

DEVELOPMENT CONTROL COMMITTEE

Tuesday 21st March 2006 at 6.00 pm
in the Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Stanley (Chairman)
Councillor James (Vice-Chairman)
Councillors Banks, Mrs Collins, G Davies, Debney, Donegan, Southall and Tomkinson.

OFFICERS:-

Mrs H Brookes-Martin, Mr T Cowley, Mr T Glews, Mr G Isherwood, Mr J Pattinson, Mr P Reed, (Directorate of the Urban Environment), Assistant Director of Legal and Democratic Services, Mrs G Breakwell and Mrs L Jury (Directorate of Law and Property).

114 APOLOGY FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Mrs Wilson.

115 SUBSTITUTE MEMBER

It was reported that Councillor Tomkinson had been appointed to serve as a substitute for Councillor Mrs Wilson for this meeting only.

116 DECLARATIONS OF INTEREST

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

117 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 28th February, 2006, be approved as a correct record and signed.

118 SITE VISITS

Consideration was given to the following planning applications in respect of which a site visit had been made on Thursday 16th March, 2006 by members of the Development Control (Site Visiting) Working Party.

RESOLVED

- (i) Plan no. P06/0063 – 32-38 Bilston Street, Sedgley – Erection of 21 no. apartments (outline) (external appearance and landscaping reserved for subsequent approval).
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Decision: Refused, for the following reason:

The proposed development would constitute an incongruous, dominant and obtrusive feature in the street scene to the detriment of the character and visual amenity of the area due to overintensive form, height and forward siting, contrary to Policy DD4 – Development in Residential Areas and DD1 – Urban Design of the adopted Dudley Unitary Development Plan.

- (ii) Plan no. P05/2687 – Land adjacent to 39 Grosvenor Way, Quarry Bank, Brierley Hill – Outline application for a detached dwelling (design, external appearance and landscaping reserved for subsequent approval) (resubmission of withdrawn application P05/0315).
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Decision: Approved, subject to conditions numbered 1-8 (inclusive) as set out in the report of the Director of the Urban Environment.

119

CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13 (c) it was

RESOLVED

That Agenda Item 7 – Building Control Fees 2006/07, be considered as the next item of business.

120

BUILDING CONTROL FEES 2006/7

A report of the Director of the Urban Environment was submitted on the proposed revision of the Council's Building Regulations Fee Scale for the 2006/07 financial year.

RESOLVED

That the proposed revised Building Regulations Fee Scale for the 2006/07 financial year, as set out in Appendix A to the report now submitted, be endorsed.

121

PLANNING APPLICATIONS TO DEVELOP

A report of the Director of the Urban Environment was submitted on the following plans and applications to develop.

RESOLVED

That the plans and applications be dealt with as follows:

- (i) Plan no. P05/2739 – Maybrook House, Queensway, Halesowen – New disabled access ramps.

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

- (ii) Plan no. P05/2761 – The Old Post Office, Wolverhampton, Dudley – External and internal alterations to form 22 apartments.

Decision: Refused, for the following reasons:

1. The proposed development, by virtue of its scale, nature and the intensity of the proposed use would be out of keeping with the surrounding area. The proposal is therefore contrary to Policy DD4 - Development in Residential Areas and H6 (Housing Density) of the Unitary Development Plan and the advice contained in draft PPS3 (Housing) and PPG 3: Housing.
2. The proposed development provides insufficient parking provision to the detriment of highway safety, and contrary to the provisions and intent of AM14 (Parking) and DD6 Access and Transport Infrastructure of the Unitary Development Plan and PPG 13: Transport.
3. The proposed development, due to the introduction of new mezzanine floors will result in a form of development which does not adequately safeguard and enhance the listed building's architectural and historic interest. The proposal is therefore contrary to Policy HE6 (Listed Buildings) of the Unitary Development Plan and the provisions of PPG15.

ENFORCEMENT REPORT

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 Dudley Unitary Development Plan and all other material considerations before them authorises enforcement action:

- (a) To cease the use of 153 Stourbridge Road, Dudley, for multiple occupancy within two months of the service of notice.
- (b) To remove the dormer window and restoration of the roof of 48 Acres Road Brierley Hill to its previous condition, within two months of the service of notice.

SITE AT CORNER OF VICTORIA STREET AND DUDLEY ROAD, BRIERLEY HILL

A report of the Director of the Urban Environment was submitted on the situation regarding previously authorised enforcement action at the site on the corner of Victoria Street and Dudley Road, Brierley Hill.

In introducing the report, the General Manager (Planning) stated that in pursuit of improved communication regarding the nullification or modification of enforcement action previously authorised by the Committee, in future Officers would meet with the Chairman on a weekly basis to update him on the progress of enforcement action which had been authorised previously. Further to this, in cases where enforcement action was authorised by the Committee, the respective Ward Members representing the area would be notified of the decision in order that they would be aware of the situation.

RESOLVED

- (i) That the contents of the report and the enforcement action taken, be noted.
- (ii) That the proposed revised arrangements as now reported on, for informing the Chairman and Ward Members in respect of the nullification or modification of previously authorised enforcement action, be endorsed.

OUTLINE APPLICATION FOR RESIDENTIAL REDEVELOPMENT AT THE
FORMER HENLEY FOUNDRIES SITE, BANNERS LANE, HALESOWEN
(PO4/1829)

A report of the Director of the Urban Environment was submitted on amendments to the draft conditions upon which the Committee had previously approved the redevelopment of the former Henley Foundry site for residential use (planning application reference number P04/1829).

RESOLVED

1. That planning permission be granted for the proposed redevelopment of the former Henley Foundry site for residential purposes (reference P04/1829), subject to the Agreement under Section 106 of the Town and Country Planning Act, 1990, as previously agreed, and to the revised conditions as set out in Appendix Two to the report now submitted.
2. That the Director of the Urban Environment be authorised to make further variations to the heads of terms of the Section 106 Agreement and to the draft conditions.

The meeting ended at 7.00pm

CHAIRMAN