

Minutes of the Development Control Committee

Monday 22nd December, 2014 at 6.00 pm
In the Council Chamber, The Council House, Dudley

Present:-

Councillor Q Zada (Chair)
Councillor K Casey (Vice-Chair)
Councillors D Caunt, A Goddard, J Martin, C Perks, D Perks, E Taylor and D Vickers

Officers:-

Jeremy Butler (Group Engineer), Tim Glews (Environmental Protection Manager), Helen Martin (Head of Planning), P Reed (Principal Development Control Officer), S Willetts (Planning Control Manager) and Helen Yorke (Planning Officer - Development Control) (All Directorate of the Urban Environment); G Breakwell (Senior Solicitor), Josef Jablonski (Assistant Principal Officer (Democratic Services)), Helen Shepherd (Democratic Services Officer) (Directorate of Corporate Resources).

50 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors A Ahmed and R Scott-Dow.

51 Appointment of Substitute Members

It was reported that Councillors E Taylor and D Perks had been appointed to serve in place of Councillors A Ahmed and R Scott-Dow, respectively, for this meeting of the Committee only.

52 Declarations of Interest

In accordance with the Members' Code of Conduct Councillor K Casey declared a non-pecuniary interest in relation to agenda item no. 6 Planning Application No. P14/1581 (Seven Stars, Gospel End Road, Dudley) as he was employed by the Constituency Member of Parliament that had written to confirm objections to the application, referred to in the pre-committee notes.

53 **Minutes**

Resolved

That the minutes of the Committee held on 2nd December, 2014, be approved as a correct record and signed.

54 **Plans and Applications to Develop**

A report of the Director of the Urban Environment 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.

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

<u>Application No</u>	<u>Objectors/supporters who wishes to speak</u>	<u>Agent/Applicant who wishes to speak</u>
P14/1581	Councillor Bill Etheridge – Ward Councillor Mr N Shorthouse – Objector	Mr M Robson

<u>Application No</u>	<u>Location/Proposal</u>	<u>Decision</u>
P14/1581	Seven Stars, Gospel End Road, Dudley – Change of use of premises to retail use with erection of single storey side/rear extension, new shop front and entrance doors. New ramped access with handrails, new lighting and associated external works	Refused for the following reason:- The proposed development will lead to increased traffic generation and flows in the vicinity of the site with a consequent increase in disturbance, having an adverse impact upon the amenities and outlook of local residents and highway safety, contrary to saved policy DD4 of the Unitary Development Plan 2005 and policy TRAN 2 of the Black Country Core Strategy 2011

In considering the above application Members commented on the detrimental impact to residential amenity that would occur should the application be granted and to highway aspects. It was further agreed that condition 10 be deleted.

P14/1265	Brierley Hill Steel Terminal, Moor Street, Brierley Hill – Demolition of existing buildings. Erection of an Advanced Conversion Technology (ACT) and Anaerobic (AD) facility and education centre with parking, landscaping, retaining structures and associated works (resubmission of refused planning application P12/1287)	Withdrawn by the applicant prior to the meeting.
P14/1207	1 Coxcroft Avenue, Quarry Bank, Brierley Hill – Erection of 1 no. dwelling and garage	Approved, subject to conditions, numbered 1 to 5 (inclusive), as set out in the report submitted.
P14/1483	233 Wolverhampton Road, Sedgley, Dudley – Erection of a detached double garage in front garden	Approved, subject to conditions, numbered 1 to 7 (inclusive), as set out in the report submitted.
P14/1540	Foxyards Primary School, Foxyards Road, Tipton – Fell 1 Mountain Ash and 2 Beech Trees: Crown Lift 1 Beech Tree together with formative pruning: fell and poison selective species 1M off fence line: selective removal and reduction of shrubs rear of properties 829-825 BNR	Approved, subject to the condition, as set out in the report submitted.

P14/1582

Streetbike, Mucklow Hill, Halesowen – Change of use to A1 (retail). Two storey side extension with new access stair and lift, first floor extension, blocking up of windows, doors and roller shutters and provision of new shop front windows to side elevation. Associated works to car park (resubmission of withdrawn application P14/0553)

Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted, amended conditions numbered 3, 4 and 5, as set out below, additional conditions numbered 6 and 7, as set out below, the renumbering of the remaining conditions 6 to 21 as set out in the report submitted as numbered 8 to 23 and the amendment of the newly numbered conditions 11 and 19 as set out below:-

3. No development shall commence until details of road safety works, including improvements to pedestrian crossing facilities in the vicinity of the site, have been submitted to and approved in writing by the Local Planning Authority. Prior to first use of the development hereby approved the road safety works and pedestrian crossing facilities should be implemented in full accordance with the approved details and shall remain as approved for the life of the development.
4. Delivery vehicles to the site, whether loaded or unloaded shall only enter the site Monday to Saturday between 0700 and 0900 and between 1800 and 2100 and on Sundays and Public Holidays only between 0900 and 1800 and at no other time for the lifetime of the development.
5. The premises known as retail area 1 on plan number '13-1374/08L' shall not be open to the public before the hours of 0700 nor after 1800 Monday to Saturdays or before 0900 or after 1800 on Sundays and Public Holidays.

6. The premises known as retail area 2 on plan number '13-1374/08L' shall not be open to the public before the hours of 0700 nor after 2300 Monday to Saturdays or before 0900 or after 1800 on Sundays and Public Holidays.
7. The premises known as retail area 3 on plan number '13-1374/08L' shall not be open to the public before the hours of 0700 nor after 2200 Monday to Saturdays or before 0900 or after 1800 on Sundays and Public Holidays.
11. Prior to the development first being brought into use details of 2 electric vehicle charging bays with electric charging points in accordance with the Council's Standards (Parking Standards SPD) shall be submitted to the Local Planning Authority and approved in writing. The details shall include signs and bay markings indicating the bays will be used for parking of electric vehicles only whilst being charged. The electric charging points and bays will be provided in accordance with the approved details prior to first use and maintained as such for the life of the development.
19. The existing first floor areas above proposed retail areas 2 and 3 (noted as void on plan number 13-1374/07F) shall not be used at any time for any for the sale or storage of retail goods for life of the development.

P14/1592

Unit 2, 100 Dock Lane,
Dudley – Change of
use from (B8) to
Private Members Club
with photographic
studio and new
smoking shelter (Sui
Generis)

Refused, for the following reasons:-

1. The proposed use is considered to be detrimental to the residential and associated amenities of the locality and the viability of commercial interests by virtue of the perceived impacts of the proposed development upon the area, being incompatible with the social and cultural cohesion of the community, contrary to saved policies DD1, DD4 and DD5 of the Unitary Development Plan 2005 and policy ENV3 of the Black Country Core Strategy 2011.
2. The development is not considered to provide an appropriate level of car parking for the proposed use which may lead to overspill car parking on the local highway network or local businesses to the detriment of highway safety and the operation of commercial interests, contrary to saved policies DD4 and DD5 of the Unitary Development Plan 2005, policies TRAN 2 and TRAN4 of the Black Country Core Strategy 2011 and the Parking Standards Supplementary Planning Document.

In considering the above application Members raised concerns about the impact on residential amenity of the application, the impact on local businesses and on potential businesses should the application proceed and related highway aspects.

P14/1654	Land at Rear of 1 and 3 Mons Hill, (off Dawlish Road), Dudley – Erection of 3 no dwellings (retrospective) with new parking (resubmission of refused application P14/1113)	Approved, subject to conditions, numbered 2 to 11 (inclusive), as set out in the report submitted, together with amended condition, numbered 1, as follows:- 1. The development hereby permitted shall be begun before 1 st May 2015.
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55 **Confirmation of Tree Preservation Orders**

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

<u>TPO No</u>	<u>Location/Proposal</u>	<u>Decision</u>
TPO/0099/QBD	55, 56 & 57 Lantern Road, Netherton	Confirmed without modification.
TPO/0102/SED	Gospel End Road, South View Road and Caswell Road, Sedgley	Confirmed without modification.

56 **Public Consultation on the Dudley Area Action Plan ‘Preferred Options’ stage document**

A report of the Director of the Urban Environment was submitted on the Preferred Options stage of the Dudley Area Action Plan (AAP) document that would be used as basis for public consultation which would commence in January 2015 for a period of six weeks, approved by Cabinet on 4th December, 2014.

Resolved

That the report submitted on the Preferred Options stage of the Dudley Area Action Plan (AAP) document that would be used as basis for public consultation which would commence in January 2015 for a period of six weeks, approved by Cabinet on 4th December, 2014, be noted.

57 **Public Consultation on the Contaminated Land Inspection Strategy and Cost Recovery Policy for Dudley Borough**

A report of the Director of the Urban Environment was submitted on the draft Contaminated Land Inspection Strategy and the Cost Recovery Policy documents that were considered at the meeting of the Cabinet on 4th December, 2014 for use as a basis for a statutory public consultation that had commenced on 12th December, 2014 for a period of five weeks.

Resolved

That the report submitted on the Contaminated Land Inspection Strategy and the Cost Recovery Policy, for use as a basis for the public consultation that had commenced on 12th December, 2014 for a period of five weeks, be noted.

The meeting ended at 7.25 pm.

CHAIR