Rear Car Park for use as Sewing Room Associated to Existing Bridal Shop

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

- (vi) Plan No P10/0093 – Land Adjacent to 21 Pale Street, Dudley – Demolition of Existing Domestic Garage and Erection of 1 No Dwelling (Resubmission of Refused Planning Application P08/1797)

Decision: Approved, subject to the following: -

- (1) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee provision, maintenance and enhancement of off-site public open space, transport infrastructure, public realm, libraries and a management and monitoring charge has been submitted to and agreed in writing by the Local Planning Authority.
- (2) The scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council's planning obligations policies.

- (3) Conditions numbered 1 to 9 (inclusive) as set out in the report submitted.

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

- (vii) Plan No P10/0114 – Unit 8, Providence Drive Trading Estate, Lye, Stourbridge – Change of use from Warehouse (B8) to General Industry (B2)

The Committee noted that following further consideration, due to the location of the site being within a Key Industrial Area, the nature conservation enhancements and public realm improvements sought would not be in scale and kind to the nature of the proposed development. As the site was designated within the Adopted Dudley Unitary Development Plan (2005) for employment uses, it would be difficult to argue that the change of use would have an adverse impact such as to warrant the provision of these elements as on-site provision. On this basis, there would be no on-site planning obligations (nature conservation and public realms) required.

Decision: Approved, subject to the following: -

- (1) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the provision of a contribution towards off-site transport infrastructure improvements and a management and monitoring charge has been submitted to and agreed in writing by the Local Planning Authority.
- (2) The development shall not be commenced until a legal agreement has been submitted and approved along with details relating to the timing and method of payment for the contribution, including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council's planning obligations policies.
- (3) Conditions numbered 1 to 2 and 5 to 8 (inclusive) as set out in the report submitted and the deletion of conditions numbered 3 and 4

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

- (viii) Plan No P10/0122 – Building 81, Bay 3 and 4, The Pensnett Estate, Kingswinford – Change of use from B2 (General Industry) to B1B, B1C (Research and Development and Light Industrial) and B8 (Storage and Distribution)

Decision: Noted that this application had been withdrawn from consideration.

- (ix) Plan No P10/0123 – Building 32, Bay 2, The Pensnett Estate, Kingswinford – Change of use from B2 (General Industry) to B1B, B1C (Research and Development and Light Industrial) and B8 (Storage and Distribution) _____

Decision: Noted that this application had been withdrawn from consideration.

- (x) Plan No P10/0129 – Shop 9, Bilston Street, Sedgley, Dudley – Change of use of Shop (A1) to Hot Food Takeaway (A5) with Fume Extraction (Resubmission of Withdrawn Application P09/1677) _____

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 a payment for transport infrastructure improvements and public realm and a management and monitoring charge and implementation costs has been submitted to and agreed in writing by the Local Planning Authority.
- (2) The scheme shall include the method, timing and arrangements, including a means to guarantee a financial payment, increased through index linking from the first April of each subsequent year, in accordance with the Council's planning obligations policies.
- (3) Conditions numbered 1 to 9 (inclusive) as set out in the report submitted, together with additional conditions, numbered 10 and 11 as follows:-
 10. Prior to the commencement of development, the following shall be submitted to and approved in writing by the Local Planning Authority:

Large scale architectural drawings for both the existing masonry chimneystack, indicating the proposed flue (at 1:1, 1:2 or 1:5) together with details of how the two will relate to each other.
 11. Development shall not begin until a Schedule of Works/Repairs Schedule has been submitted to and approved in writing by the Local Planning Authority to include:

Details of the proposed repairs to chimney and lead flashings.

Details of any height extension proposed to the chimneystack, to include brick type, texture and bond, and mortar type). Any departure from the approved schedule of works/repairs schedule will require the prior written approval of the Local Planning Authority.

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

- (xi) Plan No P10/0157 – 2 Prospect Row, Dudley – Change of use of Office and Storage Unit (B1) to Taxi Base (Sui Generis)

Decision: Noted that this application had been withdrawn from consideration.

- (xii) Plan No P10/0162 – Building 62, Bay 1, The Pensnett Estate, Kingswinford – Change of use from B2 (General Industry) to B1B, B1C (Research and Development and Light Industrial) and B8 (Storage and Distribution)

Decision: Noted that this application had been withdrawn from consideration.

87

BUILDING CONTROL FEES 2010/2011

A report of the Director of the Urban Environment was submitted on the Council's Building Regulation Fee Scale for 2010/2011, a scale of charges for the non-statutory supply of services provided by Development Control and the index to be used in the uplift of Planning Obligations attached to planning permissions.

RESOLVED

That the information contained in the report, and Appendices to the report, submitted, on the Council's Building Regulation and Development Control Fee Scale to accommodate an increase in charges for 2010/2011 be noted and that such fees be increased as indicated in Appendix A and C to the report submitted and that approval also be given to the use of the current rate of the Consumer Price Index of 3.5% for planning obligations for the 2010/11 financial year.

The meeting ended at 6.45 pm.

CHAIRMAN