

DEVELOPMENT CONTROL COMMITTEE

Monday, 17th July, 2006, at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Southall (Vice-Chairman) (In the Chair)
Councillors Banks, Mrs Collins, G Davies, Donegan, Mottram, Ryder, Mrs Turner and Mrs Wilson.

OFFICERS: -

Mr C Cheetham, Mr T Glews, Mr G Isherwood, Mr P Jarratt, Mr P Reed (Directorate of the Urban Environment), Mrs G Breakwell and Mrs L Jury (Directorate of Law and Property).

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CHAIRMAN'S REMARKS

In his opening remarks Councillor Southall referred to the absence of Councillor Wright (Chairman) from tonight's meeting which was due to a family bereavement. Councillor Southall, on behalf of the Committee, requested that condolences be recorded in the minutes to Councillor Wright and his family at this sad time.

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APOLOGY FOR ABSENCE

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

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APPOINTMENT OF SUBSTITUTE MEMBERS

It was reported that Councillor Ryder had been appointed to serve as a substitute for Councillor Wright for this meeting only.

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DECLARATIONS OF INTEREST

Councillor Mrs Collins declared a prejudicial interest in respect of planning application no. P05/2527 – Rolling Mills Site, Bradley Road, Stourbridge – Outline residential (all matters reserved) – in view of her son being a Director of the Stourbridge Navigation Trust.

Councillor G Davies sought clarification on behalf of himself and Councillors Mottram and Mrs Wilson regarding the declaration of interest in planning application number P06/0948 – 65 Halesowen Road, Netherton – Change of use from Post Office to Advice and Information Centre (A2) in view of the applicant being a fellow Councillor. Mrs Breakwell advised the Members that a personal and/or prejudicial declaration of interest should only be made if their relationship with the applicant amounted to a friendship as opposed to an acquaintance.

Councillor Donegan informed the Committee that a statement printed in a local newspaper recently on comments he had made at the site visit to planning application no. P06/0894 - Noah's Ark (redundant church), Cradley Road, Dudley, were inaccurate. The comments had been made at the last Committee meeting when the application had been deferred for a site visit. Mrs Breakwell confirmed that Councillor Donegan could take part in the consideration of this application.

18 MINUTES

RESOLVED

That the minutes of the Meeting of the Committee held on 26th June, 2006, be approved as a correct record and signed.

19 SITE VISITS

Consideration was given to the following planning applications in respect of which a site visit had been made on Thursday, 13th July, 2006, by members of the Development Control (Site Visiting) Working Party.

RESOLVED

- (i) Plan no. P06/0683 – 117 Richborough Drive, Dudley – Erection of a four bedroom detached dwelling.

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

- (ii) Plan no. P06/0330 – Land adjacent to 172 Vicarage Road, Wollaston – Erection of 2 no. detached bungalows with garages and associated access.

Decision: Refused, for the following reasons:

The development proposed would be prejudicial to the safety of pedestrians and free flow of traffic on B4537 Vicarage Road, in that it does not provide sufficient and suitable space for manoeuvring within the site so as to permit vehicles to enter the highway in a forward direction contrary to Policy DD6 of the Unitary Development Plan.

The proposed vehicular access point to Vicarage Road is in close proximity to Twickenham Court and would be likely to result in confusion to the prejudice of public safety from turning contrary to Policy DD6.

The proposed vehicular access to Vicarage Road is badly sited just after a bend and would create a hazard to following traffic not having adequate forward visibility of turning traffic contrary to Policy DD6 of the Unitary Development Plan.

- (iii) Plan no. P06/0894 – Noah’s Ark (redundant church) Cradley Road, Dudley – Change of use of vacant church and Sunday school to eleven apartments to include part demolition and alterations to building.

Decision: Approved, subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 for a contribution to off-site recreational public open space enhancement; and that in the event that the Section 106 Agreement has not been completed within two months of the resolution to grant approval, the application be refused if appropriate, and subject to conditions numbered 1 to 9 (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.

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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 P05/2527, and P06/0141 to be considered prior to the remaining applications in Agenda Item 6.

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 had indicated that they wished to speak at the meeting and, unless indicated, were in attendance at the meeting and spoke on the planning applications indicated:-

Plan no. P05/2527 – Rolling Mills Site, Bradley Road, Stourbridge – Outline residential (all matters reserved) – Mr G Debney (Chairman of Stourbridge Navigation Trust) – an objector and Mr Gough – the agent.

Plan no. P06/0141 – Land at 55 Platts Crescent, Amblecote – Demolition of existing dwelling and erection of 2 no. dwellings with integral garages - Mr Sharples, an objector, (not in attendance) and Mr Daly, the applicant (who, as the objector was not in attendance, in line with the provisions of the Code of Practice for dealing with Planning matters, was not allowed to speak).

RESOLVED

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

- (i) Plan no. P05/2527 – Rolling Mills Site, Bradley Road, Stourbridge – Outline residential (all matters reserved)

Decision: That, subject to:

- (a) The receipt of confirmation from the Environment Agency that the site would not be liable to flood risk;
- (b) And the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 for a contribution to (a) on-site recreational public open space provision, (b) off-site provision of children's play facilities, (c) affordable housing, and (d) improvements to the canal; and that in the event that the Section 106 Agreement has not been completed within two months of the resolution to grant approval, the application be refused if appropriate;

and subject to conditions numbered 1 to 25 (inclusive), as set out in the report of the Director of the Urban Environment together with additional conditions, numbered 26, 27 and 28, as follows:

- 26. At no time shall Canal Street be used for vehicular access to the development hereby approved.

27. The only means of vehicular access shall be from a single point on Bradley Road to minimise conflict with the existing drivers on the opposite side of the street.
- 28 There shall be no vehicular access to individual parking spaces from Bradley Road.

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

the Director of the Urban Environment, in consultation with the Chairman of the Committee (Councillor Wright), be authorised to approve the application.

(Councillors G Davies, Mottram and Mrs Wilson requested that their names be recorded as having abstained from voting on this application.)

- (ii) Plan no. P06/0141 – Land at 55 Platts Crescent, Amblecote – Demolition of existing dwelling and erection of 2 no. dwelling with integral garages.

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

- (iii) Plan no. P05/2473 – Land fronting School Street and Wolverhampton Street, Dudley – Residential development (outline) (all matters reserved for subsequent approval) (resubmission of refused application P05/0842).

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

- (iv) Plan no. P05/2373 – 112 High Street, Amblecote, Stourbridge – Demolition of existing buildings and erection of 5 no. detached houses and garages.

Decision: That, as an appeal had been lodged against non-determination of the application, had the Committee had the authority to determine the application, it would have been refused for the reasons numbered 1 to 3 (inclusive) as set out in the report of the Director of the Urban Environment.

- (v) Plan no. P06/0363 – Plot F2, Coombswood, Halesowen – Erection of 4 no. two storey office units with associated car parking and access.

Decision: Approved, subject to conditions numbered 1 to 13 (inclusive) as set out in the report of the Director of the Urban Environment.

- (vi) Plan no. P06/0637 – Land off Highfield Road, Dudley – Outline application for erection of 7 houses (design, landscaping and external appearance reserved for subsequent approval).
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Decision: Approved, subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 for a contribution to off-site public open space enhancement in accordance with the Council's Detailed Guidance on Open Space, Sport and Recreation Provision (2005) and to undertake noise insulation works to plant at the Ward Arms Hotel; and that in the event that the Section 106 Agreement has not been completed within two months of the resolution to grant approval, the application be refused if appropriate, and subject to conditions numbered 1 to 7 (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. P06/0895 – Land at corner of Junction Road/49 Audnum, Amblecote, Stourbridge – Erection of 8 no. 3 bedroom dwellings with associated parking and new access to highway (resubmission of withdrawn application P06/0394).
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Decision: Approved, subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 for a contribution towards off-site recreational public open space enhancement; and that in the event that the Section 106 Agreement has not been completed within two months of the resolution to grant approval, the application be refused if appropriate, and subject to conditions numbered 1 to 5 (inclusive) and 7 to 12 (inclusive) as set out in the report of the Director of the Urban Environment; together with amended conditions, numbered 6 and 13, as follows:

6. Prior to the commencement of the development none of the dwellings hereby approved shall be occupied until a detailed parking layout for plots 1-6, showing car ports of a minimum width of 2.5m each, and gated rear access to gardens, has been submitted to and approved in writing by the Local Planning Authority. The spaces shall thereafter, be retained in perpetuity and used for no other purpose than the parking of vehicles.

13. None of the dwellings hereby approved shall be occupied until a 2m high brick wall has been erected on the Junction Road boundary at the side of Plot 6.

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

- (viii) Plan no. P06/0948 – 65 Halesowen Road, Netherton, Dudley – Change of use from Post Office to Advice and Information Centre (A2).

Decision: Approved, subject to the condition as set out in the report of the Director of the Urban Environment.

- (ix) Plan no. P06/0901 – Land adjacent to 48 and 24A Cherry Tree Lane, Halesowen – Erection of a four bedroom detached dwelling with garage.

Decision: Approved, subject to conditions numbered 1 to 13 (inclusive) as set out in the report of the Director of the Urban Environment.

The meeting ended at 7.45pm.

CHAIRMAN