

SPECIAL MEETING OF DEVELOPMENT CONTROL COMMITTEE

Monday, 15th May, 2006, at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Stanley (Chairman)
Councillors Banks, Mrs Collins, Donegan, Mottram, Southall and Mrs Wilson.

OFFICERS: -

Mrs H Brookes-Martin, Mr C Cheetham, Mr G Isherwood, Mr J Pattinson, Mr P Reed and Mr S Roach, (Directorate of the Urban Environment), Mrs G Breakwell and Mr J Jablonski (Directorate of Law and Property).

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CHAIRMAN'S REMARKS

In his opening remarks the Chairman referred to the absence of Councillor James (Vice Chairman) from tonight's meeting which was due to a clash with another meeting of which he was the Chairman. As this was the last meeting of the Committee in the current municipal year the Chairman paid tribute to all the help and support given to him by Councillor James in his capacity as Vice-Chairman.

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APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillors G Davies and James.

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APPOINTMENT OF SUBSTITUTE MEMBER

It was reported that Councillor Mottram had been appointed as a substitute member for Councillor G Davies for this meeting of the Committee only.

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DECLARATIONS OF INTEREST

No Member made a declaration of interest in accordance with the Members' Code of Conduct.

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MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 24th April, 2006, be approved as a correct record and signed.

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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, 20th April, 2006, by members of Development Control (Site Visiting) Working Party.

RESOLVED

- (i) Plan No. P05/2037 – Ashmore Site, Tipton Road, Dudley – Redevelopment of Industrial Site with 104 Residential Units and Ancillary Works with Access off Tipton Road (Identical to Application P05/1230 Now Subject to Appeal)

Decision: Approved, subject to the Applicant entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 requiring

- a) A commuted payment of £144,132 towards the off-site provision of public open space and children's play facilities to serve the development on land in the vicinity.
- b) The provision of highway improvements to Tipton Road to create a right turn lane for vehicles accessing the site from the south and pedestrian facilities.
- c) The transfer at no cost of the land required for the full implementation of the new junction on Tipton Road and for its subsequent dedication as highway.
- d) The carrying out of satisfactory noise reduction works at the foundry of Thomas Dudley Limited before any dwellings on the site are occupied; and

- e) The provision of affordable housing units, the level of such provision to be agreed by the Director of the Urban Environment,

conditions numbered 1 to 14 (inclusive) as set out in the report of the Director of the Urban Environment, together with an additional condition, numbered 15, as follows:-

15 – Development shall not begin until a detailed mining report which indicates that the site is suitable for the development proposed has been submitted to the Local Planning Authority. This report shall include details of recommendations and foundation design and such recommendations shall be implemented concurrently with the Development;

that the Director of the Urban Environment be authorised to make amendments to the forgoing conditions as necessary and that, in the event that the Agreement under Section 106 of the Town and Country Planning Act, 1990, has not been completed within two months of the resolution to grant approval the application be refused if appropriate.

- (ii) Plan No. P06/0238 – 31 William Street, Brierley Hill – Single Storey Side Extension to Create Kitchen and WC. Two Storey Detached Extension to Create Garage with Gymnasium Over

Decision: Approved, subject to conditions numbered 1 to 4 (inclusive) as set out in the report of the Director of the Urban Environment.

(Councillor Mrs Wilson requested that her vote for refusal of the application be recorded).

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CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13(c) it was

RESOLVED

That the order of business be varied to allow planning applications P04/1823, P06/0608, P06/0632, P06/0185 and P06/0467 to be considered prior to the remaining application in Agenda Item 6.

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PLANNING 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:-

Plan No. P04/1823 – Sainsbury’s Supermarket, Turners Lane, Amblecote – Extension to Supermarket and Car Park with Associated Landscaping – Mr Binner, an objector and Mr Newton, Agent for the Application.

Plan No. P06/0608 – Land Adjacent to 15 Caroline Street, Dudley – Outline Application for the Erection of 6 1-Bedroom Apartments (Siting and Access Submitted for Consideration With All Other Matters reserved for Future Consideration) (Re-Submission of Refused Application P05/0727) – Mr Breakwell, an objector, and Mr Khan, the Applicant.

Plan No. P06/0632 – Norton Pumping Station, Racecourse Lane, Stourbridge – Installation of 3 Vodaphone Antennas, Two 600mm Dishes, Alterations to the Antenna Support Frame on the Existing Orange Mast, Together with Radio Equipment, Housing and Ancillary Development – Mr Pegg on behalf of objectors and Councillor Rogers, Ward Member, objecting to the application.

Plan No. P06/0185 – 2 Park Road, Wollaston – Demolition of Existing Bungalow and Erection of 2 3-Bedroom Dormer Bungalows and Detached Garage with Associated Access (Resubmission of Withdrawn Application P05/2093) – Mr Pakes, an objector, and Councillor Mrs Cowell, Ward Member.

Plan No. P06/0467 – WM Morrison Supermarkets Plc, Charterfield Shopping Centre, Stallings Lane, Kingswinford – Erection of 2 Metre High Boarded Fence with Matching Gates Enclosing Service Yard (Re-submission of Refused Application P05/2657) – Mrs Stanley, an objector, and Mr Wade, Construction Director for the Applicant.

RESOLVED

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

- (i) Plan No. P04/1823 – Sainsbury’s Supermarket, Turners Lane, Amblecote – Extension to Supermarket and Car Park with Associated Landscaping

Decision: Approved, subject to conditions numbered 1 to 6, 8 to 10 and 12 to 14 as set out in the report of the Director of the Urban Environment together with amended conditions, numbered 7 and 11, and additional conditions, numbered 15 to 21, as follows:-

- 7 The service yard shown on drawing number P03 Rev D, shall be kept clear at all times and be used solely for loading, unloading and manoeuvring in connection with the use of the premises and for no other purpose except for staff parking as shown on approved drawing no. 436-03 Rev D, unless otherwise agreed in writing by the Local Planning Authority.
- 11 Before the Development hereby approved is commenced, details of provision for covered and secure cycle stands to be provided in a convenient location for staff and visitors shall be submitted to and approved in writing by the Local Planning Authority. These details shall then be implemented in accordance with those agreed details prior to use of the development.
- 15 Prior to occupation of the extension hereby permitted, details of the current product range shall be submitted to and agreed by the Local Planning Authority. The type of goods sold shall not extend beyond agreed current range without formal consent from the Local Planning Authority.
- 16 There shall be no increase in the net sales area for comparison goods within the existing store.
- 17 No more than 20% of the net sales area of the extension hereby permitted will be used for the sale of comparison goods.
- 18 Prior to the start of the development, Drawings Prelim 1 and 2 shall be submitted to, agreed and approved in writing, by the Local Planning Authority and implemented in accordance with the approved details to an agreed timescale.
- 19 Details of pedestrian and cycle links into and out of the development shall be submitted to and approved by the Local Planning Authority and implemented in accordance with the approved details to an agreed timescale.
- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting that Order) at no time during the life of the development shall the areas approved for landscaping be used for any other purpose.

21 Details of the disabled parking provision shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted.

- (ii) Plan No. P06/0608 – Land Adjoining 15 Caroline Street, Dudley – Outline Application for the Erection of 6 1-Bedroom Apartments (Siting and Access Submitted for Consideration with all Other Matters Reserved for Future Consideration) (Resubmission of Refused Application P05/0727).

Decision: That consideration of the application be deferred pending a site visit to be held prior to the next meeting of the Committee in the light of concerns raised at the meeting.

- (iii) Plan No. P06/0632 – Norton Pumping Station, Racecourse Lane, Stourbridge – Installation of 3 Vodaphone Antennas, 2 600mm Dishes, Alterations to the Antenna Support Frame on the existing Orange Mast, together with radio equipment, housing and Ancillary development.

Decision: Refused, for the following reason:-

The proposed development would have an undue adverse impact on the visual amenities of the area and the character and openness of the surroundings and the Green Belt, contrary to Policies DD4 and DD13 of the Unitary Development Plan and the advice given in PPG2 and PPG8.

- (iv) Plan No. P06/0185 – 2 Park Road, Wollaston – Demolition of Existing Bungalow and Erection of two 3-Bedroom Dormer Bungalows and Detached Garage with Associated Access (Resubmission of Withdrawn Application P05/2093).

Decision: Refused, for the following reason:-

The proposal constitutes overdevelopment on this prominent corner plot ,thereby having an adverse impact on the amenities of the occupiers of the adjacent dwelling and the character of the area ,contrary to Policy DD4 of the Unitary Development Plan.

- (v) Plan No. P06/0467 – W M Morrison Supermarkets Plc, Charterfield Shopping Centre, Stallings Lane, Kingswinford – Erection of 2 Metre High Boarded Fence with Matching Gates Enclosing Service Yard (Resubmission of Refused Application P05/2657)

Decision: Approved, subject to conditions numbered 1 and 2 as set out in the report of the Director of the Urban Environment.

- (vi) Plan No. P05/1213-Land Adjoining 20 Birch Terrace, Netherton – Erection of one 2-bedroom Detached Bungalow and Associated Parking (Amended Plans Received)

Decision: Approved, subject to conditions numbered 1 to 11, as set out in the report of the Director of the Urban Environment.

- (vii) Plan No. P05/1743 – Rear of 47D and Kent House (Fronting Badger Street), Kent Street, Dudley – Erection of One 2-Bedroom Detached Dormer Bungalow

Decision: Approved, subject to conditions numbered 1 to 8 as set out in the report of the Director of the Urban Environment.

- (viii) Plan No. P05/2415 – Corner of Uffmore and Hagley Road, Halesowen – Residential Development of 18 Apartments With Associated Parking

(Councillor K. Turner, Ward Member, raised concerns about aspects of the application submitted)

Decision: That consideration of the application be deferred pending a site visit to be held prior to the next meeting of the Committee in the light of concerns raised at the meeting.

- (ix) Plan No. P05/2666 – Post Office, 31 Thornhill Road, Halesowen – Change of Use of Ground Floor From Post Office To Two Bedroom Flat (C3) And Conversion of Existing Storage Area Into Garage (Resubmission of Refused Application P04/2174)

(Councillor K Turner, Ward Member, spoke against the proposal).

Decision: Refused, for the following reason:-

The parade of shops, which the premises, that are the subject of this proposal, form part of, are categorised as local shops within the development plan. The parade is also operating at a relatively healthy economic level (there being only one other existing vacant unit in a parade of eight), and serves an identified community need. The change of use of this retail unit will have wider repercussions for the future vitality and viability of these local shops, causing demonstrable harm to that viability and vitality. The proposal will therefore have a significant, detrimental impact on the existing centre, and is thereby contrary to Planning Policy Statement 6 (in particular paragraph 2.58), and Policy CR3 of the adopted Unitary Development Plan.

- (x) Plan No. P06/0647 – Waste Land, Shelah Road, Halesowen – Change of Use to Car Park (Sui Generis) (Retrospective)

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

4 A continuous noise barrier of at least 2 metres in height, with a minimum surface density of 10Kg/m² shall be erected along the boundary of the car park facing neighbouring gardens.

- (xi) Plan No. P06/0525 – Land Adjacent to 1 Meadfoot Drive, Kingswinford – Erection of a Two Bedroom Detached Bungalow (Resubmission of Refused Application P05/2127)

Decision: That consideration of the application be deferred pending a site visit to be held prior to the next meeting of the Committee, in the light of concerns raised at the meeting, and that the Applicant be requested to peg out the site prior to the site visit to be held.

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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 Unitary Development Plan and all other material considerations before them, authorises enforcement action to remove the single storey; return the land to the rear to its previous level; and remove all walls to the rear exceeding 2 metres in height from the original land level at 21 Claughton Road, Dudley, within four months of the service of Notice.

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CHAIRMAN'S REMARKS

As this was the last meeting of the Committee in the current municipal year and the last meeting at which Councillor Stanley would be Chairman of this Committee he reiterated the thanks given earlier to the Vice-Chairman, Councillor James, and thanked Members and Officers for the help and support given to him in his capacity as Chairman. Members responded to the comments made by thanking the Chairman for the manner in which he had conducted meetings of the Committee. John Pattinson, on behalf of the Officers, also thanked the Chairman for all his hard work and thanked all Councillors for their efforts in what was regarded as a partnership and a challenging role. Those present also expressed their best wishes to Councillor Stanley regarding his prospective new role.

The meeting ended at 9.10pm

CHAIRMAN