

## DEVELOPMENT CONTROL COMMITTEE

Monday 12<sup>th</sup> May 2008 at 6.00 pm  
in Committee Room 2, The Council House, Dudley

### PRESENT: -

Councillor Wright (Chairman)  
Councillor Banks (Vice Chairman)  
Councillors G Davies, K Finch, Southall, Mrs Turner, C Wilson and Mrs Wilson.

### OFFICERS: -

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

### 88 REMARKS OF CHAIRMAN

The Chairman requested that a letter be sent to former Councillor Mrs Collins thanking her, on his behalf and that of the Committee, for her services to the Committee in her years of membership.

### 89 DECLARATIONS OF INTEREST

Councillor Mrs Turner declared a personal and prejudicial interest in respect of planning application number P07/2141 – Struggling Man Inn Public House, Prospect Row, Dudley – in view of the fact that the developer making the application was known to her.

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### 90 MINUTES

#### RESOLVED

That the minutes of the meeting of the Committee held on 28<sup>th</sup> April 2008, be approved as a correct record and signed.

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### 91 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 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) P07/2020 – Mr. R Kendrick, an objector, Mr. M Duffett, the agent/applicant, and Councillor Mrs. Martin, as Ward Member.
- (ii) P08/0227 – Mr. J Dutton, the agent/applicant, and Councillor A Turner, as Ward Member.
- (iii) P08/0399 – Mr. R Butler, and objector, and Mr. N Crowther, the agent/applicant.

## RESOLVED

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

- (i) Plan no. P07/2020 – 112 High Street, Amblecote, Stourbridge – Erection of 1 block of 24 one and two-bedroom apartments.

Decision: Refused, for the following reason: -

The proposed development, by reason of its scale, design and massing, would have a detrimental impact on the character of the area and an adverse impact on the amenities of neighbouring properties on High Street and Hollybush Lane by reason of loss of privacy, outlook and noise disturbance. The proposal is therefore contrary to Policies DD1 and DD4 of the Unitary Development Plan.

- (ii) Plan No. P08/0227 – 180-184 High Street, Lye, Stourbridge – Outline application for the demolition of existing dwelling and erection of (A1) retail unit with four flats above (C3) (access, layout and scale to be considered).

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 the payment of £4069.17 for off site public open space/play provision and enhancement and library, public realm and transport improvements has been submitted to and agreed in writing by the Local Planning Authority.
2. Conditions numbered 1 to 11 (inclusive), as set out in the report of the Director of the Urban Environment; together with additional conditions, numbered 12 to 16, as follows: -
  12. L07C – Sound insulation between flats and ground floor commercial uses (unless covered by building regulations).

13. Restricted hours of opening of retail unit to: 8.00am to 11.30pm Monday to Saturday, and 11.00am on Sundays.

14. No goods vehicles of any description, whether loaded or unloaded, shall enter or leave the site before 8.00am Monday to Saturday inclusive, nor after 6.00pm Monday to Saturday inclusive, nor at any time on Sundays or Bank Holidays.

15. No stock containers shall be moved around the car park or refuse area before 8.00am Monday to Saturday inclusive, nor after 6.00pm Monday to Saturday inclusive, nor at any time on Sundays or Bank Holidays.

16. No refrigerated vehicles to be parked on the premises between the hours of 11.00pm and 8.00am; and

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

- (iii) Plan no. P08/0399 – 3 Peartree Drive, Pedmore, Stourbridge – Erection of 2 four-bedroom detached dwellings (resubmission of withdrawn application P07/1794).

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.

- (iv) Plan no. P07/1905 – 26 Grazebrook Road, Dudley – Single storey side/rear extension to create lounge, shower room, bathroom, store, bedroom and kitchen (retrospective).

Decision:

1. Refused, for the following reasons: -

1. The roof tiles used in the external elevations of the development are incongruous and result in the development appearing prominent and detrimental to the street scene and visual amenities of the area. As such, the development is contrary to policy DD4 of the adopted Dudley UDP.

2. The development proposed would generate a requirement for two parking spaces to be provided within the site. The provision of two usable spaces is not possible at present because of the presence of a wall along the boundary with the highway. As such, the development would lead to parking in the road which would be contrary to highway safety and policy DD4 of the adopted Dudley UDP.

2. That enforcement action to secure the removal of the roof tiles and the front boundary wall, be authorised.

(v) Plan no. P07/2141 – Struggling Man Inn Public House, Prospect Row, Dudley – Redevelopment of site to provide 23 residential dwellings in the form of houses and apartments (outline) (access, layout and scale to be considered).

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(Having earlier declared a personal and prejudicial interest in respect of this application, Councillor Mrs Turner left the room during its consideration)

Decision: Refused, for the following reason: -

Dudley Metropolitan Borough Council's Affordable Housing Policy is set out in the Council's adopted Unitary Development Plan and requires housing developers to set aside 30% of the number of dwellings on suitable new build sites for housing.

The proposed development of 23 no. residential units fails to provide any of the units as affordable housing and is therefore contrary to policies H5,S1 and S8 of the adopted Unitary Development Plan(2005) and the Council's Supplementary Planning Document – Affordable Housing.

(vi) Plan no. P08/0366 – Land adjacent to 54 Deepdale Lane, Upper Gornal – Erection of a detached dwelling (outline) (all matters reserved).

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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 the provision of an off site contribution towards the maintenance and enhancement of off-site public open space and play provision, an off site contribution towards transport infrastructure improvements, a contribution towards improvements to libraries and an off site contribution towards public realm improvements has been submitted to and agreed in writing by the Local Planning Authority.
2. Conditions numbered 1 to 12 (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.

(vii) Plan no. P08/0371 – Oakwood, 42 Lynval Road, Quarry Bank, Brierley Hill – Erection of a dormer bungalow.

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 the payment of £3179.57 for off site public open space/play provision and enhancement and library, public realm and transport improvements has been submitted to and agreed in writing by the Local Planning Authority.
2. Conditions numbered 1 to 6 (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.

(viii) Plan no. P08/0375 – 41 North Street, Dudley – Conversion of existing dwelling into 2 self contained flats.

Decision:

Approved, subject to the following: -

1. The development not beginning until a scheme for the submission and approval of a planning obligation of £2140.61 to guarantee the provision, maintenance and enhancement of off-site public open space and monies for libraries, public realm and transport has been submitted to and agreed in writing by the Local Planning Authority.

2. Conditions numbered 1 to 3 (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.

- (ix) Plan no. P08/0380 – Wellington Road Post Office, 29 Wellington Road, Dudley – Change of use of vacant retail unit (A1) to 2 ground floor apartments (C3).

Decision:

Approved, subject to the following: -

1. The development not beginning until a scheme for the submission and approval of a planning obligation of £4372.42 to guarantee the provision, maintenance and enhancement of off-site public open space provision, improvements to libraries, transport and public domain has been submitted to and agreed in writing by the Local Planning Authority.
2. Conditions numbered 1 to 4 (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.

- (x) Plan no. P08/0503 – Stourbridge Bus Station, Foster Street East Stourbridge – Redevelopment of existing bus station and provision of new facilities building (resubmission of refused application P07/1782).

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 7.25pm

**CHAIRMAN**