

Minutes of the Development Control Committee
Tuesday 24th February, 2015 at 6.00 pm
in Committee Room 2 at the Council House, Dudley

Present:-

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

Officers:-

F Agha (Senior Development Control Officer) J Butler (Group Engineer), J Dunn ((Tree Protection Officer), H Martin (Head of Planning), J Pilkington (Senior Conservation Officer), N Powell, (Head of Environmental Health) and P Reed (Principal Development Control Officer) (All Directorate of Environment, Economy and Housing); G Breakwell (Senior Solicitor) and M Johal (Democratic Services Officer) (Directorate of Resources and Transformation).

73 **Apology for Absence**

An apology for absence from the meeting was submitted on behalf of Councillor K Casey.

74 **Declarations of Interest**

Councillor Zada declared a non pecuniary interest in Planning Application No P14/1831 (60 Hill Street, Netherton, Dudley) in view of reference made to Hillcrest School as his child attended that school.

Councillor Zada also referred to Planning Application No P15/0005 (Hingley Anchor, Netherton, Dudley) and indicated that he had, in the past, supported the retention of the Anchor in Netherton and it was stated that he would consider the application on its merits and previous views would not prejudice his judgement.

75 **Minutes**

Resolved

That the minutes of the Committee held on 2nd February, 2015, be approved as a correct record and signed.

76 **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.

Some Members that had attended the site visit were of the opinion that the pitched roof was impinging and oppressive and it was considered that a flat roof would be better.

<u>Application No</u>	<u>Location/Proposal</u>	<u>Decision</u>
P14/1788	61 Birch Coppice, Quarry Bank, Brierley Hill – Replace flat roof with pitched roof (Retrospective).	(1) That the application be refused for the reason that the pitched gable roof is detrimental to the residential amenities of the occupiers of the adjacent dwelling by reason of the significant impact upon outlook, contrary to saved Policy DD4 of the 2005 Unitary Development Plan. (2) That the Director of Environment, Economy and Housing be authorised to take enforcement action for the removal of the unauthorised pitched roof structure to remedy the harm arising upon the affected neighbour.

77 **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 wishes to speak</u>	<u>Agent/Applicant who wishes to speak</u>
P14/1095	Mr B Zglinski	

P14/1768	Councillor Richard Body (Ward Councillor)	Mrs Brown
P14/1831	Councillor Elaine Taylor (Ward Councillor)	Mr David Vaughan

<u>Application No</u>	<u>Location/Proposal</u>	<u>Decision</u>
P14/1095	King Edward VI Sports Ground, Swinford Road, Oldswinford – Fell 1 Oak Tree	Approved. (No conditions required)

In considering the above application Members noted comments made by the objector and the Tree Protection Officer. In reaching their decision Members concurred with comments made by the objector in that the tree was dangerous given the extent of its leaning. Members were particularly concerned as the playing field was used by a large number of people, including young people that played football beneath the tree and should the tree fall, someone could be injured. The Tree Protection Officer informed the Committee that there were no signs of physiology problems or symptoms and although the tree looked precarious, leaning trees were not considered to be dangerous.

P14/1345	Land Adjacent to 23 Lister Road, Dudley – Erection of 1 No Dwelling	Approved, subject to conditions, numbered 1 to 9, (inclusive) as set out in the report submitted.
P14/1768	4 Masons Close, Cradley, Halesowen – Part A: Rear Garden Boundary Wall (Retrospective) Part B: Single Storey Side/Rear Extension	<p>(i) That Part A of the application be approved subject to the following conditions:-</p> <p>The wall as indicated on approved plan number 14:79:02 shall be completed with a painted render finish within 3 months of the date of this permission unless otherwise agreed in writing by the Local Planning Authority. The finish shall remain as agreed for the lifetime of the development.</p> <p>(ii) That Part B of the application be approved subject to conditions, numbered 1 to 4 (inclusive), as set out in the report submitted.</p>

In reaching their decision on the above application Members considered comments made by the Ward Councillor and the applicant in that the wall had been erected for protection due to the extent of anti social behaviour and burglaries that residents were experiencing. Members were of the view that residents' security was paramount.

P14/1831	60 Hill Street, Netherton, Dudley – Removal of Existing Flue and Installation of Extraction Flue for a Paint Spray Booth (Resubmission of Withdrawn Application P14/1421)	Approved, subject to conditions, numbered 1 to 6 (inclusive), as set out in the report submitted.
P14/1773	41 Summercourt Square, Kingswinford – Fell 1 No Sycamore	Approved, subject to the condition, numbered 1, as set out in the report submitted.
P14/1775	39 Manor Abbey Road, Halesowen – New Front Porch and Canopy Roof. Erection of 1.8M Boundary Wall to Side Elevation. (Part Retrospective)	Approved, subject to conditions, numbered 1 to 3 (inclusive), as set out in the report submitted.
P14/1826	153 High Street, Quarry Bank, Brierley Hill – Change of use from Licensed Private Members Club to Public House (A4)	Approved, subject to conditions numbered 1 to 4, 6 and 8 as set out in the report submitted, together with the replacement of condition, numbered 5, an amended condition, numbered 7 and additional condition, numbered 9, as follows:- 5. 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.

7. No deliveries shall be made to, and no delivery vehicles shall enter or leave the site before the hours of 0800 nor after 1800 Monday to Saturday and not at all on Sundays and Public Holidays.
9. The premises shall not be open to the public before the hours of 1000 nor after 0030 Monday to Saturday and before 1000 hours nor after 0030 hours on Sundays and Public Holidays.

P15/0005

Hingley Anchor,
Netherton, Dudley –
Installation of 2 No
Interpretation
Panels/Public Art
Features

Approved, subject to conditions, numbered 1 to 3 (inclusive), as set out in the report submitted.

P15/0031	Amenity Open Space Off, Lutley Mill Road, Halesowen – Prior Approval Under Part 24 of the Town and Country Planning (GPDO) for a Telecommunications Development Comprising of the Removal of 11.7M Phase 3 Monopole and Replace with 11.7M Phase 4 Monopole with Shrouded Headframe and 1 No Additional Cabinet	Prior Approval Not Required.
P15/0059	Unit 2, 100 Dock Lane, Dudley – Change of use from B8 to Social Club with Photographic Studio and New Smoking Shelter (Sui Generis) (Resubmission of Refused Application P14/1592)	Deferred pending outcome of further consultation.

78 **Confirmation of Tree Preservation Orders**

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

The following persons were in attendance at the meeting and spoke on the Tree Preservation Orders as indicated:-

<u>Application No</u>	<u>Objectors/supporters who wishes to speak</u>	<u>Agent/Applicant who wishes to speak</u>
TPO/0122/SED	Ms Andrew Smith (On behalf of Mr Goodwin) Mr Peplow Mr Alec Johnson	
TPO/0126/SED	Mr John Parry	

<u>TPO No.</u>	<u>Location/Proposal</u>	<u>Decision</u>
TPO/0122/SED	Greenslade Road, Long Meadow Drive, Sedgley	Trees 1 to 4 confirmed subject to administrative corrections as highlighted in the report submitted and following modifications:- Trees 5 and 6 deleted from Order.
TPO/0126/SED	Sunningdale Road/Gower Road, Sedgley	Deferred for a Site Visit specific to Trees 9, 10, 16 and 17
TPO/0121/SED	Melford Close, Penns Wood Close, Long Meadow Drive, Sedgley	Confirmed without modification.
TPO/0128/SED	Horton Close/St Brides Close/Langland Drive/Eastleigh, Sedgley	Confirmed subject to administrative corrections as highlighted in the report submitted.

79 **Authority's Monitoring Report (AMR) 2013/14**

A report of the Strategic Director (Environment, Economy and Housing) was submitted on the Council's Authority Monitoring Report (AMR) for 1st April, 2013 to 31st March, 2014.

Resolved

That the information contained in the report, and Appendix to the report, submitted, be noted.

80 **Phased Review of Conservation Area Character Appraisals Across the Borough**

A report of the Strategic Director (Environment, Economy and Housing) was submitted on a phased review of Conservation Area Character Appraisals across the Borough in accordance with the programme, as set out in the Appendix to the report submitted.

Resolved

That the information contained in the report, and Appendix to the report, submitted, be noted.

The meeting ended at 8.10pm.

CHAIR
DC/90