

## **Minutes of the Development Control Committee**

**Tuesday 9<sup>th</sup> October, 2018, at 6.00 pm**  
**in Committee Room 2 at the Council House, Dudley**

### **Present:-**

Councillor A Goddard (Chair)  
Councillor P Bradley (Vice-Chair)  
Councillors A Ahmed, R Burston, B Cotterill, C Elcock, M Hanif and C Perks

### **Officers:-**

C Mellor – Planning Manager, P Mountford – Head of Planning and Regeneration, H Yorke – Principal Planning Officer, P Reed – Principal Planning Officer, and I Hunt – Project Engineer (all Place Directorate), T Glews – Public Protection Manager (People Directorate); G Breakwell - Solicitor and K Taylor - Democratic Services Officer (Chief Executive's Directorate)

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#### **24     Apology for Absence**

An apology for absence from the meeting was received on behalf of Councillor D Harley.

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#### **25     Declarations of Interest**

Councillor B Cotterill declared a non-pecuniary interest in relation to Agenda Item No. 6 – Plans and Applications to Develop – Planning No. P18/1169 and P18/1170 – 65 Vale Street, Upper Gornal, Dudley, as he lived in close proximity to the location and withdrew from the Committee during consideration of both applications.

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#### **26     Minutes**

##### **Resolved**

That the minutes of the meeting held on 11<sup>th</sup> September, 2018, be approved as a correct record and signed.

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#### **27     Change in Order of Business**

Pursuant to Council Procedure Rule 13(c) it was:-

##### **Resolved**

That the order of business be varied and that the agenda items be  
DC/18

considered in the order set out in the minutes below.

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28     **Confirmation of Tree Preservation Orders**

A report of the Strategic Director Place was submitted requesting consideration on whether the following Tree Preservation Orders (TPO) should be confirmed with or without modification in light of the objections that had been received.

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

<b><u>Application No</u></b>	<b><u>Objectors/supporters who wished to speak</u></b>	<b><u>Agent/Applicant who wished to speak</u></b>
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TPO/0257/WOR	Mr M Jones	
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TPO/0258/UGW	Ms A McCormick	
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<b><u>TPO No.</u></b>	<b><u>Location/Proposal</u></b>	<b><u>Decision</u></b>
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TPO/0257/WOR	Wordsley Manor No.2, Meadowfields Close, Wordsley	Not Confirmed.
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In considering the above application, Members took into account the concerns raised by the objector as outlined in the report and as reported at the meeting, regarding potential damage to adjacent properties and the administrative burden on residents from applications for future works. Following comments made by Members, it was confirmed that the owner of the trees would be responsible for the up keep and maintenance and would be liable for any damage caused. Apart from limited exceptions, permission must be sought from the Local Planning Authority before works were carried out to a protected tree. It was further clarified that a Tree Preservation Order did not prevent minor maintenance works being undertaken on a tree.

TPO/0258/UGW	Tipton Road No.6	Confirmed with modifications.
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TPO/0252/COS	Gough Road and Legge Lane, Coseley	Confirmed.
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TPO/0254/NOR	Love Lane/Yarnborough Hill/Melrose Avenue, Oldswinford	Confirmed.
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TPO/0255/AMB	Delph Lane, Brierley Hill	Confirmed with modifications.
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TPO/0260/WST	Apley Road, Wollaston	Confirmed with modifications.
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## 29 **Plans and Applications to Develop**

A report of the Strategic Director Place 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 report submitted, notes known as Pre-Committee notes had also been circulated updating certain information given in the report submitted. The content of the notes were taken into account in respect of the applications to which they referred.

- (a) Planning Application No. P17/0614 – Lister Road Depot (Environmental Management Division), Lister Road, Dudley, together with nos. 83 and 85 Lister Road and part of the undeveloped land between nos. 65 and 85 – Demolition of existing industrial support and temporary buildings and nos. 83 and 85 Lister Road and erection of new office block with car parking, grittier storage canopy, vehicle spray booth and ancillary vehicle storage unit, provision of car park on site of former nos. 83 and 85 and part of adjoining undeveloped land to the south east of No. 65

### **Resolved**

Approved, subject to conditions numbered 1 to 35 (inclusive), as set out in the report submitted.

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- (b) Planning Application No. P18/0918 – Parks Depot, 74 Park Road, Quarry Bank, Brierley Hill – Change of Use of Tintern House to retail/café (A1/A3) with associated public recreational space to include a single storey rear extension with terrace and ramped access, elevational changes to include canopy, new doors and windows, roof lights, fencing and gates. Siting of 1 no shipping container

It was noted that this application had been withdrawn from the Agenda prior to the meeting and would be considered at a future meeting of the Committee.

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- (c) Planning Application No. P18/1169 – Land to front and adjacent to No. 65 Vale Street, Upper Gornal, Dudley – Rebuild stone wall (Following demolition of existing), construction of new footway, creation of new community carpark and accessible path

(Councillor Cotterill left the room during consideration of this application)

### **Resolved**

Approved, subject to conditions numbered 1, 3, and 7 as set out in the report submitted, and amended conditions numbered 2 and 4 to 8, together with an additional condition numbered 9 as set out below:-

2. The development hereby permitted shall be carried out in accordance with the following approved plans: M471-09 RevA, XDBE10080/1, M471 05 "Option long path" and annotated photographs unless otherwise agreed in writing by the Local Planning Authority.
4. The car park shall not be first used until a parking management plan in relation to the car park including details and design of the vehicular gate to Vale Street entrance to the windmill has been submitted to and approved in writing by the Local Planning Authority. The car park shall thereafter be managed in accordance with the approved management plan for the life time of the development unless otherwise agreed in writing by the Local Planning Authority.
5. The car park shall not be first used until details of the positions, design, materials and type of boundary treatment or means of enclosure to the car park have been submitted to and approved in writing by the Local Planning Authority. The car park shall not be used until these works have been carried out in accordance with the approved details and shall thereafter retained for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.
6. No development shall commence (excluding demolition, site clearance and initial ground works) in relation to the car park until full details of the soft landscaping scheme for the car park have been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following first use of the car park. Any trees or shrubs planted in pursuance of this permission including any planting in replacement for which is removed, uprooted, severely damaged, destroyed or dies within a period of five years from the date of planting shall be replaced by trees or shrubs of the same size and species and in the same place unless otherwise agreed in writing by the Local Planning Authority.
8. No development shall commence until details of the relocation of the bollard to the northern end of the wall which is believed to be a cast iron mill roller has been submitted to and approved in writing by the Local Planning Authority. The relocation shall be carried out in complete accordance with the approved details and shall be retained in that location for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

9. The car park shall not be first used until details of the gate to No. 65 have been submitted to and approved in writing by the Local Planning Authority. The gate shall thereafter be provided in accordance with the approved details.
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- (d) Planning Application No. P18/1170 – Land to front and adjacent to No. 65 Vale Street, Upper Gornal, Dudley – Listed Building Consent for Rebuild stone wall (following demolition of existing), construction of new footway, creation of new community carpark and accessible path

(Councillor Cotterill left the room during consideration of this application)

### **Resolved**

Approved, subject to condition numbered 2, as set out in the report submitted, and amended condition numbered 1, together with additional conditions numbered 3 to 11 as set out below:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans: M471-09 RevA, XDBE10080/1, M471 05 “Option long path” and annotated photographs unless otherwise agreed in writing by the Local Planning Authority.
3. Any damage caused to the listed buildings in performance of the works permitted by this consent shall be made good.
4. Development shall not commence until detailed elevation drawings have been submitted to and approved in writing by the Local Planning Authority of the replacement wall hereby approved and the wall proposed for retention and repair (adjoining No.63 Vale Street). The plans will illustrate how the Development shall proceed in accordance with the agreed details and be retained for the lifetime of the development.
5. Development shall not commence until details/samples of the type, texture, colour and bond of the stone/brickwork to be used for the wall and a sample panel measuring not less than 1m<sup>2</sup> shall be erected on site and approved in writing by the Local Planning Authority. The panel shall be retained on site for the duration and the development and thereafter new stone work / brickwork shall only be constructed in accordance with these approved details. The development shall be carried out in complete accordance with the approved details.

6. The demolition works hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been executed and planning permission has been granted for the redevelopment for which the contract provides. Evidence that a contract has been executed shall be submitted in writing to the Local Planning Authority 14 days prior to any demolition works commencing.
7. The demolition works hereby permitted shall not be undertaken until a method statement has been submitted to and approved in writing by the Local Planning Authority of the proposed methods of removal of the cast iron roller mill and how it is to be incorporated into the scheme and details of the steps to be taken to repair any damage to the historic stone wall proposed to be retained. The scheme shall be implemented in accordance with the agreed method statement.
8. Before any demolition begins details shall be submitted to and approved in writing by the Local Planning Authority of the measures to be taken to secure the safety and structural stability of the sections of retained stone wall (with triangular coping stones) that adjoins No. 63 Vale Street on its western side. The details submitted must be informed by the advice of a qualified structural engineer. The scheme shall be implemented in accordance with the approved details.
9. The details to be submitted in accordance with condition 8 shall include details of the measures to strengthen any wall or vertical surface that is to be retained throughout the lifetime of the development. The details submitted must be informed by the advice of a qualified structural engineer.
10. Notwithstanding the details shown in the submitted plans, development hereby permitted shall not commence until large details have been submitted to and approved in writing by the Local Planning Authority of the proposed fencing illustrating its colour and finish.
11. Details of the mortar mix to any new build element or areas of repair shall either be submitted to and approved in writing by the Local Planning Authority and provided on site as a sample panel measuring not less than 1m<sup>2</sup> for the Local Planning Authority to inspect. The works shall thereafter be carried out in accordance with the same approved details.

(Councillor Cotterill re-joined the meeting).

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- (e) Planning Application No. P18/1175 – 11 Corville Road, Halesowen – First floor side extension

**Resolved**

It was noted that this application had been withdrawn by the applicant prior to the meeting.

The meeting ended at 6.55 pm

CHAIR