

## **DEVELOPMENT CONTROL COMMITTEE**

Monday 28<sup>th</sup> January, 2013 at 6.00 pm  
in Committee Room 2, The Council House, Dudley

### **PRESENT:-**

Councillor Harris (Chair)  
Councillor Roberts (Vice-Chair)  
Councillors Casey, Herbert, Mrs Westwood, C Wilson, Wright and Zada

### **OFFICERS:-**

Mr J Butler, Mr T Glews, Mrs H Martin, Mr Owen and Mr P Reed (all Directorate of the Urban Environment), Mrs G Breakwell and Mrs M Johal (Directorate of Corporate Resources)

#### 61 **APOLOGY FOR ABSENCE**

An apology for absence from the meeting was submitted on behalf of Councillor S Turner.

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#### 62 **DECLARATIONS OF INTEREST**

Declarations of non-pecuniary interests, in accordance with the Members' Code of Conduct, were made by the following:-

Councillor Wright in Planning Application No P12/1464 (Land and Garages off School Drive, Dudley) as he had been lobbied on domestic sprinklers and that he is a member of the West Midlands Fire and Rescue Authority.

Councillor Zada in Planning Application No P12/0462 (New Health Centre, Vacant Land between Jackson Street and Clinic Drive as he works for the National Health Service.

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#### 63 **MINUTES**

##### **RESOLVED**

That the minutes of the meeting of the Committee held on 7<sup>th</sup> January, 2013, be approved as a correct record and signed.

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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. 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, spoke on the planning applications:-

Plan No P12/1347 – Mr Graham Wilson (Skelton Group) – an objector and Mr McManus – an agent/applicant were in attendance but did not exercise their entitlement to speak as the application was deferred from consideration.

Plan No P12/1239 – Mr David Taylor – an objector and Dr Hare – an agent/applicant

- (i) Plan No P12/1347 – Chemviron Carbon, Foxyards, Bean Road, Tipton – Erection of Storage Bunkers, Storage/Maintenance Warehouse, Bulk React Carbon Storage Silo, Bulk Tanker Truck Loading Area and Increase the Height of the Building

Decision: That the application be deferred to allow full and proper consideration to be given to the additional comments and representations received.

- (ii) Plan No P12/1239 – Dental Surgery, 103 Spies Lane, Halesowen – Single Storey Front Extension and New Front Stepped Access. First Floor and Two Storey Rear Extension

Decision: Approved, subject to conditions, numbered 1 to 9 (inclusive), as set out in the report submitted.

- (iii) Plan No P12/0462 – Vacant Land Between Jackson Street and Clinic Drive, Lye, Stourbridge – Erection of New Health Centre to Include a Retail Pharmacy and Associated Car Parking

Decision: Approved, subject to conditions, numbered 1 to 21 and 23 (inclusive), as set out in the report submitted, together with an amended condition, numbered 22 and additional condition, numbered 24, as follows

22. No development shall commence until details of the highway works have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until these highway works have been implemented in accordance with the approved details. The highway works shall include a new widened footway in Clinic Drive, new footways in Jackson Street to an adoptable highway standard.
24. Within 6 months of first occupation of the development details of strengthening to the existing footways in Jackson Street to carriageway specification shall be submitted to and approved in writing by the Local Planning Authority. Within 6 months of first occupation of the development the strengthening works will be implemented in 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 P12/1425 – Lapal House, Lapal Lane South, Halesowen – Following Demolition of Existing Outbuilding Erection of Purpose Made Outbuildings for Garages, Storage and Short Stay Respite Care (Resubmission of Withdrawn Application P11/1390)

Decision: Refused, for the reason as set out in the report submitted.

- (v) Plan No P12/1554 – 69 and 69A Frankley Avenue, Halesowen – Conversion of Existing Granny Annexe (No 69A) to 1 No Dwelling with New Window to Rear Elevation, New Vehicular Access from Seven Acres Road and Associated Parking (Following Demolition of Existing Garage). New Patio Window to Side Elevation of 69 Frankley Avenue

Decision: Refused, for the reason as set out in the report submitted.

- (vi) Plan No P12/1317 – 24-26 Stone Street, Dudley – Change of use from A2 (Professional and Financial Services) to A3/A5 (Restaurants and Cafes/Hot Food Takeaway) with Proposed Fume Extraction

Decision: Approved, subject to conditions, numbered 1 to 5 (inclusive), as set out in the report submitted.

- (vii) Plan No P12/1448 – Corner House, 71 Halesowen Street, Rowley Regis – Conversion of Dwelling into 3 No Flats

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

11. Prior to the commencement of development a scheme for the provision of bin storage facilities for both the retail unit and the apartments within the curtilage of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the flats and thereafter retained for the lifetime of the development.

(viii) Plan No P12/1464 – Land and Garages, off The School Drive, Dudley – Demolition of Existing Garages and Erection of 2 No Dwellings with Associated Car Parking

Decision: Approved, subject to conditions, numbered 1 to 4, 7 and 10 to 18 (inclusive), as set out in the report submitted, together with amended conditions, numbered 5, 6, 8 and 9 and additional conditions, numbered 19 and 20, as follows:-

5. Where the approved risk assessment (required by condition 4) identifies contamination posing unacceptable risks, no development shall begin until a detailed scheme to protect the development from the effects of such contamination has been submitted to and approved by the Local Planning Authority.
6. Unless otherwise agreed in writing with the Local Planning Authority, the approved scheme (required by condition 5) shall be implemented and a verification report submitted to and approved by the Local Planning Authority, before the development (or relevant phase of the development) is first occupied/brought into use.
8. Where the approved risk assessment (required by condition 7) identifies ground gases or vapours posing unacceptable risks, no development shall begin until a detailed scheme to protect the development from the effects of such contamination has been submitted to and approved by the Local Planning Authority.
9. Unless otherwise agreed in writing with the Local Planning Authority, the approved scheme (required by condition 8) shall be implemented and a verification report submitted to and approved by the Local Planning Authority, before the development (or relevant phase of the development) is first occupied/brought into use.
19. Prior to the commencement of development, details of external lighting shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall be installed and be operational prior to first occupation of the development. The scheme shall be retained for the life of the development.

20. Prior to commencement of the permitted use, a scheme for a continuous acoustic barrier constructed along the boundary shared with the Sledmere Community Centre, of minimum height of 2 metres and minimum surface density of 10 kg/m<sup>2</sup> shall be submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed before first residential occupation. The barrier shall be retained throughout the life of the development.

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

- (ix) Plan No P12/1468 – 32 West Road, Cradley – Erection of 2 No Dwellings (Part Retrospective)

Decision: Approved, subject to conditions, numbered 1 to 5 (inclusive), as set out in the report submitted.

The meeting ended at 7.15 pm.

CHAIR