



Meeting of the Development Control Committee

Monday 18th May, 2015 at 6.00pm

In Committee Room 2, at the Council House, Priory Road, Dudley

Please note the following:

- In the event of the alarms sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.
- There is no smoking on the premises in line with national legislation. It is an offence to smoke in or on these premises.
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- If you (or anyone you know) is attending the meeting and requires assistance to access the venue and/or its facilities, please notify the officer below in advance and we will do our best to help you.
- Information about the Council and our meetings can be viewed on the website www.dudley.gov.uk
- Elected Members can submit apologies by contacting the officer named below. The appointment of any Substitute Member(s) should be notified to Democratic Services at least one hour before the meeting starts.
- The Democratic Services contact officer for this meeting is Helen Shepherd, Telephone 01384 815271 or E-mail helen.shepherd@dudley.gov.uk

Agenda - Public Session

(Meeting open to the public and press)

1. Chair's Announcement.

Let me first inform you that this is a Committee Meeting of the Council, members of the public are here to observe the proceedings and should not make contributions to the decision-making process.

Applications are taken in numerical order with any site visit reports first, followed by applications with public speaking, then the remainder of the agenda. Officers have explained the public speaking procedures with all those present

who are addressing the committee. Will speakers please make sure that they do not over-run their 3 minutes.

There will be no questioning by Members of objectors, applicants or agents, who will not be able to speak again.

All those attending this Committee should be aware that additional papers known as the "Pre-Committee Notes" are placed around the table and the public area. These contain amendments, additional representations received, etc, and should be read in conjunction with the main agenda to which they relate. They are fully taken into account before decisions are made.

2. Apologies for absence.
3. Appointment of substitute Members.
4. To receive any declarations of interest under the Members' Code of Conduct.
5. To confirm and sign the minutes of the meeting held on 27th April, 2015 as a correct record.
6. Plans and Applications to Develop (See Agenda Index Below) (Pages 1 – 56)
7. Confirmation of Tree Preservation Orders (Pages 57 – 69)
8. To consider any questions from Members to the Chair where two clear days notice has been given to the Strategic Director (Resources and Transformation) (Council Procedure Rule 11.8).



Strategic Director (Resources and Transformation)

Dated: 6th May, 2015

Distribution:

All Members of the Development Control Committee:

Councillor Q Zada (Chair)*

Councillor K Casey (Vice-Chair)

Councillors A Ahmed, A Goddard, J Martin, C Perks, R Scott-Dow, D Vickers and one Conservative Vacancy

*(Subject to being re-elected on 7th May, 2015)

AGENDA INDEX

Please note that you can now view information on Planning Applications and Building Control Online at the following web address:

(Upon opening this page select 'Search for a Planning Application' and when prompted input the appropriate planning application number i.e. P09/----)

<http://www.dudley.gov.uk/environment--planning/planning/online-planning-and-building-control>

PLANS AND APPLICATIONS TO DEVELOP

Pages 1 - 19	P14/1787 – Lower Gornal Social Education Centre, Holloway Street West, Lower Gornal, Dudley – Demolition of existing education centre building and bungalow and erection of 14 No. dwellings.
Pages 20 - 31	P15/0033 – 169 Ivyhouse Lane, Coseley, Bilston – Erection of 5 No. dwellings, detached garage and new vehicular access.
Pages 32 - 38	P15/0383 – Vacant Land (Former Club), Bundle Hill, Halesowen – Fell 1 Copper Beech; Fell 1 Black Locust; Fell 1 Sycamore and Fell 1 Corsican Pine
Pages 39 - 56	P15/0440 – Halesowen College, Whittingham Road, Halesowen - Erection of a two storey building to create a performing arts centre

Minutes of the Development Control Committee
Monday 27th April, 2015 at 6.00 pm
in Committee Room 2 at the Council House, Dudley

Present:-

Councillor Q Zada (Chair)
Councillor K Casey (Vice-Chair)
Councillors A Ahmed, D Caunt, A Goddard, J Martin (part), C Perks, R Scott-Dow
and D Vickers

Officers:-

J Butler – Group Engineer, T Glews – Environmental Protection Manager, H Martin -
Head of Planning and P Reed – Principal Planning Officer (Directorate of Place);
G Breakwell – Solicitor and M Johal – Democratic Services Officer (Directorate of
Resources and Transformation).

93 **Declarations of Interest**

Councillor K Casey referred to Planning Application No P15/0234 and stated that he
had been involved in meetings relating to the application and he withdrew from the
meeting during consideration of the item.

94 **Minutes**

Resolved

That the minutes of the Committee held on 7th April, 2015, be approved as a
correct record and signed.

95 **Plans and Applications to Develop**

A report of the Strategic Director (Environment, Economy and Housing) 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
applications as indicated:-

<u>Application No</u>	<u>Objectors/supporters who wished to speak</u>	<u>Agent/Applicant who wished to speak</u>
P14/1547	Councillor G Partridge (Ward Councillor) – Objector	
P15/0234	Mr David Keasey	
P15/0275	Mr James	
P15/0329	Mr William Davies	
P15/0340	Mr David Colbourn	
P15/0398	Mr Poulton	

Resolved

That the applications be determined as set out below:-

<u>Application No</u>	<u>Location/Proposal</u>	<u>Decision</u>
P14/1547	The Widders Public House, Barrack Lane, Cradley, Halesowen – Raised decking area to side of property (retrospective)	That the application be approved.

Councillor K Casey withdrew from the meeting during consideration of the following application.

P15/0234	105 Cotwall End Road, Sedgley, Dudley – Approval of reserved matters for demolition of existing dwelling/ outbuildings and erection of 4 No dwellings (following outline approval P14/0625)	Deferred pending a Site Visit and the application to be determined at the meeting to be held in June 2015.
P15/0275	35 New Street, Dudley – Convert existing dwelling into 2 No apartments with elevational changes to include new window and door openings and roof terrace	Deferred pending a Site Visit and the application to be determined at the meeting to be held in June 2015.

In determining the following application Members considered the representations made by the objector particularly relating to the extent of noise nuisance and disturbance that neighbours endured on a regular basis which would further increase through any joined walls. Concerns were also noted that the development would result in the objectors' property being 'linked' or 'abutted' and that there should be a gap between the new development and their home. Members were also concerned about the aesthetic design of the development and its impact on residential amenity.

P15/0329	295 Halesowen Road, Netherton, Dudley – Single storey side/rear extension. New front ramp access with balustrade/handrail. New access steps to side elevation	Refused for the following reason:- The design siting and appearance of the development would be detrimental to the amenities of the occupiers of the adjacent properties by virtue of the scale of the extension and potential noise disturbance arising from the transmission of noise through the extension to the adjacent property, contrary to saved policy DD4 of the adopted Unitary Development Plan.
P15/0340	Kingswinford Conservative Club, 24 Oak Street, Kingswinford – Installation of 3 No condensing units onto the rear of the property	Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted, together with amended condition, numbered 3, as follows:- 3. For the lifetime of the development the rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed background sound levels by more than 5dB(A) between the hours of 0700-2300 (taken as a 15 minute LA90 at the nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest sound sensitive premises). All measurements shall be made in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property. Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the Local Planning Authority.

In determining the following application Members considered the representations made by the speaker in that residents had moderate sized gardens and that the trees were semi-matured, were likely to continue to grow causing further damage.

P15/0398	1 Miles Grove, Dudley – Part A: Fell 1 Sycamore Tree (T1): Part B: Fell 2 Sycamore Trees (T2 and T3)	Decision as follows:- (1) Approval be given to the felling of T1 with no replacement tree being planted and subject to conditions, numbered 1 and 2, as set out in the report submitted. (2) Approval be given to the felling of T3 together with a replacement tree to be planted and subject to the following conditions:- A replacement Ornamental Hawthorn (<i>Crataegus laevgata</i> "Pauls Scarlet") tree shall be planted between the beginning of November and the end of March, within 1 year of felling (and replanted if necessary) and maintained until satisfactorily established. The replacement tree shall be located within the rear garden. The size of the tree at planting shall be no less than 1.8 - 2.5 metres tall and the trees are to
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be prepared in the nursery as a 'Standard'. There shall be no alteration or deviation from the above specification without prior written approval from the Local Planning Authority.

(3) That the part of the application to fell T2 be refused.

P15/0084	Pens Meadow Post 16 Unit, (Former Pensnett School Site), Tiled House Lane, Dudley – Elevational changes to former school gym and neighbour centre to include new external windows and door and new entrance area	Approved, subject to conditions numbered 1, 3 and to 4, as set out in the report submitted, together with an amended condition, numbered 2, as follows:- 2. The development hereby permitted shall be carried out in accordance with the following approved plans: A200, A300 Rev B, A301, A841, SK1.
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In determining the following application a Member referred to the initial objection to the application on the grounds that a Coal Mining Risk Assessment had not been submitted as part of the application and that the comments of the Coal Authority were still awaited.

P15/0150	Archives and Local History Service, Mount Pleasant Street, Coseley – Demolition of extensions and existing store conversion of remaining vacant school building into 15 No dwellings and erection of 1 No dwelling	That, the Strategic Director (Environment, Economy and Housing) be authorised to approve the application subject to the inclusion, if necessary, of additional conditions arising from recommendations from the Coal Authority, and subject to conditions numbered 1 to 14 (inclusive), as set out in the report submitted, together with additional conditions, numbered 15 to 19, as follows:-
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15. Notwithstanding the details shown on the submitted plans development shall not begin until details have been submitted to and approved in writing by the Local Planning Authority of the location of all vent pipes, heating appliances, flues, air intake and extraction equipment terminals in order to demonstrate that they will not have a detrimental impact on the appearance of the heritage asset. The scheme shall be implemented in accordance with the approved details and retained for the lifetime of the development.

16. Development shall not commence until details/samples of the type, texture, colour and bond of the bricks to be used in the development have been submitted and a sample panel measuring not less than 1m² has been erected on site and approved in writing by the Local Planning Authority, including full details of the mortar. The panel shall be retained on site for the duration and the development and thereafter new brick work shall only be constructed in accordance with these approved details. The development shall be carried out in complete accordance with the approved details.

17. Notwithstanding the details shown in the submitted plans prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority:
- a) Large scale architectural drawings of all the proposed windows and doors to be used in the external elevations including details of their material, colour and finish. Details/samples shall be provided of the sections and profiles of jambs, heads, cills and glazing bars together with their relationships to masonry apertures
 - b) Large scale architectural drawings of the boundary wall and railings and gates fronting onto Mount Pleasant Street and details as to how they are to be modified and repaired as part of the development.
 - c) Details/samples of the type, texture, colour and finish of the railings and gates
 - d) Details/samples of the type, texture, colour and finish of the proposed render
 - e) Details/samples of the type, texture, colour and finish of the proposed roofing material and conservation rooflights.

Development shall proceed in accordance with the agreed details and shall be retained for the lifetime of the development.

The external windows and associated features installed on the building shall be in accordance with the approved details and shall not be replaced, except in accordance with the same approved details. The external render shall be colour coated in accordance with the same approved details and the colour shall not be changed without the prior written agreement of the Local Planning Authority.

18. The development hereby approved shall not be occupied until full details of all soft and hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details must include planting plans to recognisable scales, written specifications, a schedule of plants including species, plant sizes and proposed numbers/densities with a programme of implementation.

The works approved as part of this condition shall be completed within the first planting season following first occupation and any trees or shrubs planted in pursuance of

this permission including any planting in replacement for it which is removed, uprooted, several 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. The landscaped areas shall be retained in the form shown on the approved plan and landscape plan strategy throughout the life of the development and shall not be used for any other purpose.

19. Notwithstanding the details shown in the submitted plans, prior to the commencement of development large scale architectural drawings are to be submitted to and approved in writing by the Local Planning Authority of Unit 16 (including elevations and street scene elevations) illustrating its detailed design and appearance and how the materials reclaimed from the site will be incorporated into the scheme.

P15/0347

Electricity Distribution Station, Earlsway, Halesowen – Installation of a 30M high WPD Lattice Tower with 2 No antennae and 1 No satellite dish. New 1.8M palisade fencing (resubmission of refused planning application P14/1480)

Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted.

96 **Comments of the Chair and Committee**

The Chair and Members of the Committee referred to Councillor Caunt, who was not standing for election in May and expressed their appreciation to him for his work on the Committee.

The meeting ended at 7.40 pm.

CHAIR

PLANNING APPLICATION NUMBER: P14/1787

Type of approval sought	Full Planning Permission
Ward	Gornal
Applicant	Eden Properties
Location:	LOWER GORNAL SOCIAL EDUCATION CENTRE, HOLLOWAY STREET WEST, LOWER GORNAL, DUDLEY, WEST MIDLANDS, DY3 2EF
Proposal	DEMOLITION OF EXISTING EDUCATION CENTRE BUILDING AND BUNGALOW AND ERECTION OF 14 NO. DWELLINGS
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The site is a former Council-operated adult training centre occupied by a single storey building with a parking area to the frontage (on its northern side). The site is accessed from Holloway Street West, a cul-de-sac which slopes downwards from east to west. To the north of the site, on the opposite side of the cul-de-sac, are light industrial units.
2. The building is set back from the highway to the east (Holloway Street) behind an area of grassed verge containing a group of semi-mature trees. Holloway Street rises steeply from south to north and the site is set at a lower level, the grassed verge sloping downwards from the highway towards the building.
3. To the south is a modern housing development on Haslingden Crescent, set at a significantly lower level than the site. The building is separated from the southern site boundary by a steep embankment which contains a number of semi-mature deciduous trees.
4. At the western end of the site is a large open grassed area, partly treed, which slopes down from the side of the building to the western boundary and an

office/bungalow located alongside the northern boundary. On the other side of the western boundary is an area of scrubland.

PROPOSAL

5. This is an application to demolish the existing buildings and to erect 14, 3 and 4-bedroom detached houses at the site. Three of the proposed houses at the eastern end of the site are to be accessed from Holloway Street, the remainder being accessed from Holloway Street West. Parking provision for each of the houses is in the form of garages and driveways. Garden lengths are between 11m and 18.5m.

HISTORY

6. None.

PUBLIC CONSULTATION

7. Neighbour notification letters have been sent to 42 properties and a site notice posted.
8. Letters of objection have been received from six properties, raising the following concerns over the proposal:
 - Increased noise and air pollution;
 - Loss of privacy;
 - Removal of trees (loss of outlook, impact on wildlife and impact on land stability);
 - Height and siting of the buildings will have an adverse impact on outlook;
 - Loss of light.
9. Two letters of support for the proposal have been received.

OTHER CONSULTATION

10. Head of Environmental Health and Trading Standards: The noise impact assessment submitted with the application concludes that the site is not adversely affected by noise from the surrounding sources and that no additional mitigation, other than standard double glazing, is required.

Land Contamination Team: Recommend conditions relating to remediation of the site to ensure that any contamination of the site is reduced to an acceptable level.

Group Engineer (Highways): Recommends approval subject to conditions requiring details of the construction of the access road and the private drive serving plots 2 to 4 have been submitted to and approved in writing by the local planning authority.

Chief Fire Officer: No objection.

RELEVANT PLANNING POLICY

11. National Planning Policy
National Planning Policy Framework (NPPF) 2012

Black Country Core Strategy 2011

Policy ENV1 (Nature Conservation)

Policy HOU1 (Delivering Sustainable Housing Growth)

Policy HOU2 (Housing Density, Type and Accessibility)

Policy DEL1 (Infrastructure Provision)

Saved 2005 UDP Policies

Policy DD1 (Urban Design)

Policy DD4 (Development in Residential Areas)

Supplementary Planning Guidance

Parking Standards SPD

ASSESSMENT

12. The key issues in the assessment of this application are:

- Principle;
- Impact upon the character of the area;
- Residential amenity;
- Highway safety;
- Nature conservation;
- Planning obligations.

Principle

13. The redevelopment of this vacant site for housing purposes accords with the advice given in the NPPF (paragraph 49) that housing applications should be considered in the context of a presumption in favour of sustainable development, to be achieved by encouraging the effective use of brownfield land. The development also accords with Policy HOU1 of the Core Strategy which seeks the provision of 95% of new build housing on previously developed land within the Borough.

Impact upon the character of the area

14. Policy HOU2 of the Core Strategy states that the density and type of new housing provided on each site will be informed by, amongst other things, the need to achieve high quality design and minimise amenity impacts. Saved Policy DD1 requires that developments should make a positive contribution to the appearance of an area. Policy DD4 of the UDP states that new developments should not have any adverse impact on the character of an area.

15. The density of the proposed development (25 dwellings per hectare) would be appropriate to the existing pattern of development in the wider area. The proposed

buildings are of a traditional design and of an acceptable scale in the context of existing dwellings in the vicinity. Following revisions to plans, garden lengths accord with the guidelines set out in the New Housing Development SPD.

16. The proposal involves the removal of 11 trees at the eastern end of the site in order to facilitate the development of plots 1-4 and 23 trees at the western end. None of these trees are protected by TPO. 7 new trees are to be planted along the northern boundary, supplemented by hedge planting, which will help to soften the development and to a degree, mitigate against the loss of the existing trees.
17. For the reasons set out above it is considered that the development will have a positive impact on the character of the area and as such it accords with Policy HOU2 of the Core Strategy and Saved Policies DD1 and DD4 of the UDP.

Residential Amenity

18. Saved Policy DD4 also advises that new development in residential areas will only be allowed where there would be no adverse effect upon residential amenity. The impact of the development on the existing amenities of the occupants of Haslingden Crescent must be assessed with regard to the New Housing Development SPD, which requires that a minimum distance separation of 28 metres is provided between habitable windows where a change in levels results in a situation where the main living room of a new dwelling would be level with the first floor of an existing house.
19. Six of the proposed houses (plots 5-10) have their rear elevations facing the southern boundary towards Haslingden Crescent. The layout of the development provides the following separation distances between these plots and the nearest house on Haslingden Crescent:
 - Plot 5 – 29m;
 - Plot 6 – 29.3m;
 - Plot 7 – 29.3m;

- Plot 8 – 31m;
- Plot 9 – 31m;
- Plot 10 – 28.4m.

20. The applicant has submitted a site cross section between plot 10 and nos. 20 and 22 Haslingden Crescent to demonstrate the relationship between the two sets of houses in terms of overlooking. The section shows that boundary fencing will obstruct any views from the ground floor windows of the proposed house towards gardens and windows, and that from first floor windows the line of sight over the fence would be towards windows only and not directly into gardens.
21. Given that the separation distances are in excess of the 28m guideline figure set out in the New Housing Development SPD, and that diagrammatical information has been submitted to show that any potential overlooking will be towards first floor windows only, it is considered that the development will not result in any significant loss of privacy to a degree which would warrant refusal of the application. To further safeguard the amenities of existing nearby residents additional tree planting must take place to replace those to be removed and supplement the existing in order to provide screening. Should permission be granted a condition must be imposed seeking details of a native mix of trees to be planted within the gardens of the proposed houses (this applies also to plot 4 to reduce the potential for existing gardens directly to the south and plot 11 with regard to potential overlooking at short distances from its garden and the turning area of nos. 24-40 Haslingden Crescent). Such planting should also help to alleviate objectors concerns in respect of harm to their existing outlook.
22. The development will lead to a degree of light loss to Haslingden Crescent during early morning hours, however this will be for a relatively short period of the day only and in itself would not be sufficient reason to warrant refusal of the application.
23. With regard to the other concerns raised by the objectors it is not considered that development would result in any adverse amenity impacts by reason of increased noise disturbance or elevated levels of air pollution. Damage that may result from

the construction works to existing property in the vicinity is not a material consideration in the assessment of the application and would be a civil matter to be resolved between the developer and any affected parties.

24. In terms of the providing an acceptable level of amenity for the future occupants of the site the proposed layout provides gardens which, in terms of their lengths and areas, comply with the guideline standards set out in the New Housing Development SPD. The noise assessment submitted with the application demonstrates that activities at the industrial units to the north of the site will not result in any harm by reason of noise disturbance.
25. In view of the above it is considered that, on balance, a satisfactory form of development is proposed which would not have any adverse impact on the existing amenities of the residents of Haslingden Crescent. In this respect the proposal complies with Saved UDP Policy DD4.

Highway safety

26. Saved Policy DD4 advises that developments should be allowed where there would be no adverse impact on highway safety. Parking provision across the site accords with the guidelines set out in the Parking Standards SPD and therefore the development will not result in on-street parking. Should permission be granted the conditions recommended by the Group Engineer must be imposed to ensure that the proposed means of access to the houses are acceptable.

Nature Conservation

27. Policy ENV1 of the Core Strategy requires that information must be submitted with applications for proposals which may affect any important wildlife habitat or species, so that the likely impacts of the proposal can be fully assessed.
28. An ecological survey has been submitted with the application. The survey recommends that replacement planting is provided within the development to

mitigate against the loss of bird nesting and bat foraging habitat resulting from the removal of existing trees. In addition an existing badger sett in the south-east corner of the site will need to be closed under licence from Natural England and that a badger 'path' is maintained along the southern boundary to allow badgers to continue to cross the site during construction works. Should permission be granted it is recommended that a condition be imposed requiring that the development takes place in accordance with all of the recommendations set out in the survey.

Planning Obligations

29. In accordance with Policy DEL1 of the Core Strategy and the Planning Obligations SPD, the development triggers a requirement for the provision of improvements to air quality, public art, public realm and economic and community development. Electric vehicle charging points can be sought (by condition) for each of the houses, which will help to improve air quality, as well as details of the proposed hard surfacing and any boundary treatment to ensure that the development provides attractive features within the street scene that contribute to an improvement to the public realm. Conditions can be used to secure an economic and community development statement to ensure that locally sourced labour and materials are used in the development. It is not considered appropriate to require a form of public art within the site due to the limited visibility of the site in accordance with statutory CIL tests.

New Homes Bonus

30. Clause (124) of the Localism Act states that local planning authorities are to have regard to material considerations in dealing with applications including any local finance considerations, so far as material to the application.
31. The New Homes Bonus is designed to create an effective fiscal incentive to encourage local authorities to facilitate housing growth. It will ensure the economic benefits of growth are more visible within the local area, by matching the council tax raised on increases in effective stock. The Bonus provides local authorities with

monies equal to the national average for the council tax band on each additional property and paid for the following six years as a non-ring fenced grant. In addition, to ensure that affordable homes are sufficiently prioritised within supply, there will be a simple and transparent enhancement of a flat rate £350 per annum for each additional affordable home.

32. This proposal would provide 14 houses, generating a grant of 5 times the national average council tax for the relevant bands per annum for 6 years. Whilst this is a significant sum of money the planning merits of the proposal are acceptable in any event and therefore this is not accorded significant weight.

CONCLUSION

33. The development represents the re-use of previously-developed land within an urban area for housing at an appropriate density. The development would make a positive contribution to the character of the area, and would not have any detrimental impact on residential amenity, highway safety or wildlife interests. The proposal therefore complies with Policies ENV1, HOU1 and HOU2 of the Core Strategy and Saved Policies DD1 and DD4 of the Unitary Development Plan.

RECOMMENDATION

34. It is recommended that the application be APPROVED subject to the following conditions:

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. No development shall commence until details of nature conservation enhancement works have been submitted to and approved in writing by the Local Planning Authority. The nature conservation enhancement works shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.
3. No development shall commence until an Economic and Community Development Statement has been submitted to and approved in writing by the

Local Planning Authority. The Statement shall address as a minimum, measures to increase the number of jobs open to local people available on the site and the development of initiatives that support activities to upskill local unemployed people of working age so as to support them into sustained employment as outlined in the Council's Planning Obligations Supplementary Planning Document. The development shall be implemented in accordance with the approved Statement and retained in accordance with the Statement for the lifetime of the development.

4. No development shall commence until details for the provision of external electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. The charging points shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.
5. Prior to the commencement of development, details of the existing and proposed levels of the site (including finished floor levels), which should be related to those of adjoining land and highways, shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved levels.
6. Prior to the commencement of development, details of the types, colours and textures of the materials to be used in the hard surfacing of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details and retained for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.
7. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.
8. Prior to the commencement of development, details of the landscaping scheme for the site, to include details of new tree planting along the southern boundary, shall be 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 initial occupation of the development.
9. Prior to the commencement of development details of the boundary treatments to be installed on the whole site shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details, which shall be installed on site prior to occupation and thereafter maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
10. No development shall take place until there has been submitted to, and approved in writing by the Local Planning Authority details of the tree protection measures on site. The details shall include:
 - a. A plan showing the location and identification (with reference to a survey schedule if necessary) of all trees on, or directly adjacent to the development site, that are to be retained during construction. These trees are to be marked

with a continuous outline.

b. A plan showing the location and identification (with reference to a survey schedule if necessary) of all the trees on, or directly adjacent to the development site that are to be removed prior to, or during development. These trees are to be marked with a dashed outline.

c. A plan showing the extent of the Root Protection Area, which is to be protected by physical barriers during development. The extent of the area that is to be protected is to be calculated in accordance with Clause 5.2 of British Standard BS: 5837 - 2005 'Trees in Relation to Construction - Recommendations'.

d. Design details of the proposed protective barriers to be erected around the trees during development. Any protection barriers should be designed and constructed in accordance with the provisions set out in section 9.2 of British Standard BS:5837 - 2005 'Trees in Relation to Construction - Recommendations'.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no development referred to in Schedule 2 Part 1 Class A of that order shall be carried out.
12. The development hereby permitted shall be carried out in accordance with the following approved plans: 14-24-05B, 14-24-06, 14-24-07A, 14-24-08A, 14-24-11A, 14-24-10A.
13. All the existing trees and hedges indicated on the approved drawings to be retained shall be protected by suitable fencing and at a suitable distance as outlined in BS:5837 - 2005 - 'Trees in Relation to Construction', or such alternatives as may be agreed in writing by the Local Planning Authority. Such fences shall be erected before any materials are brought onto site or development commences. No materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence(s), nor shall any changes in ground level be made within the fence(s) unless previously agreed in writing by the Local Planning Authority.
14. Development shall not begin until details of the existing and proposed levels of the site, which should be related to those of adjoining land and highways, have been submitted to and approved by the Local Planning Authority.
15. The development hereby approved shall take place in accordance with the recommendations set out in the January 2015 Updated Baseline Ecological Survey and Bat Assessment submitted with the planning application.
16. No development approved by this permission shall be commenced until a scheme to deal with contamination of land (including ground gases and vapours) has been submitted to and approved by the Local Planning Authority (LPA). Furthermore, no part of the development shall be occupied until the LPA has been satisfied that the agreed scheme has been fully implemented and completed.

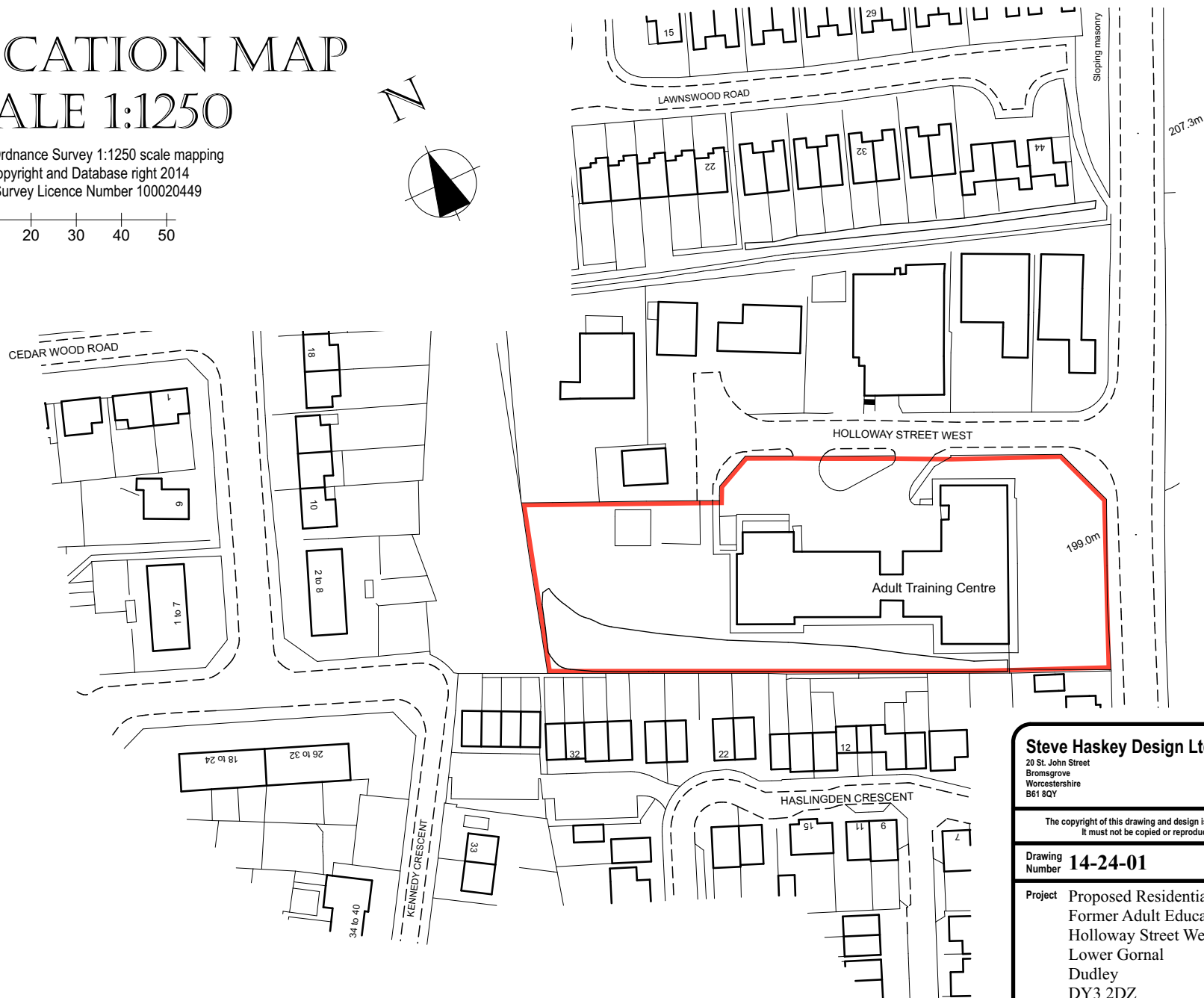
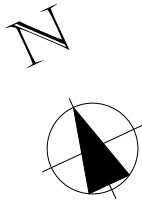
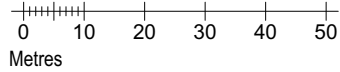
The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically in writing:

- i) A desk-top study to formulate a conceptual model of the site. The requirements of the LPA shall be fully established before the desk-study is commenced;
 - ii) Once the desk study has been approved by the LPA, a site investigation shall be carried out to identify and evaluate all potential sources and impacts of identified contamination in accordance with the conceptual model. The findings of site investigation shall be presented in report format for approval by the LPA and shall include a risk-based interpretation of any identified contaminants in line with UK guidance;
 - iii) Following the approval of both desk-top study and site investigation reports, a written remediation scheme and method statement (the contamination proposals) shall be agreed in writing with the LPA prior to commencement. The contamination proposals shall include provisions for validation monitoring and sampling, including a scheme and criteria for both the use of imported materials and reuse of site-won materials, and be retained throughout the lifetime of the development.
 - iv) The contamination proposals shall be implemented in full and no deviation shall be made from the contamination proposals without the express written permission of the LPA.
 - v) If during development works any contamination should be encountered which was not previously identified or is derived from a different source and/or of a different type to those considered under the contamination proposals then the LPA should be notified immediately and remediation proposals formulated/amended for consideration.
 - vi) If during development work, contaminants are found in areas previously expected to be acceptable, then the LPA should be notified immediately and remediation proposals formulated/amended for consideration.
 - vii) A completion report confirming the objectives, methods, results and conclusions and demonstrating that the contamination proposals have been fully implemented and completed shall be submitted to the LPA for approval.
17. No development shall commence until details of the access roads including, lines, widths, levels, gradients, form and phasing of construction, cross sections, traffic calming, lighting and drainage have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the access roads have been implemented in accordance with the details and shall thereafter be maintained for the life of the development or until such time that they have become highway maintainable at public expense.
18. Development shall not commence until details of the proposed levels and vertical alignment of the private drive serving plots 2 to 4, have been submitted to and approved by the LPA. No dwelling shall be occupied until the private drive has been implemented in accordance with the agreed details.

LOCATION MAP

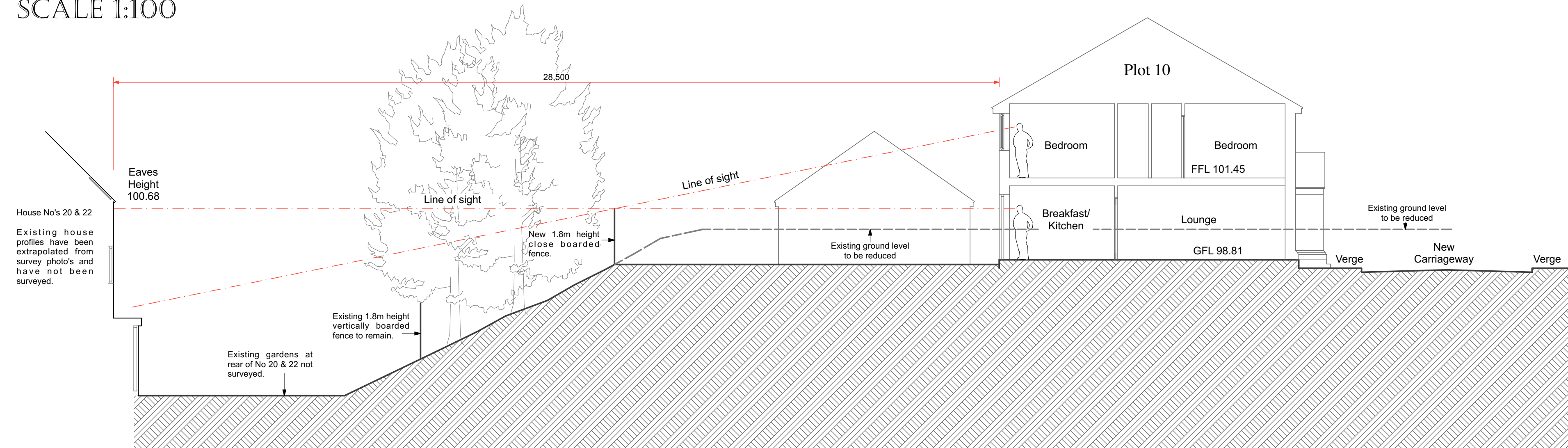
SCALE 1:1250

Based on Ordnance Survey 1:1250 scale mapping
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Drawing Number	14-24-01	
Project	Proposed Residential Development Former Adult Education Centre Holloway Street West Lower Gornal Dudley DY3 2DZ	
Client	Eden Properties Ltd.	
Drawn By	P.J. Leamy	Use Only Written Dimensions From This Drawing DO NOT SCALE
Date	July 2014	Sheet Size A4

TOPOGRAPHICAL CROSS SECTION A-A THROUGH PROPOSED SITE & EXISTING HOUSE NO'S 20 & 22 HASLINGDEN CRESCENTS
SCALE 1:100



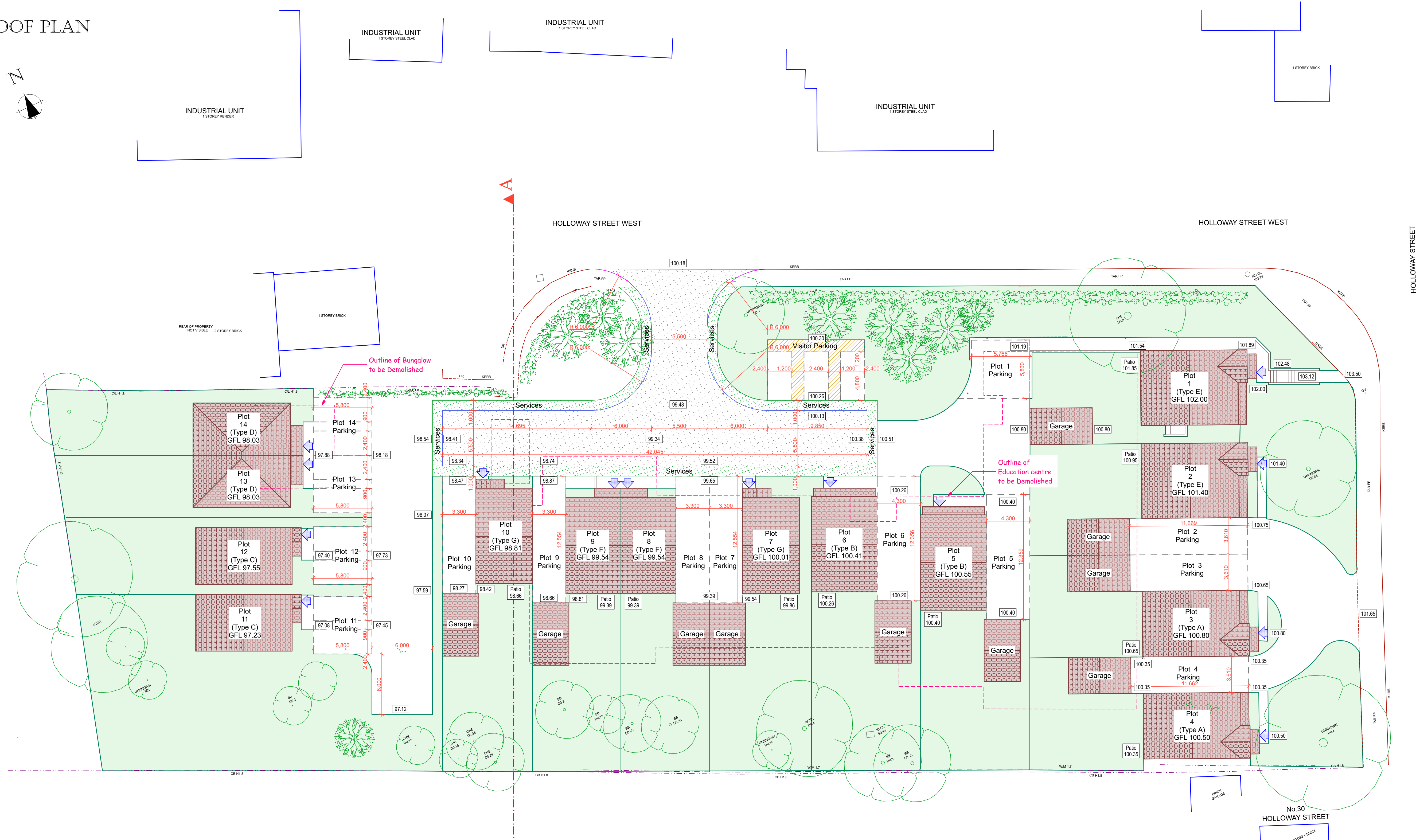
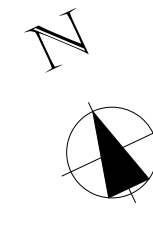
STREET SCENE - HOLLOWAY STREET
SCALE 1:100



REVISIONS A: Plot 10 repositioned. Suggested finished levels added.		MPW 24/03/2015
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Project Proposed Residential Development Former Adult Education Centre Holloway Street West Lower Gornal Dudley DY3 2DZ Client Eden Properties Ltd.		
Sheet SCHEME DRAWINGS Site Section A-A & Street Scene	Sheet Size A1	
Scale 1:100	Drawing Number 14-24-11A	
Date March 2015		

SITE AND ROOF PLAN
SCALE 1:200

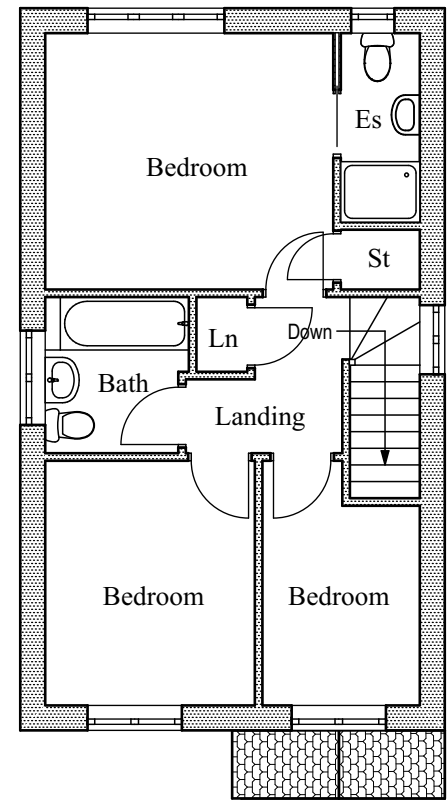
0 1 2 3 4 5
Metres



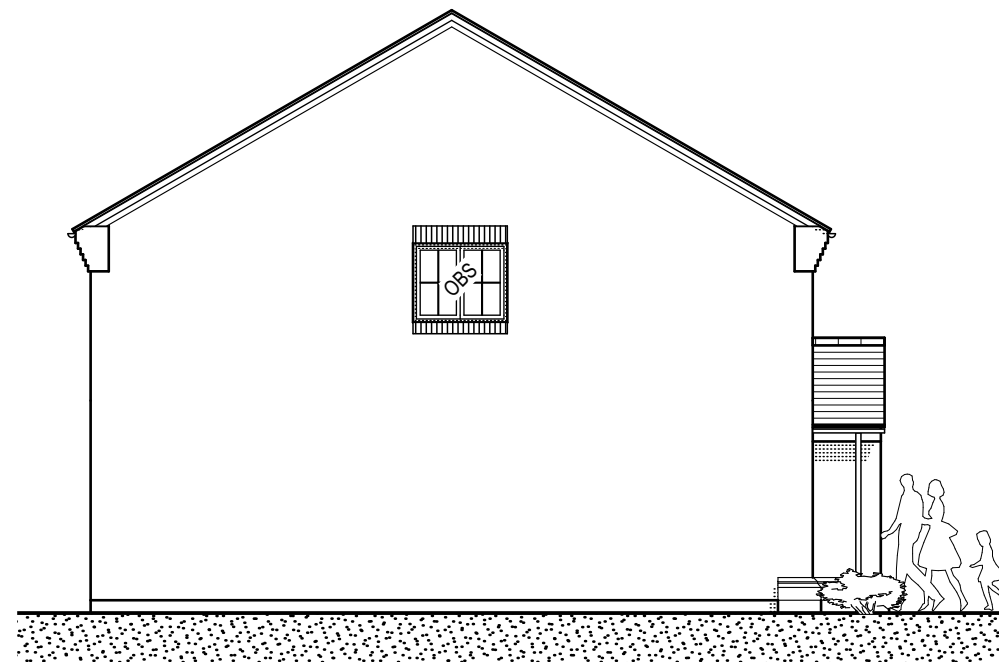
- Indicates trees to remain
- Indicates trees to be removed
- Indicates new native tree planting
- Indicates new hedge planting

REVISIONS	
A: Plot 10 repositioned. Suggested finished levels added.	
MPW 24/03/2015	
STEVE HASKEY DESIGN LTD	
20 St. John Street Bromsgrove Worcestershire B61 8JY	
Reg. in England: 5398781 TEL: 01527 832587 E-MAIL: steve@haskey.co.uk	
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Project Proposed Residential Development Former Adult Education Centre Holloway Street West Lower Gornal Dudley DY3 2DZ	
Client Eden Properties Ltd.	
Sheet SCHEME DRAWINGS Preliminary Site Layout Plan	Sheet Size A1
Scale 1:200	Drawing Number 14-24-10A
Date February 2015	

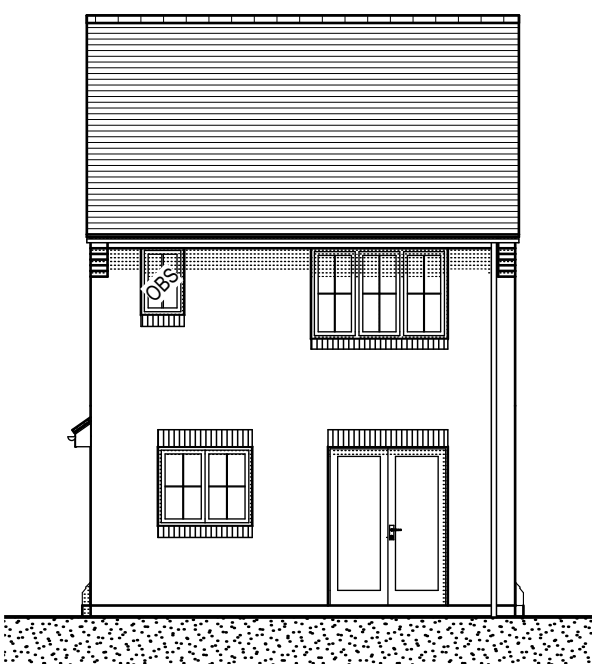
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SCALE 1:100



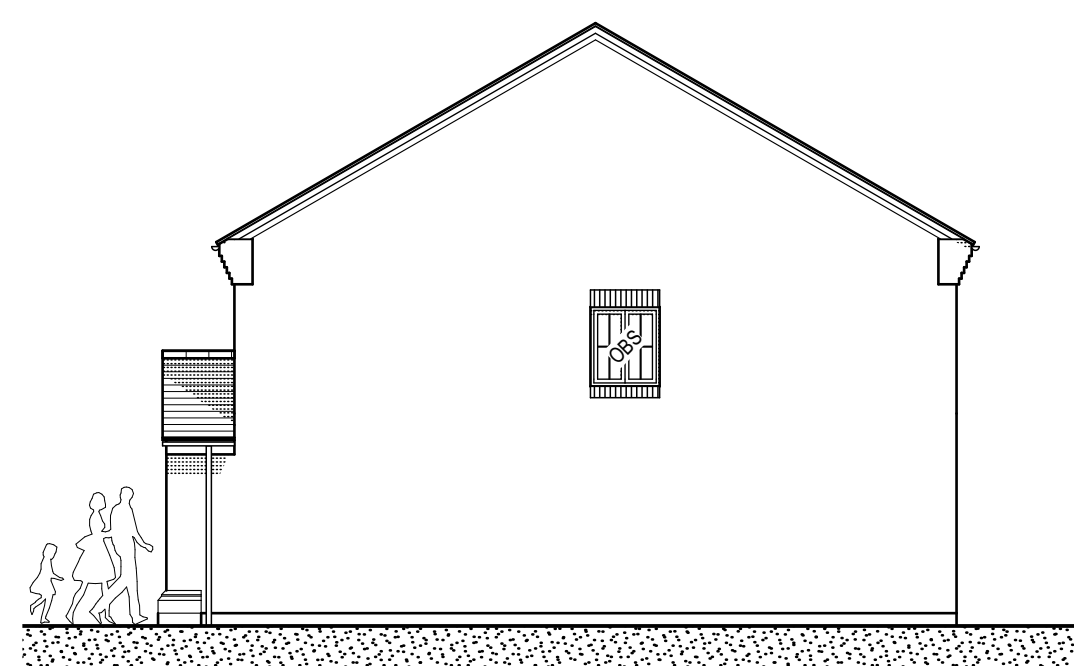
FRONT ELEVATION
SCALE 1:100



LEFT ELEVATION
SCALE 1:100

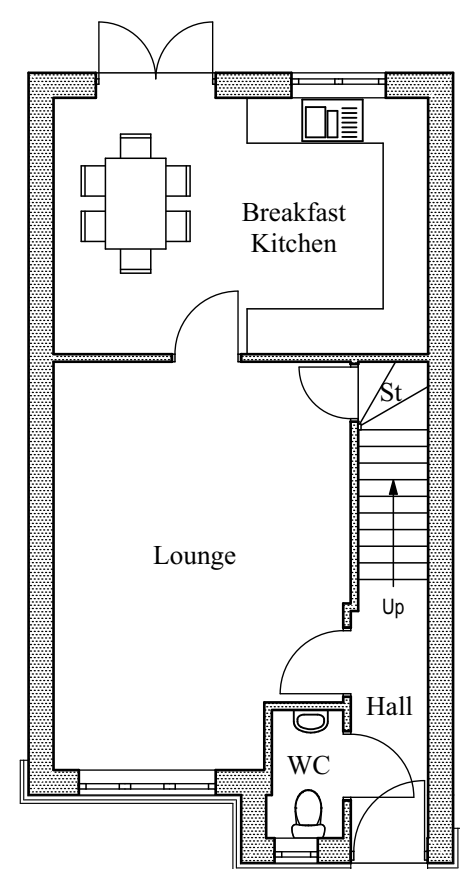
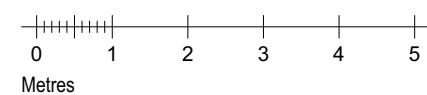


REAR ELEVATION
SCALE 1:100

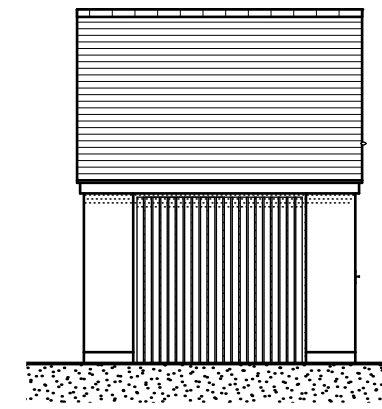


RIGHT ELEVATION
SCALE 1:100

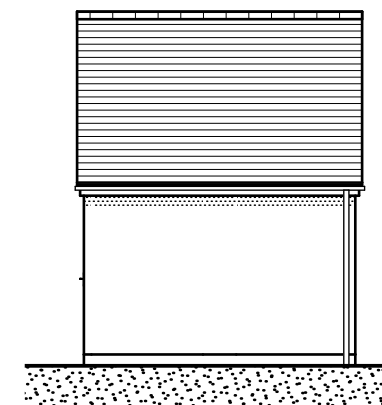
TYPE G (PLOTS 7 & 10)
GROUND FLOOR PLAN
SCALE 1:100



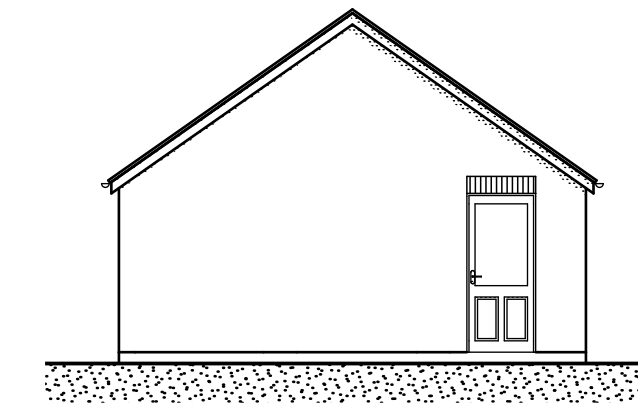
SINGLE GARAGE



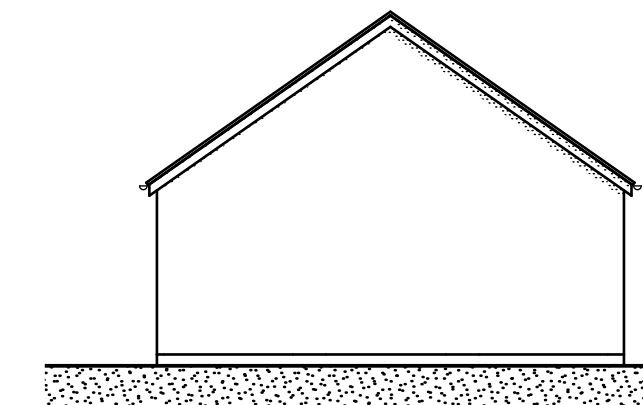
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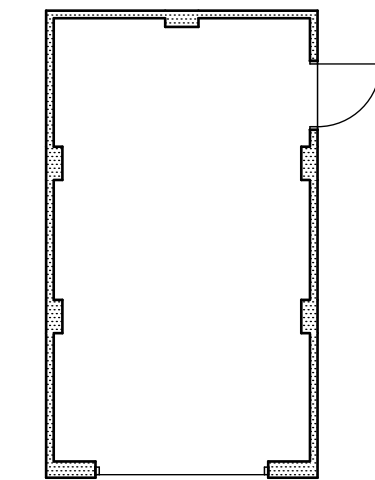
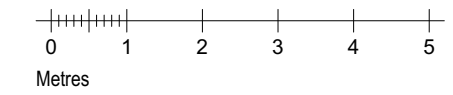


SIDE ELEVATION
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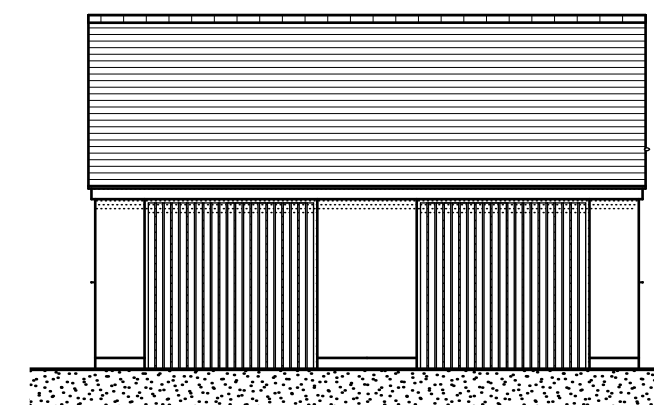


SIDE ELEVATION
SCALE 1:100

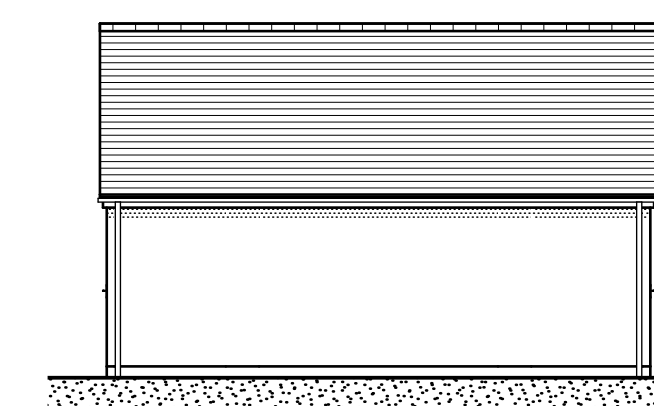
SINGLE GARAGE
FLOOR PLAN
SCALE 1:100



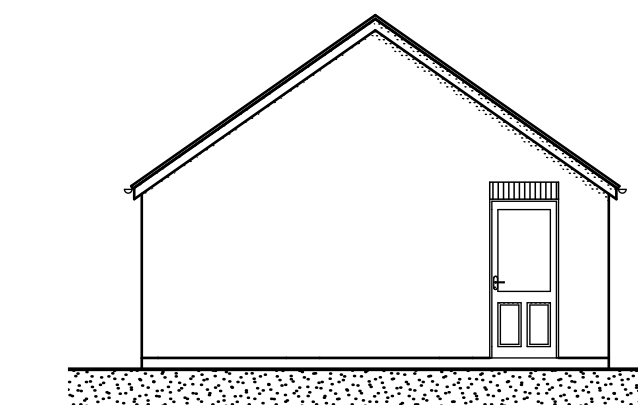
TWIN GARAGE



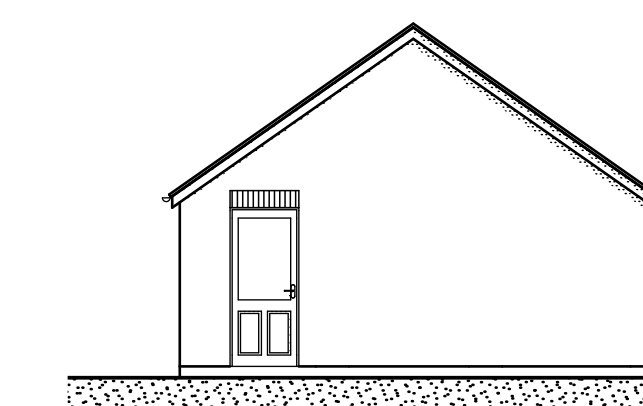
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REAR ELEVATION
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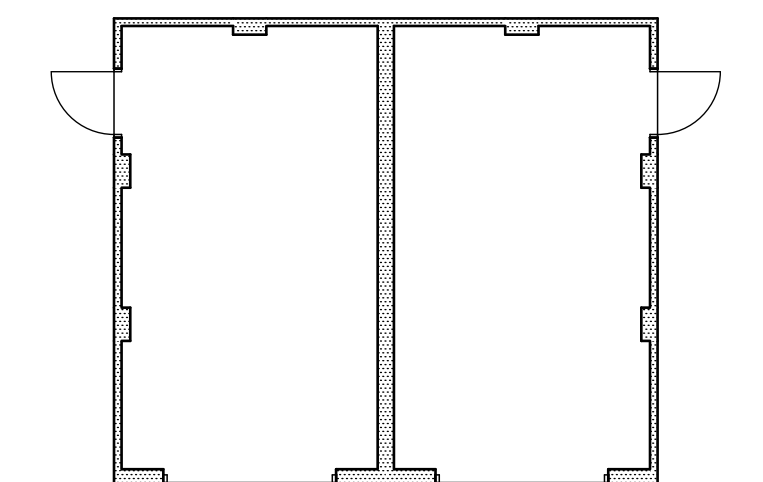


SIDE ELEVATION
SCALE 1:100

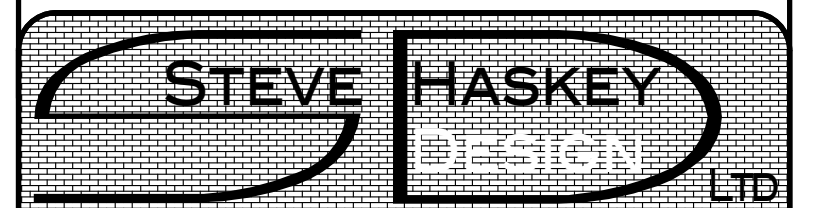


SIDE ELEVATION
SCALE 1:100

TWIN GARAGE
FLOOR PLAN
SCALE 1:100



REVISIONS
A: House Type C (Plot 13) removed from sheet layout. House Type G added to sheet layout. MPW 27/03/2015



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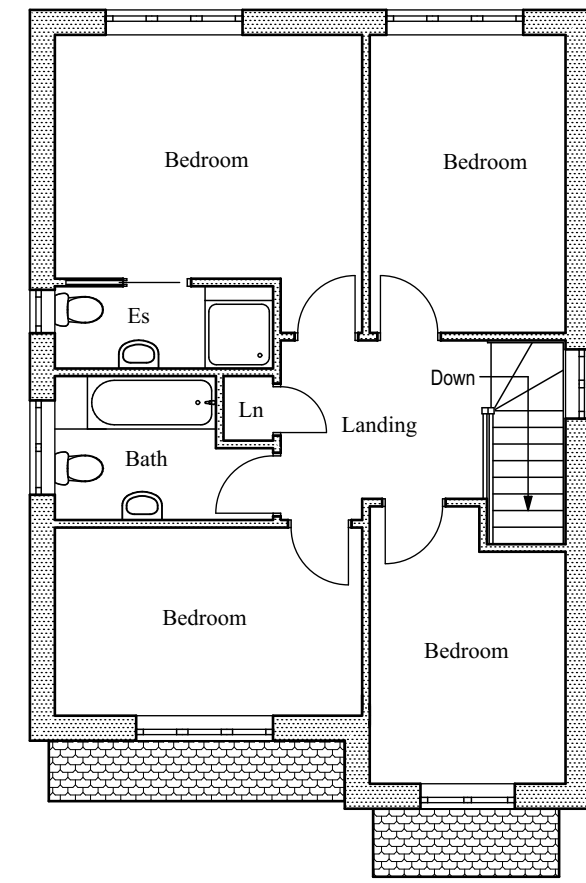
Project Proposed Residential Development
Former Adult Education Centre
Holloway Street West
Lower Gornal
Dudley
DY3 2DZ
Client Eden Properties Ltd.

Sheet SCHEME DRAWINGS
TYPE G & Detached Garages Plans & Elevations
Sheet Size A1

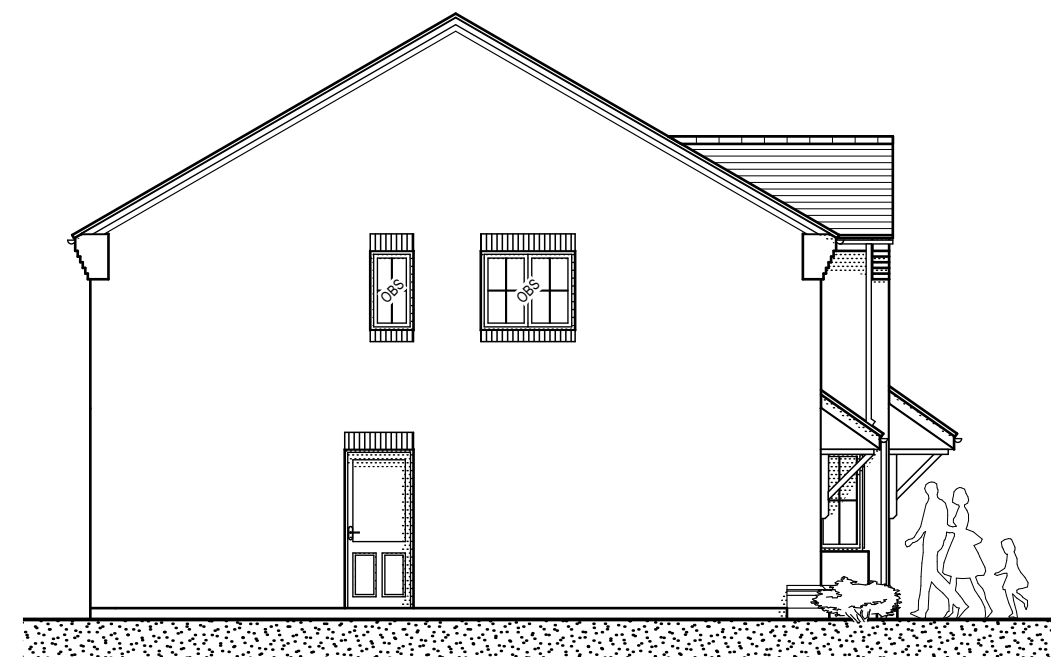
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Drawing Number 14-24-08A

Date January 2015

TYPE E
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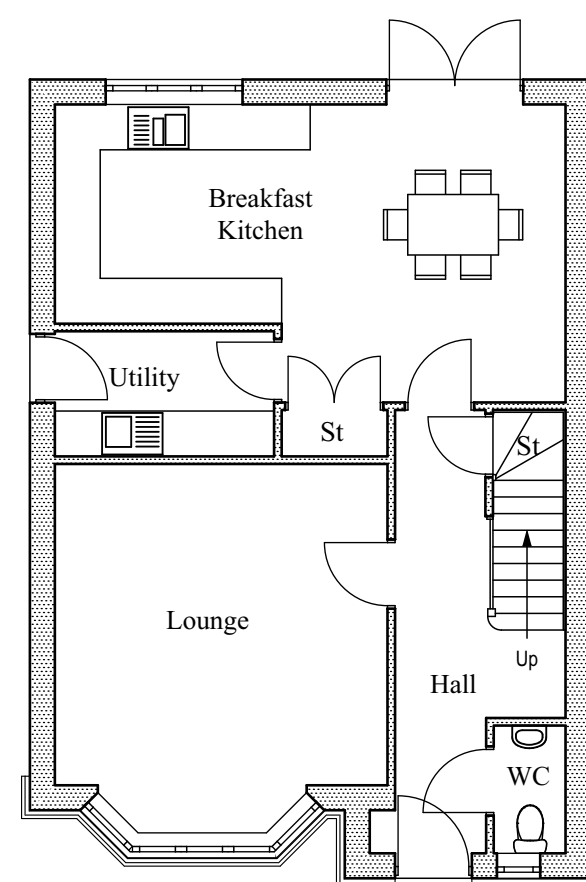
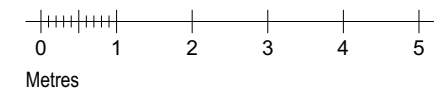


FRONT ELEVATION
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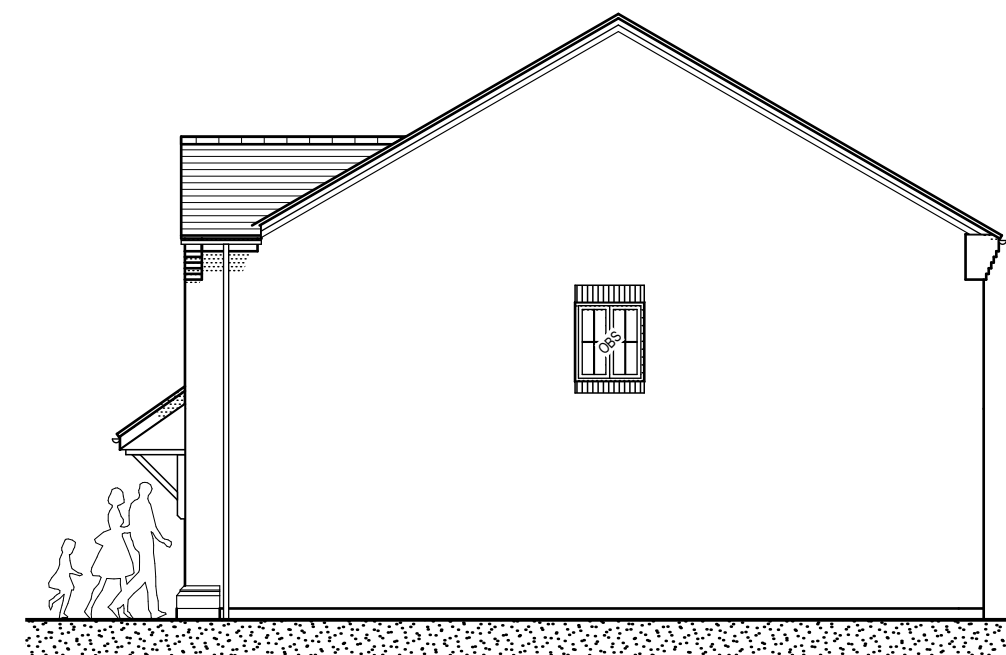


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TYPE E (PLOTS 1 & 2)
GROUND FLOOR PLAN
SCALE 1:100

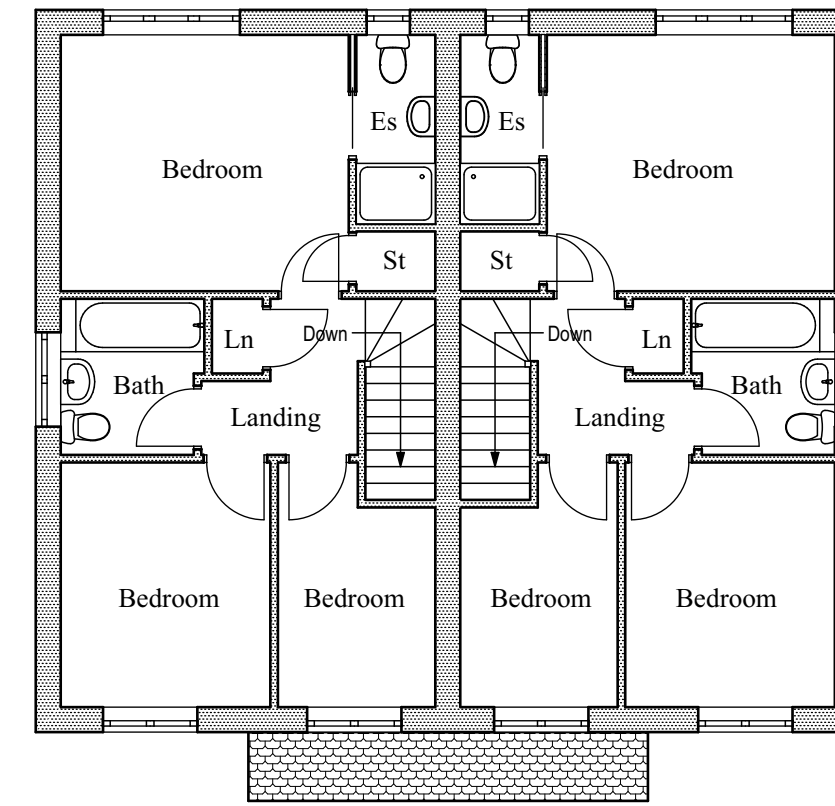


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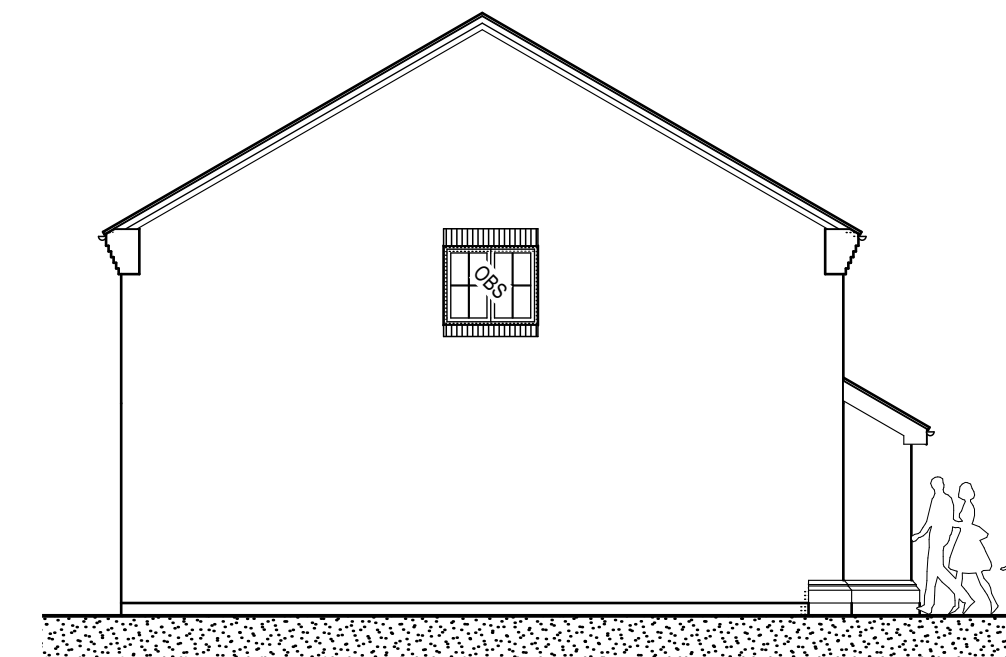


RIGHT ELEVATION
SCALE 1:100

TYPE F
FIRST FLOOR PLAN
SCALE 1:100

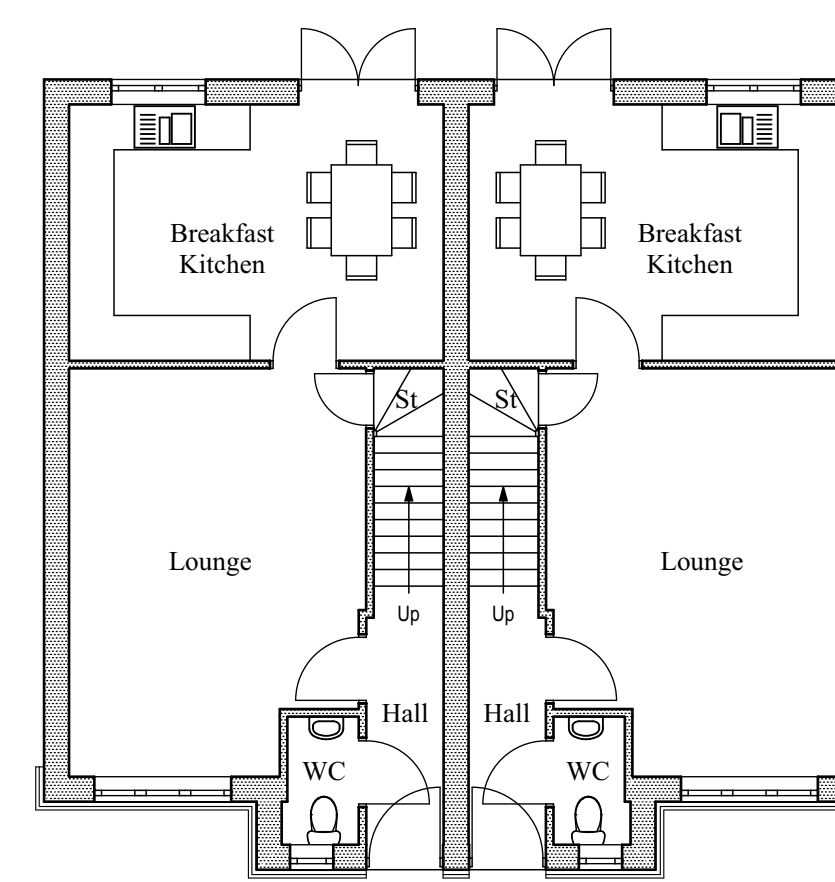
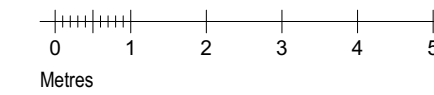


FRONT ELEVATION
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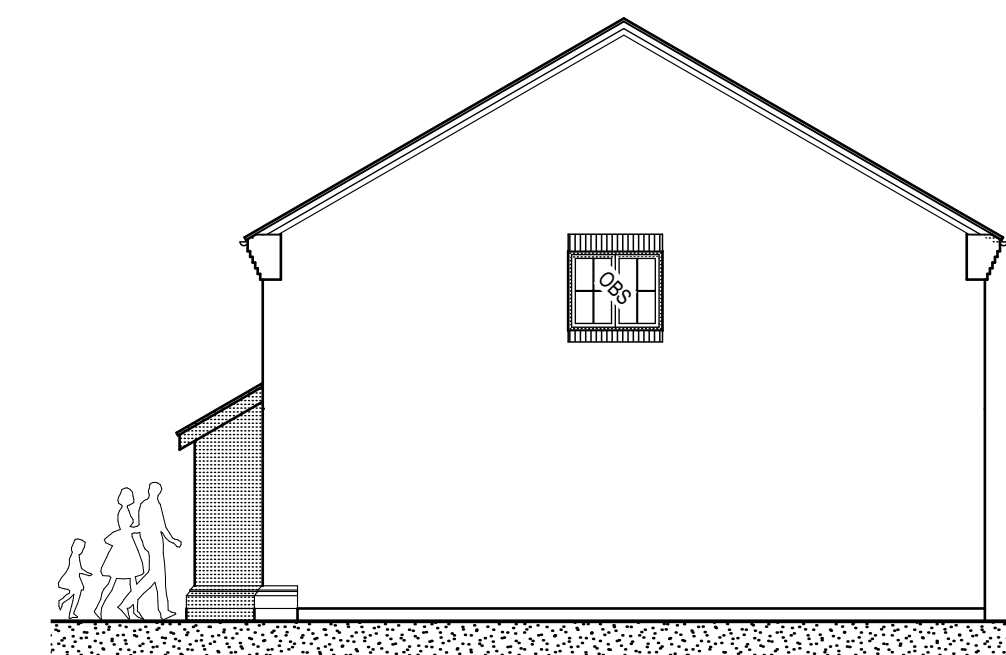


LEFT ELEVATION
SCALE 1:100

TYPE F (PLOTS 8 & 9)
GROUND FLOOR PLAN
SCALE 1:100

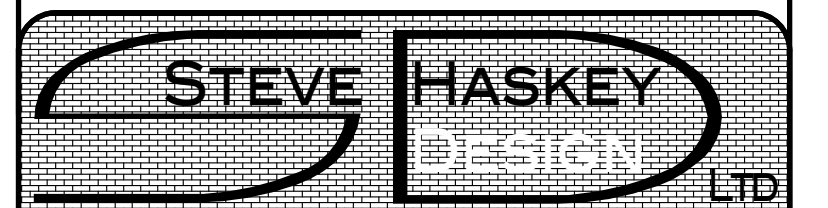


REAR ELEVATION
SCALE 1:100



RIGHT ELEVATION
SCALE 1:100

REVISIONS
A: House Type F added to sheet layout. MPW 27/03/2015



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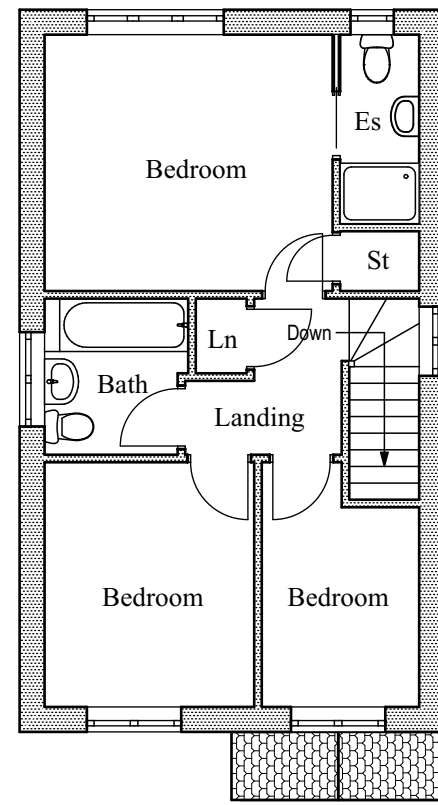
Project Proposed Residential Development
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Lower Gornal
Dudley
DY3 2DZ
Client Eden Properties Ltd.

Sheet SCHEME DRAWINGS
TYPE E & F - Plans & Elevations
Sheet Size A1

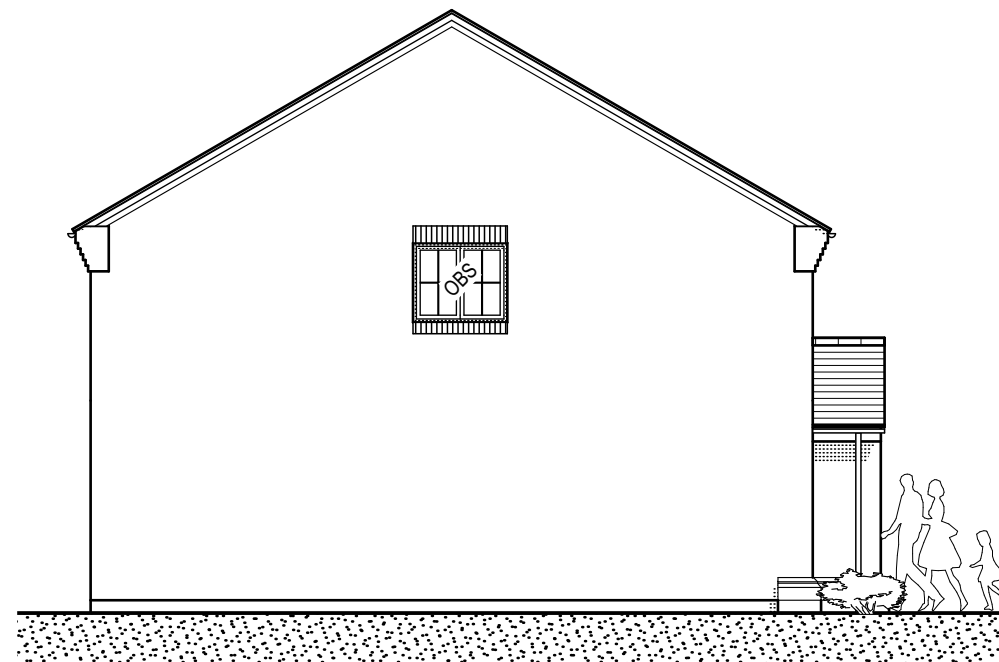
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Drawing Number 14-24-07A

Date November 2014

TYPE C
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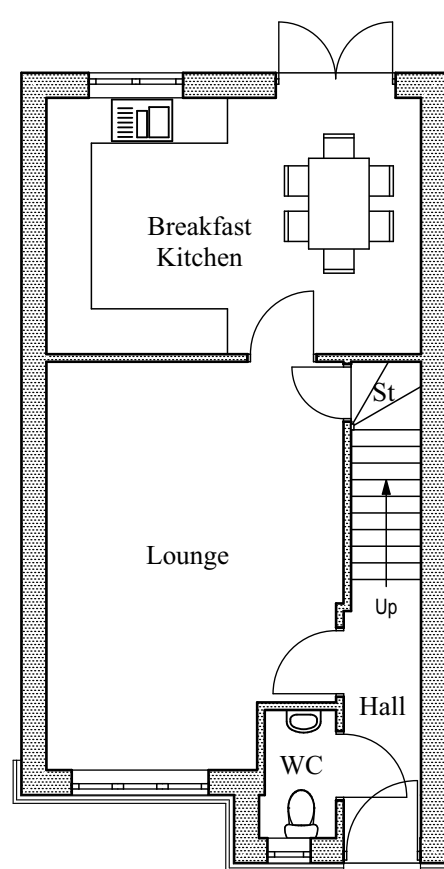
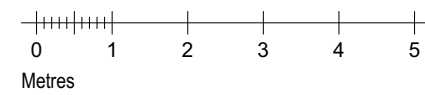


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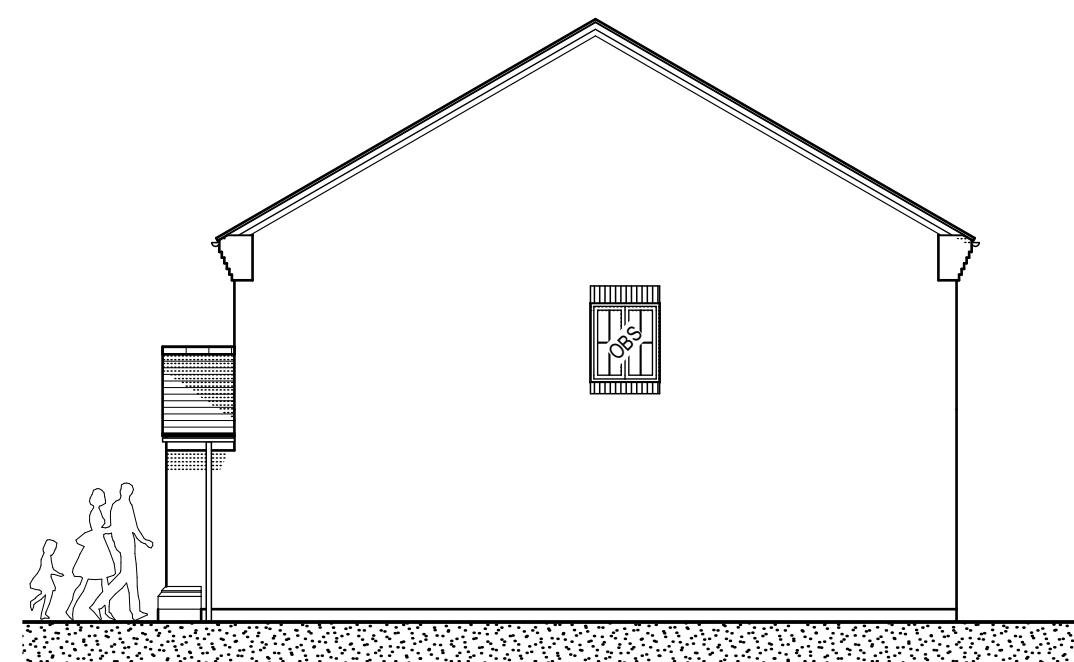


LEFT ELEVATION
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TYPE C (PLOTS 11 & 12)
GROUND FLOOR PLAN
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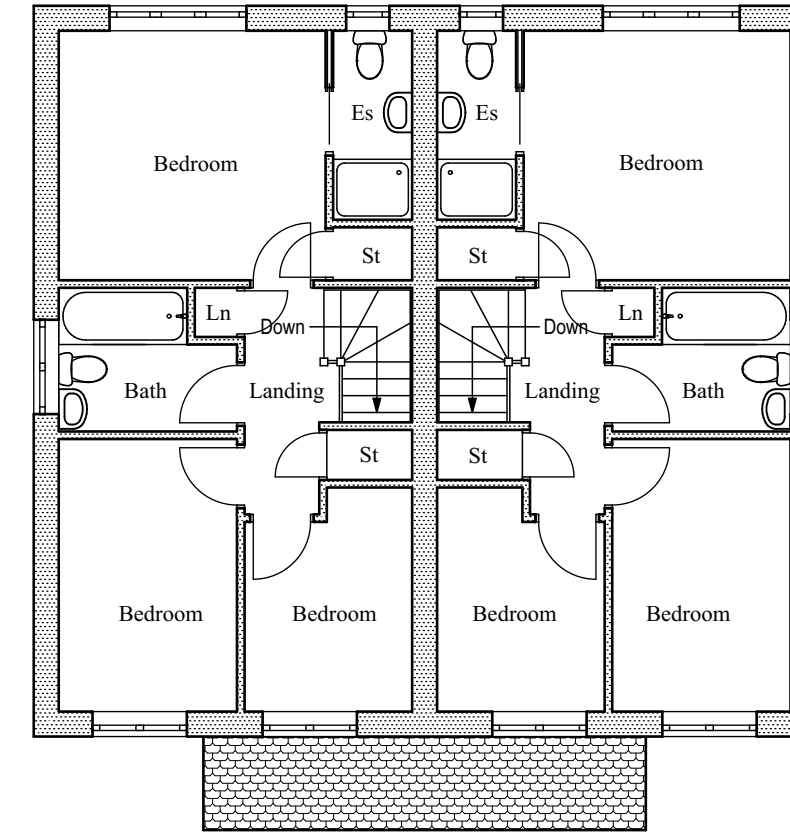


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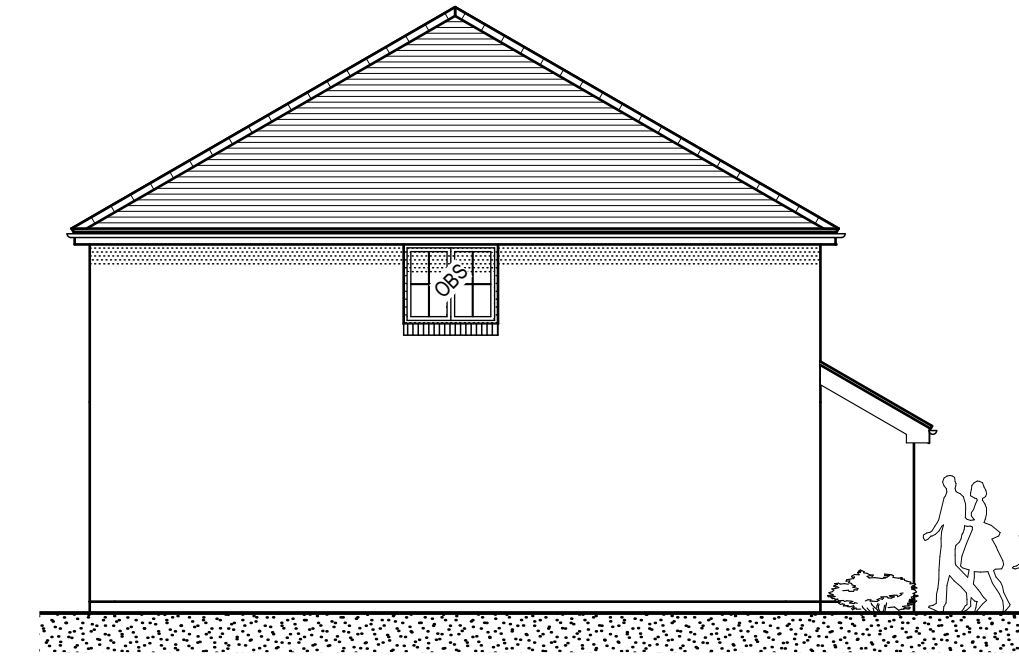


RIGHT ELEVATION
SCALE 1:100

TYPE D
FIRST FLOOR PLAN
SCALE 1:100

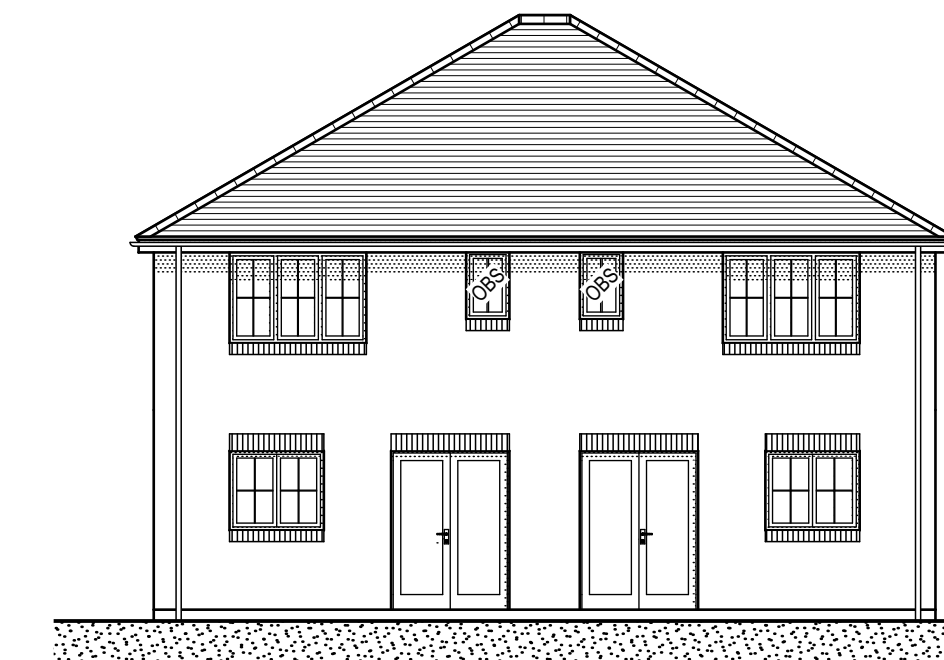
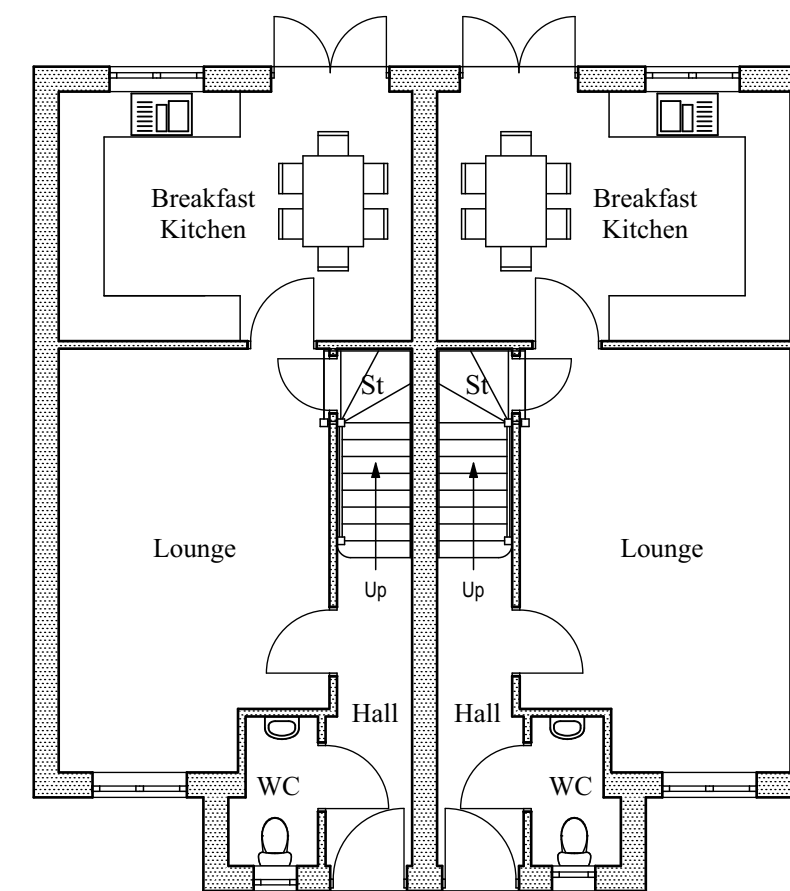
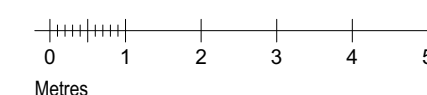


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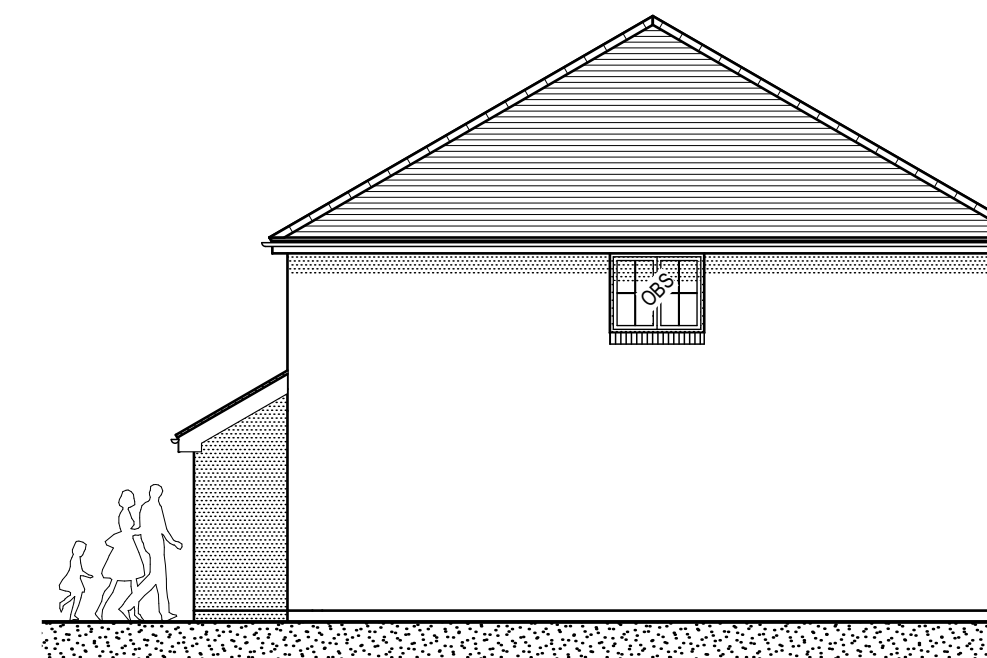


LEFT ELEVATION
SCALE 1:100

TYPE D (PLOTS 13 & 14)
GROUND FLOOR PLAN
SCALE 1:100



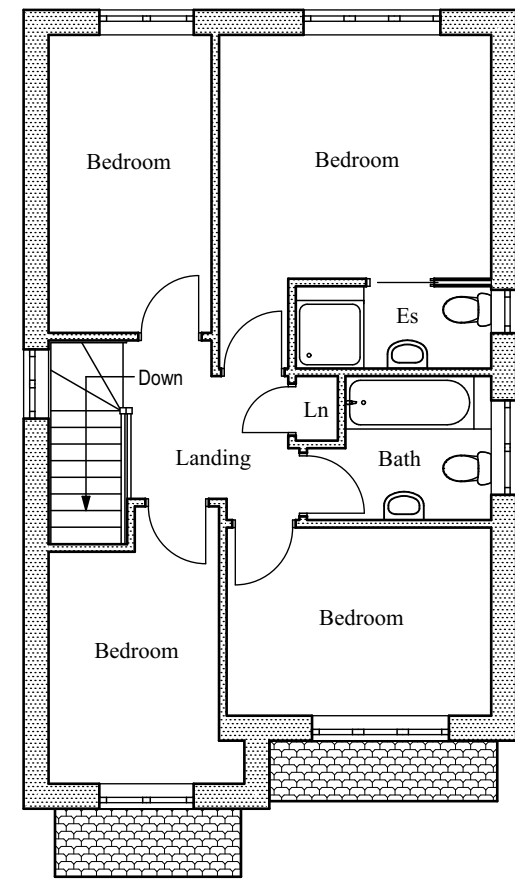
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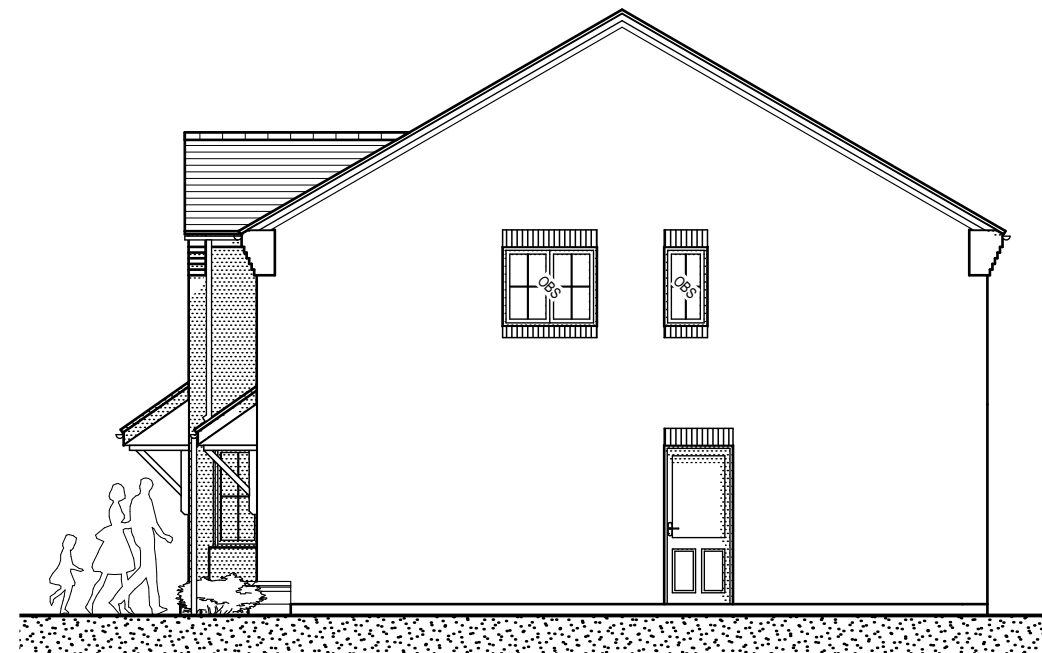
RIGHT ELEVATION
SCALE 1:100

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Client Eden Properties Ltd.	
Sheet SCHEME DRAWINGS TYPE C & D - Plans & Elevations	Sheet Size A1
Scale 1:100	Drawing Number 14-24-06
Date November 2014	

TYPE A
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SCALE 1:100

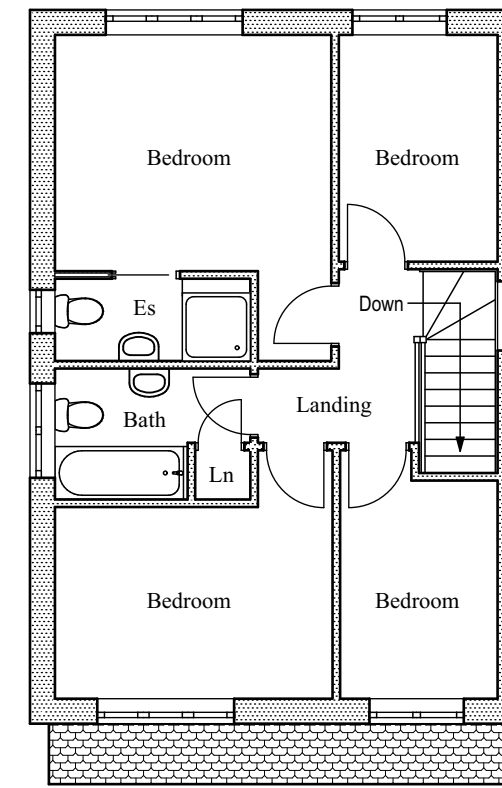


FRONT ELEVATION
SCALE 1:100



RIGHT ELEVATION
SCALE 1:100

TYPE B
FIRST FLOOR PLAN
SCALE 1:100

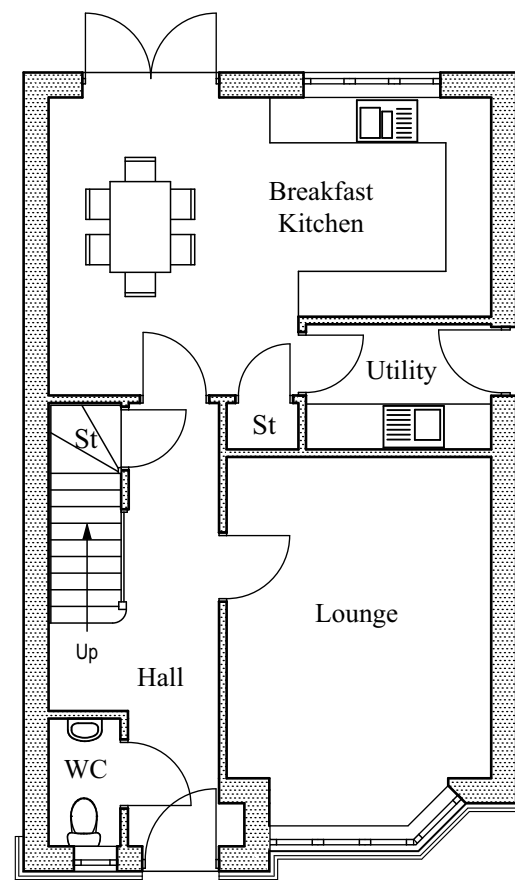
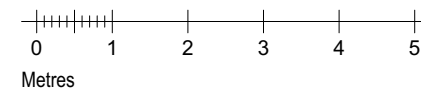


FRONT ELEVATION
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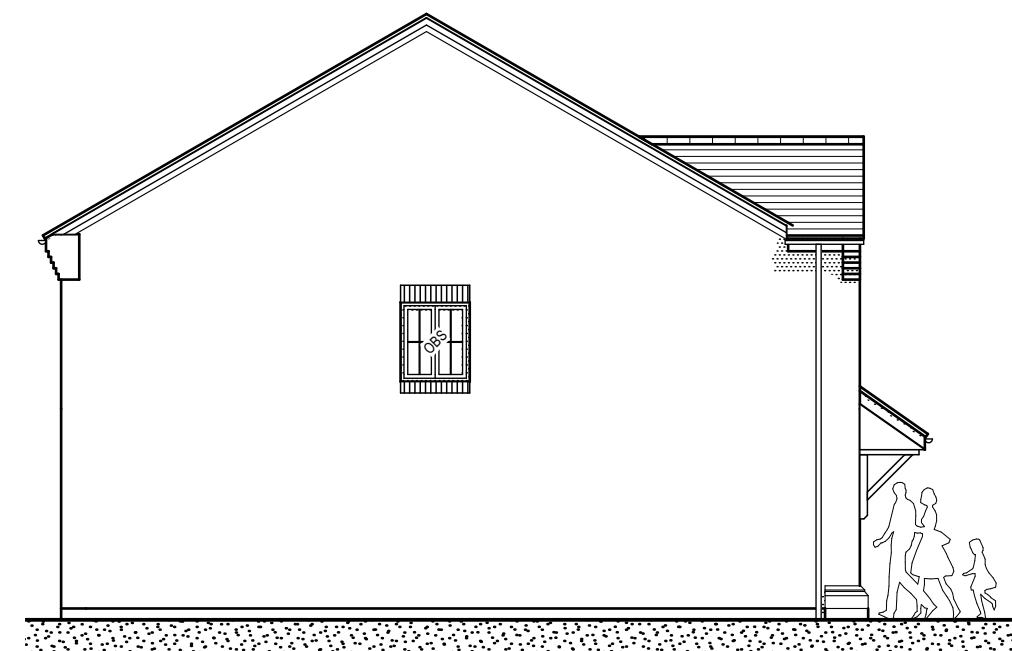


LEFT ELEVATION
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TYPE A (PLOTS 3 & 4)
GROUND FLOOR PLAN
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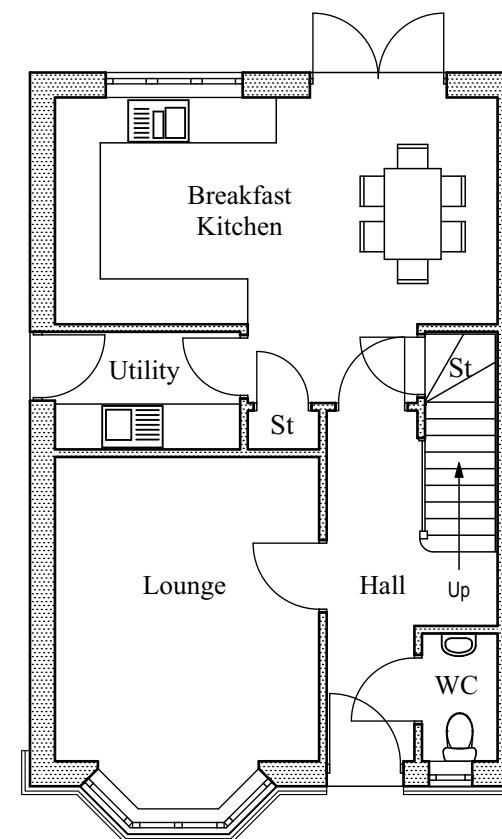
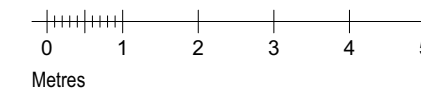


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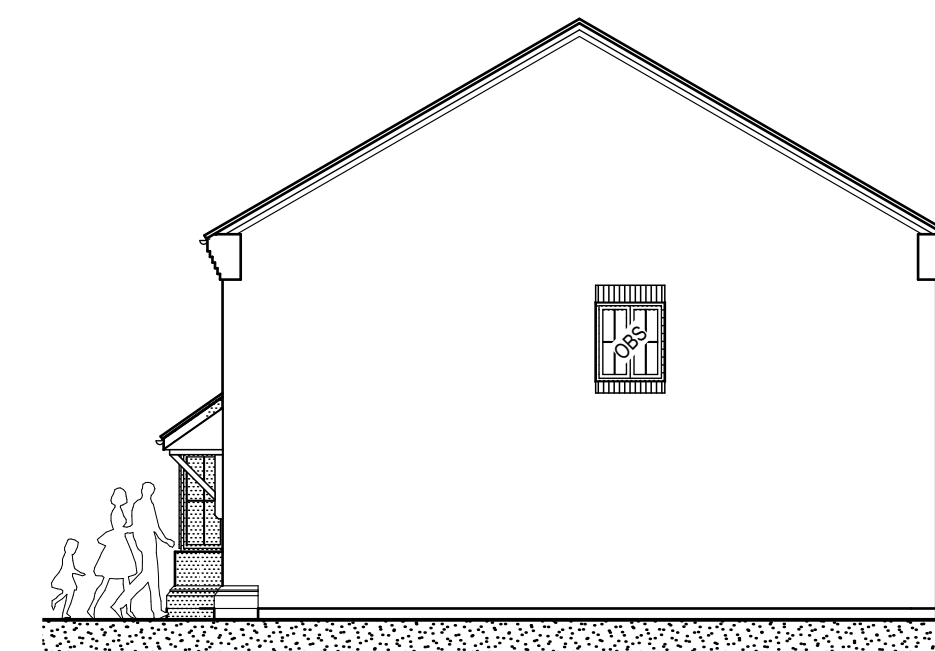


LEFT ELEVATION
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TYPE B (PLOTS 5 & 6)
GROUND FLOOR PLAN
SCALE 1:100

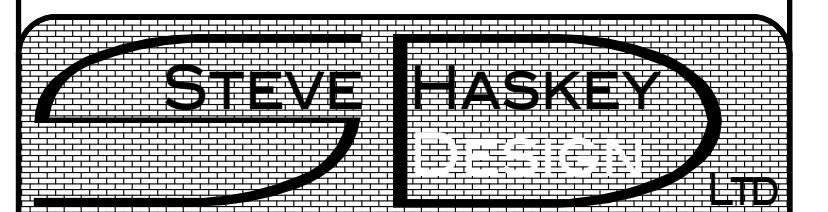


REAR ELEVATION
SCALE 1:100



RIGHT ELEVATION
SCALE 1:100

REVISIONS		PJL 05/01/2015
A: Garage illustrated to Type B house.		
B: House Type A handed. House Type B detached from garages.		MPW 27/03/2015



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Dudley
DY3 2DZ
Client Eden Properties Ltd.

Sheet SCHEME DRAWINGS
TYPE A & B - Plans & Elevations
Sheet Size A1

Scale 1:100
Date November 2014
Drawing Number 14-24-05B

PLANNING APPLICATION NUMBER: P15/0033

Type of approval sought	Full Planning Permission
Ward	Upper Gornal & Woodsetton
Applicant	Mr Stephen Poole
Location:	169, IVYHOUSE LANE, COSELEY, BILSTON, WV14 9LA
Proposal	ERECTION OF 5 NO. DWELLINGS, DETACHED GARAGE AND NEW VEHICULAR ACCESS
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The site comprises a grazing paddock, stable block, horse exercise areas and areas of hardstanding, situated at the rear of 169 Ivyhouse Lane. It is roughly rectangular in shape and extends over 0.14 hectares, sloping gently from north to south with a 4m fall over 60 metres. The site is surrounded on all sides by existing residential development (the rear gardens of properties to the east on Ivyhouse Lane and Fern Close and to the west on Andersleigh Drive). The site is currently accessed via a driveway to the north at the side of 169 Ivyhouse Lane and to the south via access gates off Andersleigh Drive at the head of the cul-de-sac.

PROPOSAL

2. This is an application for the erection of five houses at the site (4no. two-bed semi-detached and 1no.3 –bed detached). Access to the site will be provided at the southern end of the site from Andersleigh Drive. Nine parking spaces are to be provided for the semi-detached houses and each property would have an 11m long garden. The detached house would have two parking spaces and a 10m long garden. No changes are proposed to the existing eastern and western boundaries except for the erection of a 2m high wall and fence along part of the south eastern boundary to replace existing chain link fencing.

HISTORY

3.

APPLICATION No.	PROPOSAL	DECISION	DATE
P05/2484	Erection of 2no. semi-detached and 2no. detached dwellings	Approved Subject to Conditions	December 2005
P10/0317	Erection of 4no. dwellings	Approved Subject to Conditions	April 2010

Application P05/2484 was the resubmission of a 2004 application for the erection of 5 houses, which was refused on the grounds that the proposed erection of three-storey dwellings would be inappropriate and out-of-character with the surrounding area.

PUBLIC CONSULTATION

4. Notification letters have been sent to 29 properties and a site notice posted. 5 letters of objection have been received, raising the following concerns over the proposal:

- Loss of privacy;
- Overshadowing;
- Noise nuisance;
- Additional vehicular traffic on Andersleigh Drive and Ivyhouse Lane constitutes a highway safety hazard;
- Location of bin store adjacent to neighbouring garden;
- The design of the proposed buildings is out of keeping with the area;
- Disruption to the amenities of local residents during construction works.

OTHER CONSULTATION

5. Head of Environmental Health and Trading Standards: No objection.

Group Engineer (Highways): No objection.

Coal Authority: No objection subject to a condition requiring site investigation works to be carried out.

RELEVANT PLANNING POLICY

6. National Planning Policy 2012
National Planning Policy Framework (NPPF)

Black Country Core Strategy 2011

Policy HOU1 (Delivering Sustainable Housing Growth)

Policy HOU2 (Housing Density, Type and Accessibility)

Policy DEL1 (Infrastructure Provision)

Saved 2005 UDP Policies

Policy DD1 (Urban Design)

Policy DD4 (Development in Residential Areas)

Supplementary Planning Guidance

New Housing Development SPD

Parking Standards SPD

Planning Obligations SPD

7. The key issues are:-

- Principle;
- Impact upon the character of the area;
- Impact upon local residents;
- Highway safety;
- Planning Obligations

Principle

8. The principle of the development of this site for housing purposes has previously been established by the granting of permission for applications P05/2484 and P10/0317. The proposal complies with the advice given in the NPPF that housing applications should be considered in the context of the presumption in favour of sustainable development (the site being within a highly sustainable urban location). The development also accords with Policy HOU1 of the Core Strategy which seeks the provision of 95% of new build housing on previously developed land.

Impact upon the character of the area

9. Policy HOU2 of the Core Strategy states that the density and type of new housing provided on each site will be informed by, amongst other things, the need to achieve high quality design and minimise amenity impacts. Saved Policy DD1 requires that developments should make a positive contribution to the appearance of an area. Policy DD4 of the UDP states that new developments should not have any adverse impact on the character of an area.

10. The density of the proposed development is 36 dwellings per hectare, which accords with Policy HOU2 requirements that new developments should be built at a density of a minimum of 35 dwellings per hectare. The proposed houses are of an appropriate scale and acceptable design in the context of the existing type of

dwellings in the vicinity of the site. The amount of amenity space to be provided for the houses complies with the guidelines set out in the New Housing Development SPD. It is considered that the development will provide a high quality of design and would have a positive impact on the character of the area and as such the development accords with Policy HOU2 of the Core Strategy and Saved Policies DD1 and DD4 of the UDP.

Impact upon local residents

11. The siting of the houses at the northern end of the site is broadly similar to that of those proposed by the previous application. There is not a direct back to back relationship between the proposed and non host, existing dwellings on Ivyhouse lane such that the 19m (rather than 22m face to face) separation distance is considered to be appropriate. There has been no change in the Council's method of assessing the impact of development upon adjoining and nearby residents in terms of light, outlook and overshadowing (Policy DD4 being applicable now and at the time of the assessment of those applications); therefore, it is considered that there would be no adverse effect upon neighbours of the development.
12. The applicant has amended the site layout to show the bin store as a refuse collection point and has advised that bins will normally be contained in rear garden areas - on bin collections days the residents will position their bins at the refuse collection point so that they can be emptied by the refuse collectors in the normal way.
13. The issue of disruption during construction works is not a material consideration in the assessment of a planning application. The applicant has advised that the development will take approximately nine months to build. The site area is sufficient to allow a building compound / parking /unloading areas to be contained within it, as is normally the case with developments of such scale.

14. In view of the above it is considered that the proposal complies with Saved Policy DD4 which requires that development should not have any adverse impact on residential amenity.

Highway Safety

15. Parking provision is in accordance with the standards set out in the Parking Standards SPD for 2 and 3 bedroom houses and as such the development will not lead to any on-street parking. The Group Engineers has not raised any concerns in relation to access arrangements, therefore the development will not have any adverse effect on highway safety and in this respect the proposal complies with Saved Policy DD4 of the UDP.

Planning Obligations

16. In accordance with Policy DEL1 of the Core Strategy and the Planning Obligations SPD, the development triggers a requirement for the provision of improvements to air quality, public realm and nature conservation. A condition can be imposed requiring the details of electric vehicle charging points within the development, which will help to improve air quality. Similarly details of the proposed boundary treatment at the southern end of the site, as well as the use of high quality surfacing materials within the proposed parking areas, will create attractive features within the street scene that will contribute to the improvement of the public realm. The provision of bird boxes and wildlife landscaping, to be sought by condition, will help to achieve nature conservation improvements.

New Homes Bonus

17. Clause (124) of the Localism Act states that local planning authorities are to have regard to material considerations in dealing with applications including any local finance considerations, so far as material to the application.

18. The New Homes Bonus is designed to create an effective fiscal incentive to encourage local authorities to facilitate housing growth. It will ensure the economic benefits of growth are more visible within the local area, by matching the council tax raised on increases in effective stock. The Bonus provides local authorities with monies equal to the national average for the council tax band on each additional property and paid for the following six years as a non-ring fenced grant. In addition, to ensure that affordable homes are sufficiently prioritised within supply, there will be a simple and transparent enhancement of a flat rate £350 per annum for each additional affordable home.
19. This proposal would provide 5 houses, generating a grant of 5 times the national average council tax for the relevant bands per annum for 6 years. Whilst this is a significant sum of money the planning merits of the proposal are acceptable in any event and therefore this is not accorded significant weight.

CONCLUSION

20. The proposal would have a positive impact on the character of the area and would have no harmful effect on residential amenity or highway safety. As such the proposal complies with Policy HOU2 of the Core Strategy and Saved Policies DD1 and DD4 of the UDP.

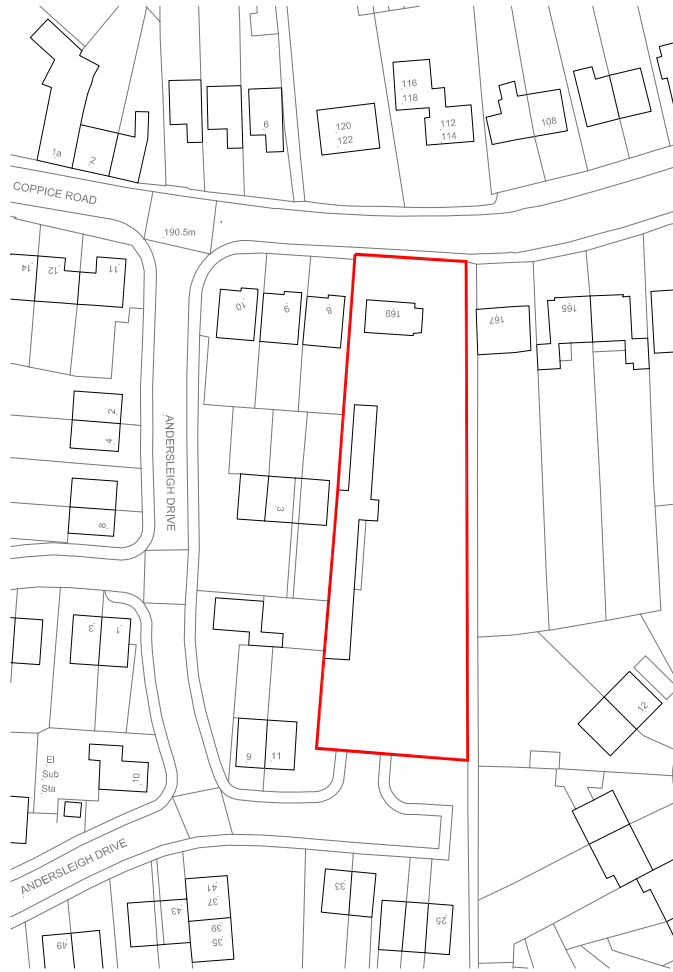
RECOMMENDATION

21. It is recommended that the application be APPROVED subject to the following conditions:

Conditions and/or reasons:

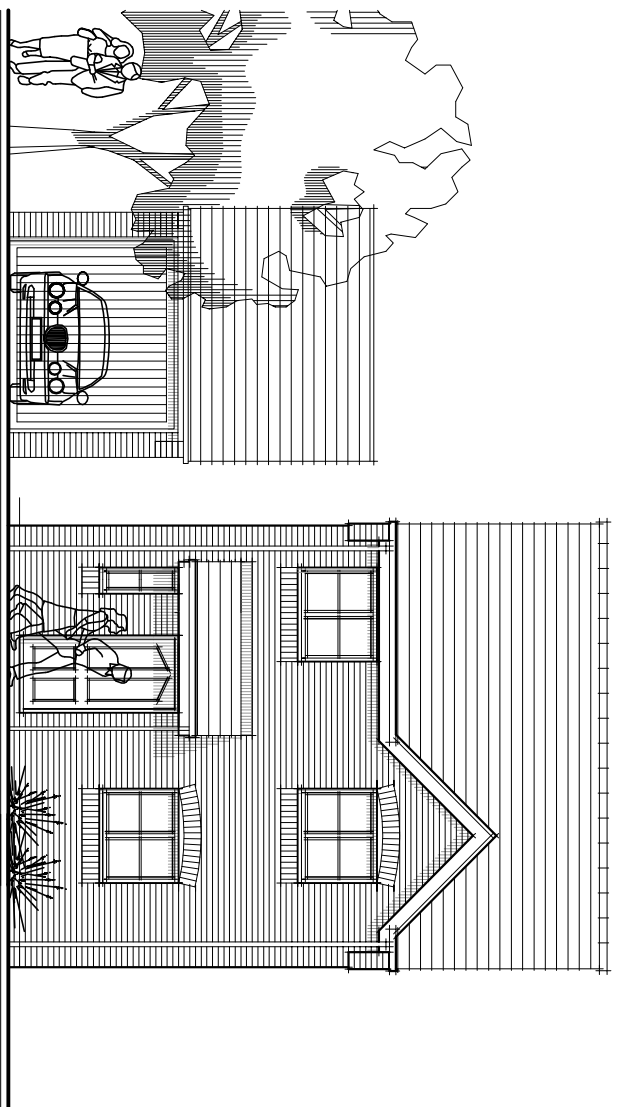
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. No development shall commence until details of nature conservation enhancement works have been submitted to and approved in writing by the Local Planning Authority. The nature conservation enhancement works shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.

3. No development shall commence until details for the provision of external electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. The charging points shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.
4. Prior to the commencement of development, details of the proposed levels of the site (including finished floor levels), which should be related to those of adjoining land and highways, shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved levels.
5. Prior to the commencement of development, details of the types, colours and textures of the materials to be used in the hard surfacing of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details and retained for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.
6. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.
7. Prior to the commencement of development, details of the boundary treatment at the southern end of the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be carried out in complete accordance with the approved details prior to the occupation of the dwellings hereby approved and thereafter retained for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no development referred to in Schedule 2 Part 1 Class A of that order shall be carried out.
9. The development hereby permitted shall be carried out in accordance with the following approved plans: 1188:01b, 1188:03 and 1188:02a.
10. No development shall commence (excluding demolition, site clearance and initial ground works) until details of the access into the site, together with parking and turning area within the site (including details of levels, gradients, cross sections, lighting and drainage) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the access into the site, together with parking and turning area within the site have laid out in accordance with the approved details. These areas shall thereafter be retained and maintained and not be used for any other purpose during the life of the development.
11. Prior to commencement of development site investigation works shall be carried out to establish whether there are mine entries present on the site and remedial works shall be undertaken to treat any shallow mine workings.

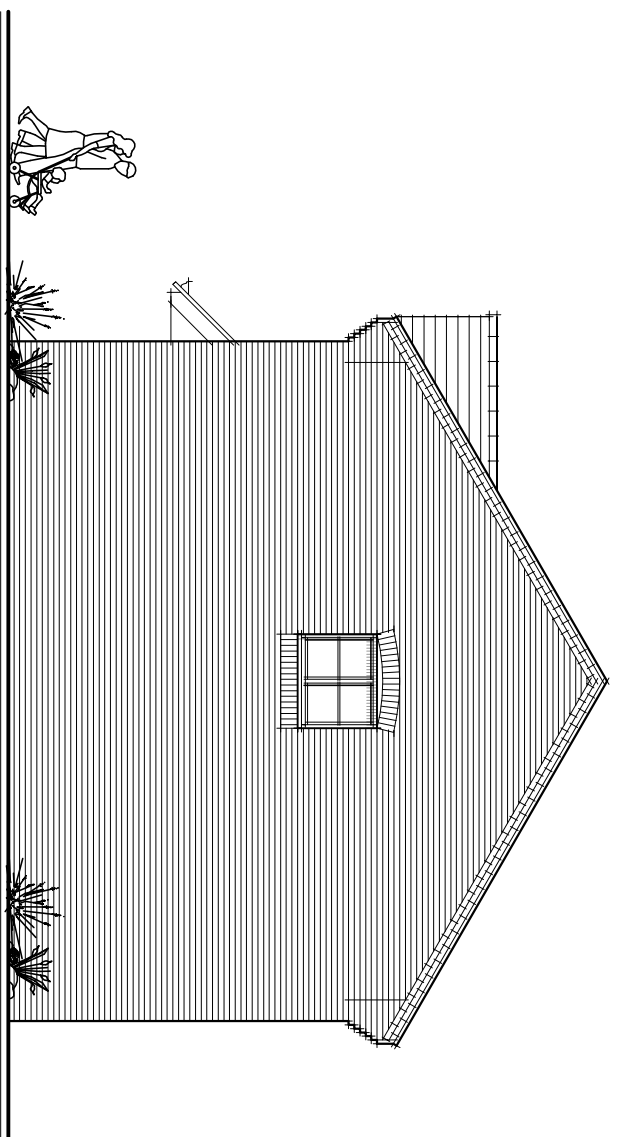


SITE LOCATION PLAN 1:1250 @A4
169 IVYHOUSE LANE, COSELEY, DUDLEY, WV14 9LA

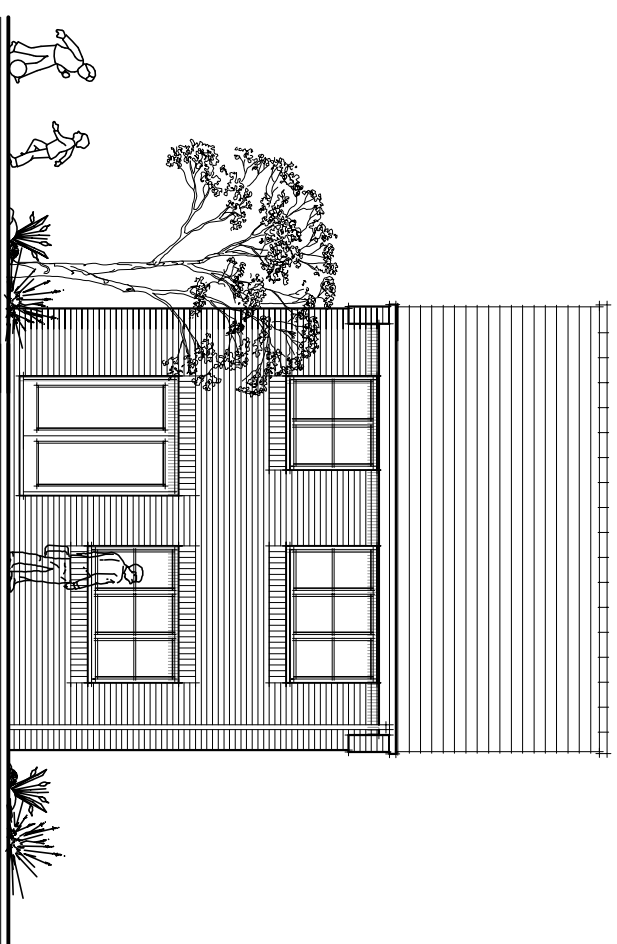
The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts. This drawing must be read with and checked against any structural or other specialist drawings provided. The Contractor is to comply in all respects with the current building regulations whether or not specifically stated on these drawings.



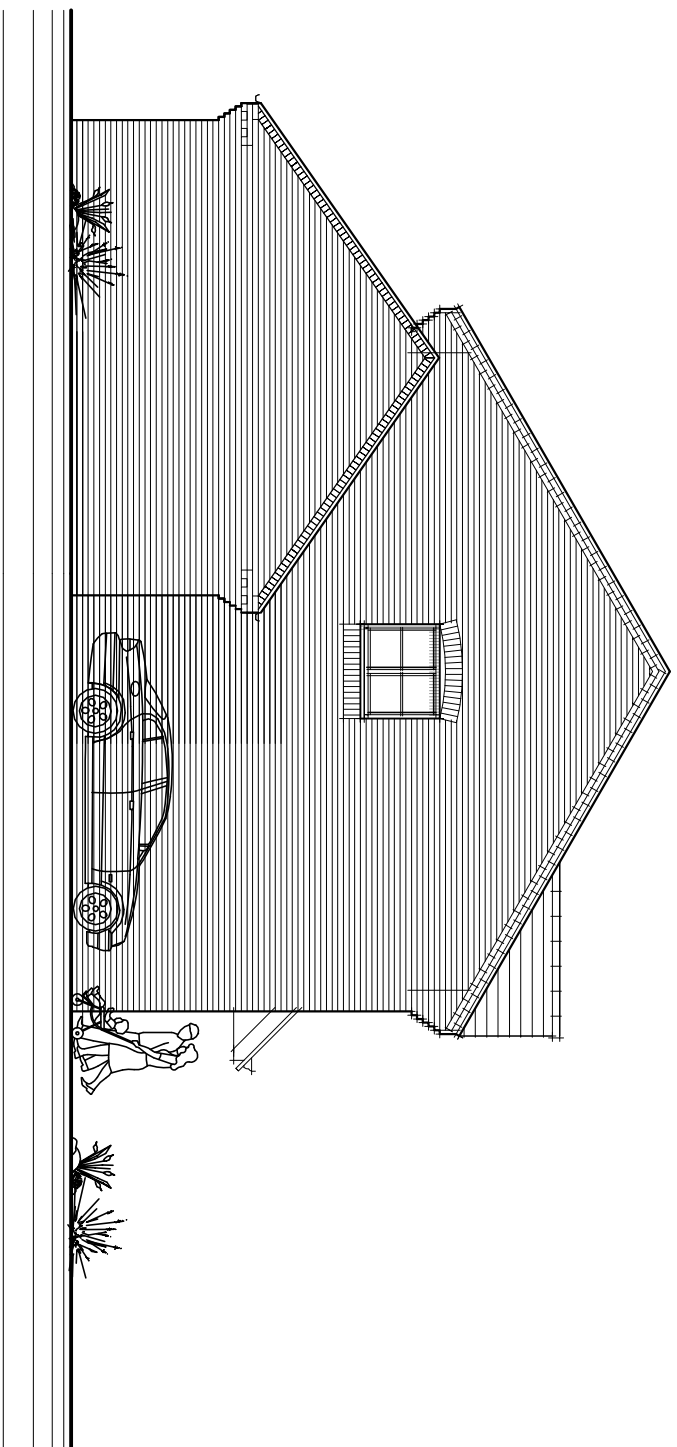
FRONT ELEVATION
PLOT No. 1



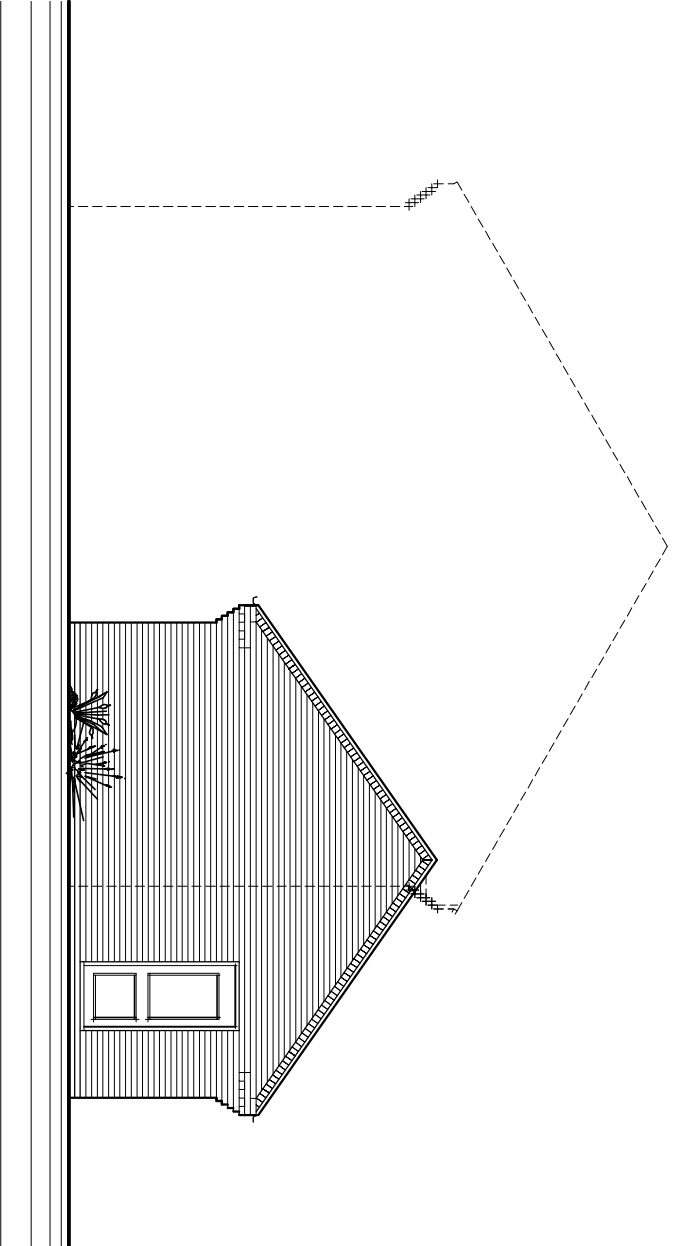
SIDE ELEVATION



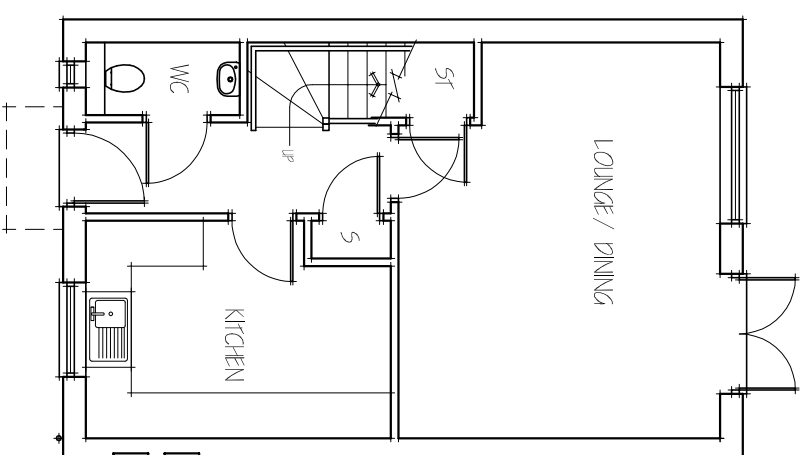
REAR ELEVATION



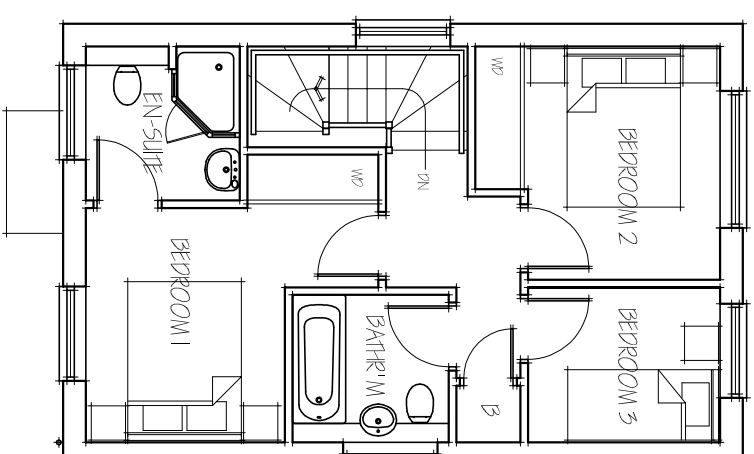
SIDE ELEVATION



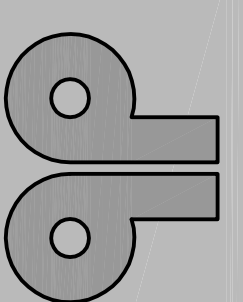
GARAGE SIDE ELEVATION



GROUND FLOOR
PLOT No. 1



FIRST FLOOR



design to build
159 Ivyhouse Lane Coseley
Dudley West Midlands WV14 9LA
Telephone : (01902) 887337
Fax : (01902) 887255
Email : design@build@btconnect.com

Job:

**Proposed Development at
169 Ivyhouse Lane,
Coseley, Biston, WV14 9LA**

Title:

**Proposed House Type Plans
and Elevations
Plot No. 1**

Client:

Mr S Poole

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Scale: 1:100 @ A2 Date: Dec 2014

Drawing No.

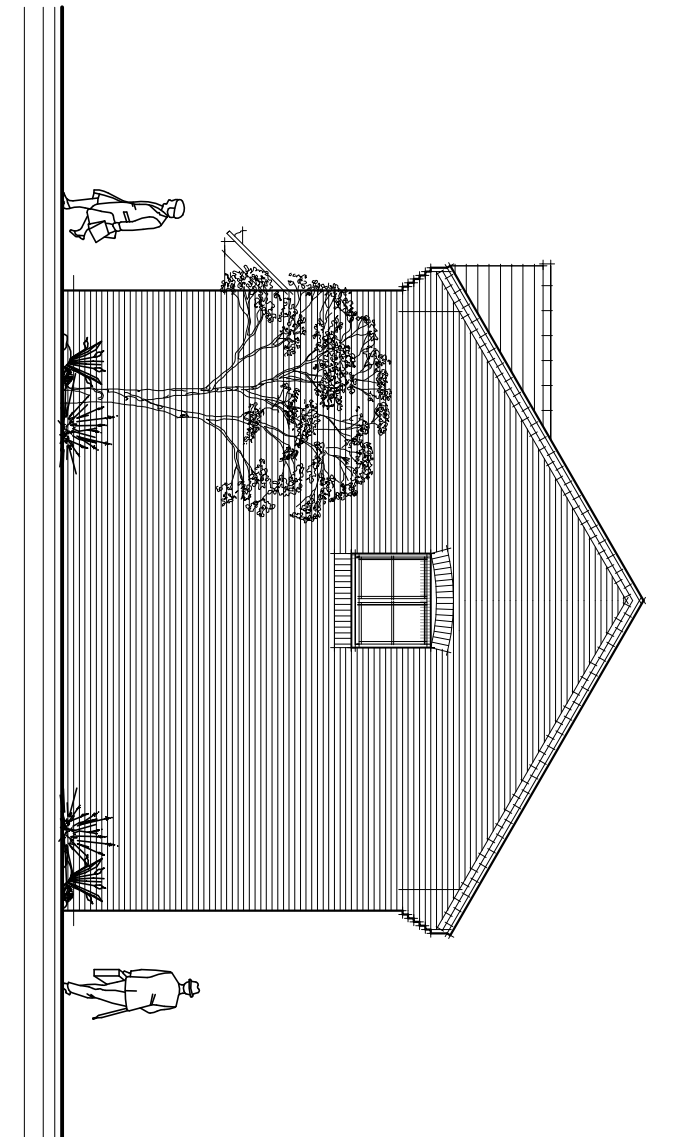
1188:02A

Drawn By: R.T.

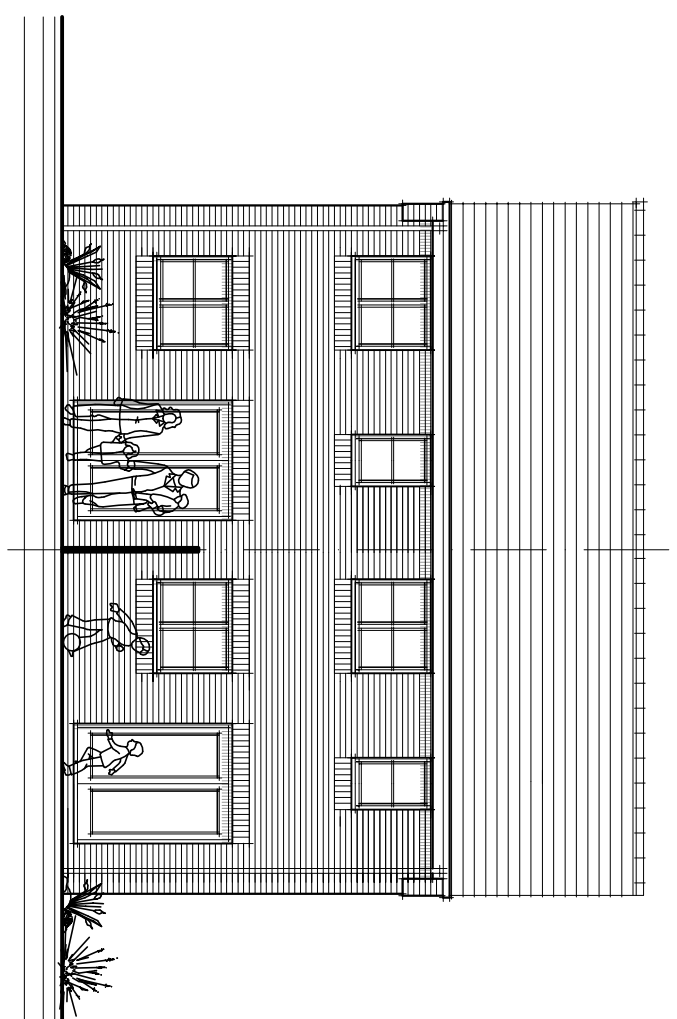
The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts. This drawing must be read with and checked against any structural or other specialist drawings provided. The Contractor is to comply in all respects with the current building regulations whether or not specifically stated on these drawings.



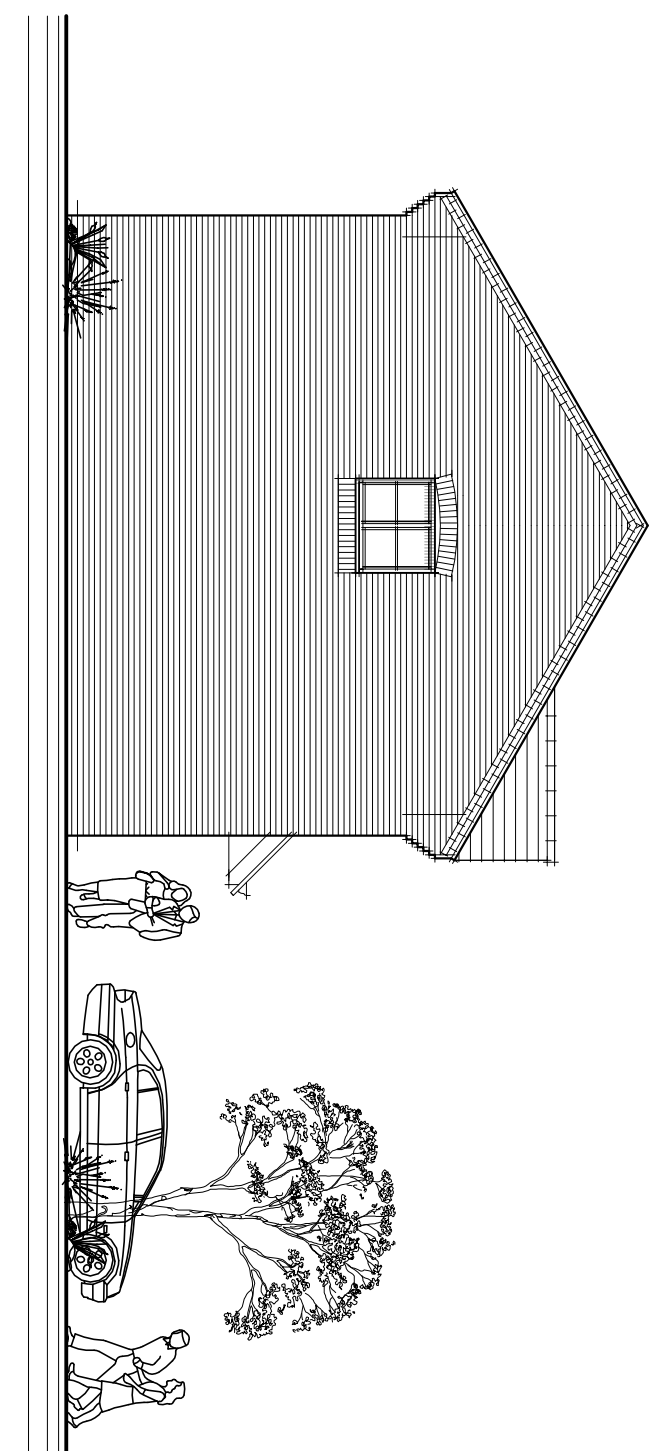
FRONT ELEVATION
PLOT No's 2/3 & 4/5 (HANDRED)



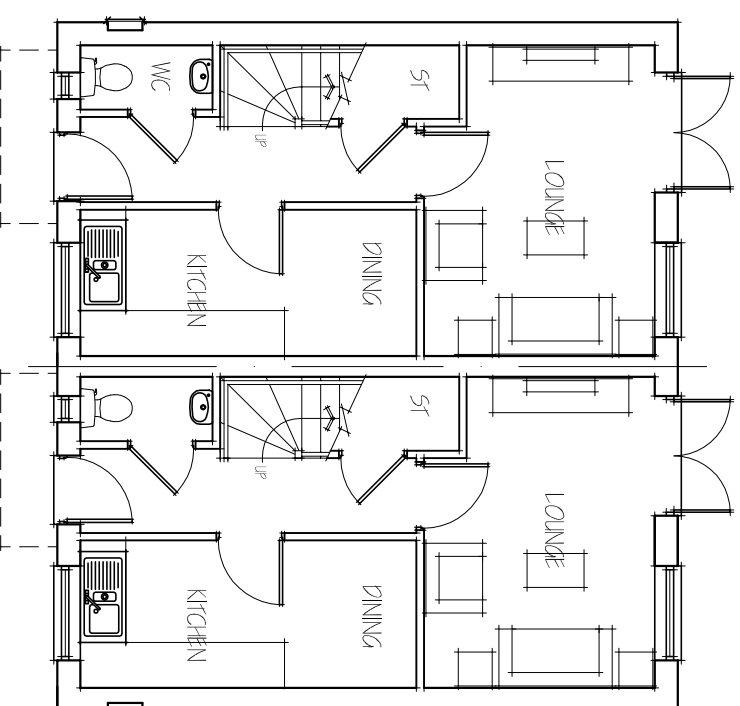
SIDE ELEVATION



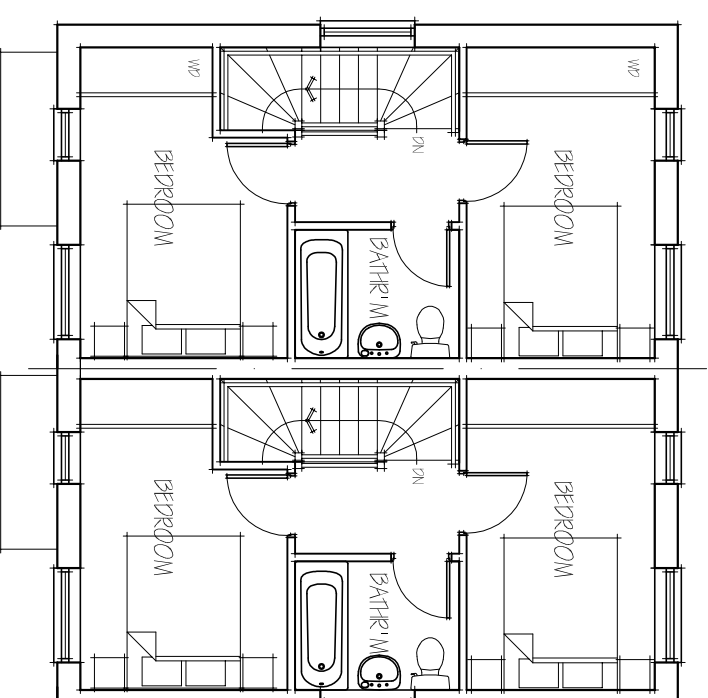
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN
PLOT No's 2/3 & 4/5 (HANDRED)



FIRST FLOOR PLAN



159 Ivyhouse Lane Coseley
Dudley West Midlands WV14 9LA
Telephone : (01902) 887337
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Email : design@dbtobuild@btconnect.com

Job:

**Proposed Development at
169 Ivyhouse Lane,
Coseley, Bilston, WV14 9LA**

Title:

**Proposed House Type Plans
and Elevations
Plot No.s 2,3 & 4,5**

Client:

Mr S Poole

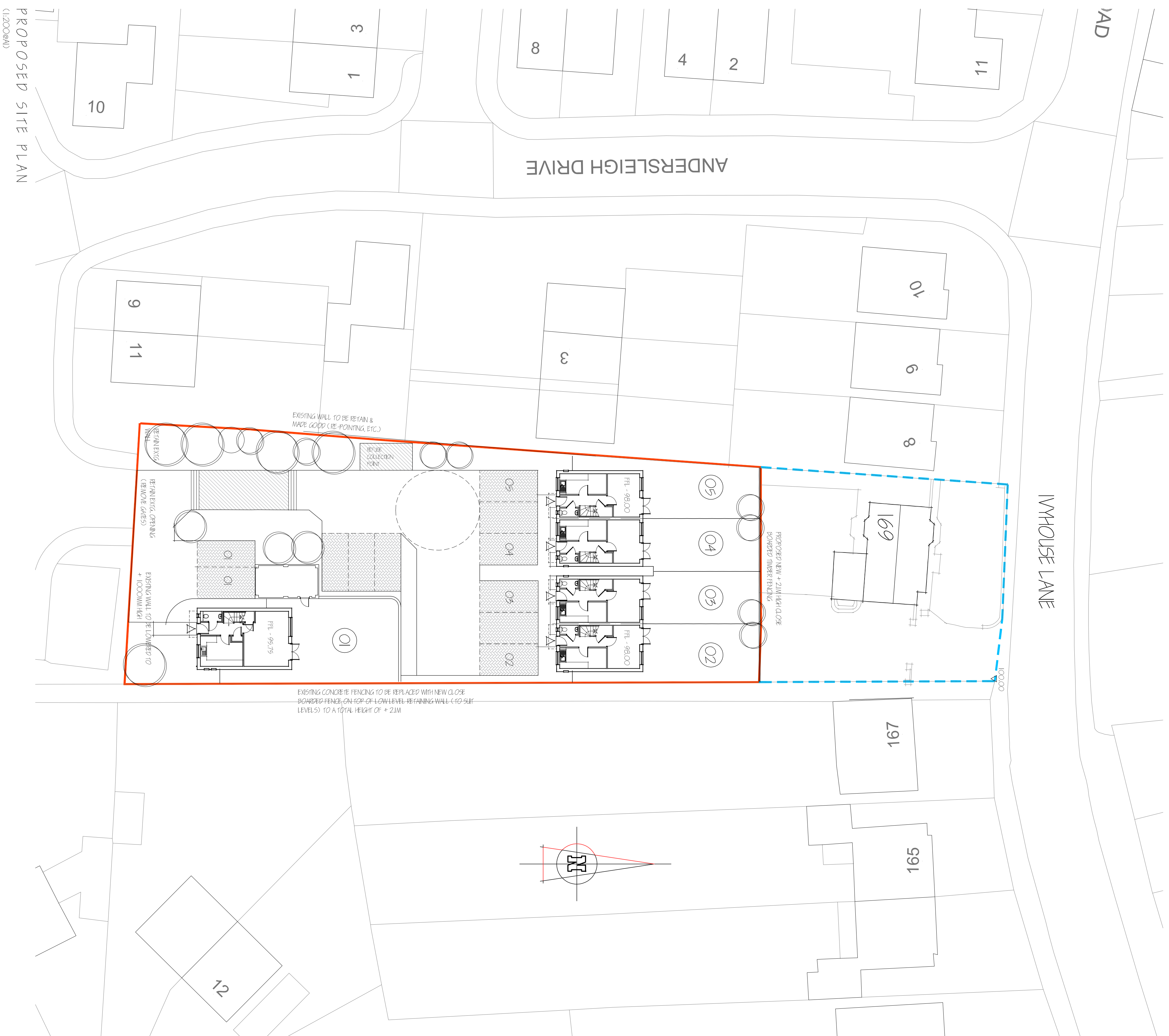
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Scale: 1:100 @ A2 Date: Dec 2014

Drawing No.

1188:03

Drawn By: R.T.



PROPOSED SITE PLAN
(1:200@A1)

NOTE: Ordnance Survey Datum unknown, All Levels are relative to Benchmark Level Set at 100.00.

The Contractor is to check and verify all building and site dimensions from a survey of level levels of existing points before work starts. This drawing must be used with care and checked against any structural or other specialist drawings provided. The Contractor is to comply in all respects with the current building regulations in force at the time of the drawing. The Contractor shall be responsible for any and all specifications stated on these drawings.

Notes

REV B	BIN STONE REPLACED WITH REFURSE	15.04.2015
REV A	BOUNDARY TREATMENTS ADDED	10.03.2015

db design to build
 139 Ivyhouse Lane, Coseley
 Dudley, West Midlands, B87 2JX
 Telephone : (01902) 887255
 Email : design@dbuild@btconnect.com

Job:
**Proposed Development at
 169 Ivyhouse Lane,
 Coseley, Bilston, WV14 9LA**

Title:
Proposed Site Plan

Client:
Mr S Poole

Scale: 1:200/100 @A1 Date: DEC 2014
 Drawing No. **1188:01b**
 Drawn By: RT

PLANNING APPLICATION NUMBER: P15/0383

Type of approval sought	Tree Preservation Order
Ward	Belle Vale
Applicant	Mr Steve Walker, Midland Forestry Limited
Location:	VACANT LAND (FORMER CLUB), BUNDLE HILL, HALESOWEN
Proposal	FELL 1 COPPER BEECH; FELL 1 BLACK LOCUST; FELL 1 SYCAMORE AND FELL 1 CORSICAN PINE
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

Application No.	P15/0383				
Location:	VACANT LAND (FORMER CLUB), BUNDLE HILL, HALESOWEN	Proposal Summary:	Fell 1 Copper Beech; Fell 1 Black Locust; Fell 1 Sycamore; Fell 1 Corsican Pine.		
Site Visit Date:	08/04/2015	Site Notice Displayed?	N	Site Notice Expiry Date:	N/A
Tree Preservation Order Number / Year:	TPO/126 (1982) – A2 / TPO/116 (1981) – G1				
Key Site and Surroundings: (bullet points)	<ul style="list-style-type: none"> The trees subject to this application are situated on the site of the former Royal British Legion Club in Bundle Hill. The site has a significant number of trees present in various groups though out the site, with notable a large beech tree in the centre of the site. The trees prominently visible from various vantages in the area. The TPOs on the site are comprised of a number of 		Relevant Application History?	P13/0399 – Pollard one Poplar to 10 metres – Approved with conditions	

	smaller area orders, a group order and a number of individually protected trees. The whole site is not covered by a blanket order.				
Public Consultation Responses?	Yes	If Yes, how many? (Support, Objection, Comment)	Support	Objection	Comment
			0	6	1
Key issues raised:		Response to comments:			
A number of the objectors raise concerns that this application has been submitted in order to get permission for felling a number of trees on the site in order to provide more space and an access road for future development.		<p>Given the location of the trees that are proposed to be felled under this application it is not considered that the proposed works would “free up” any land for the benefit of development. The trees subject to the application are all around the exterior of the site, often in areas that have little potential for development.</p> <p>The agent for the application has confirmed that the proposed works are all works that were identified for health and safety reasons in a condition assessment that was undertaken in 2013 following the partial failure of a large Poplar tree in the northern wooded section of the site. On inspection the condition of the trees and the proposed works were found to be consistent with health and safety works.</p> <p>A number of the objections related to the potential impacts of any further development. Whilst development of the site is likely to come forward in the near future, issues relating to the impact on the development of the site need to be considered as part of the planning application for the development. Under this application the only issues that can be considered are those that relate directly to the proposed tree works and the resulting</p>			

	impact on the amenity of the area.
The removal of trees will have an adverse impact on the wild life habitat on the site.	The site is undoubtedly one of high value for wildlife in the area and will host a large number of species. The works subject to the application will require the removal of four trees from the site which has an estimated 150 trees present. As such no detrimental impact on the site is foreseen.
The trees located on the bank above High Leasowes help to stabilise the bank. Any removal of these trees could result in soil erosion.	No tree works are proposed in relation to the tree adjacent to the High Leasowes. As such there are no concerns in relation to the trees impact on the stability of the bank.
Removal of the trees on the bank above High Leasowes could create overlooking issues with any future development	No tree works are proposed in relation to the tree adjacent to the High Leasowes. As such there are no concerns in relation to potential overlooking.
The comment received state no objections to the proposed felling but asked if further works could be under taken	Only the works proposed under this application can be considered. The Council has no powers to grant permission for additional works that have not been proposed.

Tree(s) Appraisal – Tree 1

Species:	Pine	Height (m):	5	Spread (m):	9
DBH (mm):	250	Age Class:	Early Mature	Overall Health:	Poor
Structural Concerns?	No	Comments on structure:	Tree is being suppressed by adjacent larger Pine trees. The tree has very sparse live foliage and appears to be in terminal decline. It is considered that the tree will die within the next 5 years.		
Light obstruction:	No	Physical damage:	None Evident	Surface disruption:	None Evident

Amenity Assessment

Visible:	Only as a minor part of wider group	Prominence?	Low	Characteristic of the Area?	Yes
Overall Amenity Value? (High, Medium, Low, None):	Low				

Tree(s) Appraisal – Tree 2

Species:	Copper Beech	Height (m):	10	Spread (m):	9
DBH (mm):	300	Age Class:	Early Mature	Overall Health:	Poor
Structural Concerns?	No	Comments on structure:	Some deadwood in canopy; Kretzchmaria deusta decay fungi present at base with associated decay; Failure likely in future		
Light obstruction:	No	Physical damage:	None Evident	Surface disruption:	None Evident
Amenity Assessment					
Visible:	Yes	Prominence?	Moderate	Characteristic of the Area?	Yes
Overall Amenity Value? (High, Medium, Low, None):		Moderate			
Tree(s) Appraisal – Tree 3					
Species:	Robinia (Black Locust)	Height (m):	13	Spread (m):	7
DBH (mm):	450	Age Class:	Mature	Overall Health:	Poor
Structural Concerns?	No	Comments on structure:	Tree appears to be in decline with substantial deadwood present in the crown. There is significant decay present in the base. Failure will become increasingly likely in the near future		
Light obstruction:	Yes	Physical damage:	None Evident	Surface disruption:	None Evident
Amenity Assessment					
Visible:	Yes	Prominence?	Moderate	Characteristic of the Area?	Yes
Overall Amenity Value? (High, Medium, Low, None):		Moderate			
Tree(s) Appraisal – Tree 4					
Species:	Sycamore	Height (m):	9	Spread (m):	7
DBH (mm):	400	Age Class:	Early Mature	Overall Health:	Good / Moderate
Structural Concerns?	Yes	Comments on structure:	Tree has included a significant section of the adjacent chain link fence. Continued growth is likely to cause further damage to this and the more substantial fence behind the tree.		

			Its removal is recommended in order to prevent further damage to both fences.		
Light obstruction:	No	Physical damage:	Yes to fences	Surface disruption:	None Evident
Amenity Assessment					
Visible:	Yes	Prominence?	Low	Characteristic of the Area?	Yes
Overall Amenity Value? (High, Medium, Low, None):	Low,				
Further assessment if not covered:					
<p>The applicant has proposed the works as part of the ongoing management of the trees on the site. The works were all identified as required in a tree condition survey that was undertaken in 2013 following the partial failure of a large Poplar in the northern wooded section of the sites.</p> <p>The application originally included proposals to fell a number of other trees on the site. However, these trees were either found to be dead, or were not subject to the preservation orders on the site. As such permission is not required in order to fell these trees and they have not been given consideration on the report. Having briefly assessed these other trees it is considered that had permission been required, it would likely have been forthcoming.</p> <p>On inspection the Pine tree (Tree 1), the Beech tree (Tree 2) and Robinia tree (Tree 3) were all found to be in a poor condition, with various defects present.</p> <p>It is considered that the Beech tree and the Robinia tree, if retained, will become liable to failure in the near future and given their location adjacent to the highway, it is considered that their removal is justified.</p> <p>The Pine tree whilst not currently at risk of failure is likely to die in the near future and as such it is not considered that there can be any reasonable objection to its removal. There will be no detrimental impact on the amenity of the area as the result of the removal of the tree.</p> <p>The Sycamore tree is a poor specimen that is causing damage to the adjacent chain link fence and is likely to cause further damage to the rigid metal fence of the adjacent school behind if left in place. The tree is of limited value and it is not considered that there can be any reasonable objection to its removal. There will be no significant impact on the amenity of the area as the result of the removal of this tree.</p> <p>Given the limited impact on the amenity of the area; the large number of trees on the site and the likely difficulties in establishing newly planted trees underneath the larger trees on site, it is not considered that replacement trees are required in this instance.</p> <p>Overall it is considered that the proposed works are all reasonable given the condition of the trees. As such it is not considered that there can be any reasonable objection to the</p>					

proposed works. Therefore, it is recommended that the application should be approved.

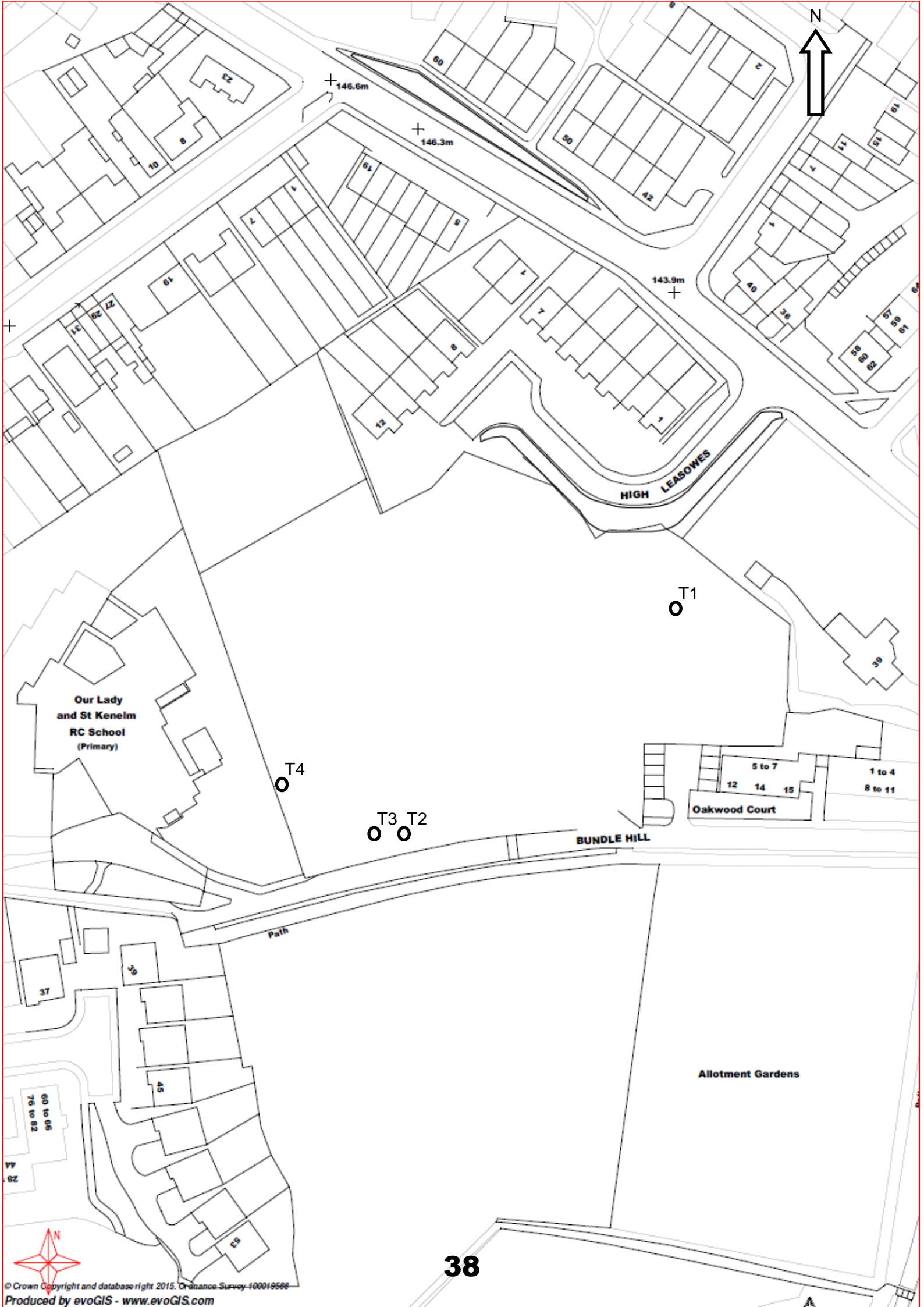
Conclusion:

Following consideration of the application it is not considered that there can be any reasonable objection to the proposed works due to the condition of the trees. As such it is recommended that the application be approved.

Recommendation:	Approve Subject to Conditions			
Amended Work Specification?				
Condition(s) or Reason for Refusal:	Amended Works	BS:3998	Replacement Planting	5 Days Notice
	Pre-commencement Meeting			
	Other:			
Informatives:	2 years	Nature Conservation	Ownership	
	Other:			
Case Officer:	James Dunn	Date of Final Report:	01/05/15	
Vetted by:	Carl Mellor	Date of Vetting:	01/05/15	

Conditions and/or reasons:

1. The tree works subject of this consent shall be carried out in accordance with British Standard BS 3998:2010 'Recommendations for Treework'.



+ 146.6m

+ 146.3m

+ 143.9m

HIGH LEASOWES

T1

**Our Lady
and St Kenelm
RC School
(Primary)**

T4

Oakwood Court
5 to 7
12 14 15
1 to 4
8 to 11

T3 T2

BUNDLE HILL

Path

Allotment Gardens

38



PLANNING APPLICATION NUMBER: P15/0440

Type of approval sought	Full Planning Permission
Ward	Belle Vale
Applicant	Halesowen College
Location:	HALESOWEN COLLEGE, WHITTINGHAM ROAD, HALESOWEN, WEST MIDLANDS, B63 3NA
Proposal	ERECTION OF A TWO STOREY BUILDING TO CREATE A PERFORMING ARTS CENTRE
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site is a further education college occupying a plot of 5.2 hectares set within a predominantly residential area. The College has previously been extended. The college site consists of buildings of varying age and of mainly two-storey construction.
2. The application site is bound to the west by the playing fields associated with Newfield Primary School. Beyond the school site is a row of residential properties fronting Greenbush Drive. There is a distance of 189m between the common boundaries of these residential properties and the college site. Opposite the application site on the other side of Whittingham Road is an area of Playing Fields and an informal car park.

PROPOSAL

3. This application seeks approval for a new teaching block to provide a Performing Arts facility. The proposed Performing Arts Centre would provide students with bespoke accommodation for both the rehearsals of, and the performance of music, drama and dance. At present this element of the college curriculum is provided off site in hired venues.

4. The proposed building would be sited centrally within the site being freestanding adjacent to the existing block 3 and 6. This area is currently underutilised with two large mobile classrooms being present. The proposed building would be two-storey/two and a half storey in height and internally it would have two floors and a mezzanine. The proposed building would be brick facing with the use of flat roof designs of varying height.

5. No further parking is proposed as part of the proposed development as there would be no increase in pupil numbers as a result of the scheme. It is proposed to utilise the previous construction compound (to be returned to a car park) to facilitate the proposed development.

HISTORY

6.

APPLICATION	PROPOSAL	DECISION	DATE
P04/0627	Erection of 6 mobile buildings.	Approved until 30/09/07	24/05/2004
P06/0171	Erection of new educational building	Refused	27/04/2006
P06/1639	Erection of new educational building	Refused	01/03/2007
P08/1409	Erection of 3 No. 2/3 storey education buildings (Blocks 9, 10 and 11) Phase 2 of the redevelopment of Block 'O' with associated parking and servicing, hard and soft landscape works and provision of an all-weather multi games playing surface	Approved with Conditions	13/01/2009
P10/0957	Installation of external canopy to cover part of the children's external play area.	Approved with Conditions	08/10/2010
P12/0429	Variation of Condition 22 of planning approval P08/1409 to enable a minor material amendment to the external appearance of Block 10.	Approved with Conditions	02/07/2012
P12/0978	Variation of Condition 22 of planning approval P08/1409 to enable a minor material amendment to the external appearance of Block 11, car parking layout and landscaping.	Approved with Conditions	20/09/2012
P12/0999	Erection of two storey building comprising sports changing facilities and storage. Erection of floodlighting.	Approved with Conditions	27/09/2012
P13/0439	Erection of an indoor climbing centre adjacent to block 6	Approved with Conditions	06/06/2013
P14/1140	Erection of a two storey building to create a Performing Arts Centre	Approved with Conditions	01/10/2014

7. Key changes between this application and approved application P14/1140:
- Performing arts block would now be stand alone rather than linked to block 3.
 - Amended entrance design
 - Relocated windows
 - Varied external appearance with flat roof finishes and plant room to roof
8. Since the previous approval a tender process commenced, and a formal consultation with Dudley Metropolitan District Council Building Control Officers and Fire Officers was held, officers informed the College that the approved glazed link would be required to be a sterile environment as it would form the primary escape route for the block. Further, the College were advised that the existing classroom windows to Block 3 would be required to be removed and replaced with non-opening windows formed of fire rated glass. Whilst this would be an option, it would reduce natural air flow to the existing classrooms, whilst also deeming the proposed glazed link an unusable space for that for which it was originally intended as an exhibition/break out space.

PUBLIC CONSULTATION

9. Notification letters were sent to the occupiers of 66 neighbouring properties and the application was also advertised through the posting of a site notice and through the publication of an advert in a local newspaper. As a result a total of 4 objections have been received raising the following issues:
- Parking Availability (students cannot park on the existing car park).
 - Highway safety associated with vehicles parking on the highway network
 - Concerns with emergency access, pedestrians being forced into the road and conflict with the coach movements.
 - No updated travel plan
 - Loss of privacy
 - Increased traffic fumes
 - Litter and noise and disturbance

OTHER CONSULTATION

10. Group Engineer (Highways): No objections to the proposed scheme subject to further detail in relation to the proposed construction process and associated parking arrangements.
11. Head of Environmental Health and Trading Standards: No objections to the proposed scheme.

RELEVANT PLANNING POLICY

12. National Planning Policy Framework (NPPF) (2011)
13. Saved Unitary Development Plan Policies (2005)
 - DD1 Urban Design
 - DD4 Development in Residential Areas
14. Supplementary Planning Documents
 - Parking Standards (2012)

ASSESSMENT

15. The main issues are
 - Principle
 - Design
 - Neighbour Amenity
 - Car Parking

Principle/Policy

16. The principle of the proposed development is considered to be acceptable as it would fall within the curtilage of an education facility where this type of development is generally characteristic. Further there is an extant permission in place for a development of a very similar character and description. In this regards the proposed development would comply with the requirements of saved policy DD4 – Development in Residential Areas of the UDP (2005).

Design

17. Block 6 is a modern structure with block 3 being of a more traditional appearance being red brick and finished with a hipped roof. The proposed development is of a design that sits well within this context with the use of contemporary roof designs and a facing brick finish/contemporary material. Whilst the roof height is higher than that of the previously approved scheme the development is not considered to be visually prominent given the siting of the proposed block centrally within the site. Given the nature of the site, with many of the existing buildings being of a recent construction with a modern appearance, the proposed extension would be in accordance with the requirements of saved UDP policy DD1 – Urban Design (2005).

Neighbour Amenity

18. There would be no detrimental impact on the amenities of the occupiers of surrounding residential properties due to the siting of the proposed extension centrally within the site. These comments are supported by the Head of Environmental Safety and Health and on this basis the proposed scheme would be consistent with the requirements of saved policy DD4 – Development in Residential Areas of the UDP (2005).

Highway Safety

19. The majority of the objections that have been received make reference to parking and highway issues.
20. The proposed facility would not result in the net increase of pupils attending the college. The Group Engineer (Highways) did raise concerns with the scheme due to the continued use of a car parking area to the north of the site as the building compound during the construction process for the proposed building. This area was used as a construction compound for during the construction of the previously

approved building and was due to be reinstated as a parking area following the completion of that development.

21. Following those concerns further information has now been provided by the applicant which confirms that this compound will now be re-instated as a car park in advance of this development commencing which would provide an additional 24 parking spaces over the current situation.
22. This will be achieved through the provision of a separate contractor's compound within the curtilage of the college site on an area that is not used for car parking. A statement provided by the college goes onto state that *"contractors are not allowed to park on site and this information is provided and made very clear to contractors at the initial pre-commencement meetings, and is stated within minutes of meetings. This has always been adhered to and has been highly effective. The College advises them that they should seek parking locations away from the College and away from the immediate residential areas. It should be noted that over a ten year period of development, the College has not received any complaints whatsoever in regard to contractor parking. Contractor parking, access, egress and management of development has always been highly effective and has operated well"*.
23. On this basis it is considered as appropriate to condition the proposed construction plan/phasing to allow the Local Planning Authority to review these details prior to commencement of the development proposed. Given this additional information, and subject to an appropriate condition the proposed development would be in accordance with the requirements of the Parking Standards SPD (June 2012).
24. It is accepted that there is a current issue with indiscriminate parking around the site. However, the planning policy requirement for additional on-site car parking would only apply if additional pupils were proposed as part of the development. In this instance the applicant has stated that there will be no increase in enrolment to the college and that the proposed development would reduce the number of vehicular trips associated with the college site by removing the necessity to

transport students to off site, hired facilities. This view is shared by the Group Engineer (Highways).

CONCLUSION

25. The proposed development would have no detrimental impact on residential amenity of the surrounding area in accordance with the requirements of saved policies DD1 – Urban Design and DD4 – Development in Residential Areas of the UDP (2005).

RECOMMENDATION

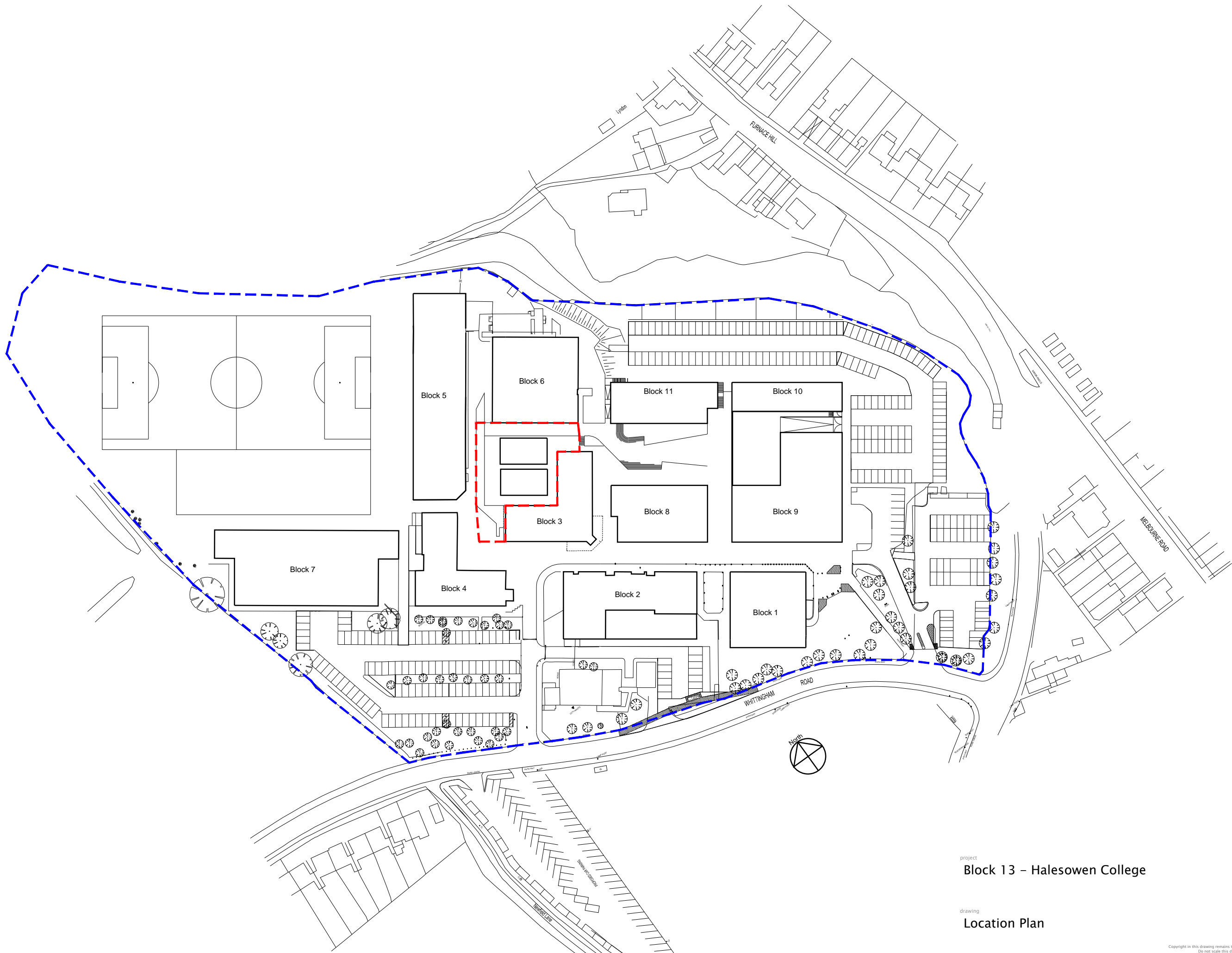
26. It is recommended that the application be APPROVED subject to the following conditions:

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Job Number 52561 Drawing Numbers L(90)001 revision A, D003 revision B, D007, D006, D001 revision A, D004 revision A, D005 revision B, D002 revision A and L(2-)200 revision A.
3. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.
4. The development hereby permitted shall not commence until details of the materials to be used to the proposed hardsurfacing (including colour, finish and texture) and details for the disposal of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. These details should include the provision for ensuring no surface water runs onto the public highway and is disposed of within the curtilage of the application site.
5. Prior to commencement of the development hereby approved a schedule for timings/phasing of the construction process shall be submitted to and approved in writing by the Local Planning Authority. This schedule shall include timings for the release of the car park to the north of the site, marked as green on plan number 006 revision C, details of the contractors compound including details of reinstatement following completion of the development and information relayed to contractors in relation to parking arrangements during the construction. The

construction process should be carried out in strict accordance with these agreed details unless otherwise agreed in writing by the Local Planning Authority.

6. Within 12 months of first occupation of the building hereby approved a scheme shall be submitted to and approved by in writing by the Local Planning Authority detailing the piece(s) of on site public art, designed by pupils or local artists, proposed on the site. The scheme shall include the design, location and timing for the implementation. All works shall be carried out in accordance with the agreed details and shall be maintained for the life of the development unless otherwise agreed in writing by the Local Planning Authority.
7. Prior to the development first being brought into use details of nature conservation enhancement measures to be installed on-site shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed on the site in full prior to the building hereby approved first being brought into use and shall be retained thereafter for the life of the development.
8. No development shall commence until an Economic and Community Development Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall address as a minimum, measures to increase the number of jobs open to local people available on the site and the development of initiatives that support activities to upskill local unemployed people of working age so as to support them into sustained employment as outlined in the Council's Planning Obligations Supplementary Planning Document. The development shall be implemented in accordance with the approved Statement and retained in accordance with the Statement for the lifetime of the development.
9. Prior to commencement of the development hereby approved an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, including details of a Travel Plan Co-ordinator, Staff Travel Survey, Car Parking Management, Walking and Cycling initiatives, Publicity and Marketing, Set targets and monitoring and to join Company Travel Wise in Dudley together with a timetable for the implementation of each such element. The Travel Plan shall be updated each year and implemented in accordance with the details approved by the Local Planning Authority and remain operational for the life of the development.
10. Prior to the commencement of development a timetable for the laying out of the car parking areas shown on the approved layout plan, ensuring such areas are satisfactorily levelled, surfaced and drained, shall be submitted to, and agreed in writing by, the Local Planning Authority. The parking areas shall then be laid out in accordance with the approved timetable. Those areas shall not thereafter be used for any other purpose unless otherwise agreed in writing with the Local Planning Authority.

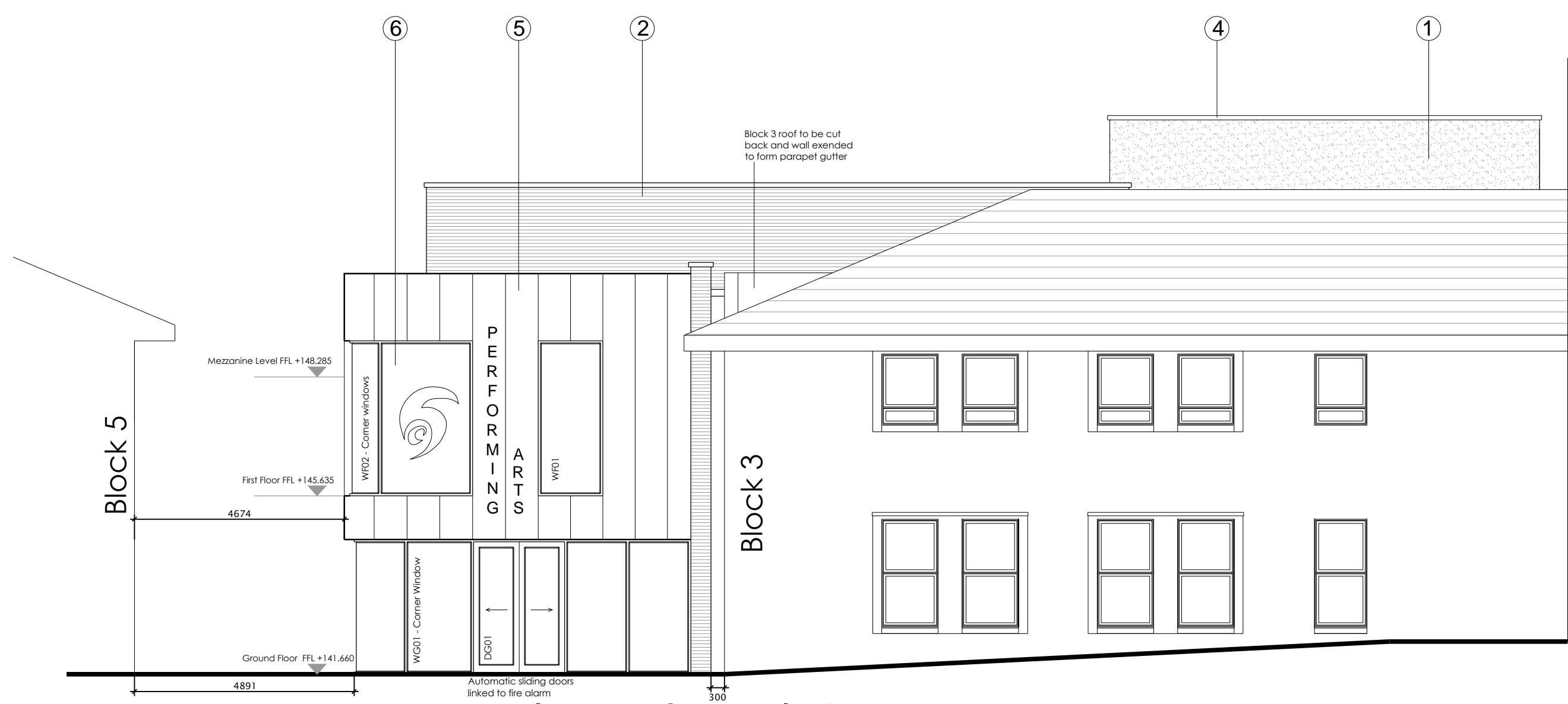


project
Block 13 - Halesowen College

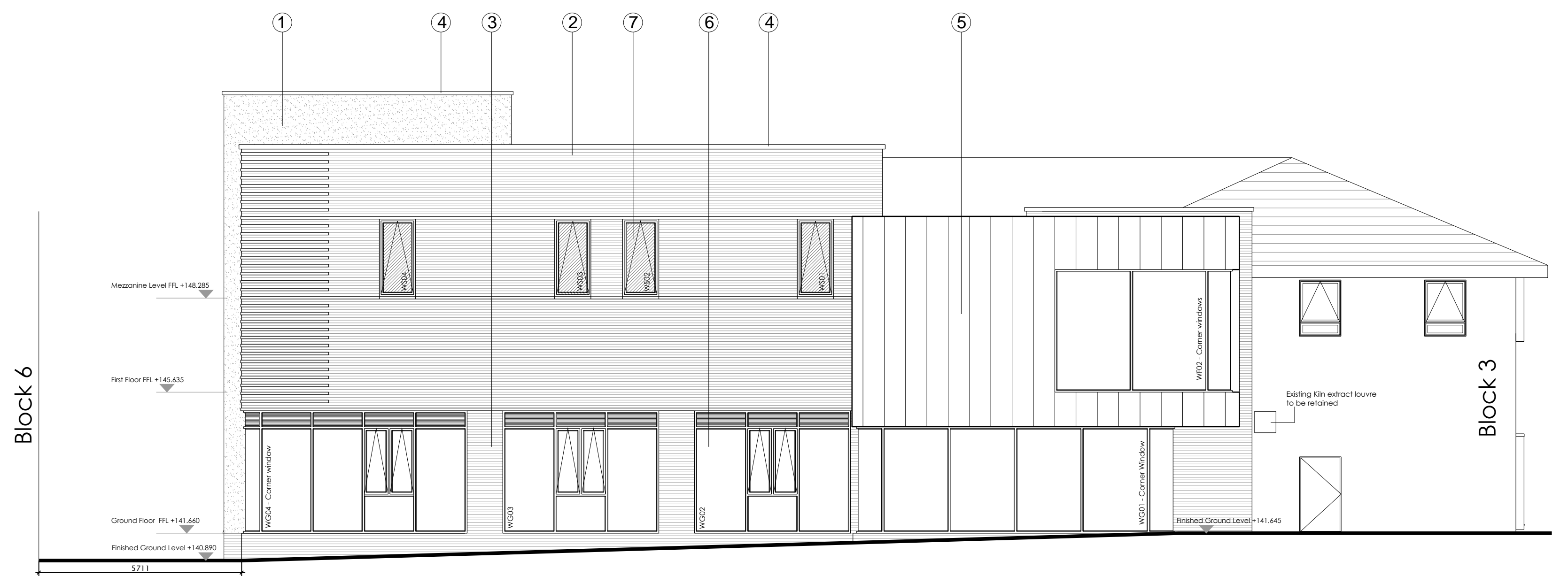
drawing
Location Plan

scale	date	drawn by	checked	CIS/b element	job number	drawing number	revision
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revision							

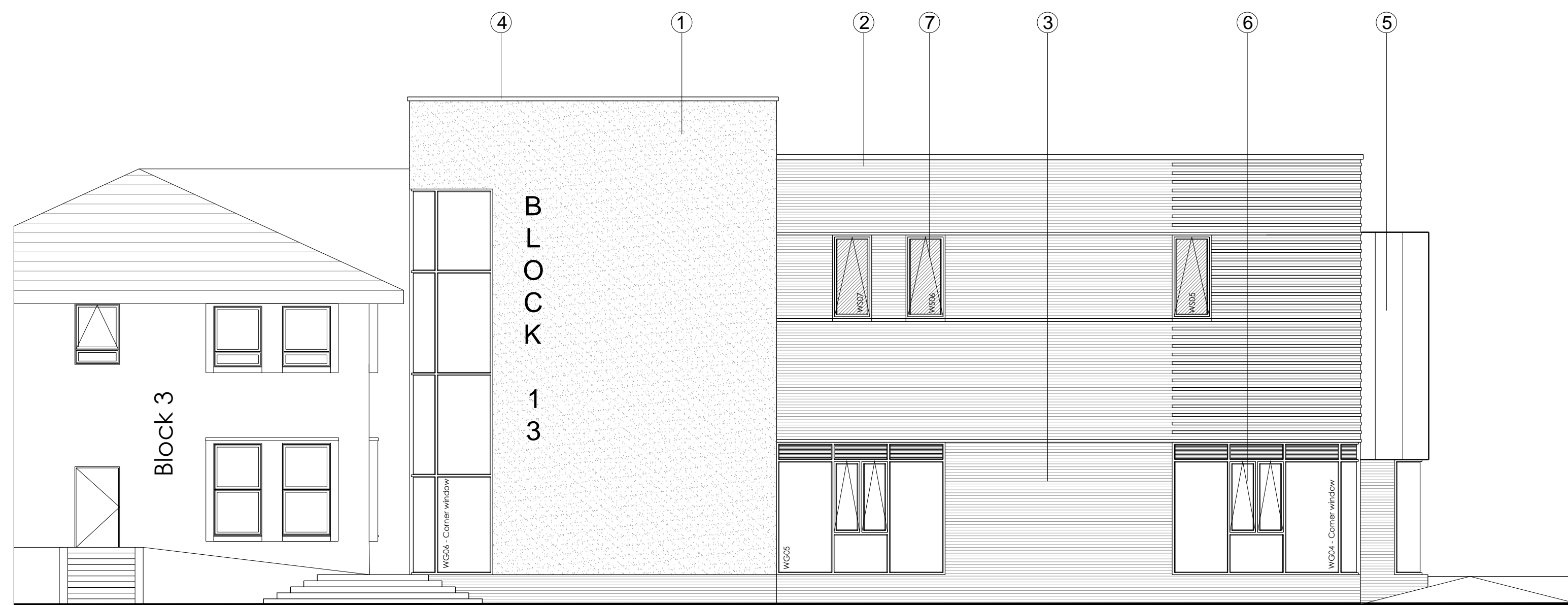
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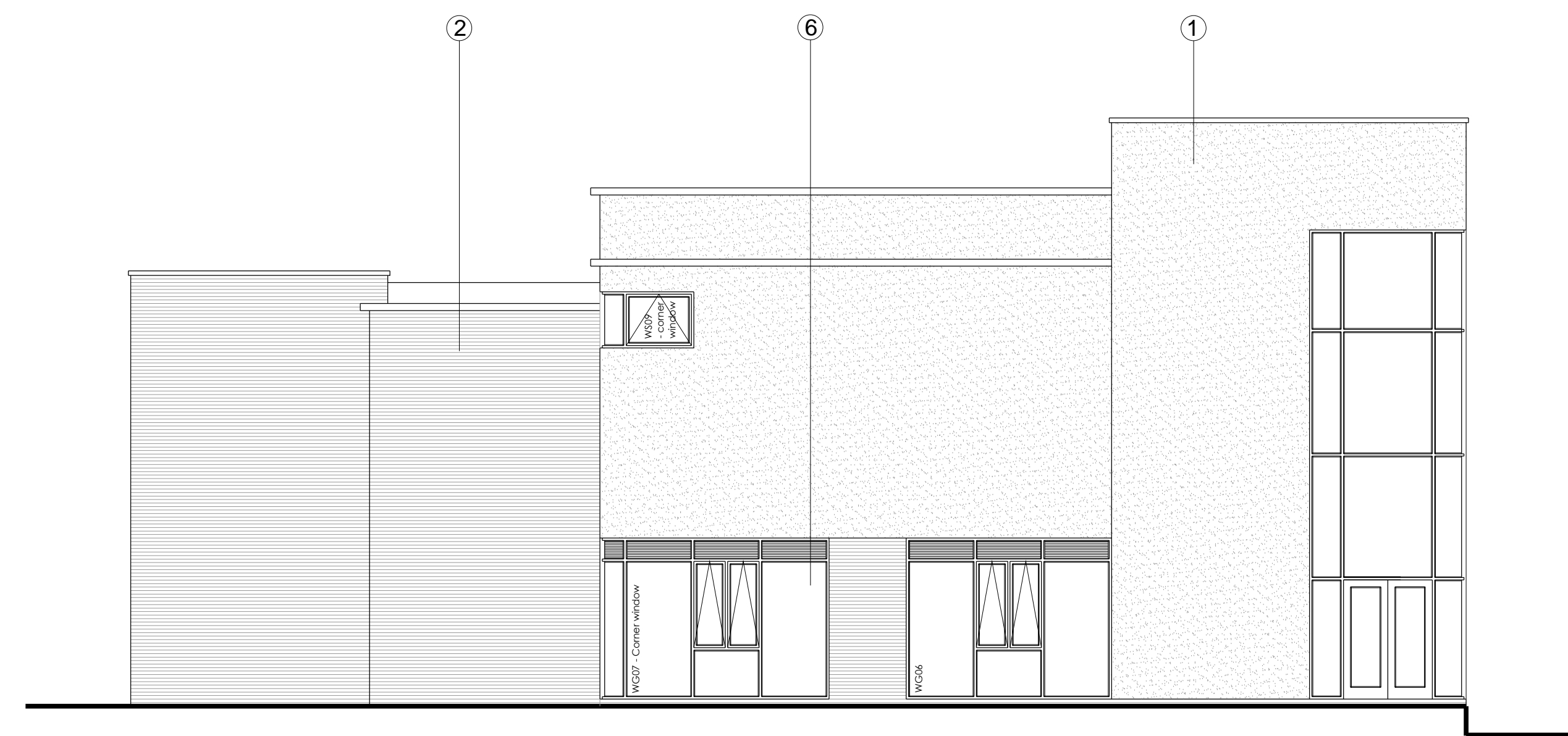
a - Front elevation facing Block 4



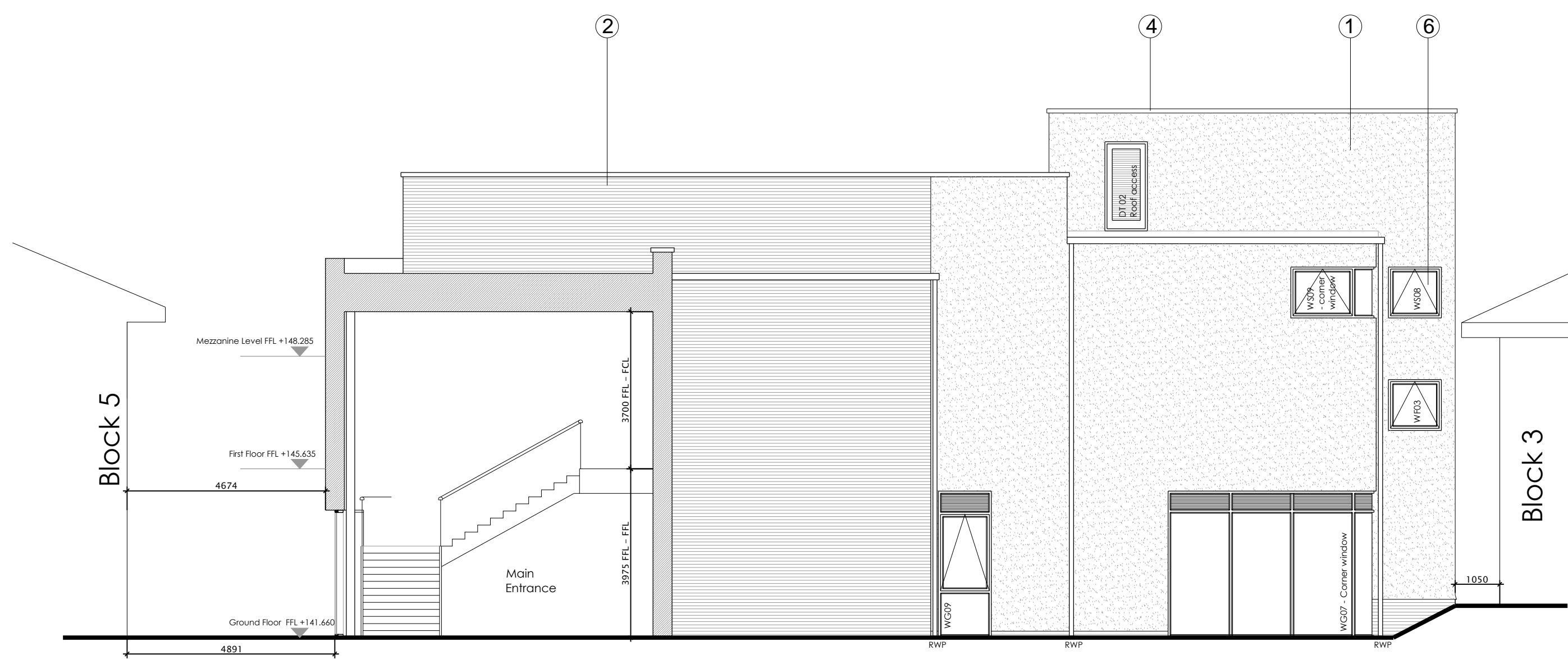
b - Side Elevation facing Block 5



c - Rear Elevation facing Block 6



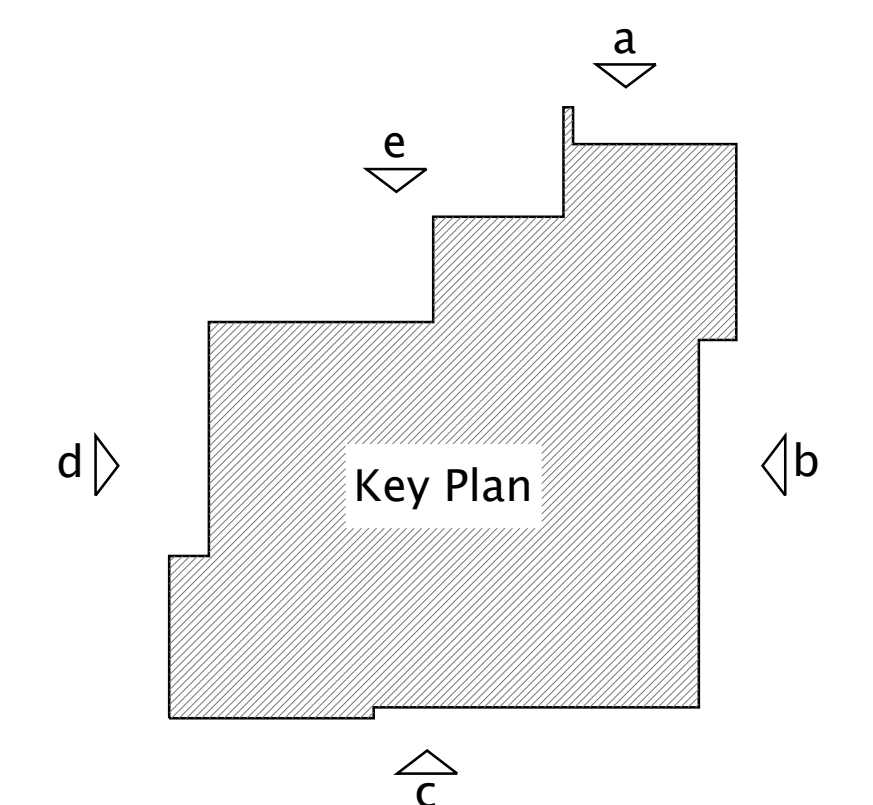
d - Rear Elevation facing Block 6



e - Courtyard Elevation 2

Materials Legend:

1. Smooth white colour thru render
2. Facing brickwork to match block 3 with hit and miss feature banding
3. Blue facing brickwork to match Block 5 upto window head
4. Dark grey Single ply membrane flat roof with PPC aluminium soffit and fascia - RAL: 7015
5. Anodised aluminium standing seam cladding
6. PPC aluminium window, doors and curtain walling colour RAL: 7015
7. PPC aluminium window colour RAL: 7015 with look-a-like glazing



PRELIMINARY

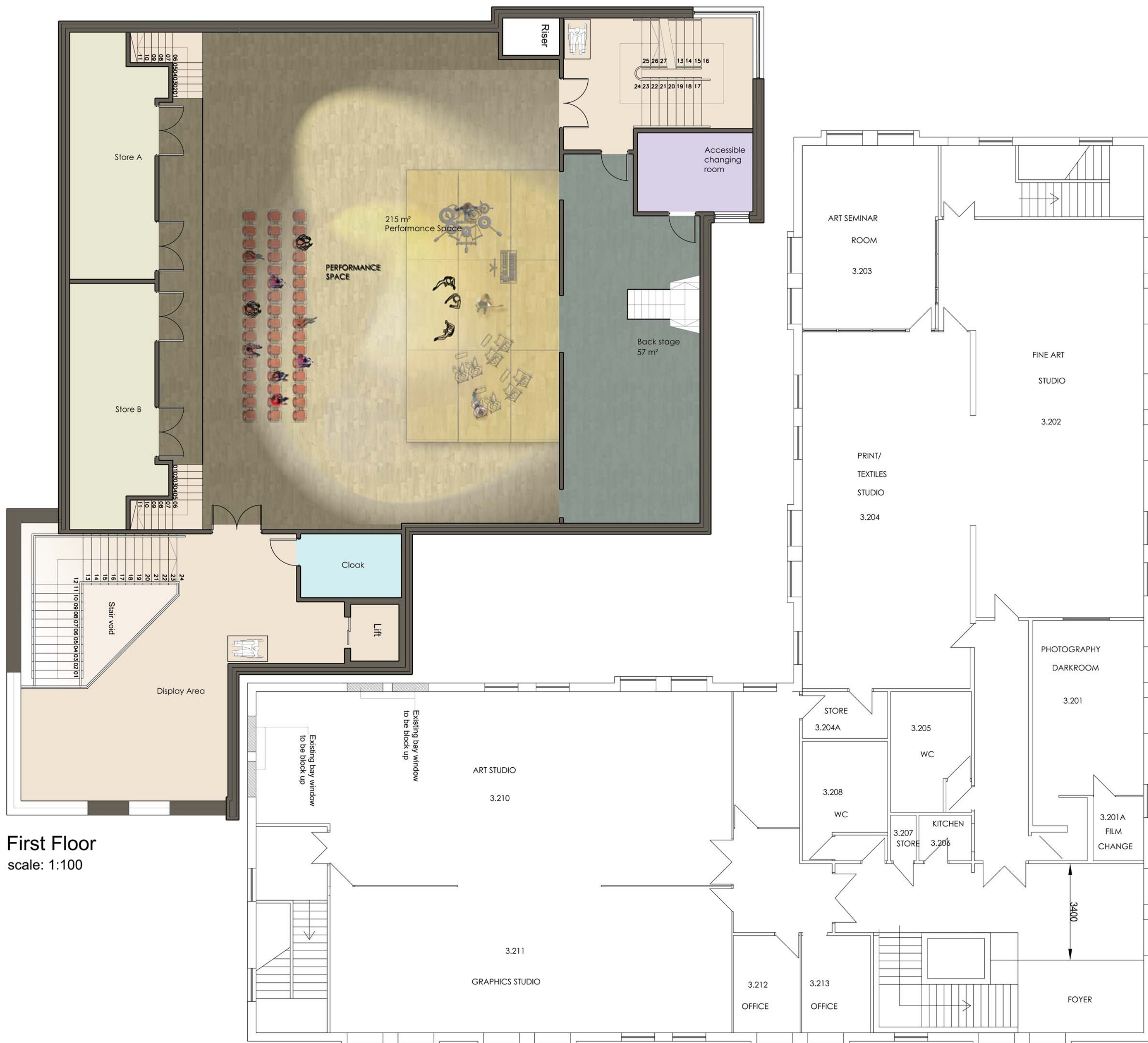
Block 13 - Halesowen College

Option 2
Proposed Elevations

Scale	Date	Drawn by	Checked	CDM status	Revision	Drawn by	Checked	CDM status
1:100@A1	26-01-15	JLC	IDF		S2561	L(2)-200	A	



Ground Floor
scale: 1:100



First Floor
scale: 1:100

Block 13 - Halesowen College
Ground and First Floor Plans



VIEW A



VIEW B



VIEW C

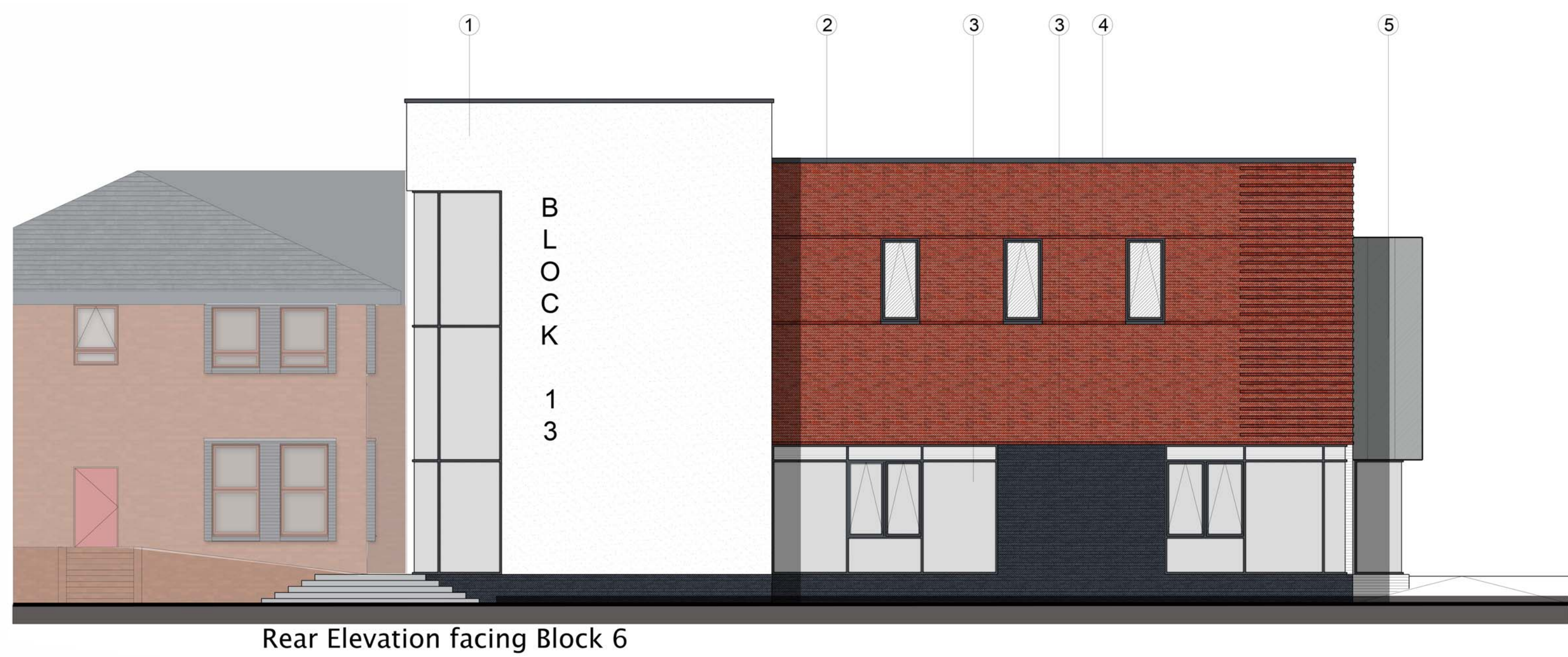
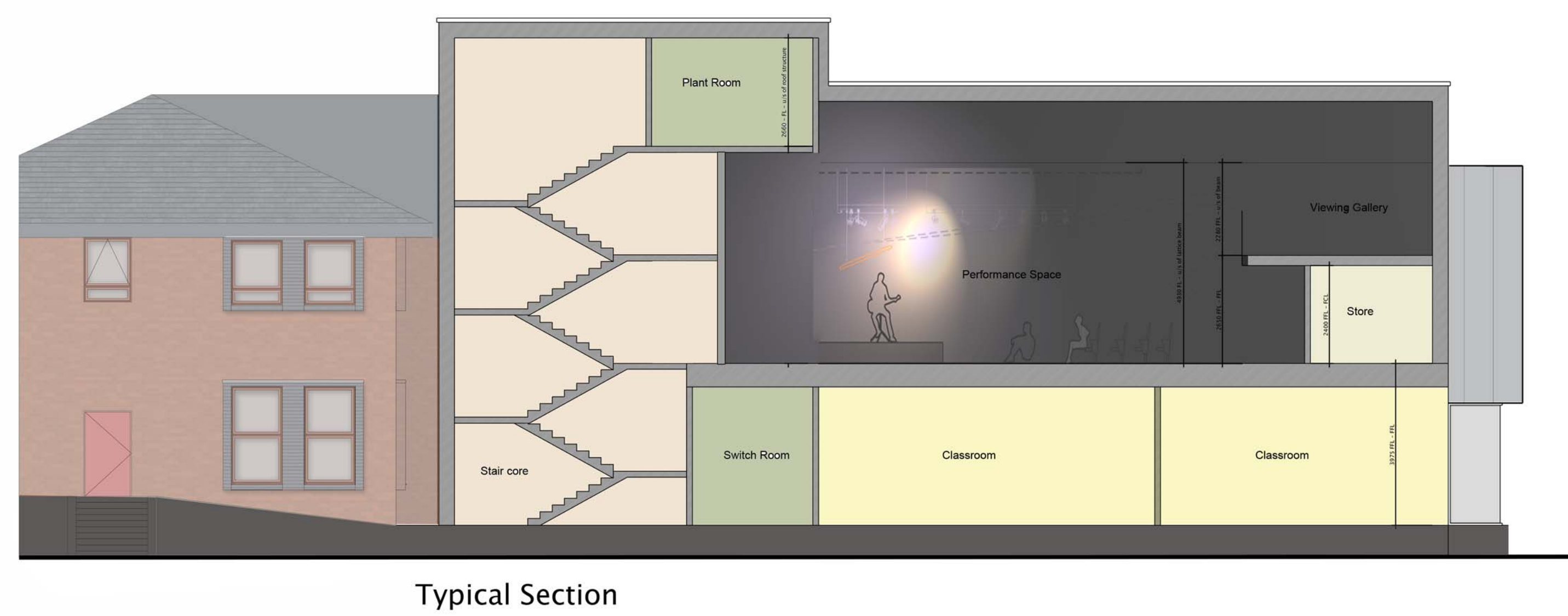


Ground Floor
Scale: 1:100

Block 13 – Halesowen College

Perspectives

DATE	NO	BY	CHKD BY	REV	DESCRIPTION
NTS	21-07-12	DC	IDF	Planning	52561 D005 B



- Materials Legend:**
1. Smooth white colour thru render
 2. Facing brickwork to match block 3 with hit and miss feature
 3. Blue facing brickwork to match Block 5
 4. Single ply membrane flat roof with dark grey PPC aluminium soffit and fascia
 5. Titan Anodised Aluminium Traditional Standing Seam Cladding
 6. Dark grey PPC aluminium window, doors and curtain walling

PRELIMINARY
 Block 13 – Halesowen College
 Option 2
 Proposed Elevations

scale	date	drawn by	checked	1:100@PA1	26-01-15	JLC	IDF	52561	D004	A
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Block 6

FFL 140.89

Block 5

FFL 141.370

Block 3

Ground Floor
Scale: 1:100

Materials Legend

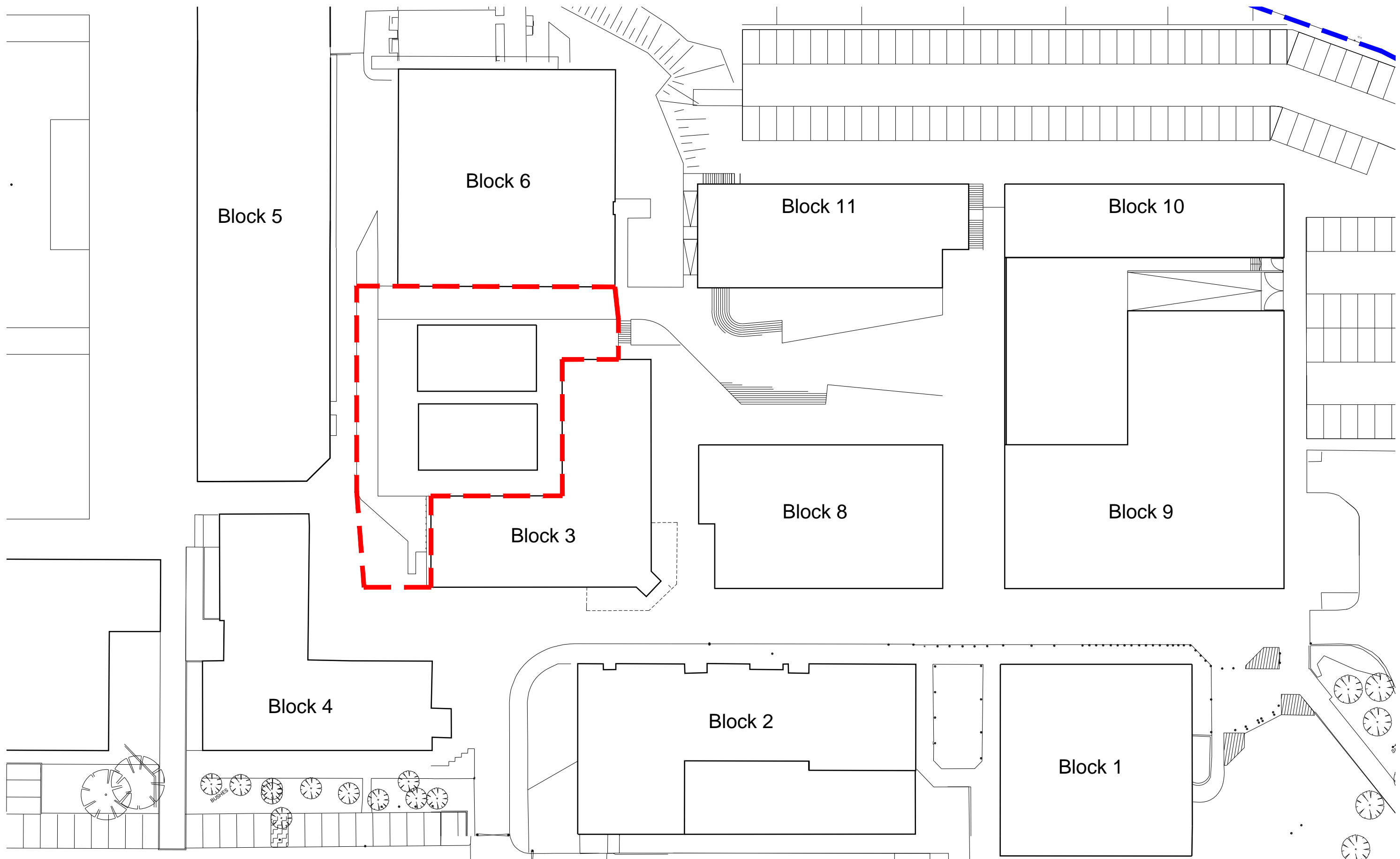
- A** Marshalls priora Permeable Concrete Paving blocks - Brindle, 200x100x80mm.
- B** Marshalls Conservation Textured Concrete Paving- Silver Grey, 400x400x65mm.
- C** Tarmac - Grey
- D** Marshalls Hazard Warning Concrete Corduroy Paving, 400x400x50, Natural, to all ramps and steps
- F** Red paving blocks to match red main brick road
- G** Marshalls Natural granite stone paving - Silver grey Flamed deminishing steps

PRELIMINARY

Block 13 - Halesowen College

Proposed Hard Landscaping

date	drawn by	checked	COB element	job number	drawing number	revision
A1	090215	JLC	IDF Planning	52561	D001	A

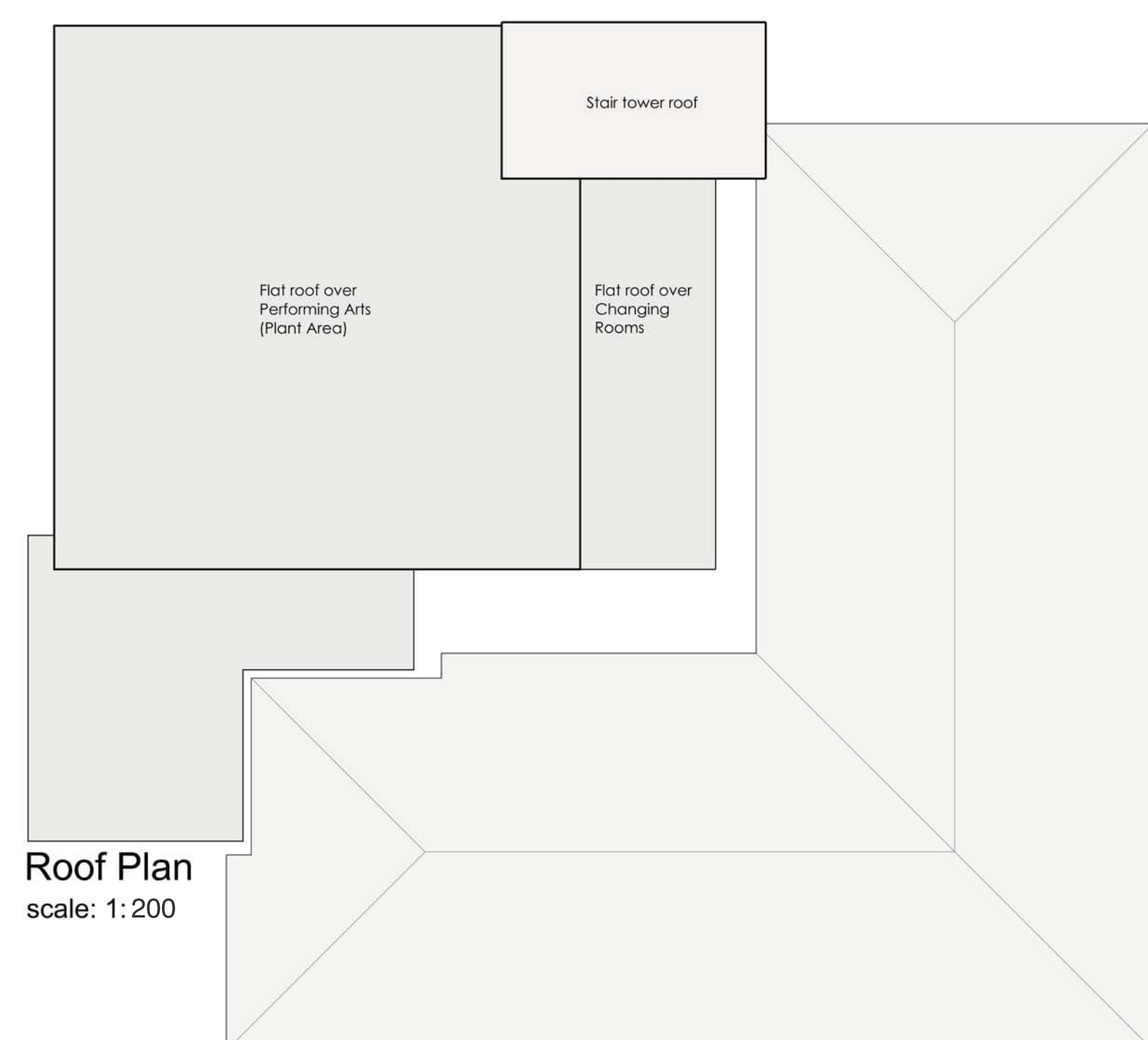
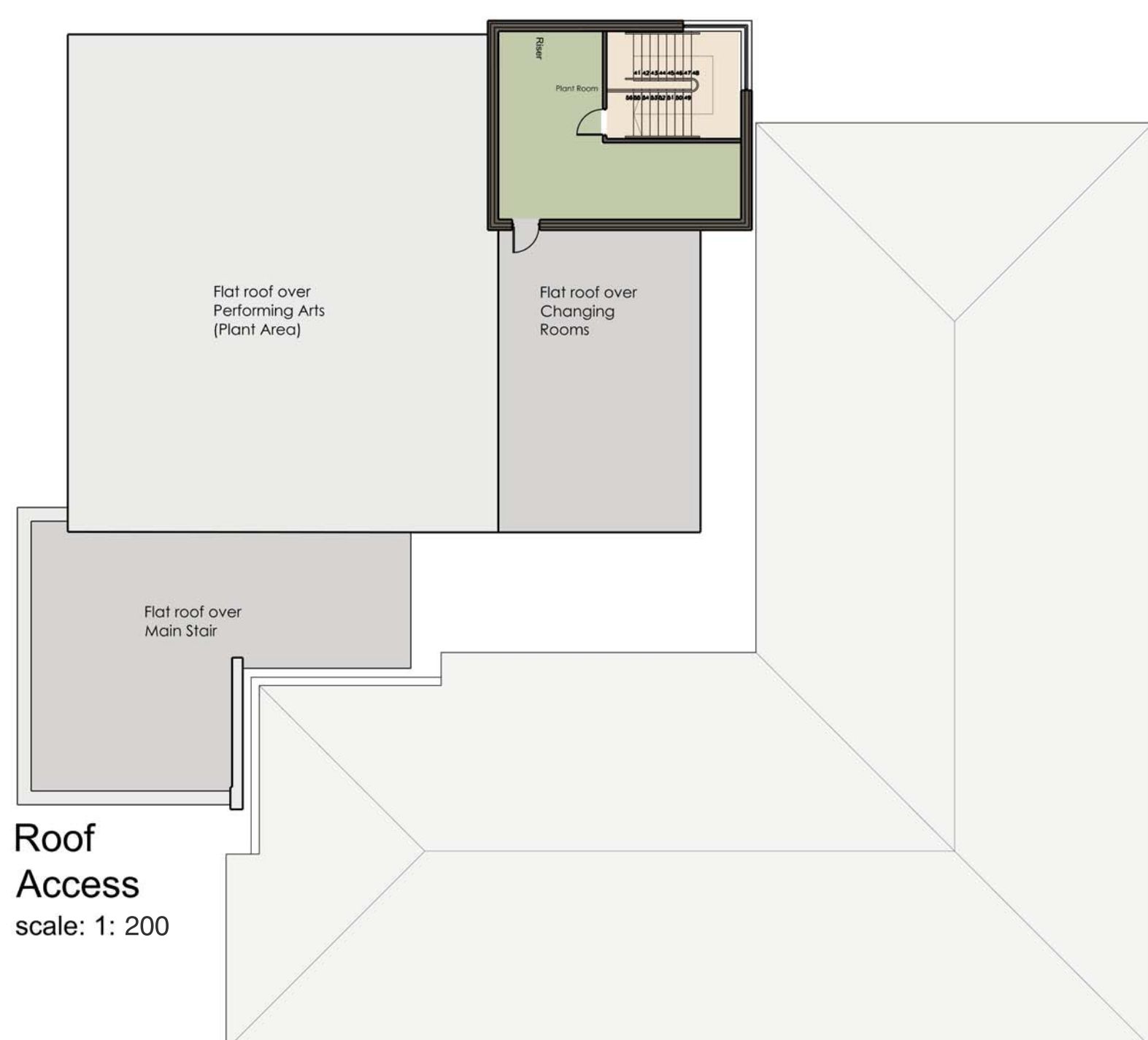
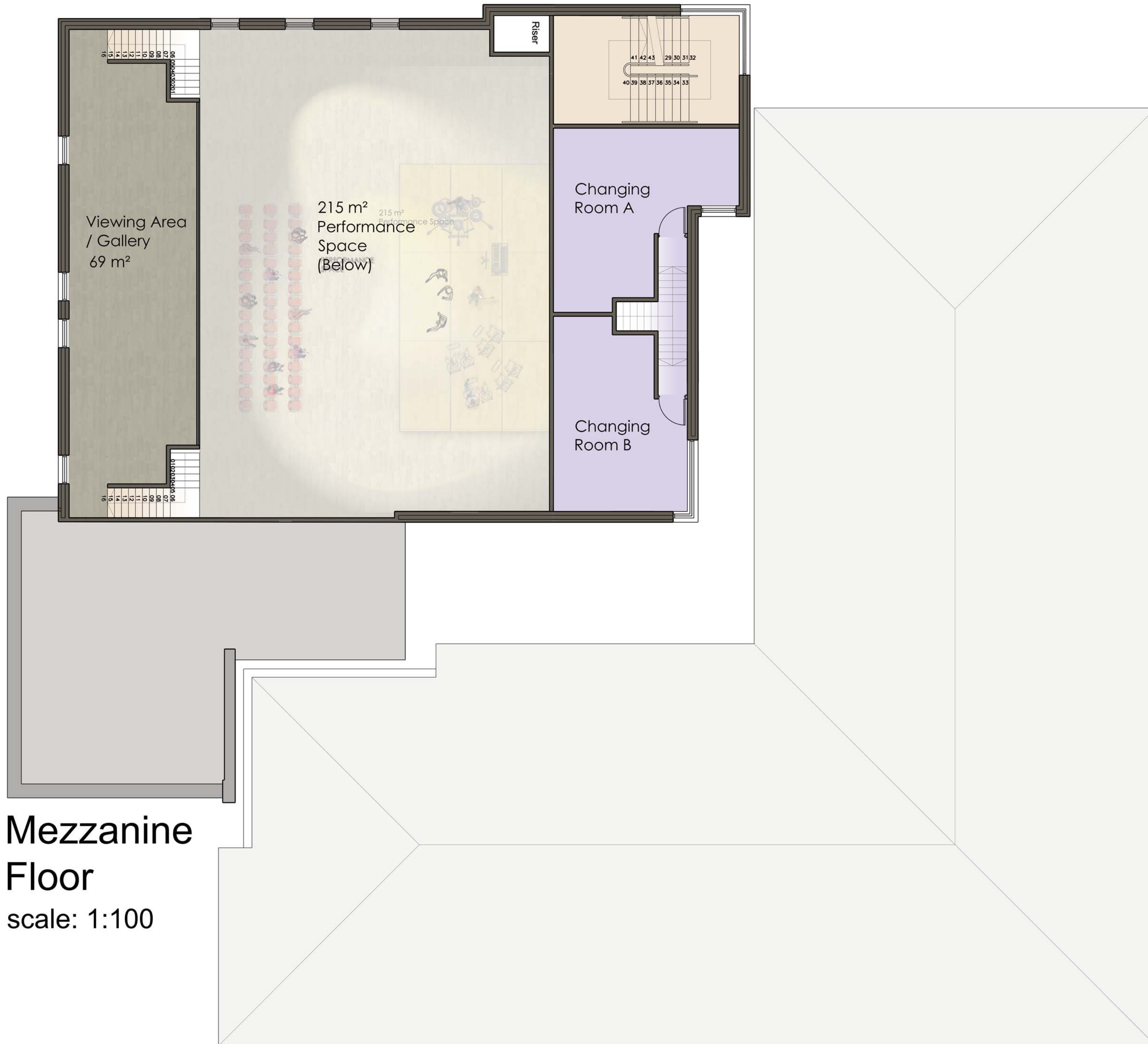


project
Block 13 - Halesowen College

drawing
Site Plan

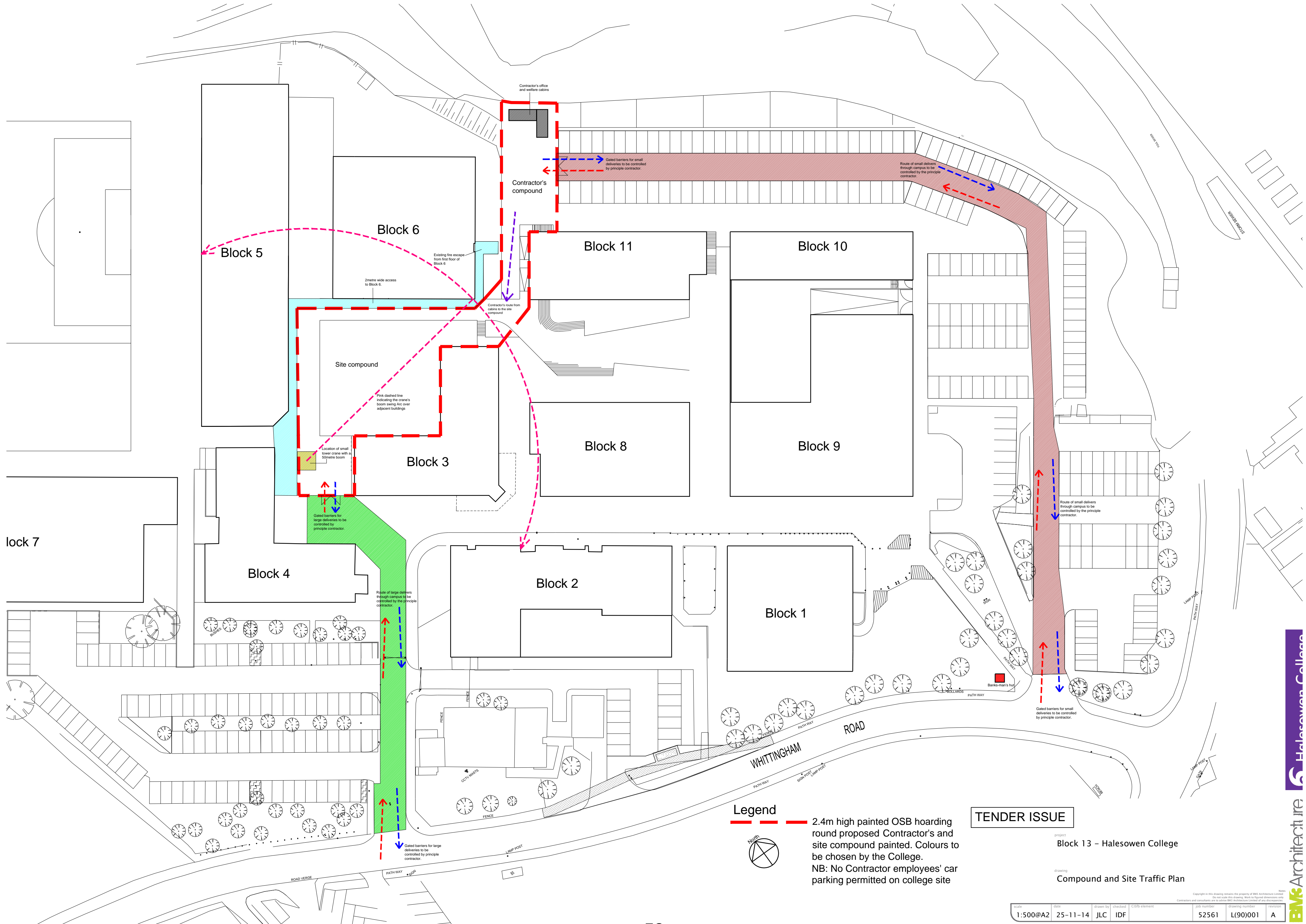
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Block 13 - Halesowen College
Mezzanine & Roof Plans

PRELIMINARY	Scale	1:100/200	Date	090215	Drawn by	JLC	Checked	IDF	Project	Planning	Job number	52561	Drawing number	D003	Revision	B
	Author															



Legend

--- 2.4m high painted OSB hoarding round proposed Contractor's and site compound painted. Colours to be chosen by the College.

--- NB: No Contractor employees' car parking permitted on college site

TENDER ISSUE

project
Block 13 – Halesowen College

drawing
Compound and Site Traffic Plan

scale 1:500@A2	date 25-11-14	drawn by JLC	checked IDF	CAD element	job number 52561	drawing number L(90)001	revision A
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revision
A Title block scale shown

date
30-03-15

by
JLC

DEVELOPMENT CONTROL COMMITTEE

REPORT OF THE DIRECTOR OF THE URBAN ENVIRONMENT

CONFIRMATION OF TREE PRESERVATION ORDERS

PURPOSE OF REPORT

1. To consider whether or not the below Tree Preservation Order(s) should be confirmed with or without modification in light of the objections that have been received.

BACKGROUND

2. Section 198 of the Town & Country Planning Act 1990, provides that, where it appears to a Local Planning Authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order.
3. A Tree Preservation Order may, in particular, make provision:-
 - (a) for prohibiting (subject to any exemptions for which provision may be made by the order) the cutting down, topping, lopping, uprooting, willful damage or willful destruction of trees except with the consent of the local planning authority, and for enabling that authority to give their consent subject to conditions;
 - (b) for securing the replanting, in such manner as may be prescribed by or under the order, of any part of a woodland area which is felled in the course of forestry operations permitted by or under the order;
 - (c) for applying, in relation to any consent under the order, and to applications for such consent, any of the provisions of this Act mentioned in subsection (4), subject to such adaptations and modifications as may be specified in the order.
4. Section 4 of the Town & Country Planning (Tree Preservation) (England) Regulations 2012 allows the Council to make a direction that the order shall take effect immediately for a provisional period of no more than six months.
5. For a Tree Preservation Order to become permanent, it must be confirmed by the Local Planning Authority. At the time of confirmation, any objections that have been received must be taken into account. The Town and Country Planning (Tree Preservation) (England) Regulations 2012 sets out the procedure for confirming Tree Preservation Orders and dealing with objections.

6. If the decision is made to confirm a Tree Preservation Order the Local Planning Authority may choose to confirm the order as it is presented or subject to modifications.
7. New Tree Preservation Orders are served when trees are identified as having an amenity value that is of benefit to the wider area.
8. When determining whether a tree has sufficient amenity to warrant the service of a preservation order it is the Council's procedure to use a systematic scoring system in order to ensure consistency across the borough. In considering the amenity value of a tree factors such as the size; age; condition; shape and form; rarity; prominence; screening value and the presence of other trees present in the area are considered.
9. As the Council is currently undergoing a systematic review of the Borough's Tree Preservation Orders, orders will also be served where there is a logistical or procedural benefit for doing so. Often with the older order throughout the Borough, new orders are required to replace older order to regularise the levels of protection afforded to trees.
10. Where new orders are served to replace older orders, the older orders will generally need to be revoked. Any proposed revocation of orders shall be brought before the Committee under a separate report.

FINANCE

11. There are no direct financial consequences arising from this report although the Committee may wish to bear in mind that the refusal or approval subject to conditions, of any subsequent applications may entitle the applicant to compensation for any loss or damage resulting from the Council's decision (Section 203 of the Town & Country Planning Act 1990)

LAW

12. The relevant statutory provisions have been referred to in paragraph 2, 4, 5 and 10 of this report.

EQUALITY IMPACT

13. The proposals take into account the Council's Equality and Diversity Policy.

RECOMMENDATION

14. It is recommended that the Tree Preservation Orders referred to in the Appendix to this report should be confirmed.



.....
DIRECTOR OF THE URBAN ENVIRONMENT

Contact Officer: James Dunn
Telephone 01384 812897
E-mail james.dunn@dudley.gov.uk

List of Background Papers

Appendix 1.1 – TPO/0099/QBD – Confirmation Report;
Appendix 1.2 – TPO Plan and Schedule as served;
Appendix 1.3 – Plan identifying objectors;

APPENDIX 1.1

Confirmation Report for

***The Borough of Dudley (55, 56 & 57 Lantern Road, Netherton (TPO/0099/QBD))
Tree Preservation Order 2015***

Tree Preservation Order

TPO/0099/QBD

Order Title

55, 56 & 57 Lantern Road, Netherton

Case officer

James Dunn

Date Served

07/01/15

Recommendation

Confirm

SITE AND SURROUNDINGS

1. The Tree Preservation Order covers two Lime trees and two Beech trees in the front garden of 57 Lantern Road and a Lime tree and a Sycamore tree in the rear gardens of 55 and 56 Lantern Road respectively.
2. The 4 trees in the front garden of 57 Lantern Road are prominently visible in the street scene of Lantern Road. The trees in the rear gardens of 55 & 56 are publicly visible between the properties in Paint Cup Row.
3. The Tree Preservation Order was served following a request from a member of the public to assess the trees in Lantern Road for protection following works to other trees.

PUBLIC REPRESENTATIONS

4. This order was previously considered by the Committee on the 21st December 2014. At this meeting, the Committee decided to confirm the Order without modifications.
5. However, following this it was noted that not all of the objectors had been informed that the Order was to be considered by the Committee so did not have an opportunity to make representations to the Committee. It was also discovered that when the Legal department has prepared the original Order they has signed and sealed the wrong section thereby invalidating the original order.
6. It was considered that both due to the incomplete public notifications and the error in the signing of the original order that the most appropriate course of action was to re-serve a fresh order and start the process over. As such, the order was re-served as an identical facsimile of the original order.
7. All of the objections that were received to the previous order have been carried forward and will be considered as having been made to the latest order. No further objections were made after the service of the new order, as such the consideration of this Order should be made on the same basis as the previous order.
8. Following the service of the order, objections were received from the owner of 57 Lantern Road about the 4 trees (T1-T4) in the front of their property and from the

resident at 7a Paint Cup Row regarding the tree (T5) adjacent to their boundary. The objections are based on the following points:

- The tree roots is lifting the pavement in front of 57 Lantern Road;
- The driveway of 57 Lantern Road is being affected by the roots;
- The roots have reached the property of 57 Lantern Road;
- The trees are taller than the house and could cause serious damage to the building in the event of them falling or being struck by lightning;
- The tree blocks the light from the street lamp;
- The trees can cause damage to the street light and telegraph wires;
- The leaves cause safety issues on the adjacent road and pavements;
- The cars parked on the drive get hit by twigs and branches in adverse weather;
- The trees will cover over the main entrance to the property if left un-pruned;
- Branches protrude and damage the fence at the front of the property;
- The owners of 57 Lantern Road have no intention of removing the trees, but merely wish to keep them managed at an appropriate height;
- The resident at 7a Paint Cup Row has concerns about the safety of the tree in the rear of 55 Lantern Road due to previous failure of branches from the tree which has caused damage to the shed and summerhouse.

RESPONSE TO OBJECTIONS

9. The trees subject to the Tree Preservation Order were all assessed and found to provide a sufficient amount of amenity to the area to warrant protection under the Tree Preservation Order.
10. It was noted that the pavement in front of 57 Lantern Road has been lifted by a root of the westernmost Lime tree (T1). Any root damage to the public highway is the responsibility of the Highway Authority and the Owners of the property are not liable for the cost of repair. Root damage to the public highway is a common occurrence in the urban area and generally the Highway Authority will seek to repair the pavements rather than require the removal of the tree.
11. If the damage to the public highway became sufficiently bad as to warrant works to the tree, then subject to the relevant notices being served by the Highways Authority, permission would not be required to undertake the required works. As such the damage to the highway is not considered grounds to prevent the confirmation of the Tree Preservation Order.
12. On inspection some root traces were observed in the tarmac driveway of the property, but no major damage was noted. If further damage is caused by the roots of the tree, then the Tree Preservation Order provides a mechanism to secure permission to undertake some judicious root pruning to limit the impacts of the trees. If the damage becomes sufficiently bad and there is no reasonable alternative action that could be taken in order to remedy the problems, then permission may be granted to fell the tree. However, it is not considered that the

damage is sufficiently bad enough at present to prevent any of the trees being protected by the Tree Preservation Order.

13. Whilst the roots may have reached the property, this in itself is not considered reasonable grounds to prevent the confirmation of the Tree Preservation Order. In terms of potential damage to the property due to the presence of roots; tree related subsidence is dependent on many factors and not just the presence of tree roots. Given that it is, at present, impossible to predict the likelihood of such damage, it is considered inappropriate to prevent the confirmation of the order on a speculative basis.
14. On inspection no major defects were observed in the trees. It was noted that the trees have been pollarded in the past, and have since had their canopies pruned. Overall subject to reasonable maintenance to the trees it is not considered that they are in any way pre-disposed to failure. Also given the limited chances of the trees being struck by lightning, is it not considered that the possibility of failure can, in this instance, be used as a justification to prevent the confirmation of the Tree Preservation Order.
15. It was noted that the crown of trees 3 and 4 hangs low around the top of the adjacent street lamp and may be blocking some of the light from the street lamp. Given that the Highways Act 1980 requires that trees be pruned to keep clearance from street lights, then permission is not required in order to maintain a reasonable clearance from the street light. As such it is not considered that the current obstruction of the street lamp is sufficient grounds to prevent the confirmation the Tree Preservation Order.
16. As discussed above permission is not required to provide an adequate clearance from the street light. This should prevent any damage to the street light. On inspection no telegraph wires were seen to pass through the trees and therefore the chances of damage are considered minimal.
17. The issues relating to leaf fall from the trees are not considered to be sufficient grounds to prevent the confirmation of the Tree Preservation Order. Whilst leaf fall can sometimes cause issues, it is a natural process that must be tolerated if we are to enjoy the benefits of having mature trees in an urban area.
18. Mature trees and Lime trees in particular are prone to losing small twigs throughout the year. Lime trees are also known for producing a reasonable amount of deadwood within their crowns. This deadwood is prone to falling in unsettled weather. Normally such branches do not cause any damage, although some of the larger deadwood can.
19. Under the Tree Preservation Order permission is not required to remove deadwood and as such this can be removed on a regular basis in order to prevent it falling of the tree. As such the presence of the Tree Preservation Order is not

considered to present an obstacle to the removal of deadwood in order to prevent it from falling on the cars on the drive.

20. It is accepted that the two Lime trees will need to be pruned on a reasonably regular basis in order to ensure the reasonable access to the driveway. It is not considered that permission would be required in order to provide the minimal required for both pedestrian and vehicular access to the property. If further pruning is required then, subject to an application, ongoing permission could be granted for a regular programme of works to ensure the required clearances.
21. If there are any branches that are likely to cause damage to the adjacent fence, then permission could be sought to remove these branches. It is considered unlikely that permission would ever be refused for such a request, where the works are required in order to prevent damage.
22. The purpose of a Tree Preservation Order is not to prevent reasonable works to protected trees, but to prevent the felling or significant works that, with a view to the amenity value of the trees, have not been justified. Given the pruning history of the trees at 57 Lantern Road, permission is likely to be granted for the re-pruning of the trees at appropriate intervals to ensure that the trees are maintained in a condition appropriate to their structure and location.
23. In relation to the tree adjacent to the garden of 7a Paint Cup Row, no obvious defects were observed in the tree at the time of inspection. It is likely that previous branch failures have been limited to the shedding of deadwood. Given the lack of obvious defects, it is not considered that the condition of the tree should be grounds to prevent the confirmation of the Tree Preservation Order. However, should any works be required in order to keep the tree in an appropriate condition, then an application could be made to secure permission.
24. Having considered the grounds of objection, it is not considered that there are sufficient grounds to prevent the confirmation of the order.

CONCLUSION

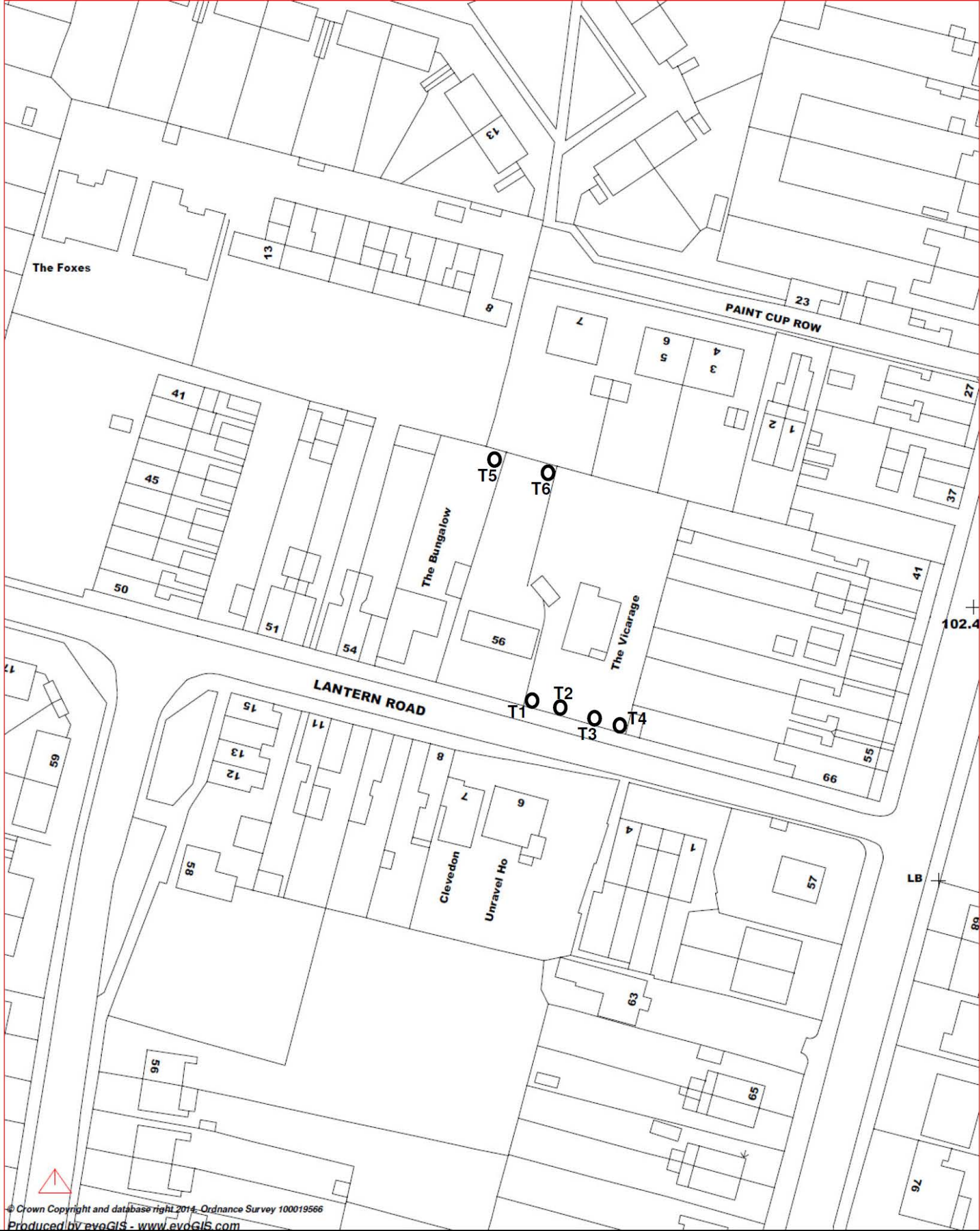
25. The trees subject to this Order provide a sufficient amount of amenity to the surrounding area to warrant their inclusion within the Tree Preservation Order. It is not considered that the grounds for the objections are sufficient to prevent the Tree Preservation Order from being confirmed and whilst the trees will need managing in the future, it is not considered that the presence of a Tree Preservation Order would create any unreasonable obstacles to the appropriate management of the trees.

RECOMMENDATION

26. It is recommended that the Tree Preservation Order be confirmed without modification.

APPENDIX 1.2

Tree Preservation Order Plan and Schedule As Served



Map referred to in the Borough Council of Dudley

55,56 & 57 Lantern Road, Netherton (TPO/0099/QBD)

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Tree Preservation Order 2014



Scale: 1 : 850

SCHEDULE

Specification of trees

Trees specified individually (encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Lime	Front Garden of The Vicarage, 57 Lantern Road, Netherton.
T2	Lime	Front Garden of The Vicarage, 57 Lantern Road, Netherton.
T3	Copper Beech	Front Garden of The Vicarage, 57 Lantern Road, Netherton.
T4	Copper Beech	Front Garden of The Vicarage, 57 Lantern Road, Netherton.
T5	Lime	Rear Garden of The Bungalow, 55 Lantern Road, Netherton.
T6	Sycamore	Rear Garden of 56 Lantern Road, Netherton.

Trees specified by reference to an area (within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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NONE

Groups of trees (within a broken black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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NONE

Woodlands (within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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NONE

APPENDIX 1.3

Plan Identifying Objectors Properties

★ - *Objection Received from Property*



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Map referred to in the Borough Council of Dudley

55,56 & 57 Lantern Road, Netherton (TPO/0099/QBD)

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Tree Preservation Order 2014



Scale: 1 : 850