

## DEVELOPMENT CONTROL COMMITTEE

Monday, 21<sup>st</sup> February, 2011 at 6.00 pm  
in Committee Room 2, The Council House, Dudley

### PRESENT:-

Councillor Wright (Chairman)  
Councillor Banks (Vice-Chairman)  
Councillors Ahmed, Barlow, J Martin, Mrs Roberts, Ryder, Southall and Mrs Turner.

### OFFICERS:-

Mr C Cheetham, Mr T Glews, Mr I Hunt, Mr D Owen, Mrs S Willetts  
(Directorate of the Urban Environment), Ms S Ahmed and Mrs M Johal  
(Directorate of Corporate Resources)

---

72                    APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of  
Councillors C Wilson and Mrs Wilson.

---

73                    APPOINTMENT OF SUBSTITUTE MEMBERS

It was reported that Councillors Ryder and Ahmed had been appointed as  
substitute members for Councillors C Wilson and Mrs Wilson for this  
meeting only.

---

74                    DECLARATIONS OF INTEREST

Councillor Barlow declared a personal and prejudicial interest in planning  
application number P10/1429 (The Crown Centre, Stourbridge) as he was a  
Member of Stourbridge Institute Social Club and he had also publicly  
commented on and made views on the application.

Councillor Ryder declared a personal and prejudicial interest in planning  
application number P10/1652 (Hillcrest School and Community College,  
Simms Lane, Netherton) as his son attended the School.

---

75                    MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 31<sup>st</sup> January, 2011, be approved as a correct record and signed.

---

76

## 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 application indicated:-

Plan No P10/1429 – Councillor M Knowles – an objector and Mr N Baker – an agent/applicant.

- (i) Plan No P10/1429 – The Crown Centre, Stourbridge – Demolition of Existing Crown Centre and Multi-Storey Car Park and Construction of New Large Retail Store (A1), Small Retail Units (A1-A5) and Offices (B1) with Associated Highway Works, Servicing and Car Parking. Public Realm Works (Including Town Square), Landscape Works, Alterations to Town Hall and Library (Including Temporary Access)
- 

(Having previously declared a personal and prejudicial interest in this application Councillor Barlow withdrew from the meeting and rejoined the meeting following its consideration).

Decision: Approved, subject to the following:-

- (1) That the applicant be invited to make an application to the Secretary of State, under Section 247 of the Town and Country Planning Act 1990 to close, create and improve highways as shown on Drawing No 53749-30 CH-020 Issue 07 received by email on 16<sup>th</sup> February, 2011 to enable development authorised by planning permission to take place. The full costs and works to the Local Authorities satisfaction shall be met by the developer.
- (2) Conditions numbered 1 to 3, 5 to 8, 10 to 14, 16 to 19 and 22 to 34 (inclusive) as set out in the report submitted, together with amended conditions, numbered 4, 9, 15, 20, 21, 35 and 36 and additional conditions, numbered 37 to 40, as follows:-

4. Unless otherwise agreed in writing with the Local Planning Authority, the approved scheme (required by condition 3) 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.
  
9.
  - a) No delivery vehicles whether loaded or unloaded shall enter or leave the site, nor shall delivery vehicles be unloaded, before the hours of 07.00 hours nor after 23.00 hours on any day.
  
  - b) Deliveries to the site shall be allowed to take place during the hours of 06.00 to 07.00, Mondays to Fridays, for a period of 12 months following the date of store opening. At the end of this 12 month period the hours shall revert to the times at a) unless otherwise agreed in writing by the Local Planning Authority.
  
15. None of the development hereby approved shall be first commenced until precise details of new on site public art works to Bath Road/Bell Street have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details and shall be installed prior to the main store first opening. Details shall also be provided in respect of the future maintenance of the art works. The art works shall thereafter be retained and maintained for the life of the development.
  
20. No part of the development hereby permitted shall be commenced until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. The details must include existing and proposed finished levels or contours; the position, design and materials of all site enclosures, car parking layout and other vehicular and pedestrian areas; hard surfacing materials, minor artefacts and structures (eg street furniture, play equipment, refuse areas, lighting etc;) and any retained historic features and proposals for restoration.

The works approved as part of this condition shall be completed before the first occupation of any part of the development, unless otherwise agreed in writing by the Local Planning Authority.

21. The development hereby approved shall not be first occupied until the signal controlled pedestrian crossing across the ring road near to the junctions of Crown Lane and Enville Street, and the pedestrian crossing to Bell Street, Stopping up of New Street, New Traffic Signalled junction at Bath Road/Bell Street, repositioning of pedestrian crossing, gantry heads, amendments to existing coach drop off on Bath Road, re-grading of carriageways and footways on Bell Street, Provide at grade crossing facility on Bath Road in association with traffic signals on Crown Lane as a 4<sup>th</sup> arm of the existing signals at Bath Road and Enville Street, Amendments to the alignment of the Highway at the existing subway on Bath Road with CCTV cameras and further amendments to improve visibility has been provided in accordance with the approved plan P101.2E, unless otherwise agreed in writing by the Local Planning Authority.
  
35. The applicant shall provide a package of highway measures which have been agreed with the Local Planning Authority and all necessary consents, licenses, permits or agreements have been completed or obtained in respect of such measures. The package of measures shall include Traffic Regulation Orders to secure:-
  1. Removal of limited waiting on the southern side of Crown Lane
  2. Amendments to the bus stop on the southern side of Crown Lane
  3. Revisions to the Crown Square will involve the whole scale revamping of TRO's covering this area
  4. TRO for the new crossing on Bell Street
  5. Provision of 2 disabled parking bays on Market Street
  6. Provision of a loading bay on Market Street for use by the Town Hall
  7. Removal of the existing TRO on New Street and a new TRO for car park access from Bell Street

The development shall not be occupied until all such measures have been substantially completed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

36. The development hereby permitted shall be carried out in accordance with the following approved plans: 6376 P101.0 Rev E, 6376 P101.1 Rev E, 6376 P101.2 Rev E, 6376 P101.3 Rev C, 6376 P104.0, 6376 P101.4 Rev B, 6376 P101.5 Rev C, 6376 P101.6 Rev B, 6376 P101.7 Rev B, 6376 P104.1, 6376 P102.0, 6376 P102.1, 6376 P102.2, 6376 P102.4, 6376 P102.5, 6376 P103.0 Rev B, 6376 P108.0, 6376 P108.1 Rev E, 6376 P109.0, 6376 P113.0, 6376 P141.0, 6376 P142.0 Rev B, 6376 P137.0, 6376 P137.1, 6376 P137.2, 6376 P136.0 Rev B, 6376 P138.0, 6376 P114.0 Rev C, 6376 P120.0, 6376 P130.0 Rev A, and 6376 P138.1 Rev A.
37. A Delivery Management Plan for the management and operation of the delivery process carried out in the service yard from 06:00 – 07:00 shall be submitted to Dudley MBC for written approval. The proposals in the approved Delivery Management Plan shall be fully implemented and maintained throughout the life of the development.

The Delivery Management Plan shall include provision for the following:-

Delivery personnel and store staff to ensure when deliveries arrive that:

- (i) automatic cab radios are switched off
- (ii) refrigerated units are turned off during the delivery visit
- (iii) they open and close doors and tailgates carefully to avoid banging
- (iv) trolleys are maintained to give quiet operation
- (v) goods are trolleyed out of the delivery vehicle onto the dock leveller

Delivery vehicle drivers:

- (i) turn off fridge motors, radios and reversing beepers before arrival and throughout delivery
- (ii) turn off engines when waiting on an approach road and during deliveries
- (iii) start vehicles without revving engines
- (iv) do not operate any mechanical refrigeration unit in the Service Yard before 07.00 or after 22.00 Monday to Saturday, nor before 09.00 or after 17.00 on Sundays and Bank Holidays.

Erection of signs in the service yard notifying drivers:  
The area is noise sensitive  
The normal working hours (not known at this stage)  
The need to switch off refrigeration units and vehicle engines outside the working hours  
The provision of a plan showing the location of signage internally within the service yard, including at each loading bay, and externally to notify approaching delivery vehicle drivers.

38. Prior to commencement of development a shopping trolley management plan will be submitted to and approved in writing by the Local Planning Authority. Prior to first use the shopping trolley management plan will be implemented and maintained for the life of the development.
39. None of the development hereby approved shall be first commenced until details of shower facilities for staff cycling to work has been submitted to and approved in writing by the Local Planning Authority. The showers for staff shall thereafter be provided in accordance with the approved details and shall be retained for the life of the development.
40. No demolition of any of the buildings on site shall be commenced until wheel wash facilities have been installed on the site in accordance with details which have been submitted to and approved in writing by the Local Planning Authority and the facilities installed as part of this condition shall be maintained and available on site until the development has been completed.

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

- (ii) Plan No P10/1155 – 73A Bracken Park Gardens, Wordsley, Stourbridge – Alterations to Form New Turning Bay and Car Park Area

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

- (iii) Plan No P10/1652 – Hillcrest School and Community College, Simms Lane, Netherton – Construction of Dining Hall, 3 Storey Teaching Block and External Bin Store

(Having previously declared a personal and prejudicial interest in this application Councillor Ryder withdrew from the meeting and rejoined the meeting following its consideration).

Decision: Approved, subject to conditions, numbered 1 to 10 (inclusive) as set out in the report submitted.

- (iv) Plan No P10/1703 – Silver Jubilee Park, Birmingham New Road, Coseley – New Lighting to New Pathway

Decision: Approved, subject to conditions, numbered 1 to 6 (inclusive) as set out in the report submitted.

- (v) Plan No P10/1723 – The Dell Recreation Ground, Pensnett Road, Brockmoor – Provision of Lighting to Outdoor Gym Area and Pathway

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

- (vi) Plan No P10/1732 – 58 New Village, Netherton, Dudley – Erection of 1 No Dwelling

Decision: Approved, subject to the following:-

- (1) The applicant entering into a Section 106 Agreement for a contribution towards improvements to libraries, nature conservation enhancement, open space, sport and recreation, public realm, transport infrastructure improvements and a management and monitoring charge.
- (2) 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 P11/0018 – 144A Cinder Bank, Netherton, Dudley – Erection of 2 No Dwellings

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 a sum for the provision, maintenance and enhancement of off site public open space and play provision, nature conservation, libraries and public realm 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 6 and 8 and 9 (inclusive) as set out in the report submitted, together with amended conditions, numbered 7, 10 and 11, as follows:-
  7. Development shall not begin until a scheme for protecting residents in the proposed dwellings from noise from road traffic on Cinder Bank and adjacent industrial building has been submitted to and approved in writing by the Local Planning Authority. All works, which form part of the approved scheme, shall be completed before occupation of the permitted dwellings, unless otherwise agreed in writing by the Local Planning Authority.
  10. Where the approved risk assessment (required by condition 9) 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.
  11. Unless otherwise agreed in writing with the Local Planning Authority, the approved scheme (required by condition 10) 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.

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

(viii) Plan No P11/0031 – 4-5 Summer Hill, Halesowen – Erection of 4 No Dwellings

Decision: Approved, subject to the following: -

- (1) The applicant entering into a Section 106 Agreement for a contribution towards libraries, open space, sport and recreation, nature conservation, public realm, transport infrastructure improvements and a management and monitoring charge.



- (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 12 (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.

- (ix) Plan No P11/0118 – Former BT Depot, Blowers Green Road, Dudley – Creation of New Recycling Depot, Ancillary Facilities and Associated Parking (Resubmission of Approved Application P10/0417)

Decision: That, upon expiry of the neighbour consultation period on 23<sup>rd</sup> February, 2011, the Director of the Urban Environment be authorised to approve the application subject to conditions numbered 1 to 12, as set out in the report submitted.

- (x) Plan No P10/1648 – 25 Fairways Avenue, Norton, Stourbridge – Single Storey Side and Rear Extensions (Following Part Demolition of Garage). Increase Roof Height with Front and Rear Dormers to Create First Floor Habitable Rooms (Part Retrospective)

Decision: Noted that the application had been withdrawn by the applicant.

- (xi) Plan No P10/1708 – 46 Avenue Road, Coseley, West Midlands – Installation of Roof lights to Front and Rear Elevation (Retrospective) Resubmission of Refused Application P10/1361

Decision: Approved, subject to conditions, numbered 1 to 3 (inclusive) as set out in the report submitted, together with an additional condition, numbered 5, as follows:-

4. Development shall not begin until details have been submitted to and approved in writing by the Local Planning Authority of the proposed 'conservation style' roof lights, including type, colour, material, size and depth of projection from the surface of roof.

The meeting ended at 7.20 pm.

CHAIRMAN