

## **DEVELOPMENT CONTROL COMMITTEE**

Monday, 25<sup>th</sup> April, 2005 at 6.00 pm  
in Committee Room 2, The Council House, Dudley

### **PRESENT:-**

Councillor Stanley (Chairman)  
Councillors Banks, Mrs Collins, G Davies, Debney, Donegan, James,  
Southall and Mrs Wilson

### **OFFICERS:-**

Mr C Mellor, Mr P Reed, Mr J Pattinson, Mr S Roach, and Mr A Tuck  
(Directorate of the Urban Environment), Mrs G Breakwell and  
Miss L Turner (Directorate of Law and Property).

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### **MINUTES**

#### **RESOLVED**

That the minutes of the meeting of the Committee held on 4<sup>th</sup> April  
2005, be approved as a correct record and signed.

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### **DECLARATIONS OF INTEREST**

Councillor James declared a prejudicial interest in respect of Planning  
Application No. P05/0220 – Halesowen Conservative and Unionist Club, 2  
Stourbridge Road, Halesowen - Display 1 no. 48 street advertisement  
hoarding, externally illuminated - in view of him being a member of the club.

Councillor James left the meeting during consideration of this item.

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### **SITE VISITS**

Consideration was given to the following planning applications in respect of  
which a site visit had been made on Thursday, 21<sup>st</sup> April, 2005, by the  
Development Control (Site Visiting) Working Party.

#### **RESOLVED**

That the site visit applications be dealt with as follows:

- (i) Plan No. P04/2146 – 220 Cot Lane, Kingswinford – Fell one Silver Birch tree and one Hornbeam tree to front of property, prune and reduce height of 2 Birch trees and 2 Hornbeam trees to side of property.

Decision:

1. That, subject to conditions numbered 1 to 3 and 5 as set out in the report of the Director of the Urban Environment, and the omission of conditions numbered 4 and 6, approval be given to the carrying out of works to the two Hornbeams.
2. That tree T2 be felled.
3. That the application to fell tree T1 be refused.
4. That the carrying out of works to the two Silver Birch trees be refused but that the applicant be invited to submit an application for the thinning of these.

- (ii) Plan No. P04/2340 – 47E Moss Grove, Kingswinford – Fell one Silver Birch tree.

Decision: Approved, subject to conditions numbered 1 to 3 and 5, as set out in the report of the Director of the Urban Environment, and the omission of conditions numbered 4 and 6.

- (iii) Plan No. P05/0336 – Charles Fish and Chips, 14 Jews Lane, Upper Gornal – Erection of brick store room (retrospective)

Decision:

1. Refused, for the following reason:  
  
The storeroom appears as an overbearing and intrusive feature as viewed from neighbouring properties and constitutes over-development of the site which would also reduce the quality and extent of amenity space available to the occupiers of the flat to an unacceptable level contrary to Policy 85 – Development Control – Residential Areas of the adopted Dudley Unitary Development Plan.
2. That enforcement action be authorised to secure removal of the building.

At this juncture, the Chairman welcomed Mr John Pattinson to the Committee. Mr Pattinson was recently appointed as the new General Manager for Planning and Development.

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CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13 (c) it was

RESOLVED

That the order of business at agenda item no. 6 be varied in order to enable planning applications numbered P05/0023, P05/0154, P05/0547, and P05/0616 to be dealt with prior to the remaining planning applications in agenda item no. 6.

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PLANS AND 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 were in attendance at the meeting and spoke on the planning applications indicated:

- (i) Plan No. P05/0023 – Land adjacent to 107 Carol Crescent, Halesowen – Erection of a four bedroom detached dwelling with garage (resubmission of withdrawn application no, P04/1356) - Mr Freer, an objector.
- (ii) Plan no. P05/0154 – 30 Priory Close, Dudley – Erection of a four bedroom detached dwelling (resubmission of withdrawn application no. P04/2503) – Mr Austin, an objector and Mr Powney, the applicant.
- (iii) Plan no. P05/0547 – Pavement outside the Greyhound Public House, Norton Road, Norton, Stourbridge – Prior approval under Part 24 of the Town and Country Planning Act. Installation of a 12 metre streetworks pole supporting 3 no. panel radio antennae, radio equipment housing and ancillary development – Mrs McMorrow, on behalf of the agent and Councillor Rogers – Ward Councillor – on behalf of the objectors.
- (iv) Plan no. P05/06161 – Stourbridge Junction Station, Grange Road, Stourbridge – Prior approval for siting and appearance of 12m high telecommunications monopole with 3 no. antennae, radio equipment housing and associated equipment (resubmission of refused application P04/2048) – Mrs McMorrow, on behalf of the agent.

RESOLVED

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

- (i) Plan No. P05/0023 - Land adjacent to 107 Carol Crescent, Halesowen – Erection of a four bedroom detached dwelling with garage (resubmission of withdrawn application no. P04/1356).

Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee to address concerns raised regarding the proximity of the proposed development to the ancient hedgerow and access.

- (ii) Plan no. P05/0154 – 30 Priory Close, Dudley – Erection of a four bedroom detached dwelling (resubmission of withdrawn application no. P04/2503).

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

- (iii) Plan no. P05/0547 – Pavement outside the Greyhound Public House, Norton Road, Norton, Stourbridge – Prior approval under Part 24 of the Town and Country Planning Act. Installation of a 12 metre streetworks pole supporting 3 no. panel radio antennae, radio equipment housing and ancillary development.

Decision: That approval be sought and refused for the reason set out in the report of the Director of the Urban Environment.

- (iv) Plan no. P05/06161 – Stourbridge Junction Station, Grange Road, Stourbridge – Prior approval for siting and appearance of 12m high telecommunications monopole with 3 no. antennae, radio equipment housing and associated equipment (resubmission of refused application P04/2048).

Decision: That approval be sought and refused for the reason set out in the report of the Director of the Urban Environment.

- (v) Plan no. P02/1466 – Manor Farm, Manor Way, Halesowen – Erection of porch and link to outbuilding, and installation of satellite dish and security lights (retrospective).

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

- (vi) Plan no. P03/1572 – Manor Farm, Manor Way, Halesowen – Retrospective application for stone flood barrier cages and associated earthworks and infilling.

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

- (vii) Plan no. P04/0976 – 75 Cemetery Road, Lye – Conversion of existing workshop building to 23 one-bedroom flats.

Decision: Approved, subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) for the payment of a commuted sum for the enhancement of local public open space provision in accordance with adopted or revised deposit development plan policy and to conditions numbered 1 to 14 (inclusive) as set out in the report of the Director of the Urban Environment.

- (viii) Plan no. P04/1513 – Hickmerelands Farm, Edge Hill Drive, Sedgley – Barn conversion to create three new dwellings.

Decision: Approved, subject to conditions numbered 1-3 (inclusive) and 5-11 (inclusive), as set out in the report of the Director of the Urban Environment, together with an amended condition, numbered 4, as follows:

4. The means of access from Edge Hill Drive shall be improved in accordance with details to be submitted to and agreed in writing by the Local Planning Authority, this would include a minimum drive width of 4.1m. Such agreed details/design shall be implemented prior to the first occupation of any of the dwellings hereby approved.

- (ix) Plan no. P05/0238 – Land at 89/90 King Street, Dudley – Five storey building comprising A1 and A2 to ground floor and eleven apartments on remaining floors.

Decision: That this application be deferred to allow negotiations with applicant to provide for larger and fewer units (7/8) of accommodation with comment from Private Sector Housing regarding the room size/configuration and in respect of Building Regulations regarding fire protection.

- (x) Plan no. P05/0404 – Demolition of existing dwelling and erection of 2 no. four bedroom detached dwellings – 24 Perrins Lane, Stourbridge.

Decision: Approved, subject to conditions numbered 1, 2 and 4-6 (inclusive), together with an amended condition, numbered 3 and additional conditions, numbered 7 and 8, as follows:

3. The building shall not be occupied until the means of vehicular access has been improved in accordance with the approved plans. Taking account of the following requirements:

1. The minimum vehicular access width to the rear car parking area should be 4.1 metres.
  2. A distance of 7 metres should be maintained between the front of the car ports and the rear gardens.
7. D02A – Part 1 Class A – Removal of permitted development rights.
  8. Development shall not begin until details of a 2.4m by 3.4m pedestrian visibility splay to be provided at the junction of the site access/Perrins Lane have been submitted to and approved by the Local Planning Authority and no building shall be occupied until the visibility splays have been provided in accordance with the approved details and maintained in perpetuity over the life of the development.
- (xi) Plan no. P05/0431 – Land adjacent to 32 Wilson Road, Brockmoor, Brierley Hill – Outline application for 2 no. semi-detached dwellings (resubmission of approved application P04/2319).

Decision: Approved, subject to conditions numbered 1-10 (inclusive), a set out in the report of the Director of the Urban Environment, together with an additional condition, numbered 11, as follows:

11. Development shall not commence until details of the 2.4m by 3.4m pedestrian visibility splays to be provided at the junction of the site access and Wilson Road have been submitted to and approved in writing by the Local Planning Authority and no building shall be occupied until the visibility splays have been provided in accordance with the approved details and maintained in perpetuity over the life of the development.
- (xii) Plan no. P05/0552 – Cuppa Vending Ltd, Bridge House, 65 Hungary Hill, Stourbridge – Outline application for residential development.

Decision: Approved, subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) for the payment of a commuted sum towards the provision of off-site open space facilities and conditions numbered 1-9 (inclusive), as set out in the report of the Director of the Urban Environment, together with an amended condition, numbered 10, as follows:

10. L01B – Noise protection "the adjacent railway and public house".

- (xiii) Plan no. P05/0220 – Halesowen Conservative and Unionist Club, 2 Stourbridge Road, Halesowen – Display 1 no. 48 street advertisement hoarding, externally illuminated.

(Councillor Fraser-Macnamara spoke on this application).

Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee to address concerns raised regarding the number of advertising hoardings already on display around the island.

- (xiv) Plan no. P05/0276 – 174-176 Delph Road, Brierley Hill – Erection of 3 no. two-bedroom apartments (resubmission of refused application P04/1926).

Decision: Refused, for the following reasons:

1. The Local Planning Authority, consider that the design and layout of the proposed development fails to properly reflect the character of the development within the local environment. This is especially as a result of the proposed scheme being considered over-intensive in form, when set against the restricted size of the site and the existing vernacular. The proposal would therefore introduce development which will appear incongruous within the general streetscene, and also which fails to make a positive contribution to the local environment. It is therefore contrary to Policies 53 and 85 of the Unitary Development Plan, Policies DD1 and DD4 of the Revised Deposit Unitary Development Plan and Supplementary Planning Guidance Note 3.
2. The Local Planning Authority consider that the car parking layout within the site as shown is inadequate in terms of numbers, manoeuvring space and vehicular access width. This will lead to congestion on the site, and overspill parking on the highway, with vehicles, associated with the development, impeding visibility and the freeflow of traffic along Delph Road, thereby unduly compromising highway safety. Consequently, the proposal is contrary to Policies 85 and 99 of the Unitary Development Plan and Policy DD4 of the Revised Deposit UDP.

3. The Local Planning Authority consider that the amount and quality of amenity area shown for the proposed development is inadequate to properly provide for a reasonable level of amenity for the future occupiers of the proposed apartments. This being a corollary of the over-intensive nature of the proposed development. The proposal is therefore contrary to Policy 53 of the Unitary Development Plan and Supplementary Planning Guidance Note 3.
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ENFORCEMENT ACTION

A joint report of the Director of Law and Property and the Director of the Urban Environment was submitted on proposed enforcement action.

RESOLVED

That the Local Planning Authority having regard to all the provisions of the adopted Dudley Unitary Development Plan and all other material considerations before them, authorises the removal of the solid roller shutter from the frontage of the premises known as The Tranquil Lounge, Skin and Beauty Therapy Centre, 1 Gospel End Road, Sedgley.

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LAND ADJACENT TO 77 GOSPEL ROAD, SEDGLEY

A report of the Director of the Urban Environment was submitted on a complaint received regarding a garage roof at 77 Gospel End Road, Sedgley and on the appropriate course of action to be taken.

RESOLVED

That, the information contained in the report submitted regarding land adjacent to 77 Gospel End Road, Sedgley be noted and that, for the reason stated, no further enforcement action in respect of this matter be taken.

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PLANNING APPEALS

A report of the Director of the Urban Environment was submitted on decisions made by the Planning Inspectorate on planning appeals over the period January, 2005 to March, 2005.



RESOLVED

That the information contained in the report, and Appendix 1 to the report, submitted regarding decisions made by the Planning Inspectorate on Planning Appeals over the period January, 2005 to March, 2005, be noted.

The meeting ended at 8.50 pm

CHAIRMAN