

Minutes of the Development Control Committee
Monday 18th May, 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, A Goddard, J Martin, C Perks and R Scott-Dow

Officers:-

J Butler – Group Engineer, H Martin - Head of Planning, P Reed – Principal Planning Officer, H Yorke – Principal Planning Officer (Directorate of Place);
G Breakwell – Solicitor and H Shepherd – Democratic Services Officer (Directorate of Resources and Transformation).

97 **Apology for absence**

An apology for absence from the meeting was submitted on behalf of Councillor D Vickers.

98 **Declarations of Interest**

No member made a declaration of interest in accordance with the Members' Code of Conduct.

99 **Minutes**

Resolved

That the minutes of the Committee held on 27th April, 2015, be approved as a correct record and signed.

100 **Change in Order of Business**

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

Resolved

That agenda item no. 7 - Confirmation of Tree Preservation Orders, be the next item of business.

101 **Confirmation of Tree Preservation Orders**

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

Ms S Lambert and Mr N Gregory were in attendance at the meeting and spoke in objection to the Tree Preservation Order.

At this juncture, Councillor C Perks declared that Ms S Lambert, Objector, was known to her.

Ms S Lambert referred to T5 of the order and commented that she had no objection to the tree but raised concerns in relation to the overhang and the height of the tree and the possible damage that could be caused from the falling deadwood. Photographs of the tree in full bloom were circulated to Members of the Committee.

Mr N Gregory raised concerns in relation to the trees obstructing the street lamp and the difficulties he experienced accessing his driveway when the trees were in full bloom due to the excessive overhang. Clarification was requested in relation to who would be liable for any damage caused by the trees if the Tree Preservation Order was confirmed.

The Solicitor confirmed that the owner of the tree would be responsible for the up keep and maintenance of the tree and would be liable for any damage caused. Apart from limited exceptions, permission must be sought from the local planning authority before works are carried out to a protected tree. It was further clarified that a Tree Preservation Order did not prevent minor maintenance works being undertaken on a tree such as trimming of base shoots and the removal of deadwood.

Resolved

That the Borough of Dudley (55, 56 & 57 Lantern Road, Netherton (TPO/0099/QBD)) Tree Preservation Order 2015, be confirmed without modification.

102 **Plans and Applications to Develop**

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

Resolved

That the applications be determined as set out below:-

<u>Application No</u>	<u>Location/Proposal</u>	<u>Decision</u>
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.	Approved, subject to conditions numbered 1 to 18 (inclusive), as set out in the report submitted.
P15/0033	169 Ivyhouse Lane, Coseley – Erection of 5 No. Dwellings, detached garage and new vehicular access.	Approved, subject to conditions numbered 1 to 11 (inclusive), as set out in the report submitted.
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.	Approved, subject to the condition set out in the report submitted.
P15/0440	Halesowen College, Whittingham Road, Halesowen – Erection of a two storey building to create a performing arts centre.	Approved, subject to conditions numbered 1 to 10 (inclusive), as set out in the report submitted.

103 **Comments of the Chair and Head of Planning**

Members of the Committee were informed that a site visit would be undertaken prior to the next meeting in relation to the two applications that had previously been deferred. Members also agreed to visit two additional sites, in advance of the applications being considered at Development Control Committee, in anticipation that a site visit would be required.

The meeting ended at 6.25pm.

CHAIR

DC/115