

## **DEVELOPMENT CONTROL COMMITTEE**

Tuesday 28<sup>th</sup> February, 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  
Mrs Wilson.

### **OFFICERS:-**

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

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### **MINUTES**

#### **RESOLVED**

That the minutes of the meeting of the Committee held on 6<sup>th</sup>  
February, 2006, be approved as a correct record and signed.

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### **DECLARATIONS OF INTEREST**

Councillor James declared a personal interest in respect of Planning  
Application P05/2741 – 330 Hagley Road, Stourbridge – Two storey and 1<sup>st</sup>  
floor side extensions to create garage with enlarged bedroom and en-suite  
above (resubmission of refused application P05/2347), insofar as the  
applicant's father was known to him.

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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 23<sup>rd</sup> February, 2006 by  
members of the Development Control (Site Visiting) Working Party.

#### **RESOLVED**

- (i) Plan no. P05/2578 – Plot numbers 55 to 89 inclusive and 238 to 244 inclusive, Land off Salop Street/Nith Place, Dudley – Erection of 42 no. 2 and 1 bedroom apartment block (substitution of apartment block).

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Decision: Refused, for the following reasons:

1. The development would have an adverse affect upon the character and residential amenities of the area due to the over-intensive form, scale and design proposed which would relate poorly to existing properties contrary to Policy DD4 of the adopted Dudley Unitary Development Plan.
2. The layout of the car parking will result in vehicles reversing and manoeuvring within the bell mouth of a road junction contrary to advise contained in paragraph 3.52(d) of Design Bulletin 32 and to the detriment of public safety and contrary to Policy DD6 of the adopted Dudley Unitary Development Plan.

- (ii) Plan no. P05/2517 – Former Himley Road Service Station, Himley Road, Lower Gornal – Demolition of existing service station and provision of unmanned car wash (resubmission of withdrawn application P05/1937).

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Decision: Refused, for the following reason:

The location and design of the proposed development would have an adverse affect upon the amenities of local residents and the character of the Green Belt due to noise disturbance, light pollution and the appearance of structures contrary to Policies EP1, EP6 and SO1 of the adopted Dudley Unitary Development Plan.

- (iii) Plan no. P05/2474 – 174-176 Delph Road, Brierley Hill – Erection of 3 no. 2 bedroom apartments with garages.

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Decision: Approved, subject to conditions numbered 1 to 13 (inclusive) as set out in the report of the Director of the Urban Environment, together with an additional condition, numbered 14, as follows:

14. Prior to the commencement of the development the means of vehicular access to the development including drainage, street lighting location, levels and closure of existing vehicular access shall be submitted to and approved by the Local Planning Authority and implemented in accordance with the approved details prior to first occupation of the development.

(iv) Plan no. P05/2485 – Rear of 26/28 Banners Street, Halesowen – Change of use from Nail Makers Workshop to residential.

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

11. The pedestrian access to the development be a minimum of 1.2m to be retained for the life of the development.

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111 CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13 (c) it was

RESOLVED

That the order of business be varied in order to enable the planning application numbered P05/2741 to be considered prior to the remaining planning applications in agenda item no 6.

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112 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 application indicated:

(i) Plan no. P05/2741 – 330 Hagley Road, Stourbridge – Two storey and 1<sup>st</sup> floor side extensions to create garage with enlarged bedroom and en-suite above (resubmission of refused application P05/2347), Mr Skingley, an objector and Mr Salter the applicant.

RESOLVED

That the plans and applications be dealt with as follows:

- (i) Plan no. P05/2741 – 330 Hagley Road, Stourbridge – Two storey and 1<sup>st</sup> floor side extensions to create garage with enlarged bedroom and en-suite above (resubmission of refused application P05/2347)
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Decision: Refused, for the following reason:

The proposed development would be over-intensive and detrimental to the street scene, contrary to Policy DD4 of the adopted Dudley Unitary Development Plan.

- (ii) Plan no. P05/2007 – Land off Salop Street/Nith Place, Dudley (Wolverhampton University Site/Dudley Campus) – Substitution of house types to incorporate the erection of 22 dwellings comprising of 1 bed terrace houses and 1 and 2 bed apartments in place of 18.
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Decision: Refused, for the following reason:

The development would have an adverse affect upon the character and residential amenities of the area due to the over-intensive form, scale and design proposed which would relate poorly to existing properties contrary to Policy DD4 of the adopted Dudley Unitary Development Plan.

- (iii) Plan no. P05/2150 – 19 Greenhill Road, Halesowen – Demolition of existing dwelling and erection of 2 no. detached 3 bedroom houses and 2 no. split-level bungalows all with garages.
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Decision: Approved, subject to conditions numbered 1 to 12 (inclusive) as set out in the report of the Director of the Urban Environment, together with additional conditions, numbered 13 and 14, as follows:

13. Notwithstanding the scheme shown on the approved layout plan, details of the (amended) emergency access road, including details in relation to the gates, boundary treatment and surfacing, shall be submitted to and approved in writing by the Local Planning Authority. The emergency access shall be provided in accordance with the approved details before the first occupation of any of the approved dwellings on the site.

14. CO5A – Development shall not begin until details of plans and sections of the lines, widths, levels, gradients and form of construction of service/access roads and drainage systems have been submitted to and approved by the Local Planning Authority.
- (iv) Plan no. P05/2441 – Halesowen Bus Station, Queensway, Halesowen – Redevelopment of existing bus station to create new bus station.
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Decision: Approved, subject to:

- (a) Conditions numbered 1, 3 to 7, and 9 (inclusive) as set out in the report of the Director of the Urban Environment, together with amended conditions, numbered 2 and 8 and additional conditions, numbered 10 and 11, as follows:
2. Unless otherwise agreed in writing by the Local Planning Authority, this permission relates to the following plans: 39202TBE/PA1/002; AR-030-050; AR-030-051, AR-030-052A; AR-030-053-A; AR-030-054-A; AR-303-055-B; AR-040-050; AR-04-051; AR-040-052: AR-050-050; AR-090-001A; AR-090-002-A.
8. No development shall commence until details of the proposed guard rails, including height, siting and finish and all on-site information signage, to ensure appropriate needs of the partially sighted, have been submitted to and approved in writing by the Local Planning Authority. The guard rails shall be installed in accordance with the approved details.
10. The yellow hatched area of the displayed plan number AR 030 055B shall be maintained free from obstruction and available for pedestrian use at all times for the life of the development unless otherwise agreed in writing with the Local Planning Authority – to safeguard the free and uninterrupted passage of pedestrians.

- (b) The applicant being invited to make an application to the Secretary of State for an Order under Section 247 of the Town and Country Planning Act 1990 to stop up and divert highways to allow development authorised by planning permission to take place.

Councillor Donegan requested that his name be recorded as having voted against this application.

- (v) 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).

Decision: That consideration of the application be deferred pending a site visit to be held prior to the next meeting of the Committee, to address concerns raised by Members including access to the site and the overall size of the land to be developed.

- (vi) Plan no. P05/2694 – Land adjacent to 48 and 24A Cherry Tree Lane, Halesowen – Erection of 2 no. 4 bedroom dwellings (Resubmission of withdrawn application P05/2078)

Councillor K Turner (Ward Councillor) spoke in objection to this application.

Decision: Refused for the following reason:

The proposed dwellings would constitute overdevelopment of the site, contrary to Policy DD4 and provide insufficient access width, contrary to Policy DD6.

- (vii) Plan no. P05/2759 – Fanum House, Dog Kennel Lane, Halesowen – Outline residential (details of siting, design external appearance of the buildings and landscaping of the site reserved for subsequent approval).

Decision: Approved, subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 for (a) a contribution to off-site public open space enhancement and the provision of children's play area and (b) affordable housing in accordance with the Council's approved policy or as agreed by the Director of the Urban Environment in the event of this affecting the financial viability of the development 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, together with conditions numbered 1 to 13 (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 make amendments to those conditions as necessary.

Illustrative plan attached to the application is not approved.

- (viii) Plan no. P06/0063 – 32-38 Bilston Road, Sedgley – Erection of 21 no. apartments (outline) (external appearance and landscaping reserved for subsequent approval).

Decision: That consideration of the application be deferred pending a site visit to be held prior to the next meeting of the Committee, to address concerns raised by Members including safety associated with traffic and the character of the area.

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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 to remove the boarding and associated framework in their entirety from the building known as Designer Furniture, Oakeywell Street, Dudley, within one month from the service of notice.

The meeting ended at 8:55pm.

CHAIRMAN