

**Minutes of the Development Control Committee
Wednesday 13th, April 2022 at 6.00 pm
In the Committee Room 2, Council House, Dudley**

Present:

Councillor D Harley (Vice-Chair in the Chair)
Councillors D Corfield, M Hanif, C Neale, W Sullivan, E Taylor and M Westwood.

Officers: -

J Fraser (Tree Protection Officer), I Hunt (Project Engineer), C Mellor (Head of Planning), E Napier and P Reed (Principal Planning Officers), J Pilkington (Principal Historic Environment Officer) (Directorate of Regeneration and Enterprise); P Evans (Principal Environmental Health Officer) (Directorate of Public Health and Wellbeing), G Breakwell (Solicitor) and K Buckle (Democratic Services Officer) (Directorate of Finance and Legal).

Also in Attendance: -

15 members of the public

53. **Apologies**

Apologies for absence from the meeting were submitted on behalf of Councillors A Goddard and S Mughal.

54. **Declarations of Interest**

No Member made a declaration of interest in accordance with the Members' Code of Conduct in respect of any matter to be considered at this meeting.

55. **Minutes**

Resolved

That the minutes of the meeting held on 9th March 2022, be approved as a correct record and signed.

56. **Plans and Applications to Develop**

A report of the Director of Regeneration and Enterprise was submitted on the following plans and applications to develop. Where appropriate, details of the plans and applications were displayed by electronic means at the meeting. In addition to the reports submitted, notes known as Pre-Committee notes had also been circulated prior to the meeting updating certain information given in the reports submitted. The content of the notes was taken into account in respect of the applications to which they referred.

The following persons were in attendance at the meeting, and spoke on the planning applications as indicated: -

<u>Application No.</u>	<u>Objectors/Supporters who wished to speak</u>	<u>Agent/Applicant who wished to speak</u>
P21/2117	Mr R Spencer	Mrs Gill
P22/0220	Mr A Zaman	Mr Faizey

- (a) **Planning Application No. P21/1989 – Sedgley Police Station and Car Park, Vicar Street, Sedgley, Dudley – Demolition of existing garages and part police station, erection of 3 no. dwellings on existing car park and conversion of existing police station into 9 no. flats to include single storey extension and associated works.**

Resolved

That the application be approved, subject to conditions numbered 1 to 34 (inclusive), as set out in the report submitted together with additional condition numbered 28(a), as set out below: -

- 28(a) If at least 50% of the car park is shared, according to Government Guidance (Residential Car Parking Research) there is no need for visitor parking as the apartment standards already include for unallocated visitor parking.

On a shared basis 13.55 spaces are needed and visitor allocation is not required if more than 50% of the spaces are shared. Given the condition the parking is shared there is actually a slight over provision of parking and no deficit with condition 28.

- (b) **Planning Application No. P21/2117 – 220 Spies Lane, Halesowen – Demolition of existing bungalow and garage and erection of 1 No. Dormer bungalow and 3 No. bungalows and associated works**

In considering the application, Members took into account the objections made to the application and as outlined in the report, in particular, the numerous accidents and fatalities in Spies Lane and accidents in close proximity to the site, whether the visibility splay was adequate for pedestrian safety, intensification of access close to a well-used bus stop close to a bend and the additional traffic that would be generated as a result of the development.

Members also considered the comments made in support of the application, in that the land had attracted anti-social behaviour and also pests and vermin and the development would provide accommodation for people wishing to downsize for retirement purposes and there was no evidence to support the highways concerns raised.

In responding to questions from Members, Officers reported that the access to the site had been amended and widened in order to address the visibility for pedestrians. The design now met the requirements for the width and entrance and access road. The turning area and access road met the requisite requirements and could be accessed by refuse and emergency vehicles.

Resolved

That the application be approved subject to conditions numbered 1 to 18 (inclusive), as set out in the report submitted.

(c) **Planning Application No. P22/0220 – 122,124,126 and 128 Colley Gate, Cradley, Halesowen – Demolition of existing buildings and erection of 8 No. Apartments with associated works.**

In considering the application submitted, Members noted the objections raised to the application in relation to the close proximity of the proposed building to the neighbouring property and the loss of privacy.

Officers responded to questions from Members advising that there would be a separation distance of 19 metres from the rear elevation of the proposed building and the boundary of the residential neighbour at number 6 Colley Lane. Also, in accordance with Planning Condition numbered 10, there would be boundary treatment to protect the amenity of the neighbouring property.

In addition, the proposed developments' bathroom windows would be obscured to protect privacy, and given the elevation of the proposed development, the kitchen windows would not result in privacy issues.

There was a small amenity space to the rear of the proposed development and car parking would be accessed from a tunnel beneath the upper floor flats with vehicle access from Colley Lane. The site in question had been derelict for approximately 10 to 11 years.

Resolved

That the application be approved, subject to conditions numbered 1 to 20 (inclusive), as set out in the report submitted and additional condition numbered 21, as set out below: -

21. The development shall not be occupied until a car park management plan has been submitted to and approved in writing by the Local Planning Authority. The development shall operate in accordance with the approved car park management plan for the life of the development.

REASON: In the interests of the highway safety of the area and to ensure the availability of adequate parking provision within the site in accordance with the Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extension and alterations to existing dwellings.

57. Confirmation of Tree Preservation Orders

A report of the Director of Regeneration and Enterprise was submitted for Members to consider whether or not the Tree Preservation Orders contained in the Appendix to the report submitted should be confirmed with or without modification in light of the objections that had been received.

In considering the report submitted Members considered the objections raised to the proposed Orders in particular relating to the trees being situated within close proximity to neighbouring properties; the lack of a tree maintenance programme; local residents had attempted to facilitate a meeting with the owners of the trees (a nearby school), however, to date St Margaret's at Hasbury C of E Primary School had failed to engage with local residents.

In response, Officers advised that Tree Preservation Orders (TPO's) would not prevent work on the trees, however that work would be subject to the consent of the primary school referred to above. The TPO's would prevent any inappropriate intervention and it was accepted that the trees required continued maintenance and management.

The Head of Planning advised that TPO's were served immediately, however should objections be received to TPO's those Orders would be considered by the Committee who would confirm whether the Orders should be approved or modified. There was also the opportunity for Members to determine whether the Orders should apply to all trees in question or whether some trees should be removed from the Orders.

Resolved

That the Borough of Dudley (St. Margaret's at Hasbury Cof E Primary School, Hagley Road, Halesowen) (TPO/0301/HAS)) Tree Preservation Order 2021, as referred to in the Appendix to the report submitted, be confirmed without modification.

58. Publication of the final Conservation Area Character Appraisals and Management Plans for the Lutley Mill Conservation Area and the Coppice Conservation Area.

A report of the Director of Regeneration and Enterprise was submitted in relation to the Conservation Area Character Appraisals and Management Plans in relation to the Lutley Mill Conservation Area and the Coppice Conservation Area as outlined in Appendix A and B to the report submitted.

Resolved

- (1) That the results of the public consultation exercise undertaken in respect of the Draft Conservation Area Character Appraisals and Management Plans in relation to the Lutley Mill Conservation Area and the Coppice Conservation Area, as outlined in Appendix A and B to the report submitted, be noted.
 - (2) That the publication of the finalised Conservation Area Character Appraisals for the Lutley Mill Conservation Area and the Coppice Conservation Area be approved.
 - (3) That the Cabinet Member for Regeneration and Enterprise be recommended to approve the revised boundaries to the Lutley Mill Conservation Area and the Coppice Conservation Area as delineated by the boundaries shown in Appendix C to the report submitted and in line with the finalised Conservation Area Character Appraisals.
 - (4) That the Director of Regeneration and Enterprise be authorised to take all necessary steps to implement the proposal.
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59. Closing Remarks

The Head of Planning referred to the imminent departure of E Napier the Principal Planning Officer from the Authority and thanked her for the work she had conducted for the Committee and the planning process.

The meeting ended at 7.20pm.

CHAIR