

**Minutes of the Planning Committee
Wednesday 13th September 2023 at 6.00pm
In the Council Chamber, The Council House,
Dudley**

Present:

Councillor D Harley (Chair)
Councillors H Bills, P Drake, P Miller, E Taylor, C Sullivan and M Webb

Officers:

J Mead (Principal Planning Officer), P Reed (Principal Planning Officer), J Todd (Development Manager) - All of the Directorate of Regeneration and Enterprise, G Breakwell (Solicitor) and L Jury (Democratic Services Officer) - both of the Directorate of Finance and Legal Services.

Observers:

Approximately 32 members of the public.

16. **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillors S Bothul, B Challenor, and K Razzaq.

17. **Appointment of Substitute Members**

It was reported that Councillor C Sullivan had been appointed to serve as a substitute Member for Councillor B Challenor for this meeting of the Committee only.

18. **Declarations of Interest**

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

19. **Minutes**

Resolved

That the minutes of the meeting held on 26th July 2023, be approved as a correct record and signed.

20. **Site Visit**

Consideration was given to the following planning application in respect of which Members of the Committee had undertaken a site visit earlier that day.

Planning Application no. P22/1853 – Land located off The Straits, Lower Gornal – Erection of 14 No. New Dwellings with associated Access, Parking and Landscaping following demolition of 129A The Straits to facilitate the creation of an Access Road.

Resolved

That the application be refused for the reasons of:

Insufficient information has been submitted to demonstrate flood risk, including drainage, can be adequately addressed as such the application is contrary to Policy ENV5 of the Black Country Core Strategy (2011) and Policies S4 and S5 of the Dudley Borough Development Strategy (2017) and guidance contained within the National Planning Policy Framework (2023).

21. **Plans and Application to Develop**

A report of the Director of Regeneration and Enterprise was submitted on the following plans and application to develop. Details of the plans and application were displayed by electronic means at the meeting. In addition to the report submitted, notes known as Pre-Committee notes had also be circulated prior to the meeting updating Members on certain information given in the report submitted. The content of the notes was taken into account in respect of the application.

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

<u>Application No.</u>	<u>Objectors/Supporters who wished to speak</u>	<u>Agent/Application who wished to speak</u>
P23/0900	Councillor K Denning Mr S Khukhar	Mr L Shonhiwa – Malm Consulting

Planning Application No. P23/0900 – Tracey Wilder House, 57, The Broadway, Dudley, DY1 4AP – Change of Use from Offices (E) to Children’s Care Home (C2).

In considering the application, Members took into account the objections raised by a local Ward Councillor and a local resident, in relation to a number of incidents of anti-social behaviour that had occurred at the site since the application had been submitted. It was noted that whilst Ward Councillors would normally encourage the development of children’s care homes, it was felt that they were unable to support this application due to the proven track record of the management of the existing care home. Specific reference was made to the number of calls that had been made to the Police recently to attend the property and the objection that had been submitted by West Midlands Police to the application in relation to the level of anti-social behaviour and concern with regard to public safety that could result from the proposed use of the dwelling. It was noted that the applicant had also made no provision for waste management which was already having an impact on local residents.

The Committee were also mindful of the supporting comments made by the agent who clarified the position with regard to police visits to the property. It was reported that the current application sought approval for an Ofsted registered Children's home which would operate differently to the existing service, which was currently being provided, in so far as, the service would provide supported living to young people aged 7 to 16 years and impact assessments would be undertaken on the young people to ascertain their behaviour before a referral was accepted. It was also advised that Closed-Circuit Television was to be installed to monitor activity outside the property to address the concerns raised by the Ward Councillor and local residents.

In responding to questions raised by the Committee, the Principal Planning Officer clarified that the dwelling was being run within the category C3 which allowed up to six people living in a property and confirmed that the young people were receiving an element of supported care, and that this fell within the same category as a family dwelling home. It was advised that an application had been approved in November 2022 to revert the office accommodation back to a C3 dwelling which was now being implemented. It was advised that a condition had been placed on the application that stated that no more than two children would be in residence at one time.

Resolved

That the application be refused for reasons of:

The proposed change of use to Childrens Care Home raises substantial concerns in terms of the potential for increased crime, and fear of crime, amongst local residents which would adversely impact on the overall amenity quality of the surrounding area. The proposed development is therefore contrary to Paragraph 92 of the National Planning Policy Framework (2023), Policy ENV3 of the Black Country Joint Core Strategy (2011) and Policy L2 of the Dudley Borough Development Strategy (2017).

22. Questions Under Council Procedure Rule 11.8

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 6.45pm.

CHAIR