



Meeting of the Development Control Committee

Tuesday, 24th February, 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.
- The use of mobile devices or electronic facilities is permitted for the purposes of recording/reporting during the public session of the meeting. The use of any devices must not disrupt the meeting – Please turn off any ringtones or set your devices to silent.
- 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 Manjit Johal, Telephone 01384 815267 or E-mail manjit.johal@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 2nd February, 2015 as a correct record.
6. Site Visit (See Agenda Index Below) (Pages 1 – 8)
7. Plans and Applications to Develop (See Agenda Index Below) (Pages 9 – 97)
8. Confirmation of Tree Preservation Orders (Pages 98 – 145)
9. Authority's Monitoring Report (AMR) 2013/14 (Pages 146 – 151) (The Appendix to the report can be viewed on the council's website on the following link:-
<http://cmis.dudley.gov.uk/cm5/>)
10. Phased Review of Conservation Area Character Appraisals Across the Borough (Pages 152 – 160)
11. 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: 11th February, 2015

Distribution:

All Members of the Development Control Committee:

Councillor Q Zada (Chair)

Councillor K Casey (Vice-Chair)

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

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>

SITE VISIT

Pages 1 - 8	P14/1788 – 61 Birch Coppice, Quarry Bank, Brierley Hill – Replace Flat Roof with Pitched Roof (Retrospective)
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PLANS AND APPLICATIONS TO DEVELOP

Pages 9 - 14	P14/1095 – King Edward VI Sports Ground, Swinford Road, Oldswinford – Fell 1 Oak Tree
Pages 15 - 24	P14/1345 – Land Adjacent to 23 Lister Road, Dudley – Erection of 1 No Dwelling
Pages 25 - 31	P14/1768 – 4 Masons Close, Cradley, Halesowen Part A: Rear Garden Boundary Wall (Retrospective) Part B: Single Storey Side/Rear Extension
Pages 32 - 37	P14/11773 – 41 Summercourt Square, Kingswinford – Fell 1 No Sycamore
Pages 38 - 49	P14/1775 – 39 Manor Abbey Road, Halesowen – New Front Porch and Canopy Roof. Erection of 1.8M Boundary Wall to Side Elevation. (Part Retrospective)

Pages 50 - 57	P14/1826 – 153 High Street, Quarry Bank, Brierley Hill – Change of use from Licensed Private Members Club to Public House (A4)
Pages 58 - 68	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)
Pages 69 - 76	P15/0005 – Hingley Anchor, Netherton, Dudley – Installation of 2 No Interpretation Panels/Public Art Features
Pages 77 - 82	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
Pages 83 - 97	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)

Minutes of the Development Control Committee
Monday 2nd February, 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 D Caunt, A Goddard, J Martin, C Perks, R Scott-Dow and D Vickers

Officers:-

Jeremy Butler (Group Engineer), T Glews (Environmental Protection Manager), H Martin (Head of Planning), P Reed (Principal Development Control Officer) and R Stevenson (Senior Development Control Officer) (All Directorate of Environment, Economy and Housing); G Breakwell (Senior Solicitor) and H Shepherd (Democratic Services Officer) (Directorate of Resources and Transformation).

65 **Urgent Business**

In accordance with the provisions of Section 100(B)(4) of the Local Government Act 1972, the Chair was of the opinion that the report on the discharge of condition (P12/1447/C7) should be considered at this meeting as an urgent item of business in view of the strict time constraints requiring a Committee decision without delay.

The Chair advised that this report would be considered after agenda item no. 7 – Confirmation of Tree Preservation Order and that the meeting would be adjourned at this juncture so that Members had opportunity to familiarise themselves with the report.

66 **Apology for Absence**

An apology for absence from the meeting was submitted on behalf of Councillor A Ahmed.

67 **Declarations of Interest**

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

68 **Minutes**

Resolved

That the minutes of the Committee held on 12th January, 2015, be approved as a correct record and signed.

69 **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 person was in attendance at the meeting and spoke on the planning application indicated:-

<u>Application No</u>	<u>Objectors/supporters who wishes to speak</u>	<u>Agent/Applicant who wishes to speak</u>
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P14/1788	Councillor J Cowell – Ward Member	
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<u>Application No</u>	<u>Location/Proposal</u>	<u>Decision</u>
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P14/1788	61 Birch Coppice, Quarry Bank, Brierley Hill – Replace flat roof with pitched roof (Retrospective).	Deferred for a site visit.
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P14/1607	Gigmill, South Road, Norton, Stourbridge - Change of use of premises to retail use. Erection of single side and side/rear extensions with entrance doors. New ramped access with handrail, new lighting and associated external works.	Refused for the following reasons:-
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Due to the cross fall gradient of the South Road cross over access into the site, the applicant has failed to demonstrate that the proposed servicing arrangements for the proposed convenience store use can be undertaken in a manner which would not cause harm to users of the highway by way of larger vehicles potentially tipping over when entering the site.

As such the proposed development is considered to be contrary to Policy TRAN2 of the Black Country Core Strategy and Saved Policy DD4 of the Dudley Unitary Development Plan.

Members were advised at the meeting of additional concerns raised by the Group Engineer as the Highways Authority with regards to the service arrangements and customer access to the site. It was stated that Officers had attempted to work with the applicant to rectify these concerns but to no avail. It was therefore recommended that this application now be refused.

In considering the above application Members were mindful that South Road was a busy and well used road and did not wish to put residents at any risk without a full assessment of the site being carried out.

P14/1655	21 Kiniths Way, Halesowen - Installation of antenna mast and antennas in rear garden (Retrospective).	Refused for the following reason:- The mast and associated antennae due to its height, design, siting and visual prominence are considered to be harmful to the visual amenity of adjoining neighbours. The development is therefore considered to be contrary to Saved Policy DD4 of the Dudley Unitary Development Plan.
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In considering the above application Members raised concerns in relation to the application with particular reference to no consideration having been given to the impact the installation of the antenna mast and antennas would have on their neighbour's visual amenity.

P14/1665	11 Tree Acre Grove, Cradley, Halesowen - Erection of a steel mast and radio antennas (Retrospective).	Refused for the following reason:- The mast and associated antennae due to its height, design, siting and visual prominence are considered to be harmful to the visual amenity of adjoining neighbours. The development is therefore considered to be contrary to Saved Policy DD4 of the Dudley Unitary Development Plan.
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In considering the above application Members raised concerns in relation to the application with particular reference to no consideration having been given to the impact the installation of the antenna mast and antennas would have on their neighbour's visual amenity.

P14/1683	The Struggling Man, 57 Salop Street, Dudley - Change of use from public house (A4) to hot food takeaway (A5) with fume extraction, elevation changes to include new door.	Approved, subject to conditions, numbered 1 to 9 (inclusive), as set out in the report submitted and an additional condition, numbered 10, as set out below:- 10. Before the development hereby permitted is implemented, a Delivery Management Plan shall be submitted to and agreed in writing by the Local Planning Authority detailing measures to ensure deliveries take place to the rear of the site. The plan shall be implemented in accordance with the approved details.
P14/1720	Arcal Lodge Care Home, Arcal Street, Sedgley, Dudley - Part demolition and conversion of care home to 14 No. Dwellings.	Approved, subject to conditions numbered 1 and 3 to 7 (inclusive) as set out in the report submitted, an amended condition, numbered 2, and an additional condition, numbered 8, as set out below:- 2. The development hereby permitted shall be carried out in accordance with the following approved plans: NB/AL/P/07, NB/AL/P/04 Rev B, NB/AL/P/03 Rev B, NB/AL/P/09, NB/AL/P/08, NB/AL/P/06 and NB/AL/P/01 A.

8. The development shall not be occupied until details of the type and location of an electric vehicle charging point within the parking area allocated for units 1-10 has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter take place in accordance with the approved details, and the charging point shall be retained for the lifetime of the development.

P14/1786	17 Greenway, Sedgley, Dudley – Thin and Lift 1 No. Plane Tree.	Approved, subject to the condition set out in the report submitted.
P14/1807	Coronation Gardens, Priory Road, Dudley – Demolition of existing wall and replacement with new brick boundary wall.	Approved, subject to no objections being received during the notification period and to conditions numbered 1 to 3 (Inclusive) as set out in the report submitted.

70 **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 Order (TPO) should be confirmed with or without modification in light of the objections that had been received.

<u>TPO No.</u>	<u>Location/Proposal</u>	<u>Decision</u>
TPO/0111/SED	High Park Crescent No. 1, Sedgley.	Confirmed, subject to the following modifications:- Deletion of tree T18.

The meeting was adjourned at 6.43pm so that Members had opportunity to familiarise themselves with the urgent business report.

The meeting reconvened at 6.55pm

71 **Urgent Business – Application No. P12/1447/C7 – Site of Former Cradley High School, Homer Hill Road, Cradley, Halesowen, B63 2UP**

A report of the Strategic Director (Environment, Economy and Housing) was submitted on Application No. P12/1447/C7 – Site of Former Cradley High School, Homer Hill Road, Cradley, Halesowen – Discharge of condition A32 (Street Lighting Detail). Where appropriate, details were displayed by electronic means at the meeting.

Resolved

That the Strategic Director (Environment, Economy and Housing) be authorised to determine the discharge of condition application, subject to the formal support of the Group Engineer.

72 **Local Development Scheme 2015-2018**

A report of the Strategic Director (Environment, Economy and Housing) was submitted on the Council's Local Development Scheme (LDS) (2015-2018).

Resolved

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

72 **Review of the Relevant National and Local Policies, Planning Legislation and National Guidance Concerning the Change of use or Redevelopment of Public Houses**

A report of the Strategic Director (Environment, Economy and Housing) was submitted on the outcome of the review of the relevant National and local planning policies, planning legislation and guidance concerning the change of use or redevelopment of Public Houses with a view to addressing the elements within the motion considered at Full Council on 1st December, 2014.

Resolved

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

The meeting ended at 7.10pm.

CHAIR

PLANNING APPLICATION NUMBER:P14/1788

Type of approval sought	Full Planning Permission
Ward	Quarry Bank & Dudley Wood
Applicant	Mr J. Dunn
Location:	61, BIRCH COPPICE, QUARRY BANK, BRIERLEY HILL, DY5 1AR
Proposal	REPLACE FLAT ROOF WITH PITCHED ROOF (RETROSPECTIVE)
Recommendation Summary:	APPROVE

SITE AND SURROUNDINGS

1. The site comprises a modern detached dwelling built in the 1960s alongside a semi-detached pair of properties. The dwelling has been extended with the addition of a single storey side extension to the original kitchen and a front porch. The single storey side extension was originally built with a flat roof. The property has an attached single garage built to the side of the dwelling with the kitchen extension positioned to the rear of the garage. The side kitchen extension extends up to the side boundary of the site projecting three metres beyond the side elevation of the garage when viewed from the street.
2. The house is slightly elevated above the highway being set back 9m from the road. The dwelling is built in red facing brick with a pitched roof over and side facing gables. The front elevation has stone cladding to its ground floor and render to its first floor.
3. The immediate neighbouring property located to the north-west of the application site is set back significantly further from the road by approximately twenty-one metres and is further elevated than the application site. The nearest ground floor habitable room window to the application site serves a dining room. The dwelling is

positioned within 4m of the existing single storey side extension that has been added to the application site. There is a 2m high close boarded fence between the application site and the neighbouring property.

PROPOSAL

4. The proposal seeks retrospective planning permission to place a pitched roof over the existing single storey side kitchen extension. The pitched roof measures 1.2m high to its ridge from the eaves. The original extension measured 2.8m high. The altered extension measures 2.8m high to its eaves and 4m high to its ridge. The roof comprises grey concrete roof tiles to match those on the existing garage with brown soffits and a white upvc clad gable.

HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
BH/62/4524	Erection of one detached and one pair of semi-detached houses with garages.	Approved with Conditions	17/12/62
DB/72/10265	Extensions and alterations to existing dwelling.	Refused	04/09/72
CC/78/2713	Extension to form kitchen and storm porch.	Approved with Conditions	30/11/78
P04/1243	Single storey rear extension to create breakfast room.	Approved with Conditions	02/08/2004

5. Planning permission P04/1243 was never implemented.

PUBLIC CONSULTATION

6. The application was advertised by way of neighbour notification letters being sent to the occupiers of five properties within close proximity to the site. The latest date for comments was the 23rd January 2015. At the time of writing the report no objection letters have been received but a Ward Member has requested that the application is considered by Development Control Committee.

OTHER CONSULTATION

7. Not applicable.

RELEVANT PLANNING POLICY

National Planning Guidance (2012)

8. The National Planning Policy Framework (NPPF) sets out the Governments planning policies for England and how these are expected to be applied. The NPPF is a material consideration in planning decisions, but does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved.
9. The NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development.

Planning Practice Guidance

- Design
- Use of Planning Conditions

Black Country Core Strategy (2011)

- ENV 3 Design Quality

Unitary Development Plan (2005)

- DD4 Development in Residential Areas

Supplementary Planning Guidance/Documents

- PGN 12. The 45 degree code
- PGN 17. House extension design guide

ASSESSMENT

10. The main issues are

- Design
- Neighbour Amenity

Design

11. The addition of the pitched roof over the previously flat roofed single storey side extension improves the overall visual appearance of the dwelling. The roof is of a similar pitch to the roof over the garage and front porch thereby improving the way in which the extensions tie in with the original house. The addition of the pitched roof improves the appearance of the dwelling from the street and does not detract from the character of the area thereby being in accordance with Policy ENV3 of the BCCS, saved Policy DD4 of the Adopted Dudley Unitary Development Plan and PGN17.

Neighbour Amenity

12. The significant set-back of the neighbouring property from the road with the application site means that the outlook from this dwelling is of the two storey side gable of the application site. The original flat roof extension would have been screened from this neighbouring property by existing boundary fencing. The addition of the pitched roof over the existing single storey side extension has resulted in the roof now projecting above the fence by 1.2m high to its ridge falling in height towards the eaves. The side gable is positioned at its closest point within 4m from the front elevation of the neighbouring property.

13. The occupiers of the neighbouring dwelling have always looked towards the side gable of the application site due to the historic street layout. The addition of the roof over the original flat roof side extension do have some impact in terms of the occupiers of the neighbouring in terms of outlook and a potential minor loss of light to the dining room during the winter months. In view of the single storey nature of the extension and its associated roof and the harm already caused by the juxtaposition of the two properties, the impacts of the development are not considered sufficiently harmful to warrant the refusal of planning permission. The proposed development would, on balance, ensure compliance with saved Policy DD4 of the Adopted Dudley Unitary Development Plan, PGN12 and PGN17.

CONCLUSION

14. The design and appearance of the pitched roof over the original flat roof side extension complements the design and pitch of the existing pitched roof over the garage and front porch and would improve the overall integration of previous extensions to the original dwelling. The pitched roof over the side extension would not detract from the character of the area.
15. Whilst the pitched roof projects 1.2m over the side boundary fencing between the application site and neighbouring property at its highest point and is sited within 4m from the front elevation of this property, the original siting of the dwellings would already have an adverse impact upon outlook from this property. The addition of the roof would not be sufficiently detrimental in terms of either a loss of outlook or a loss of daylight to the dining room to warrant the refusal of planning permission.

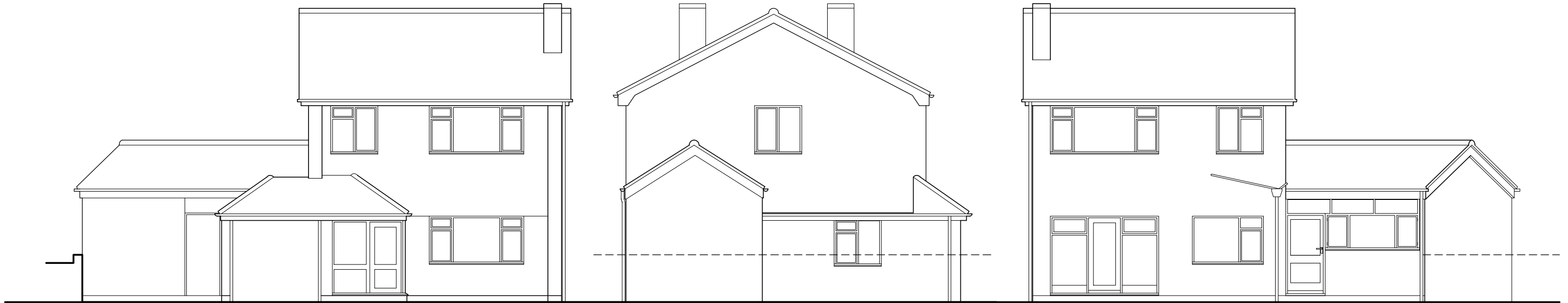
RECOMMENDATION

16. It is recommended that the application be APPROVED.

APPROVAL STATEMENT INFORMATIVE

In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

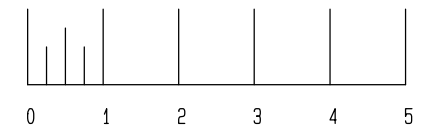
Do not scale. Figured dimensions only to be taken from drawing.
The contractor is to visit the site and be responsible for taking & checking dimensions relative to this work.



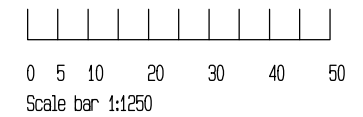
Front elevation

Side elevation

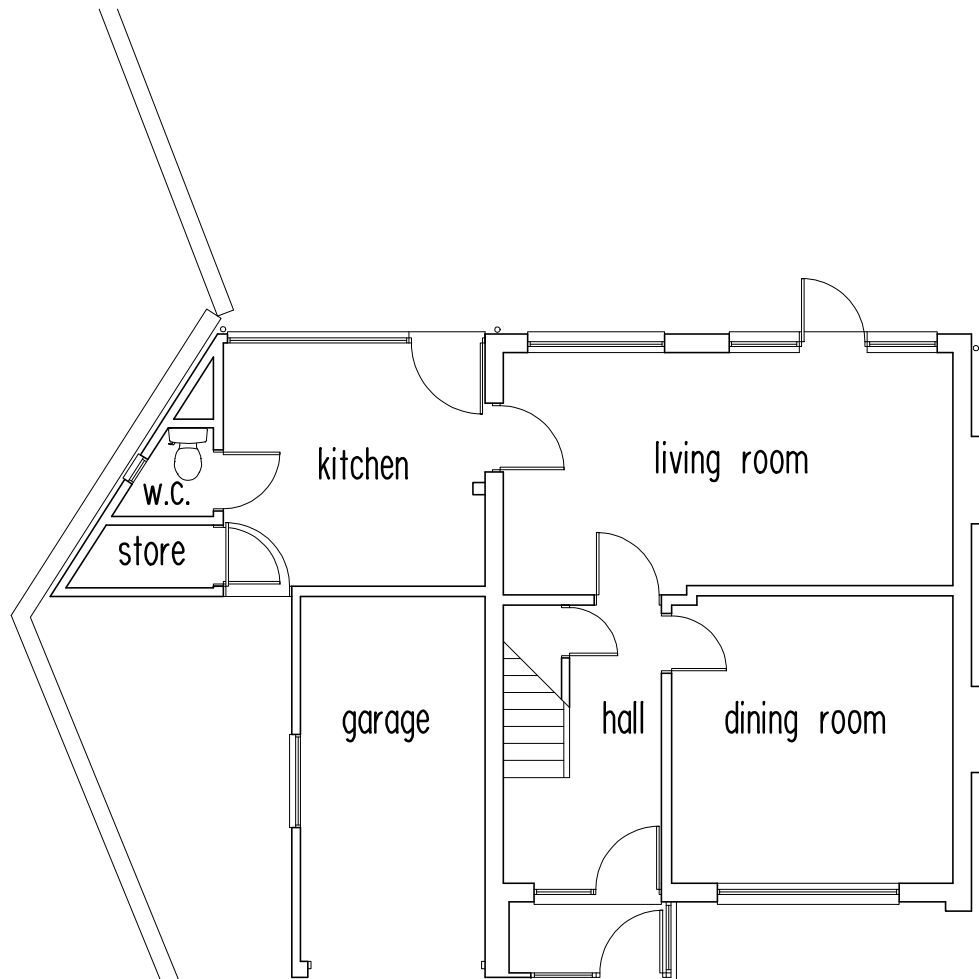
Rear elevation



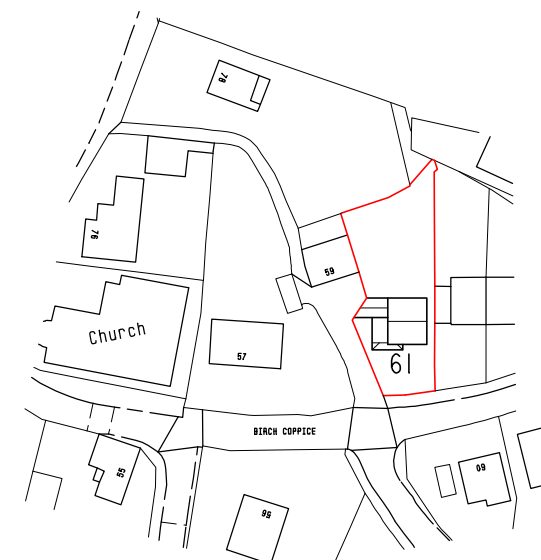
Scale bar 1:100



Scale bar 1:1250



Ground floor plan



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Licence number 100022432

Location plan



Mr. J. DUNN

PROPOSED PITCHED ROOF
61 BIRCH COPPICE
QUARRY BANK

AS BUILT

14:86:02

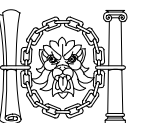
Scale 1:100
Date December 2014

MFL Design

Architectural Design Service

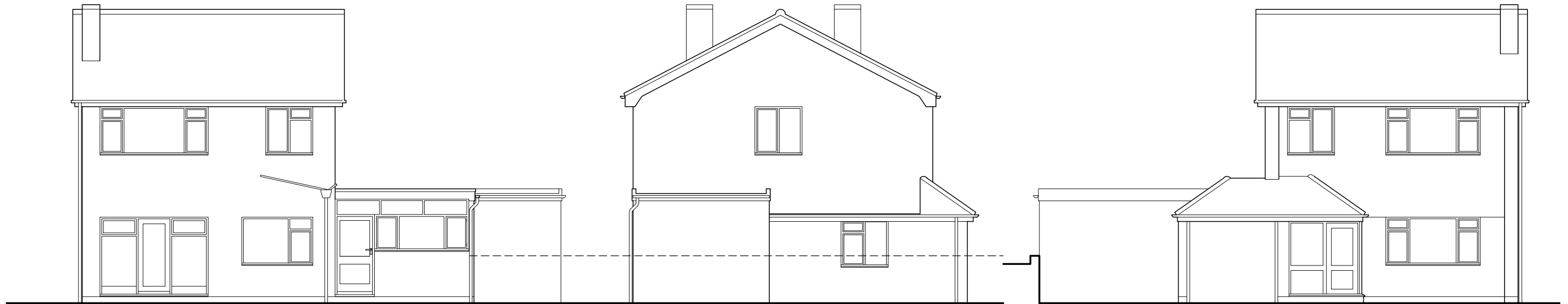
5 Glynn Crescent,
Halesowen,
West Midlands,
B63 2PZ

Tel. 01384 561334



Chartered Institute of
Architectural Technologists

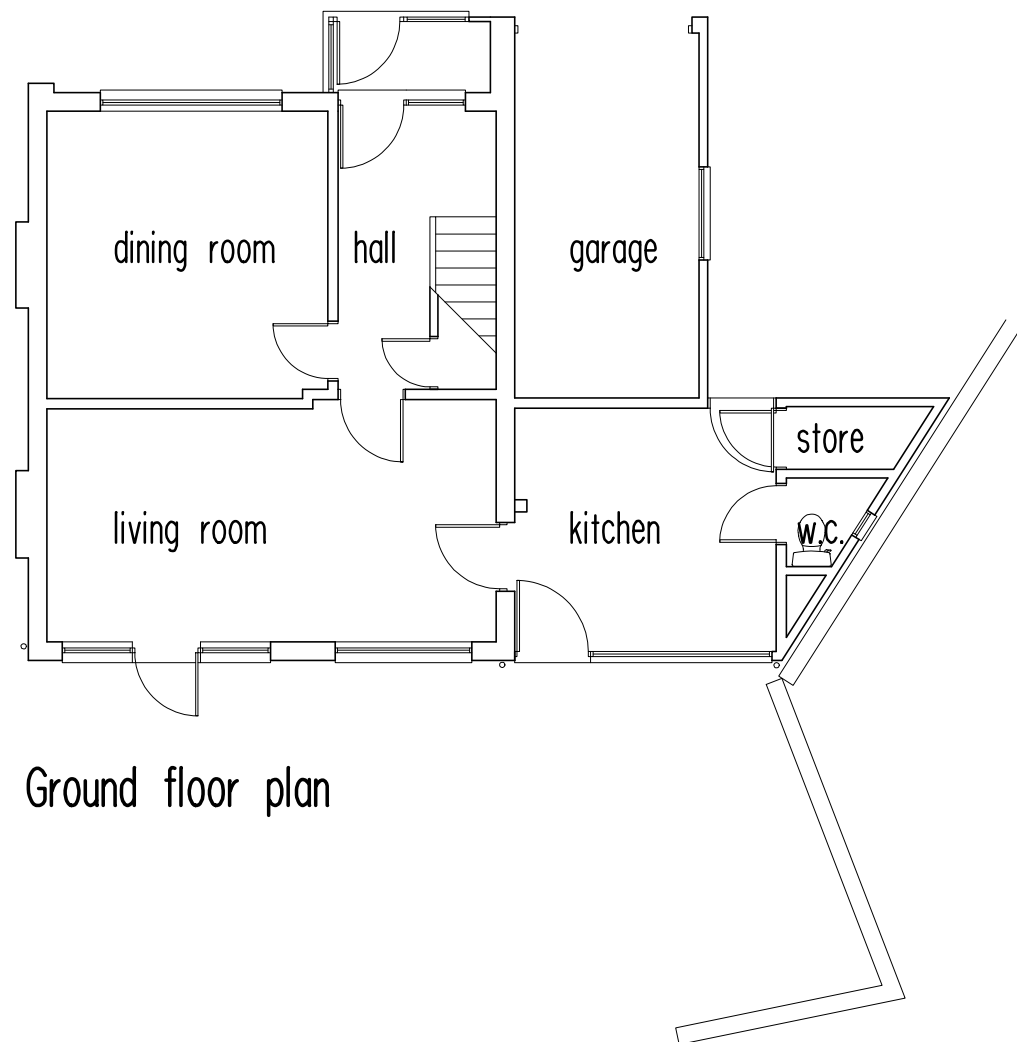
Do not scale. Figured dimensions only to be taken from drawing.
The contractor is to visit the site and be responsible
for taking & checking dimensions relative to this work.



Rear elevation

Side elevation

Front elevation



Ground floor plan

Mr. J. DUNN
PROPOSED PITCHED ROOF
61 BIRCH COPPICE
QUARRY BANK
AS PREVIOUS
14:86:01

Scale 1:100
Date December 2014

MFL Design

Architectural Design Service
5 Glynn Crescent,
Halesowen,
West Midlands,
B63 2PZ
Tel. 01384 561334



PLANNING APPLICATION NUMBER:P14/1095

Type of approval sought	Tree Preservation Order
Ward	Norton
Applicant	The Principal The Trustees, King Edwards College VI
Location:	KING EDWARD VI SPORTS GROUND, SWINFORD ROAD, OLDSWINFORD, DY8
Proposal	FELL 1 OAK TREE
Recommendation Summary:	REFUSE

TREE PRESERVATION ORDER NO: TPO/0055/NOR/T4 (2013) – T4

SITE AND SURROUNDINGS

1. The tree subject to this application is a mature oak tree that is located on the eastern boundary of the King Edward VI Sports Ground, adjacent to the boundary with 34 Oakleigh Road.
2. The tree is one of a number of mature oak trees along this boundary, and appears to be the remnant of an old tree boundary dating back to the 19th Century, although it is debateable if the tree is quite that old.
3. The tree is prominently visible within the sports field, which is used by students of King Edward VI College during the week and members of the public as part of organised football matches at the weekend. The tree is also visible from the junction of Love Lane, Cobham Road and Oakleigh Road. It is also visible from further along Oakleigh Road above the adjacent properties.
4. Overall it considered as both an individual and as part of the linear group of trees to provide a high amount of amenity to the surrounding area.
5. The tree is protected as T4 of TPO/0055/NOR which was served in 2013. The TPO protects a number of mature trees along the eastern boundary of the sports field.

PROPOSAL

6. Summary of proposals for the works as written on application form is as follows:
- Fell 1 Oak tree.
7. The tree has been marked on the attached plan.

HISTORY

8. There have been no previous Tree Preservation Order applications on this site.

PUBLIC CONSULTATION

9. A letter of support has been received from the adjacent neighbour. They support the application on the grounds that the tree is not a particularly good specimen due to its lean; they have concerns for users and visitors of the sports pitches should the tree suffer partial failure; and that should the whole tree fail the root system could cause considerable damage to their garden.

ASSESSMENT

Tree(s) Appraisal

<i>Tree Structure</i>	Tree 1
Species	Oak
Height (m)	14
Spread (m)	17
DBH (mm)	1000 (on longest axis)
Canopy Architecture	Moderate / Good
Overall Form	Moderate – tree growing at a lean
Age Class <i>Yng / EM / M / OM / V</i>	Mature

Structural Assessment

Trunk / Root Collar	Good
Scaffold Limbs	Good / Moderate – cavity on one of main scaffold limbs at point of old limb removal. Extent of decay not apparent from ground level, but no external signs of impaired structure on main limb
Secondary Branches	Good
% Deadwood	7%
Root Defects	None Evident
Root Disturbance	None Evident
Other	

Failure Foreseeable Imm / Likely / Possible / No	Whole No	Part No
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Vigour Assessment

Vascular Defects	None Evident
Foliage Defects	None Evident
Leaf Size	Not in Leaf
Foliage Density	Not in Leaf
Other	

Overall Assessment

Structure	Good / Moderate
Vigour	Good
Overall Health	Good

Other Issues

Light Obstruction	Yes - to adjacent property
Physical Damage	None Evident
Surface Disruption	None evident
Debris	Yes

Amenity Assessment

Visible	Yes
Prominence	High
Part of Wider Feature?	Yes
Characteristic of Area	Yes
Amenity Value	High

Further Assessment

10. The applicant has proposed to fell the trees as they have concerns about its safety and the risk to the adjacent property and users of the playing fields.
11. The application is supported by a tree report that concludes that the tree is in a dangerous condition and needs to be removed. This conclusion is based on the lean of the tree and the weight and forces that will be exerted by the eccentric canopy on the root plate of the tree during windy conditions.
12. This assessment of the tree is not agreed with. It is accepted that the tree does have a heavy lean, estimated at approximately 35 degrees, and that it has an eccentric crown, which results in a centre of gravity that is significantly to the west of the main stem. However it is not considered that this lean in itself has reduced the safety.

13. Trees grow according to their environment. The lean on this tree appears to be a historical lean that would have developed due to the tree trying to grow out from under the canopy of a, now removed, adjacent tree.
14. Trees are known as “self-optimising organisms”, in that they have the ability to identify where extra structural timber is required in order to maintain acceptable structural safety margins, and provide for the required extra growth.
15. In this case this is demonstrated by the diameter of the stem being significantly great in the plane of the lean compared to the diameter perpendicular to the lean. Furthermore the cross section of the stem shows that the greatest deviation from the circular ‘norm’ is on the side of the stem opposite to the lean, as timber in deciduous trees is able to provide greater reinforcement on the tension side of a lean.
16. The tree will be constantly developing adaptive growth in order to maintain the required structural equilibrium, and as such leaning trees, without any other observable defects or impaired growth formations, should be considered as safe as their upright counterparts.
17. As stated above it is considered that the lean of the tree has developed from when the tree was young, it is not considered that there has been any historic root plate movement within the tree, and that on inspection there are no signs of any current root plate lifting.
18. Overall it is not considered that this tree is currently at any heightened risk of failure.
19. Whilst at present it is not considered that the tree is at any increased risk of failure due to the lean, it could be argued that should the tree start to develop structural defects, such as stem cavities, then these could be more significant to a leaning tree than to an upright tree. Whilst in principal this may be the case, not all defects will be more significant, and it is considered that it would be inappropriate to fell this tree on such speculative grounds.
20. It is considered that some crown management works may be appropriate, should the cavity on the southern scaffold limb be found to extend to a significant cross section of that limb, but this would be limited to that specific limb and would not involve the reduction of the crown as a whole. Such works would need to be the subject of a fresh application

21. It was noted that there was some deadwood within the crown of the tree; this was not considered to be symptomatic of poor health, but an expected characteristic of a tree of this age. This can be removed without the need for a formal application.
22. Overall it is not considered that the proposed felling has been justified, and that the conclusions of the submitted tree report are not justified by the current condition or structural form of the tree. It is not considered that the impact on the amenity of the area that would result from the proposed felling is justified by the grounds of the application. As such it is recommended that the application be refused.

CONCLUSION

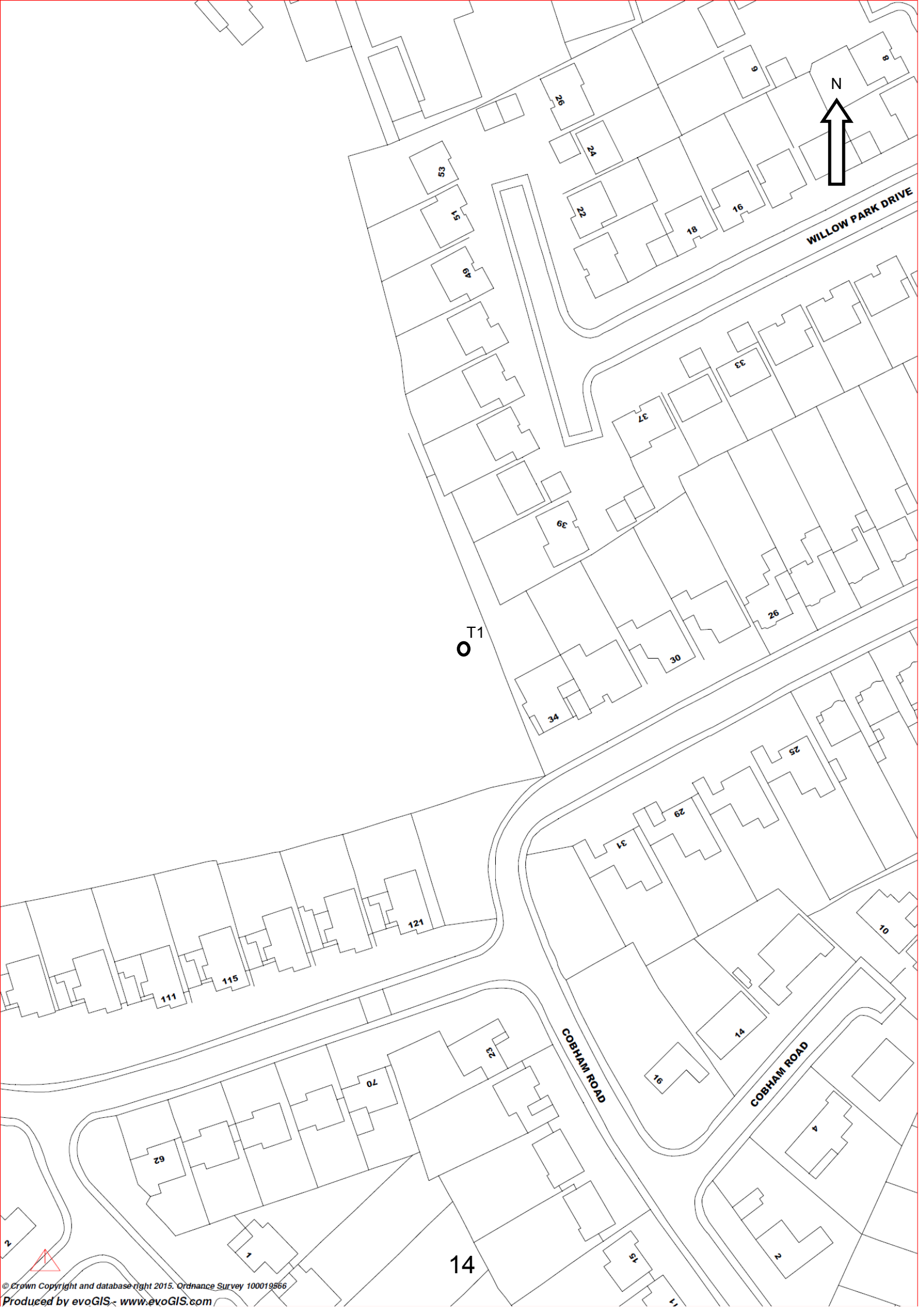
23. The applicant has proposed to fell the trees as they have concerns about its safety and the risk to the adjacent property and users of the playing fields.
24. Having inspected the tree it is not considered that the tree is showing any signs of being a heightened risk of failure, or that failure is likely in the future. As such, it is not considered that the detrimental impact on the amenity of the area has been sufficiently justified and it is recommended that the application be refused.

RECOMMENDATION

25. It is recommended that application is refused for the stated reason.

Conditions and/or reasons:

1. The tree subject to this application provides a high amount of amenity to the local area by virtue of its visual appearance from within the King Edward VI sports field, Oakliegh Road and Cobham Road. It is not considered that the proposed felling and its likely impact on the amenity of the area have been sufficiently justified by the applicant. In particular it is not considered that the conclusions of the submitted tree report are supported by currently accepted arboricultural principals.



WILLOW PARK DRIVE

T1

COBHAM ROAD

COBHAM ROAD

PLANNING APPLICATION NUMBER:P14/1345

Type of approval sought	Full Planning Permission
Ward	St Thomas's
Applicant	Mr I.Z. Iqbal
Location:	LAND ADJ. 23 LISTER ROAD, DUDLEY, DY2 8JR
Proposal	ERECTION OF 1 NO. DWELLING
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site is a vacant piece of land located adjacent to 23 Lister Road, a modern three storey house. This part of Lister Road is entirely residential. The site rises gently from front to back, with an approximate levels difference of 1m. The houses to the rear on Adshead Road are at a significantly higher level. Lister Road itself slopes upwards from west to east. Within the rear garden of 12 Adshead Road to the rear there are three trees along the boundary with the site. Adjacent the site to the west is a plot of land containing a detached garage. Existing properties in the vicinity along Lister Road are of a variety of designs.

PROPOSAL

2. Permission is sought to erect a 2-bedroom detached house at the site. Two parking spaces are to be provided along the site's western boundary. The development would have an irregularly shaped rear garden, of 4m in length at its shortest point and 6m at its longest point with an overall area of approximately 35 sq.metres.

PLANNING HISTORY

3. None relevant to the assessment of the application.

PUBLIC CONSULTATION

4. Neighbour notification letters have been sent to 8 properties. The occupants of 12 Adshead Road to the rear have expressed concern that the development could potentially lead to a loss of privacy and therefore boundary treatment of suitable height should be erected and obscure glazing used within rear windows to prevent overlooking

OTHER CONSULTATION

5. Group Engineer (Highways): No objection.
Head of Environmental Health and Trading Standards: No objection.

RELEVANT PLANNING POLICY

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

Black Country Core Strategy 2011
Policy HOU2 (Housing Density, Type and Accessibility)

Saved 2005 UDP Policies
Policy DD1 (Urban Design)
Policy DD4 (Development in Residential Areas)

Supplementary Planning Documents
New Housing Development SPD 2012
Parking Standards SPD 2012

7. Key Issues

- Principle of the development;
- Impact on the character and appearance of the area;
- Residential amenity;
- Parking provision.

Principle

8. The NPPF also advises that housing applications should be considered in the context of a presumption in favour of sustainable development. Given that the site is within an established urban setting there is, in principle, national policy support for the type of development proposed, subject to the development being appropriate to the context of the area.

Character

9. Policy HOU2 of the Core Strategy requires that new housing developments should be of high quality design. Saved Policy DD1 requires that developments should make a positive contribution to the appearance of an area. Policy DD4 of the UDP seeks to ensure that residential development will be allowed where there would be no adverse effect on the character of the area. The design and scale of the building proposed is considered to be acceptable within the context of existing buildings in the vicinity and the building is appropriately sited along the same build line as houses to the east.

Residential Amenity

10. In response to the concerns of the occupants of 12 Adshead Road, the applicant has revised the development as originally proposed by removing the sole first floor habitable room window from the rear elevation of the building and locating it in the side elevation. As such the development will not lead to any overlooking of 12

Adshead Road which is located 16m away to the rear. The occupants of the property have been notified of the amendment made and have not raised any further objection. The window in question has been relocated to the western elevation of the building and will overlook only the adjacent plot of land containing a garage. It is not considered that the development would result in any loss of privacy at existing surrounding properties. Boundary treatment of a suitable height can be sought by condition to restrict views from ground floor windows towards first floor windows at 12 Adshead Road.

11. The total garden area to be provided is 30 square metres below the 65 sq m guideline amount set out in the New Housing Development SPD for 2-bedroom houses. Given that the proposal is acceptable in all other grounds it is considered that it would not be appropriate to refuse the application on these grounds only, particularly as there would be no resultant harm on the character of the area or residential amenity for the reasons set out above.
12. In view of the above it is considered that the development accords with Saved UDP Policy DD4 in that it would not have any adverse impact on residential amenity.

Parking provision

13. Policy DD4 also requires that new developments should not have any harmful effect on highway safety. The Parking Standards SPD requires the provision of 2 parking spaces for a 2-bed dwelling, which in this case can be fully accommodated within the site. As such the development will not result in on-street parking.

CONCLUSION

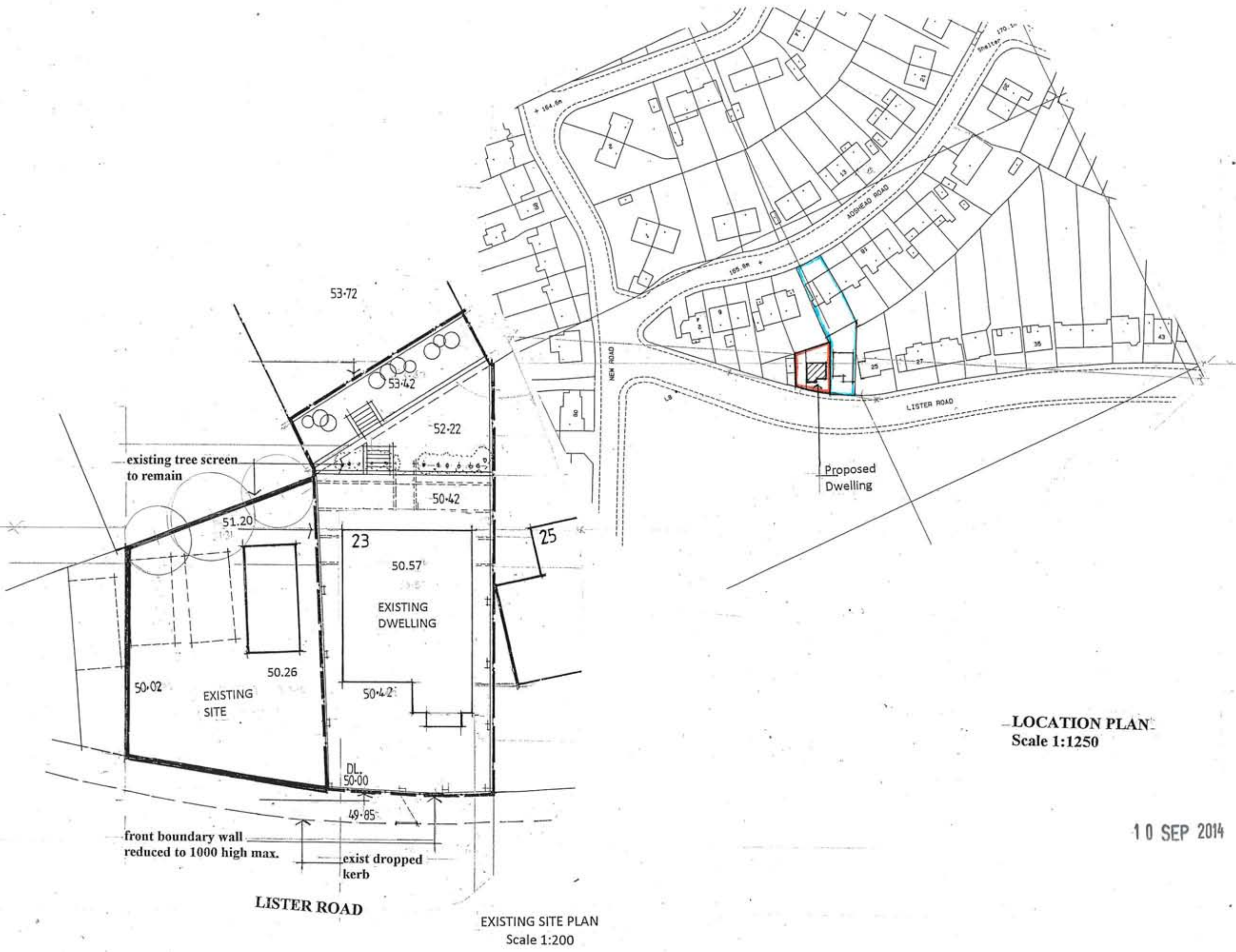
14. The proposed development would not have any adverse effect on the amenities of the occupants of existing nearby properties, the character of the area or highway safety. As such the proposal does not contravene UDP Policy DD4.

RECOMMENDATION

15. 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. 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.
3. Prior to the commencement of development, details of the type and size and locations of the proposed fence/wall along the site's rear boundary 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.
4. 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 A Class 1 of that order shall be carried out.
5. The development hereby permitted shall be carried out in accordance with the following approved plans: 3327/14 rev A, 3328/14 rev A, 3329/14 rev A and 3333 rev x.
6. Prior to the occupation of the dwelling hereby approved, the parking area shown on the approved plans shall be provided and thereafter maintained for these purposes for the lifetime of the development.
7. No development shall commence until details for the provision of an external electric vehicle charging point have been submitted to and approved in writing by the Local Planning Authority. The charging point 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.
8. The first floor rear window shall be obscure glazed only and shall remain as such unless otherwise approved in writing by the Local Planning Authority.
9. Prior to first occupation the parking area will be provided in accordance with the approved details and graded, levelled, surfaced, drained and marked out and maintained for the lifetime of the development and the redundant dropped kerbs shall be replaced with full height kerbs.



NOTES:
All dimensions must be checked on site and not scaled from this drawing.

Date	Revisions

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Tel & Fax: 01384-257184

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Architects and Surveyors Institute, Faculty of Building.

Client
X **MR I.Z. IQBAL**

Job Title
X
**LAND ADJ. 23, LISTER ROAD,
DUDLEY,
DY2 8JR.**

Drawing Title
X
**PROPOSED DETACHED
DWELLING**

LOCATION PLAN
Scale 1:1250

10 SEP 2014

Scale **1:200**; 1:1250

Date X **AUG, 2014.** Drawn by X

Drg. No. X I.Z.I. 3332/14	Rev. X
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X I. IQBAL

Job Title
X LAND ADJ. 23 LISTER ROAD,
DUDLEY,
DY2 8JR

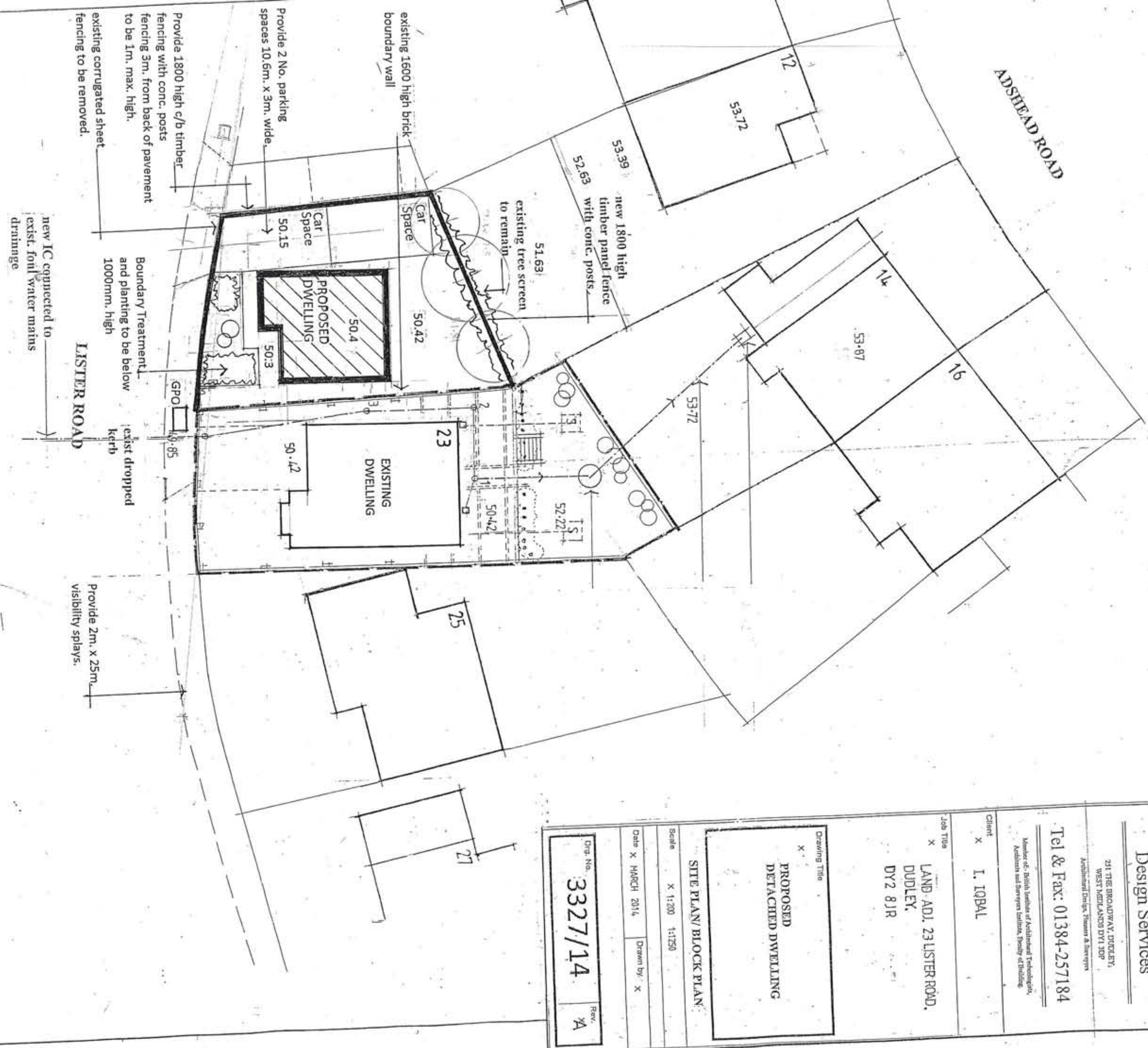
Drawing Title
X
PROPOSED
DETACHED DWELLING

SITE PLAN/BLOCK PLAN

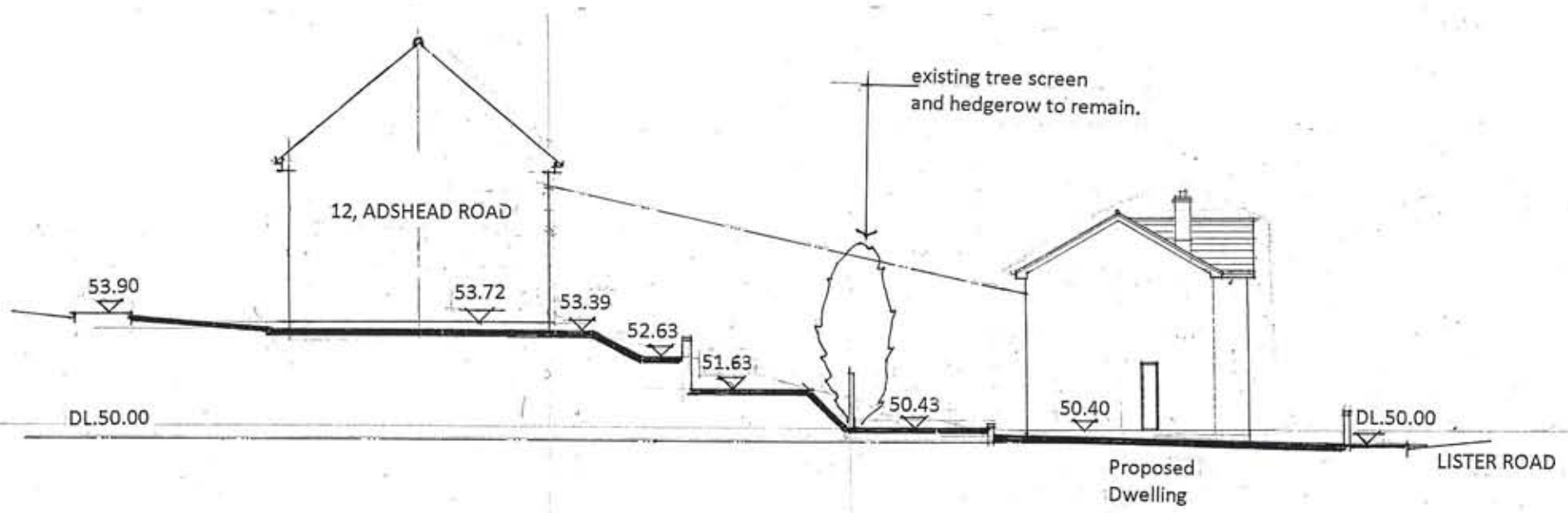
Scale X 1:200 1:1250

Date X MARCH 2014 Drawn by X

Draw. No. 3327/14 Rev. A



PROPOSED SITE PLAN
Scale 1:200



SITE SECTION
(Scale 1:200)

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Client
X **MR I.Z. IQBAL**

Job Title
X **LAND ADJ. 23, LISTER ROAD,
DUDLEY,
DY2 9JR.**

10 SEP 2014

Drawing Title
X **PROPOSED DETACHED DWELLING**

Scale 1:200

Date AUG. 2014 Drawn by X

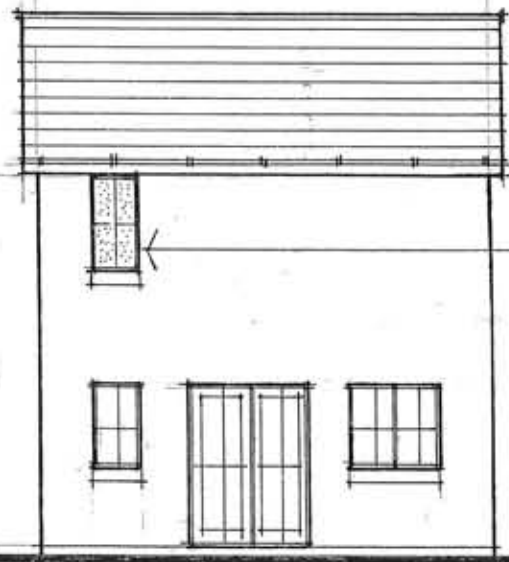
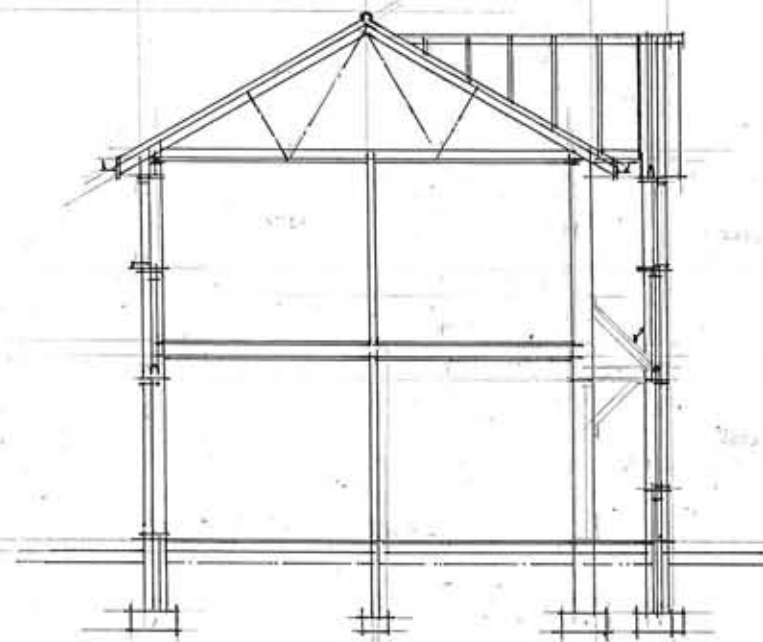
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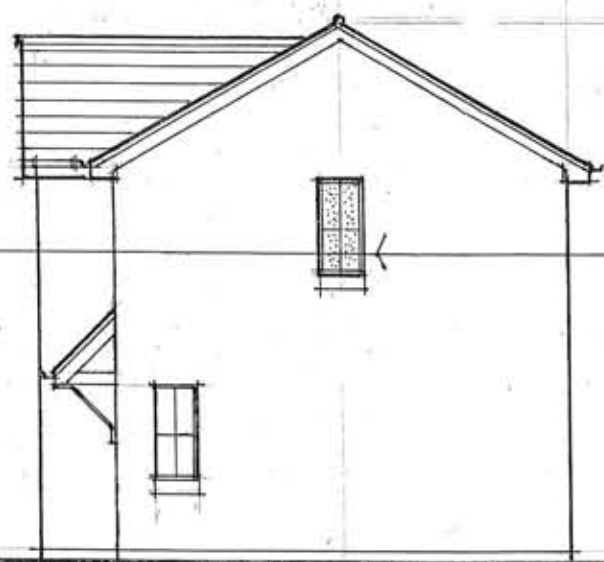
FRONT ELEVATION
(facing Lister Road)
Scale 1:100



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION
(facing 23, Lister Road)

Provide obscure glazing to both landing windows.

NOTES:

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Client

X **MR I.Z. IQBAL**

Job Title

X
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DUDLEY,
DY2 8JR.

Drawing Title

X
**PROPOSED DETACHED
DWELLING**

Scale 1:100

Date AUG. 2014

Drawn by X

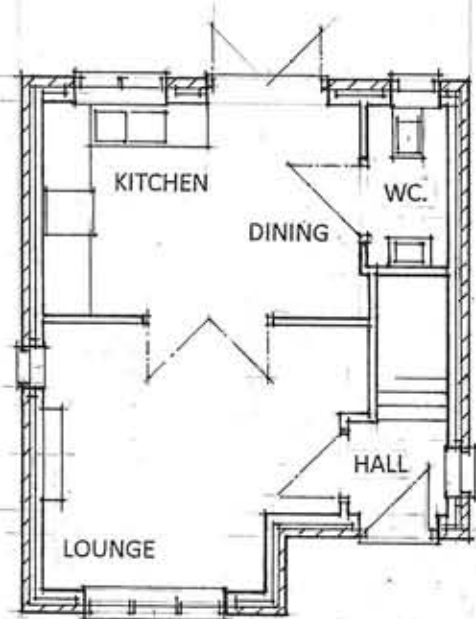
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DRG. NO. I.Z.I. 3328/14

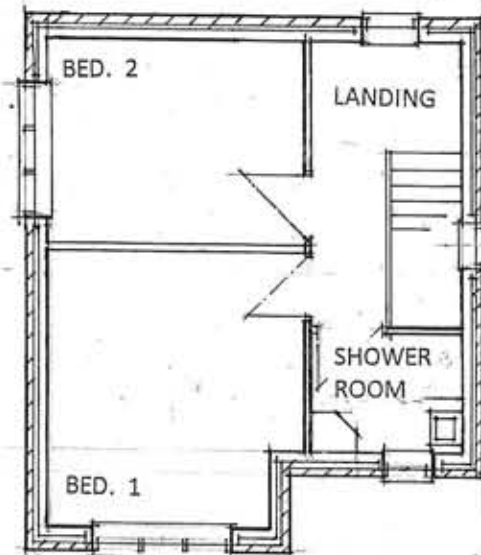
Rev.

A

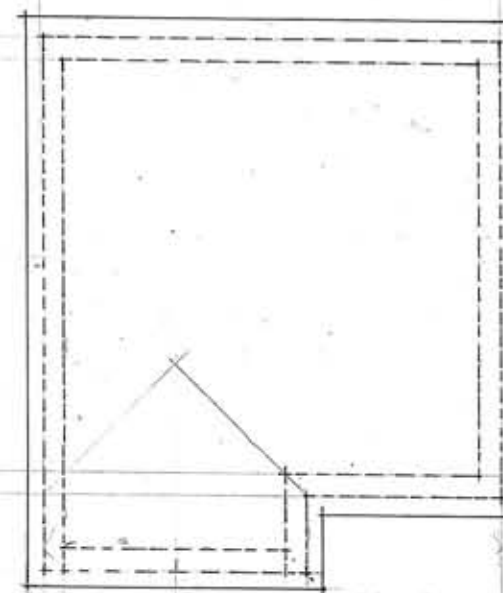
AMENDED PLAN



GROUND FLOOR PLAN
Scale 1:100



FIRST FLOOR PLAN



ROOF PLAN

NOTES:

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X MR I.Z. IQBAL

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Drawing Title
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PROPOSED DETACHED
DWELLING

Scale 1:100

Date AUG. 2014 Drawn by X

Drg. No. DRG. NO.I.Z.I. 3329/14 Rev. A

PLANNING APPLICATION NUMBER: P14/1768

Type of approval sought	Full Planning Permission
Ward	Cradley and Wollescote
Applicant	Mrs J. Brown
Location:	4, MASONS CLOSE, CRADLEY, HALESOWEN, B63 2SX
Proposal	PART A: REAR GARDEN BOUNDARY WALL (RETROSPECTIVE) PART B: SINGLE STOREY SIDE/REAR EXTENSION.
Recommendation Summary:	PART APPROVE & PART REFUSE (SPLIT DEC'N)

SITE AND SURROUNDINGS

1. The application site is a semi-detached dwelling occupying a plot of 399m² and is set at the head of a cul-de-sac. The application dwelling has a single storey rear conservatory.
2. To the west of the site is number 5 Masons Close, the adjoining semi-detached dwelling. To the east is number 3 Masons Close. This neighbouring dwelling is also a semi-detached dwelling which is angled away from the application dwelling as the properties follow the highway. This neighbouring property has a detached outbuilding close to the common boundary with the application site and this boundary is treated with a 1.8m high fence. To the rear of the site is a Public Right of Way. The Public Right of Way sits at a lower level than the rear garden of the application site and slopes downwards from west to east.

PROPOSAL

3. This application seeks approval for a single storey side/rear extension. The proposed extension would be to the east of the dwelling, being wider to the front as the proposed footprint splays to follow the tapered boundary. The proposed extension would extend beyond the original rear elevation but finish short of the rear elevation of the existing conservatory being finished with a flat roof to the side and

pitched roof to the conservatory element to the rear. Part of the proposed floor plan incorporates a conservatory with has a side facing window. This element of the proposal is off the common boundary to the east and is proposed as obscure glazed and non-opening.

4. Also for consideration as part of this application is a rear boundary wall. This is a retrospective installation and varies in height as it follows the land level drop from west to east. From the garden elevation the wall rises from 2.437m at the east to 3.04m to the west. From the Public Right of Way the heights step from 3.04 from the west to 3.105 to the east. The wall is currently finished in render to the garden side with both elevations noted to be treated with paint and render on plans.

5. Given the above the description of proposed works is as follows:

Part A: Rear garden boundary wall (Retrospective)

Part B: Single storey side/rear extension.

HISTORY

6.

APPLICATION No.	PROPOSAL	DECISION	DATE
P05/2175	Rear Conservatory	Approved with Conditions	07/11/2005
P10/0061	Rear conservatory (Following demolition of existing conservatory)	Approved with Conditions	03/03/2010

PUBLIC CONSULTATION

7. 2 letters have been received, following consultation with 7 adjoining neighbours and the posting of a site notice. The following issues raised relate to the retrospective rear wall only and not the proposed extension:

- Too high and overbearing
- Will attract graffiti

Ward Councillor Richard Body has commented on the retrospective wall stating that he is in support of the development as he considers the wall to be roughly in line with neighbouring fences.

OTHER CONSULTATION

8. None required.

RELEVANT PLANNING POLICY

9. Saved Unitary Development Plan Policies (2005)

- DD4 – Development in Residential Areas
- AM13 – Public Rights of Way

10. Supplementary Planning Guidance

- Planning Guidance Note (PGN) 17– House Extension Design Guide (1997)
- Parking Standards (2012)

ASSESSMENT

- Impact on visual amenity and character of the area
- Residential amenity

Impact on the visual amenity and character of the area

Retrospective Wall

11. The wall is located upon the boundary with a Public Right of Way where it is characteristic to have means of enclosure associated with the adjoining dwellings abutting the Right of Way. However, the height of the wall is uncharacteristic with the typical height being between 1.8 and 2.4m

12. As viewed from the Public Right of Way the wall has a significant impact on visual amenity and is considered to be very overbearing. This element of the proposal is therefore deemed to create a discordant feature which appears incongruous and unduly prominent due to the excessive height of the boundary treatment. As such,

the proposal would contravene Policy AM13 – Public Rights of Way of the adopted UDP (2005).

Extension

13. The proposed extension is considered to be appropriate in terms of scale and design. The flat roof design is appropriate within the context of the surrounding area given the age and style of the properties. Further, it would be of appropriate scale, height and massing, thereby doing no harm to the visual amenity and character of the wider locality. The development would therefore comply, in terms of visual considerations, with saved Policy DD4 of the adopted UDP and the provisions in PGN17.

Residential amenity.

14. The proposed extension would do no harm to the residential amenity of the occupiers of the neighbouring properties. Number 5 Masons Close would remain unaffected as the proposed extension would not extend beyond the conservatory in situ. Given the boundary treatment in situ and tapered boundary line there is not considered to be an issue with loss of privacy or daylight to the occupiers of number 3 Masons Close. The proposed side facing window would be conditioned to remain obscure glazed and non/top opening. The retrospective wall is not considered to be detrimental to neighbouring occupiers. Despite excessive height its location away from the rear elevations of nearby properties ensures no loss of outlook or overbearing impact. Given the site situation it is thereby considered that the neighbours would not be adversely affected in terms of the receipt of light and the enjoyment of outlook, and would cause no other substantial harm in terms of overshadowing or overlooking. The proposed development would therefore comply with saved UDP Policy DD4, PGN12 and PGN17, in terms of protecting the amenity of neighbouring occupiers.

CONCLUSION

15. The site occupies an elevated position adjacent to a Public Right of Way where it is considered that the existing wall is an inappropriate boundary treatment by ay of

excessive height resulting in a prominent and overbearing addition to the detriment of the Public Right of Way.

1st RECOMMENDATION

Part Approve and Part Refuse (split decision)

2nd RECOMMENDATION

Enforcement action is authorised to remove the upper three courses of the blockwork from the wall adjacent to the Public Right of Way.

Reason for Refusal

1. When viewed from the Public Right of Way the wall has a significant impact on visual amenity and is overbearing deemed to create a discordant feature which appears incongruous and unduly prominent due to the excessive height contrary to the requirements of Policy AM13 – Public Rights of Way of the adopted UDP (2005).

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 extension hereby permitted shall be carried out in accordance with the following approved plans: 14-79-02
3. The proposed window to be installed in the side elevation of the conservatory hereby approved shall be obscure-glazed, and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and thereafter maintained in that condition.
4. The materials to be used in the approved development shall match in appearance, colour and texture those of the existing building unless otherwise agreed in writing with the Local Planning Authority.

Informative

Part A

The Local Planning Authority is aware of the requirement of paragraph 186 and 187 in the National Planning Policy Framework to work with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application. In this case after careful balanced consideration the Local Planning Authority considers that there are insurmountable technical issues in

relation to design and appearance that have not been satisfactorily resolved to demonstrate that the scheme would result in the creation of a sustainable form of development and thereby failing to improve the economic, social and environmental conditions of the area.

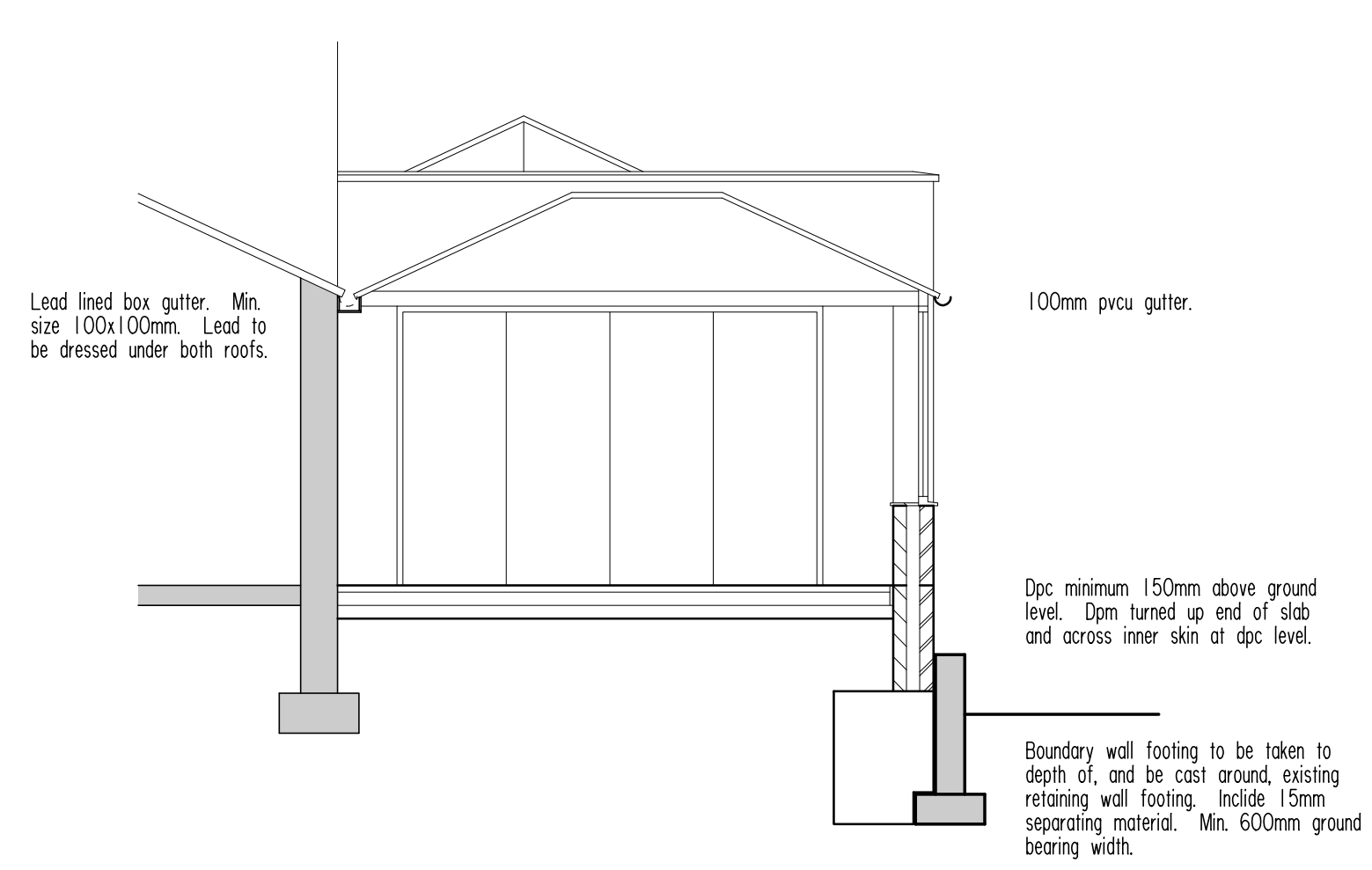
Part B

In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

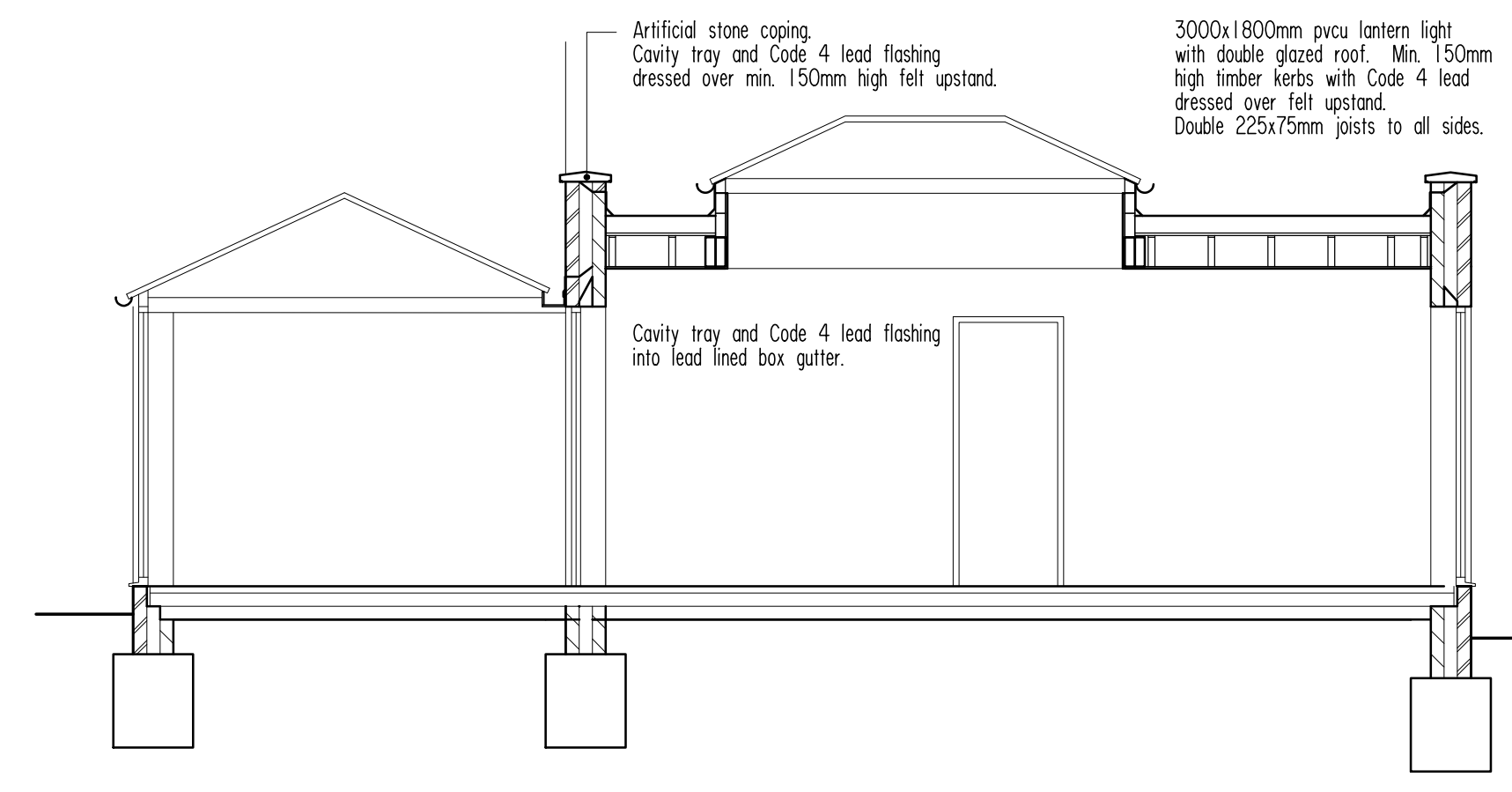
The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

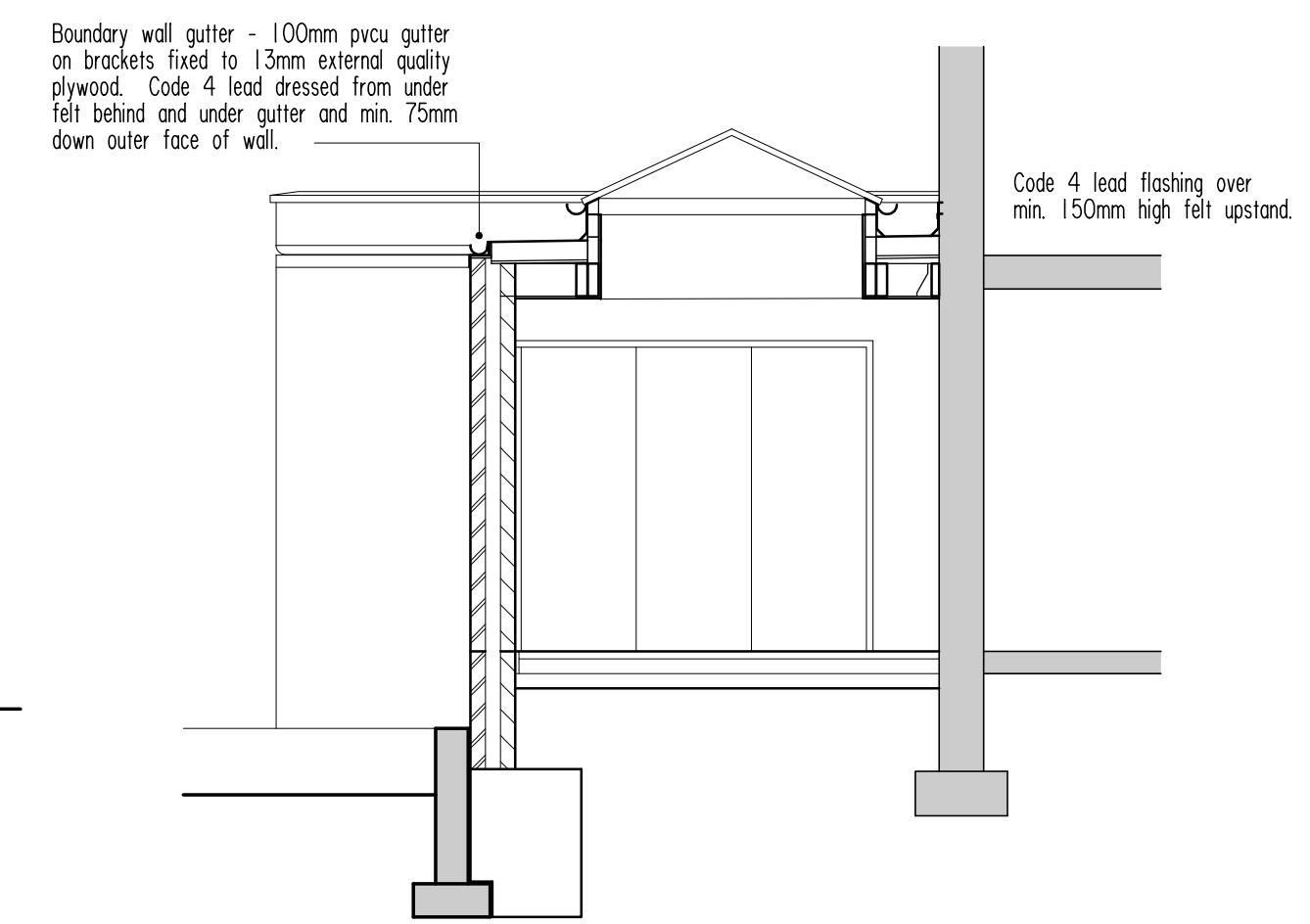
Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com



Section A-A



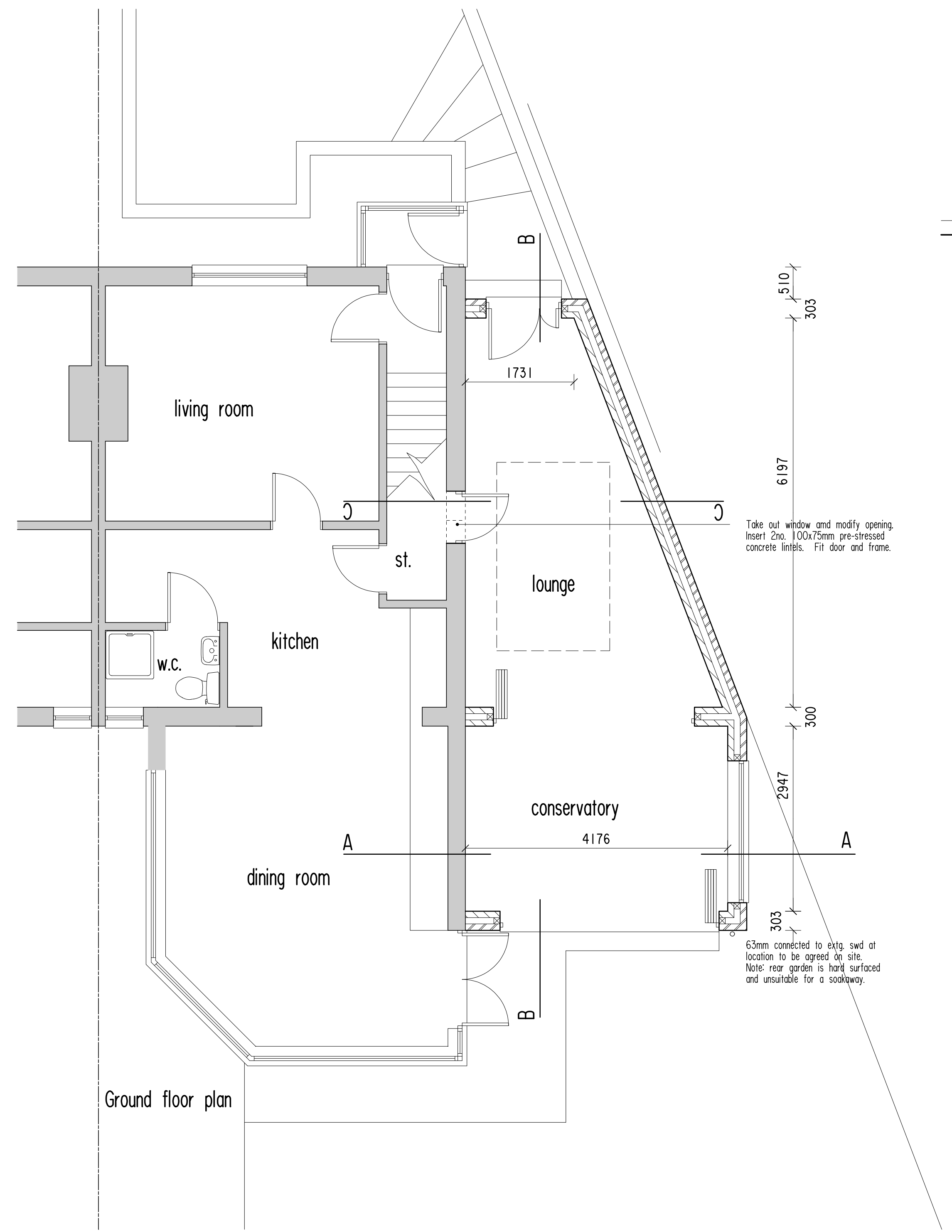
Section B-B



Section C-C



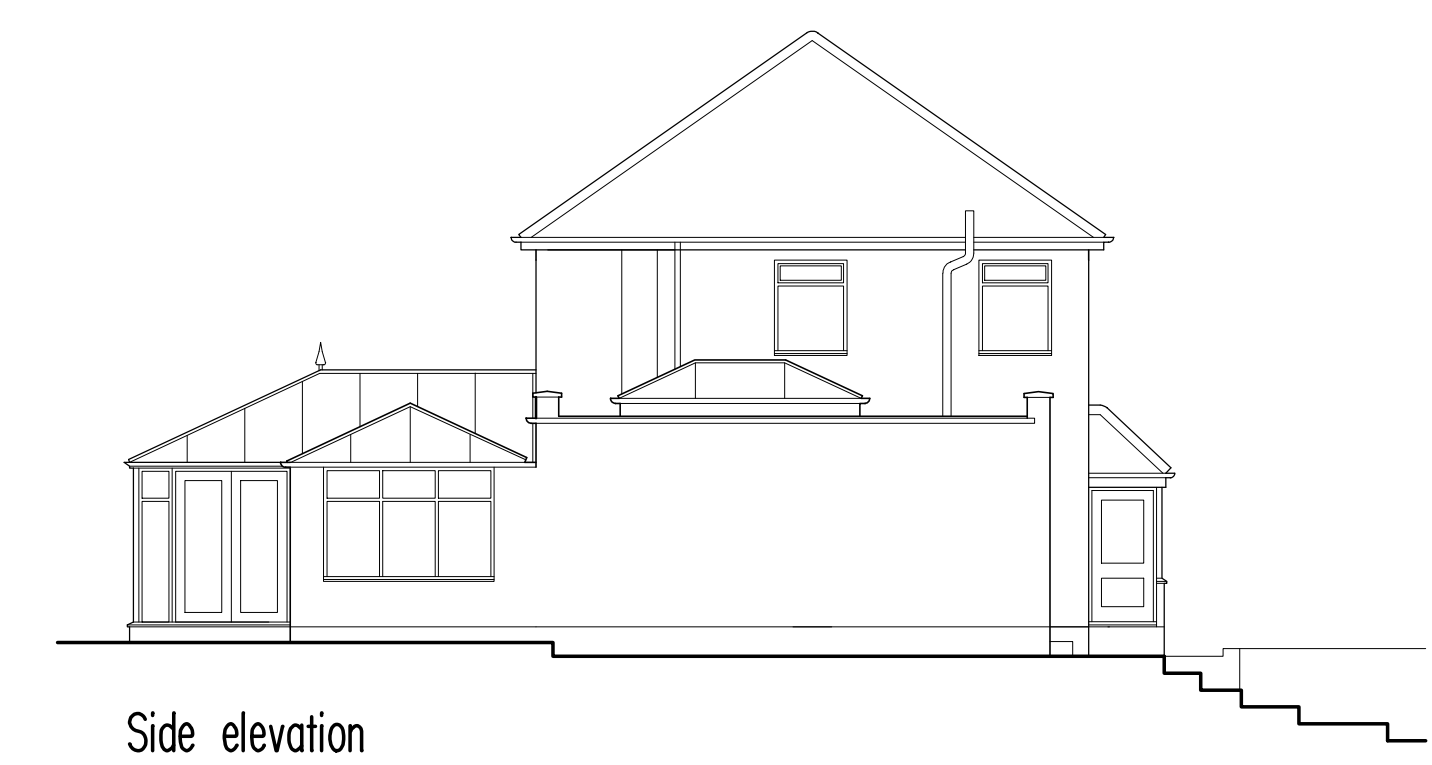
Location plan



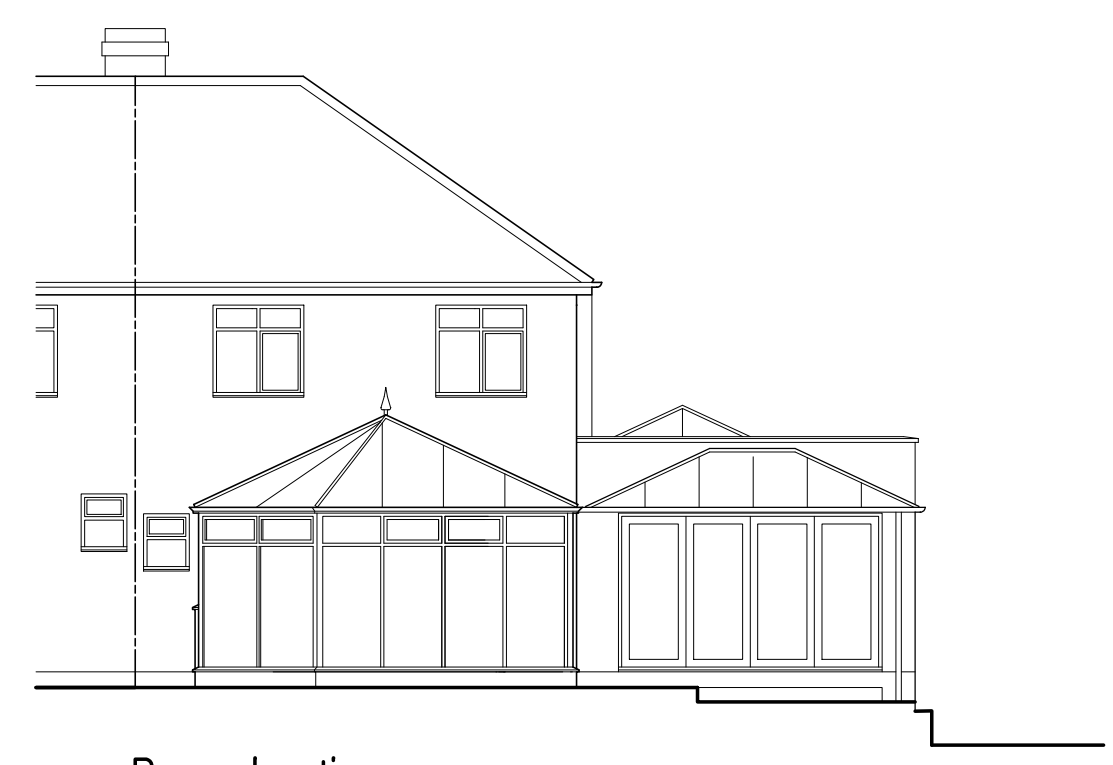
Ground floor plan



Front elevation



Side elevation



Rear elevation

Flat roof - 12mm white spar chippings bedded in bitumen on HT250 felt, bitumen bonded to HT150 felt, bitumen bonded to Type 36 glass fibre base perforated felt, partially bonded to total of 130mm Kingspan TR21 Thermafloor insulation (50mm layer under 100mm layer), bonded with bitumen to Type 28 felt vapour barrier, nailed to 20mm external quality plywood on firings on 225x50mm joists at 450mm ctrs. 13mm plasterboard and skim ceiling.

Walls - external: 103mm facing brick outer skin, 100mm cavity filled with 100mm Rockwool Cavity Wall Batts which are to start 150mm below top of floor insulation and be continuous with roof insulation, 100mm Thermalite Shield concrete block inner skin, 13mm plaster. Stainless steel wall ties at 750mm horizontal and 450mm vertical centres. Insulated cavity closer/vertical dpc to all openings. New walls to be joined to existing with Catnic Stronghold Wall Connectors. Internal: 2no. skins 100mm Thermalite Shield lightweight concrete blockwork with 100mm cavity. 13mm plaster both sides.

Foundations - 600x700mm concrete trench fill footings, founded minimum 1000mm below adjacent ground level. Lean-mix to be used to take footings below invert of any adjacent drains.

Ground floor - 50mm screed, 100mm concrete slab, 500 gauge polythene separating membrane, 100mm Kingspan K3 Floorboard insulation, with 25mm thickness turned up to floor level at external walls, 1200 gauge polythene dpm, blinding and well consolidated hardcore.

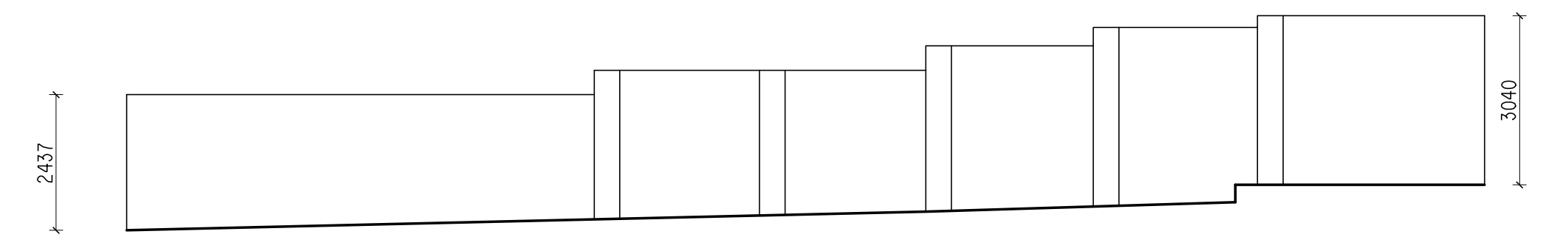
Lintels - external walls: galvanised m.s. insulated open back lintels, ie: Catnic CG90/100. Weepholes at 900mm centres, min. 2no. per opening. Internal block walls: 100x65mm pre-stressed concrete. All lintels to have min. 150mm bearings.

Windows - white PVC to match existing, double glazed with low emissivity glass, ie: Pilkington 'K' glass, to inner pane and 20mm argon gas filled air gap. Max. U_v value 1.8W/m²K. All rooms to have trickle vents, totalling 5,000mm². Any glass in doors, adjacent screens or below 800mm from floor level is to be toughened safety glass to BS6206. NOTE: manufacturer to provide a WER (window energy rating) certificate.

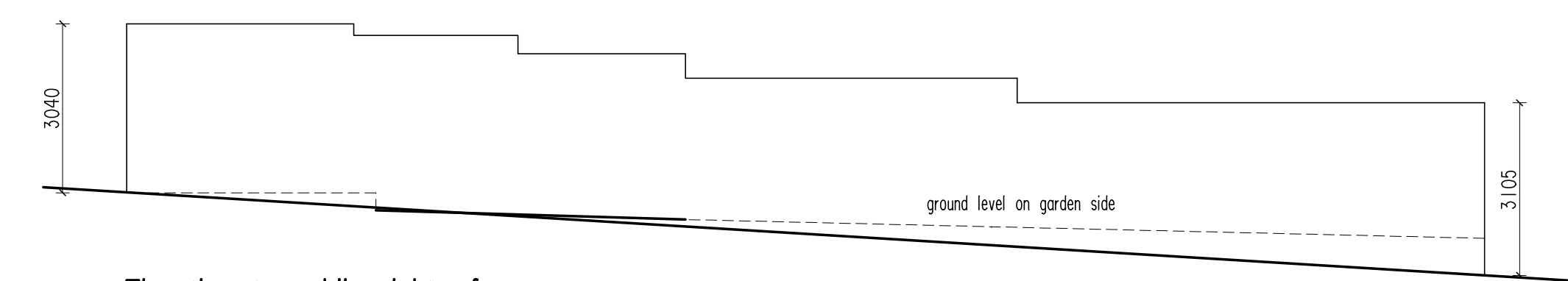
Drainage - all new drains to be 100mm dia. polyethylene laid to a min. fall of 1:80. All drains under extension to be surrounded with 150mm pea gravel. Where drains pass through walls they are to have lintels over and be surrounded with 50mm compressible material.

Structural timber - C16 grade, Tanalised or similarly preservative treated.

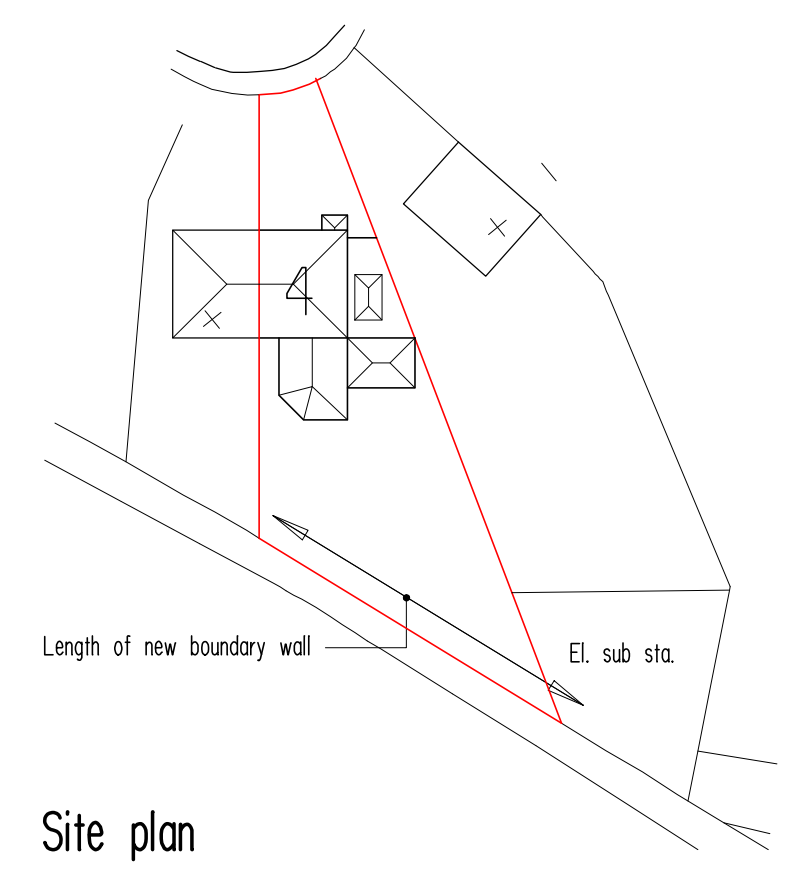
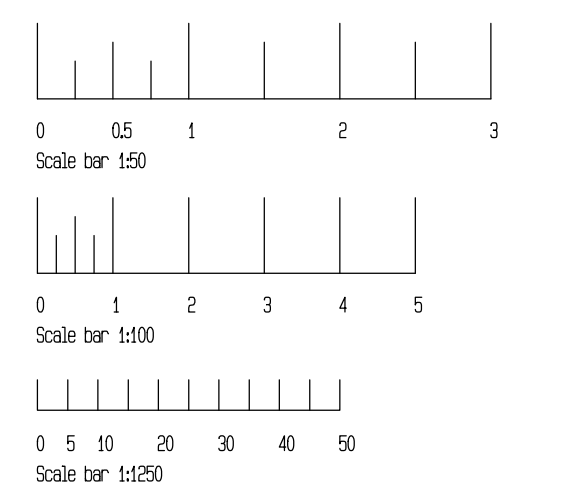
Electrical safety - all electrical works, including smoke detection/alarm system, are to be carried out by a competent person in compliance with BS7671 and Part P. A relevant compliance certificate, ie: NICEIC, is required to allow the issue of a Building Regulations completion certificate.



Elevation to garden



Elevation to public right of way



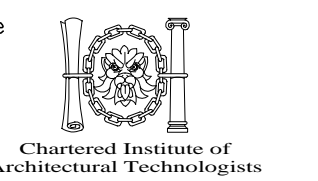
Site plan

Mr. & Mrs. J. BROWN
 PROPOSED EXTENSION
 4 MASONS CLOSE
 CRADLEY
 WORKING DRAWING
 14:79:02

Scale 1:50 1:100 1:500 1:1250
 Date December 2014

MFL Design

Architectural Design Service
 5 Glynn Crescent,
 Halesowen,
 West Midlands,
 B63 2PZ
 Tel. 01384 561334



PLANNING APPLICATION NUMBER:P14/1773

Type of approval sought	Tree Preservation Order
Ward	Kingswinford South
Applicant	Mrs Wendy Evans
Location:	41, SUMMERCOURT SQUARE, KINGSWINFORD, DY6 9QJ
Proposal	FELL 1 NO.SYCAMORE
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

TREE PRESERVATION ORDER NO: TPO 382 (1992) – G2

SITE AND SURROUNDINGS

1. The tree subject to this application is a mature sycamore tree that is located in the rear garden of 41 Summercourt Square, Kingswinford. The tree is located on a steep bank that rises from the rear of the property to the rear boundaries of the houses in Court Crescent.
2. On the bank there are also 6 pine trees, another sycamore and a beech tree. Due to their elevation all of the trees are visible from Summercourt Square, although the crown of the tree in question is only visible against the crowns of the pine trees behind. As such it has a limited prominence in the street scene. Overall it is considered that the tree provides a moderate amount of amenity to the surrounding area
3. The tree is protected as part of G2 of TPO 382 which was served in 1992. The TPO protects a number of similar mature trees on the estate.

PROPOSAL

4. Summary of proposals for the works as written on application form is as follows:
 - Fell 1 Sycamore tree.
5. The tree has been marked on the attached plan.

HISTORY

6. There have been five previous Tree Preservation Order applications on this site.

Application No	Proposal	Decision	Date
86/50575	Fell 1 Beech tree and prune 6 sycamores	Approved with conditions	19/06/86
86/51916	Fell 1 Sycamore	Refused	19/03/87
92/50490	Fell 1 sycamore and pine tree	Refused	18/06/92
P05/2445	Prune 3 beech trees	Approved with conditions	27/01/07
P14/1146	Fell 1 sycamore and prune 3 sycamore trees	Approved with conditions	02/09/14

PUBLIC CONSULTATION

7. A letter of objection has been received from an adjacent resident in Court Crescent. They object to the application on the grounds that the tree is healthy and not posing any threat to the property; that, whilst accepting the trees current limited contribution, should other trees in the group need removing due to their condition this tree could come to the fore and flourish; removal of this tree will have a detrimental impact on the wildlife in the area.

ASSESSMENT

Tree(s) Appraisal

<i>Tree Structure</i>	Tree 1
Species	Sycamore
Height (m)	16
Spread (m)	7
DBH (mm)	550
Canopy Architecture	Moderate / Poor - drawn up
Overall Form	Moderate
Age Class <i>Yng / EM / M / OM / V</i>	Mature
<i>Structural Assessment</i>	
Trunk / Root Collar	Good - growing out of steep bank

Scaffold Limbs	Good	
Secondary Branches	Good	
% Deadwood	3%	
Root Defects	None Evident	
Root Disturbance	None Evident	
Other		
Failure Foreseeable Imm / Likely / Possible / No	Whole No	Part No

Vigour Assessment

Vascular Defects	None Evident	
Foliage Defects	None Evident	
Leaf Size	Not In leaf	
Foliage Density	Not In Leaf	
Other		

Overall Assessment

Structure	Good / Moderate	
Vigour	Good	
Overall Health	Good	

Other Issues

Light Obstruction	Limited compared with adjacent group	
Physical Damage	None Evident	
Surface Disruption	None Evident	
Debris	Yes	

Amenity Assessment

Visible	Yes	
Prominence	Moderate / Low - only visible against more prominent pine trees behind	
Part of Wider Feature?	Yes	
Characteristic of Area	Yes	
Amenity Value	Moderate - as part of group	

Further Assessment

8. The applicant has proposed to fell the tree as they consider it to be a poor specimen, which has little crown growth on it.
9. On inspection the tree was found to be in a good condition with no major defects present. The tree is growing out of a steep bank, and forms a minor part of a wider group consisting of another sycamore, a beech and 6 pine trees.
10. As the tree has grown up in the shade of the slightly older pine trees it has developed a drawn up form with a relatively small, high crown. When viewed from the adjacent

road the canopy of the tree can only be seen against the backdrop of the adjacent pine trees.

11. In considering the application, it is the impact on the public amenity that is the most significant factor. Given the that the crown of this tree is only visible against the crowns of the evergreen pine trees behind, it is not considered that the loss of the tree would have a significantly detrimental impact of the amenity of the area, as its removal would not particularly alter the tree'd appearance of this corner of the estate, and would not create any gaps in the tree line.
12. In response to the objections received, it is not considered that, the removal of the tree will have any detrimental impact on the wildlife habitat of the area due to the number of other trees in the local area, although the applicant will need to ensure that that no nesting birds are disturbed when undertaking the work.
13. It is accepted that the tree is in a good condition and does not currently provide any significant threat to the property; however this in itself is not sufficient grounds to refuse the application.
14. Should other trees need removing to the point that this tree would become prominent, it is considered that this new exposure could increase the chances of this tree failing as it has grown and developed its structural stem and limbs in the shelter of the adjacent trees, as such the retention of this tree in such circumstances would be questionable. Therefore it is not considered that retaining this tree in 'reserve' is sufficient grounds to prevent the approval of an otherwise justified proposal.
15. Overall it is considered that the proposed felling of the tree would have little impact on the public amenity, and therefore it is not considered that there can be any reasonable objection to the proposed felling. As such it is recommended that the application be approved.
16. Given the limited impact on the amenity of the area, it is not considered that the requirement for a replacement tree can be justified in this instance, especially as the adjacent trees will limit the chances of the new tree developing satisfactorily.

CONCLUSION

17. The applicant has proposed to fell the tree as they consider it to be a poor specimen with limited crown growth.

18. The tree was considered to provide a limited amount of amenity to the area as its crown is only visible against the crown of the evergreen pine trees behind. As such it makes a limited contribution to the group within which it stands.
19. Overall it is considered that the proposed felling of the tree would have little impact on the public amenity, and therefore it is not considered that there can be any reasonable objection to the proposed felling. As such it is recommended that the application be approved.

RECOMMENDATION

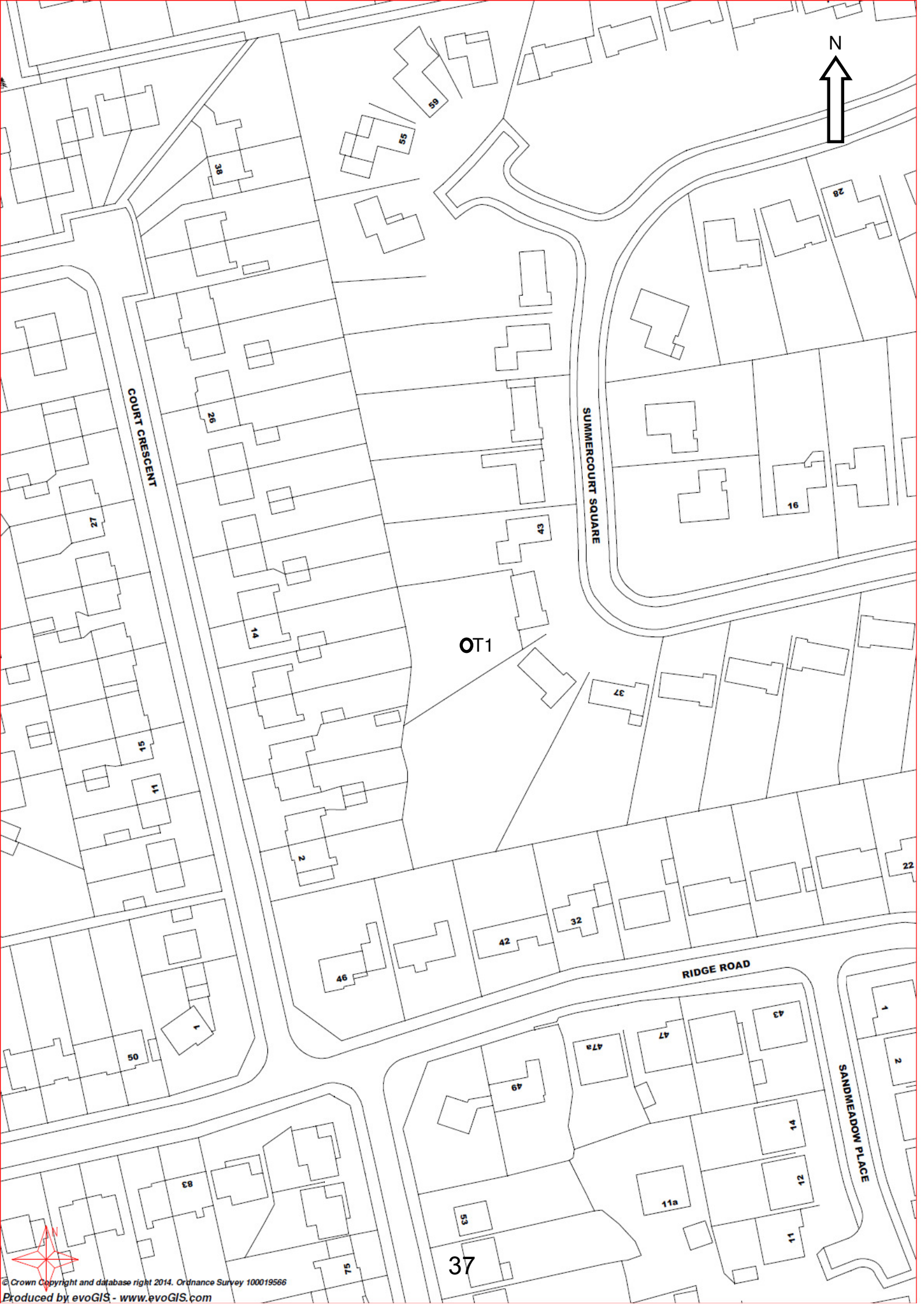
20. It is recommended that the application is APPROVED subject to the stated conditions.

Reason For Approval

Overall, it is considered that the proposed felling of the sycamore tree is acceptable as it is considered that the removal of the tree will have little impact on the amenity of the area, and as such no reasonable objection can be made to its removal.

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'.



OT1

COURT CRESCENT

SUMMERCOURT SQUARE

RIDGE ROAD

SANDMEADOW PLACE

37



PLANNING APPLICATION NUMBER:P14/1775

Type of approval sought	Full Planning Permission
Ward	Halesowen South
Applicant	Mr M. Dhaliwal
Location:	39, MANOR ABBEY ROAD, HALESOWEN, B62 0AG
Proposal	NEW FRONT PORCH AND CANOPY ROOF. ERECTION OF 1.8M BOUNDARY WALL TO SIDE ELEVATION. (PART RETROSPECTIVE)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site occupies a corner plot position on the southern side of the tree lined street of Manor Abbey Road, at the western corner of Raddens Road on the outskirts of Halesowen. Both Manor Abbey Road and Radden Road form part of a wider residential estate predominantly fronted by two storey, semi-detached properties of circa 1950's construction comprising of facing brick construction with two storey bay window detailing. The properties are surmounted with tiled hipped roofs over with the ridge of the roofs running from flank to flank. These properties are set back from the highway and benefit from driveways to the open frontages. Some of these properties have profited from alterations/extensions over time.

2. The application property is a semi-detached and set back from the respective highways of Manor Abbey Road and Raddens Road. The application property occupies an elevated position above the properties positioned to the rear and fronting Raddens Road as the topography of the wider area falls away to the south.

3. The application property has been substantially extended with a large two storey extension along its eastern side and projecting to the rear. Positioned off the frontage of this extension is a partially built canopy, which is subject to this part

retrospective application. The property has also benefited from additional accommodation within the roof space with skylights to the frontage and side and rear facing dormer windows. A single storey extension is also positioned to the rear whilst a large detached garage is located within the rear garden area with direct vehicular access onto Raddens Road.

4. The site is demarcated by a low level brick wall with railing inserts to the frontage, whilst positioned to the side/rear of the site is positioned a low level wall with a feather board timber fence over. Timber gates are positioned over the vehicular access serving the garage.
5. The application site is bound to the east by the adjoining semi-detached property of No. 37 Manor Abbey Road whilst positioned perpendicular to the application property and located at the rear of the site, to the south, is the semi-detached property of No. 2 Raddens Road.

PROPOSAL

6. The proposal seeks part retrospective consent for the erection of a pitched roof storm porch to the front elevation of the main dwelling house; with a projecting mono pitched roof canopy across the front elevation of the recently constructed two storey extension. The porch would project 1.25m metres to the frontage which would be along the building line with the projection of the front bay window, and would measure 2.2 metres in height to its eaves and 3.4 metres to the ridge. The canopy would project 2.0 metres to the frontage, over the existing bay window, and would measure 2.2 metres in height to its eaves and 3.3 metres in height at its highest part of the roof. The canopy would be supported by a brick pier at the western corner and the porch will be part brick, part glazed. The canopy has been partially constructed.
7. The scheme also relates to a proposed 1.8m high wall featuring a gate of similar height to be positioned perpendicular to the eastern flank elevation of the recently constructed two storey extension. Along the back edge of the footway along Radden Road, the current boundary treatment comprises a low level wall with a feather board timber fence measuring 1.8 metre in height. The proposed brick wall would

enclose the rear garden and be positioned at a right angle to this timber fence which will be retained.

8. Negotiations with the agent have resulted in a number of amendments being made to the proposed plans since the original submission. The initial plans proposed a 1.8m high brick wall to replace part of the timber fencing along the boundary with Raddens Road; a storm porch projecting by 2.1m from the front elevation and featuring 2 supporting brick piers and the canopy as has been constructed. These plans were unchanged from those submitted with application P13/1876 which was refused in February 2014. The reasons for refusal given were:

- a. *The site occupies a prominent corner plot position on the main through road of the residential estate and it is considered that the proposed boundary wall would form a hostile and defensive security measure which affects the wider perception of the generally open residential estate. Furthermore, the positioning of the wall, at the back edge of the footway would form a conspicuous, harsh feature in an otherwise open and green residential area. The boundary wall would therefore erode the visual amenity and openness of the area, which defines the established character of the estate and wider area. Therefore the proposed boundary wall is considered to be contrary to Policy ENV2 (Historic Character and Local Distinctiveness) of the Black Country Core Strategy and Saved Policies DD1 (Urban Design) and DD4 (Development in Residential Areas) of the Dudley Unitary Development Plan, as well as the Design for Community Safety Supplementary Planning Guidance.*
- b. *The scale and design of the front porch and canopy roof are inappropriate additions for a dwelling of this type, being visually dominant and unsympathetic. Furthermore this conspicuous feature on a prominent corner plot, sits significantly forward of the established building line and is considered to be discordant and unsympathetic to the traditional character of the host property and wider street scene. Therefore the porch and canopy roof is considered to be contrary to Policy ENV2 (Historic Character and*

Local Distinctiveness) of the Black Country Core Strategy and Saved Policies DD1 (Urban Design) and DD4 (Development in Residential Areas) of the Dudley Unitary Development Plan.

9. In order to enhance the scheme and to avoid a further refusal, the brick wall has been omitted from the current proposals and the current boundary treatment will be retained. Only a small section of wall will now be constructed perpendicular to the side elevation in order to enclose the rear garden. The front porch has been reduced in size from a projection of 2.1m to 1.25m and the 2 brick piers have been omitted. The canopy roof over the bay window has already been constructed and this will remain with the addition of the supporting pillar to the western corner.

HISTORY			
APPLICATION	PROPOSAL	DECISION	DATE
HB/54/65M01	Full planning permission for 22 houses (2 of 2 sites)	Approved with Conditions	03.03.1954
P05/0696	Outline planning permission for a detached house within the rear garden.	Refused	24.05.06
P11/1184	Full planning permission for a two storey side / rear and single storey rear extensions. Loft conversion with rear and side dormers. New detached rear garage (following demolition of existing)	Withdrawn	03.11.11
P11/1437	Full planning permission for a two storey side / rear and single storey rear extension. Loft conversion with side and rear dormers. Erection of double garage in rear garden (following demolition of existing garage and shed)(resubmission of withdrawn application P11/1184)	Approved with Conditions	13.03.13
P12/1610	Full planning permission for a two	Withdrawn	21.02.13

	storey side / rear and single storey rear extensions. Loft conversion with side and rear dormer.		
P13/0336	Full planning permission for PART A: Retrospective application for the erection of a two storey side / rear extension and single storey front and rear extensions and loft conversion with side and rear dormers. PART B: Retrospective application for the erection of a detached garage in garden (following demolition of existing garage and shed)	Part Approved / Part Refused (Appealed under reference APP/C4615/C/13/2204024 – split decision: Part Dismissed / Part Allowed)	14.05.2013 24.01.2014
P13/1876	New front porch and canopy roof. Erection of 1.8m boundary wall to side elevation.	Refused	13/02/14

10. The property has previously been the subject of enforcement investigations and in 2013 a Planning Enforcement Notice was served upon the owners. This notice related to unauthorised dormers which were added to its roof as part of a previously approved extension, and also to first floor side facing windows which had been installed without the necessary planning consent.
11. Following an unsuccessful appeal and the upholding by the Planning Inspectorate of the Notice, the owners made the necessary alterations to the roof and windows in order to overcome the planning harm which they had previously presented. At the time of writing therefore, the previous Planning Enforcement Notice has been complied with. However, the canopy which has been erected to the front of the dwelling is currently unauthorised and it is this issue which the current application seeks to resolve.

PUBLIC CONSULTATION

12. The application was advertised by way of neighbour notification letters being sent to the occupiers of nine properties within close proximity to the site. The final period for comment expired on 19 January 2015. In response to the consultation exercise, correspondence has been received from a local resident expressing the following concerns;

- *The mono pitch roof over the large bay window is unusual in an area characterised by bays that are either flat roofed or hipped.*
- *The excessive overhang, which occludes a large part of the bay and forms some sort of veranda is completely out of character.*
- *The extension to the porch sits forward of the established building line*
- *The proposed wall is out of character with the area and would not fit in with the 'openness and greenness' of the area. A hedge would be more appropriate and might help restore the front and side gardens that have been destroyed by the recent development at the site.*

OTHER CONSULTATION

13. None.

RELEVANT PLANNING POLICY

National Planning Guidance (2012)

- The National Planning Policy Framework
- Technical Guidance to the National Planning Policy Framework

Black Country Core Strategy (2011)

- ENV2 Historic Character and Local Distinctiveness

Saved Unitary Development Plan (2005)

- DD1 Urban Design
- DD4 Development in Residential Areas

ASSESSMENT

14. The proposed development must be assessed with regard to its design and whether it would be compatible with the existing dwelling and the character of the area. The potential impact on the amenity of nearby neighbours must also be assessed. Parking provision will not be assessed as there are no additional habitable rooms being proposed as the proposals will result in the same amount of rooms at ground floor level.
15. The key issues are
 - Design and Visual Amenity
 - Neighbour Amenity

Design and Visual Amenity

16. Saved Policy DD4 (Development in Residential Areas) of the Dudley Unitary Development Plan seeks to ensure that development would not adversely affect the character of the area or residential amenity. Policy DD4 also states that the scale, nature and intensity of the proposed development should be in keeping with the character of the area. This stance is reiterated by Saved Policy DD1 (Urban Design) of the Dudley Unitary Development Plan and also requires development to make a positive contribution to the character and appearance of an area and its surroundings.
17. Policy ENV2 (Historic Character and Local Distinctiveness) of the Black Country Core Strategy states that ...*'All new development should aim to protect and promote special qualities, historic character and local distinctiveness of the Black Country in order to help maintain its cultural indemnity and strong sense of place. Development proposals will be required to preserve and, where appropriate, enhance local character and those aspects of the historic environment together with their setting which are recognised as being of special historic, archaeological, architectural, landscape or townscape quality'*...

18. Policy ENV2 also states that proposals which affect private and public lower density suburban mid 20th century should '*...sustain and reinforce..*'. their special character. The application site is located within a residential estate that was constructed in the 1950's and consists of semi detached dwellings. The estate is also defined by its open plan front and side gardens and other areas of open space, as well as tree lined streets. This provides the estate with a green spacious character particularly as the landscaping is now starting to mature.
19. The proposed 1.8 metre high brick wall would be positioned perpendicular between the side elevation of the property and the existing timber fencing forming the boundary along Raddens Road. The low level wall and railings to the front of the property and along the first part of the boundary with Raddens Road will not be affected by the proposals. Given that the new wall is to form an enclosure of the garden and it will not be forming part of the boundary treatment, it would not form a prominent or conspicuous feature and is unlikely to affect the visual amenity and street scene.
20. The initial plans submitted with the application showed a canopy and porch which was considered overly dominant and incompatible in scale with the dwelling and the wider street scene. The proposed porch has now been reduced in size to project in line with the existing bay window and the removal of the brick pillars either side of the porch will result in a less conspicuous feature which is more sympathetic to the character of the host property. Although deep, the retrospective canopy over the front facing bay window will not project further than the building line to be established by the new porch and when incorporated along with the porch, it will give a more balanced design to the frontage.
21. It is considered that the recent amendments made to the proposed plans will result in a development which is less discordant with the host dwelling and the visual amenity of the area. The proposed 1.8m wall will not affect the existing boundary treatment and is unlikely to severely affect the visual amenity of the area. Given the age and style of the property, including the recent extensions and additions, it is considered that the property does not display many features of architectural merit and the amendments made to the proposed porch and existing canopy are

considered to be more fitting in scale and character than those originally proposed. On balance it is therefore felt that the proposed development would not significantly detract from the host dwelling nor adversely affect the visual amenity of the area and would not be contrary to the relevant policy.

Residential Amenity

22. The proposed development would not harm the residential amenity of any of the occupiers of the neighbouring properties. There would be no demonstrable harm to adjoining occupiers in terms of light, outlook or privacy as a result of the proposal. There would therefore be no detrimental impact upon residential amenity as a result of the works and therefore it is consistent with the relevant policy.

CONCLUSION

23. The site occupies a prominent corner plot position on the main through road of the residential estate and it is considered that the proposed 1.8m wall would not affect the perception of the generally open residential estate given that it will be positioned at a right angle between the side elevation of the property and the existing boundary fence along Raddens Road. The proposed wall will not affect the existing boundary treatment to the front or side of the property. The scale and design of the front porch and canopy roof have been amended to be less dominant and more appropriate and sympathetic additions for a dwelling of this type. The additions to the front will not project further than the building line created by the projection of the bay windows and in this respect, the scheme is not contrary to the outlined policy above.

RECOMMENDATION

24. It is recommended that the application is approved subject to the following conditions:

APPROVAL STATEMENT INFORMATIVE

In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to

dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Informative Note

The proposed development lies within an area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

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: [1213 1425 Rev D] dated 9th February 2015.
3. The materials to be used in the approved development shall match in appearance, colour and texture those of the existing building unless otherwise agreed in writing with the Local Planning Authority.



Site Location Plan

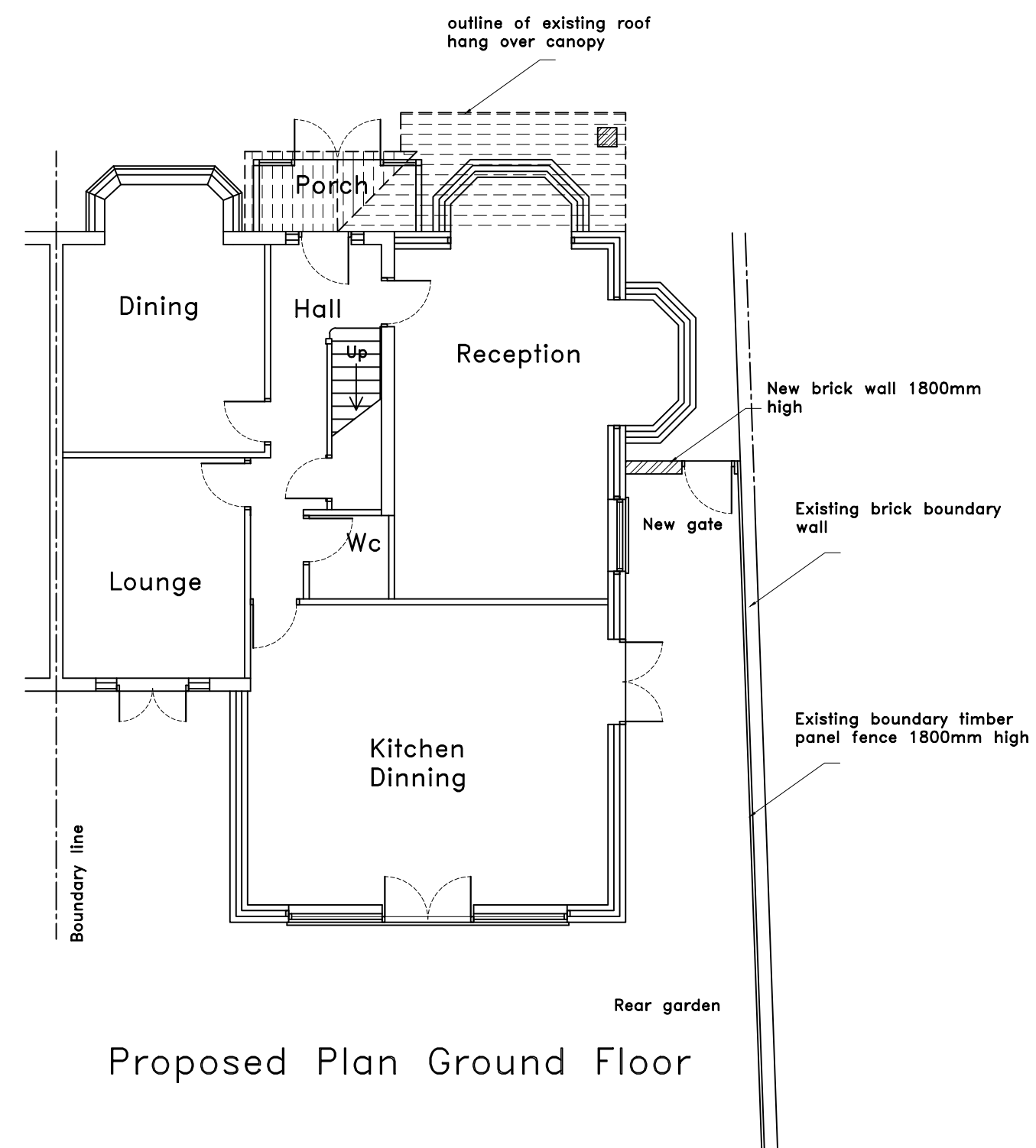
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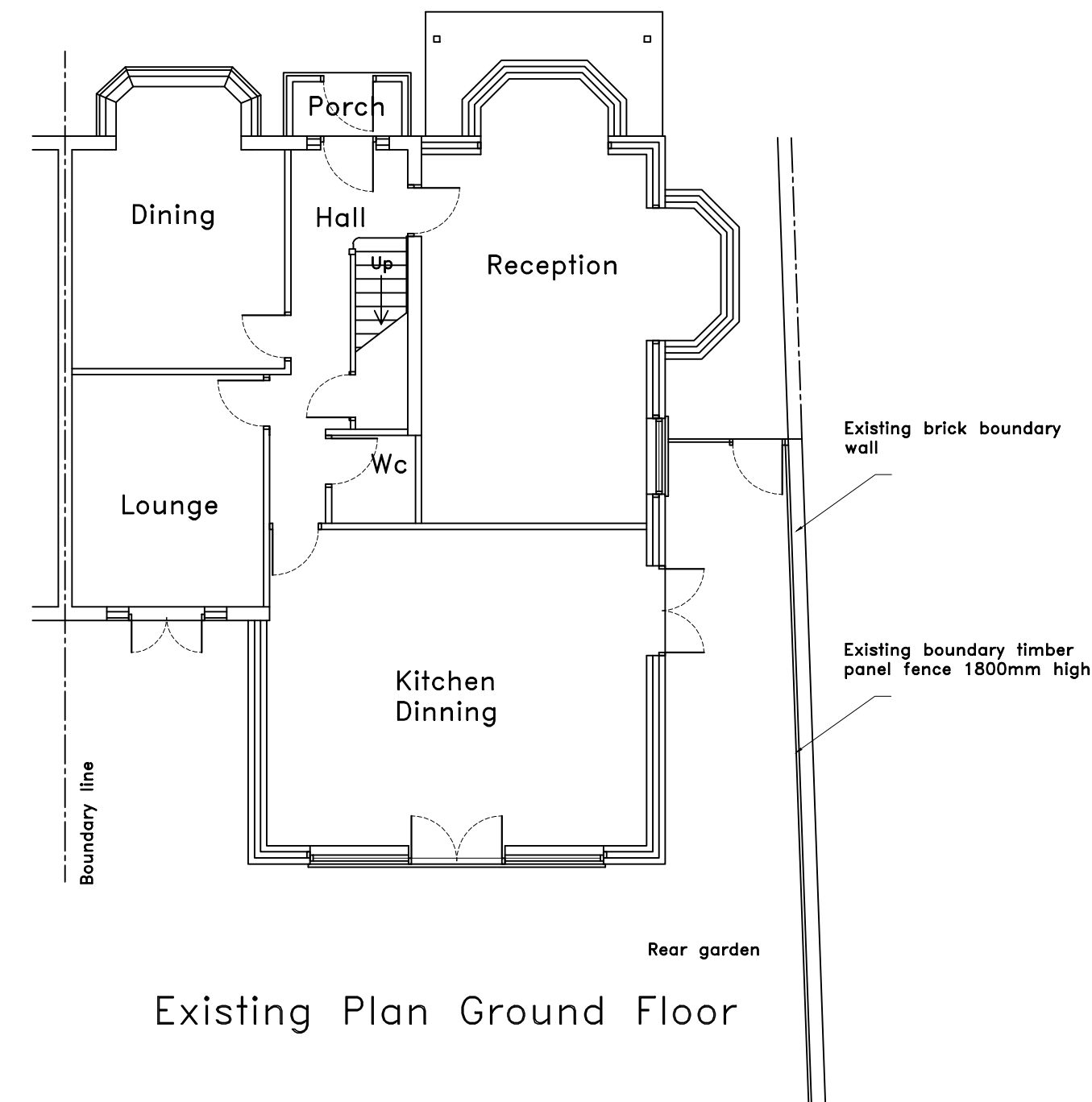
39 Manor Abbey Road.
Halesowen.
West Mids
B62 0AG.

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SPECIFICATIONS
 GENERAL - The contractor must check all dimensions and details before beginning work or ordering materials and must ensure the stability of the new and existing structure during the course of the work. The contractor is also to ensure that all works are carried out in accordance with current Building Regulations. THESE DRAWINGS ARE PRODUCED TO OBTAIN PLANNING AND BUILDING REGULATIONS APPROVAL ONLY.



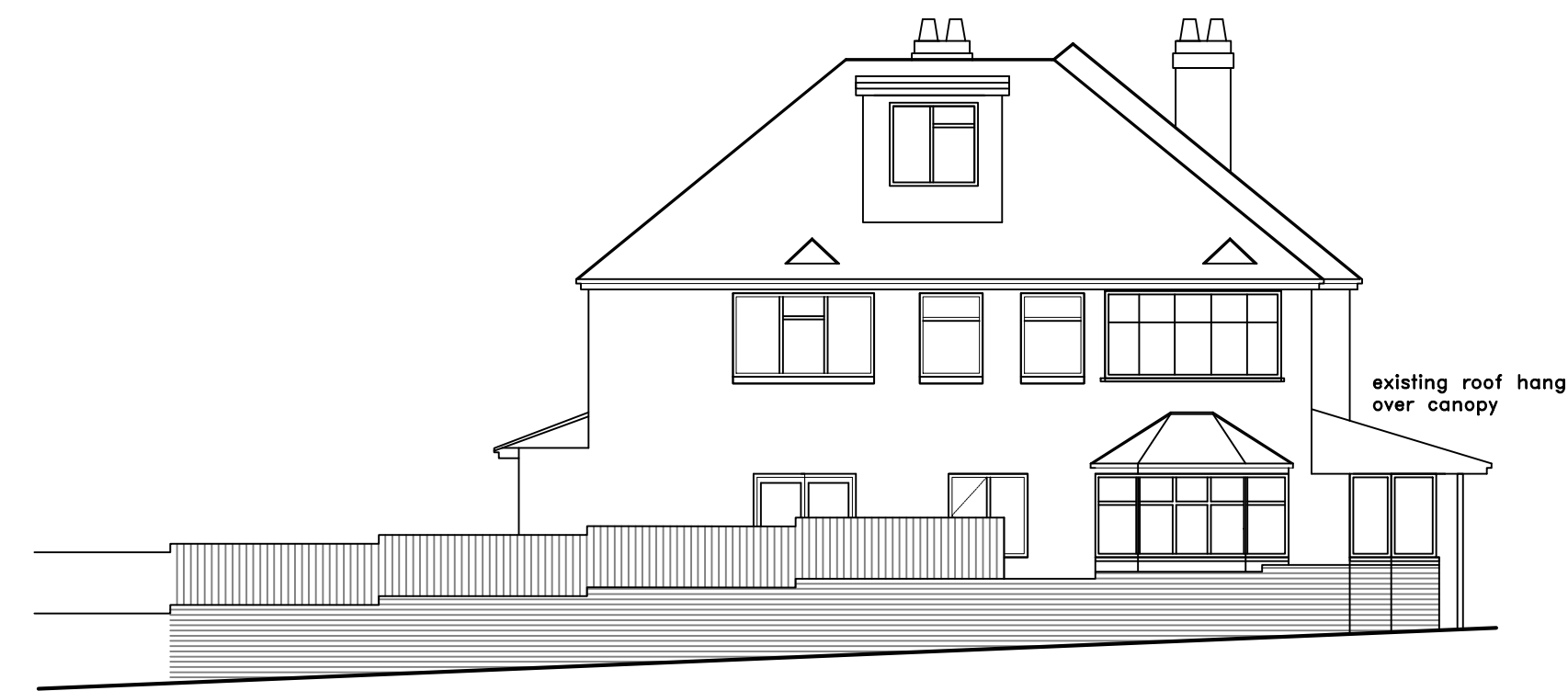
Proposed Plan Ground Floor



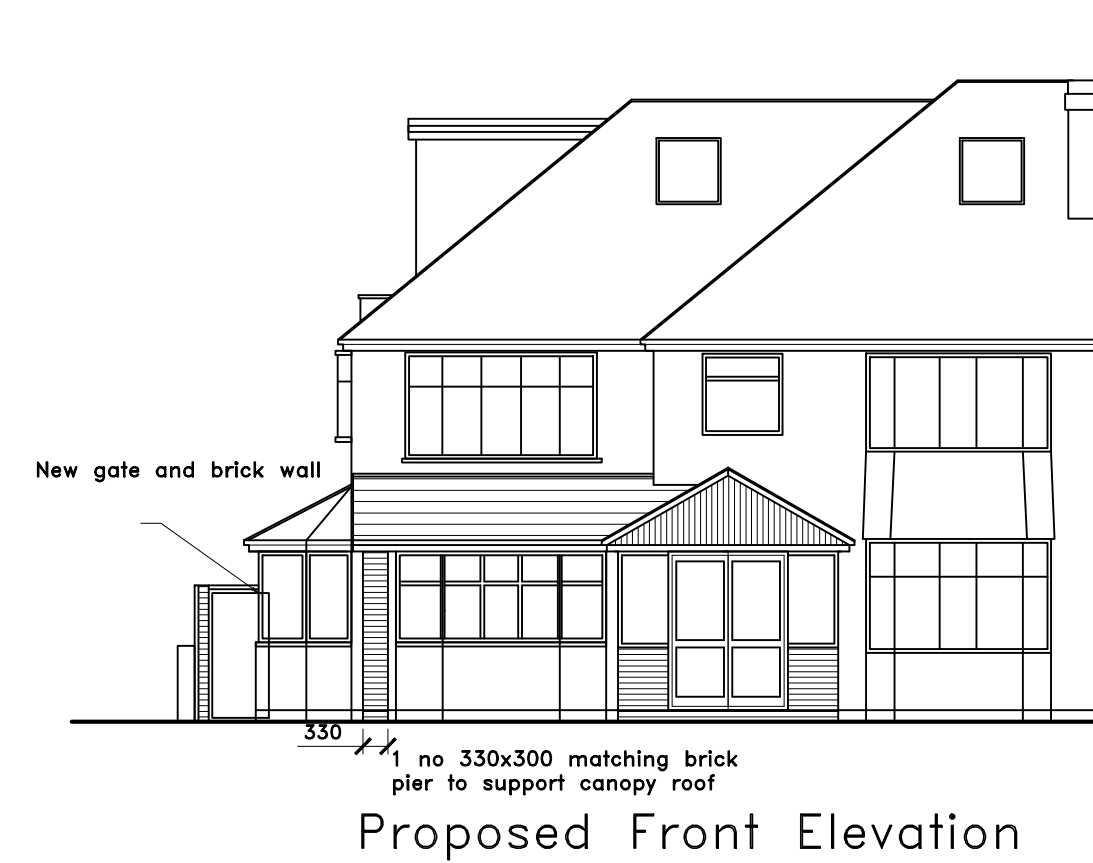
Existing Plan Ground Floor



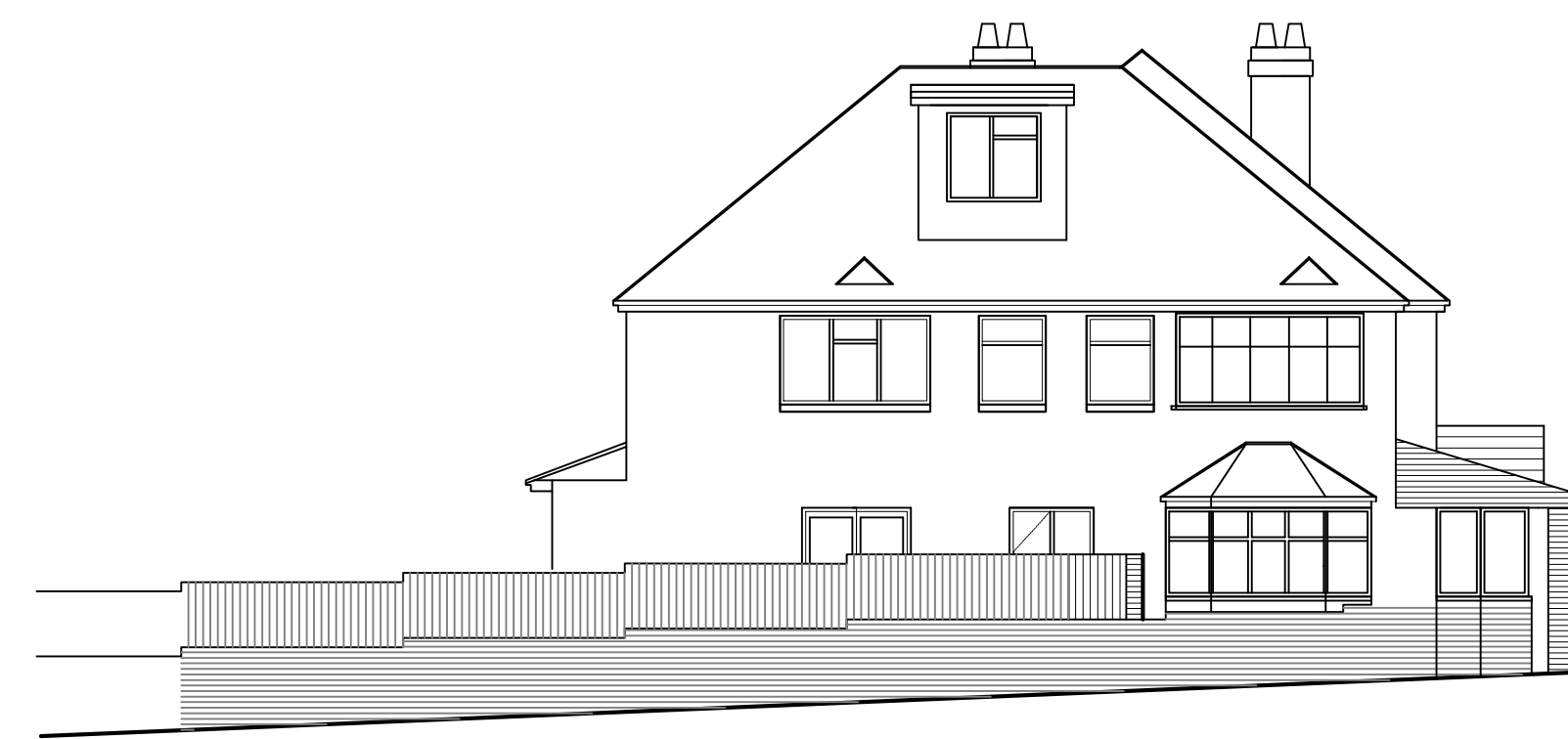
Existing Front Elevation



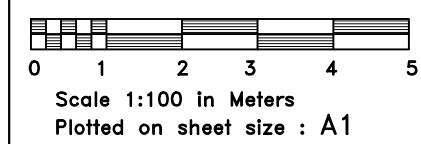
Existing Side Elevation



Proposed Front Elevation



Proposed Side Elevation



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Atwal Design Services
 Architectural and Building Consultants
 126 Hamstead Hall Road, Handsworth Wood,
 Birmingham B20 1JB
 T - F 0121 523 4804 M - 07977 040 180
 E Mail - atwal.designs@blueyonder.co.uk

Project:
 Proposed erection of Porch with canopy and altered side timber fence and gate at :-39 Manor Abbey Road Halesowen West Mids B62 0AG

Subject:
 Proposed Plans & Elevations

Client: Mr M Dhaliwal

Scales: 1:100 @A1 Application for: PP

Date: 09th Feb. 2015 Drawn: B S Atwal

Sheet No: 01 Job No: 1213-1425

Revisions: A B C D

PLANNING APPLICATION NUMBER:P14/1826

Type of approval sought	Full Planning Permission
Ward	Quarry Bank & Dudley Wood
Applicant	Mr S. Owen
Location:	153, HIGH STREET, QUARRY BANK, BRIERLEY HILL, DY5 2AF
Proposal	CHANGE OF USE FROM LICENSED PRIVATE MEMBERS CLUB TO PUBLIC HOUSE (A4)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site comprises the empty and partially boarded up former Liberal Club and land to the side which is used for parking via an existing vehicular access from High Street, Quarry Bank. The main building is two storeys with a gabled roof whilst at the rear there is a later 1960's era single storey extension used as a function room.
2. The premises are at the end of a row of retail units, many with flats above fronting High Street. At the rear of the site, the rear elevations of flats on Queen Street face towards the site and premises. Adjoining the parking area to the side is the parking area for the Labour Club, the Labour Club building being located approx 15m from the application site boundary.
3. On the opposite side of High Street, is a children's nursery and the Quarry Bank Primary School with a pedestrian crossing facility between.
4. The application site is within Quarry Bank Local Centre.

PROPOSAL

5. This planning application seeks approval for a change of use from a private members club (sui generis) to a public house (use class A4).

HISTORY

6.

APPLICATION No.	PROPOSAL	DECISION	DATE
BH/64/5373	Alterations and extensions to club	Granted	17/08/64
98/50958	Display of 1 48 sheet wall mounted poster panel	Refused	10/09/98

PUBLIC CONSULTATION

7. The application was advertised by way of notification letters to 18 neighbouring properties and a site notice, with the public consultation period expired on 11 February 2015. Three objections have been received, including one from a ward Councillor, raising the following issues:
 - Noise and nuisance
 - Impact upon residential properties
 - Hours of operation
 - Use out of character for the High Street
 - Parking
 - Late music and entertainment
8. There is also an email of support that sets out that the development would convert rundown unoccupied premises and with the closing of many pubs would put a public house back into the community of Quarry Bank and would support the pub industry.

OTHER CONSULTATION

9. Group Engineer (Highways) – Given the existing use it is considered that a refusal on highway grounds would be difficult to sustain at an appeal. There are no objections subject to the following conditions:-
 1. Parking layout including disabled spaces
 2. Service area allocation, delivery management plan with banksman system
 3. Servicing to be undertaken outside of public opening times
 4. Cycle storage and shower facilities.

10. Head of Environmental Health and Trading Standards – There are no objections in principle to the proposed change of use from a private members club to a public house.

11. West Midlands Police – no objections.

RELEVANT PLANNING POLICY

12. National Planning Policy Framework (NPPF) 2012

13. Black Country Core Strategy 2011
 - DEL1 - Infrastructure Provision
 - CEN1- The importance of the Black Country centres for the regeneration strategy
 - CEN2 - Hierarchy of centres
 - CEN6 – Meeting Local Needs for Shopping and Services
 - CEN4 - Regeneration of Town Centres
 - CEN8 – Car Parking in Centres
 - ENV2 – Historic Character and Local Distinctiveness
 - TRAN2 – Managing Transport Impacts of New Development

14. Saved UDP 2005 Policies

DD4 – Development in Residential Areas

EP1 – Incompatible Land Uses

EP7 – Noise Pollution

15. Supplementary Planning Documents

Parking Standards

ASSESSMENT

16. The key issues in determination of this application are;

- The principle of the use
- Impact upon residential amenities
- Access and parking

The principle of the use

17. The site is located within Quarry Bank Local Centre where it would be expected to find a range of uses from retail to cafes/takeaways to drinking establishments and residential. The building is vacant and partially boarded up and was previously used as the Liberal Club which adjoins the car park and premises of the Labour Club. On this basis there would be no loss of retail premises as a result of the proposed change of use it is considered that a proposed public house use would be acceptable at this location, in compliance with BCCS policies CEN1 and CEN6.

Impact upon residential amenities

18. In the immediate vicinity there are residential flats to the rear of the site in Queen Street and flats over shops in the High Street. In reality the proposed use would be materially similar to the existing use and would be unlikely to result in a significant change in the noise character of the premises. The Head of Environmental Safety and Health raises no objections and appropriate opening hours would be addressed through the premises licence regime. On this basis opening hours would not be conditioned as this would

be a duplication of controls under two separate regimes. A condition to stipulate details of the fixed plant including noise levels would be attached to any approval to ensure noise levels from plant equipment could be controlled for the lifetime of the development. Given this, subject to conditions the proposed scheme would be in accordance with the requirements of saved policies DD4 and EP7 of the Dudley UDP (2005).

Access and parking

19. Given that the application site is within Quarry Bank Local Centre close to bus routes and served by an existing off street parking area there are no highway objections subject to conditions relating to a formal marked out parking layout and servicing areas, servicing times and cycle/shower facilities.

CONCLUSION

20. The proposed use would have a positive role in supporting the overall function, vitality and viability of Quarry Bank Local Centre by bringing back into use a vacant former club building, which could contribute to the day-time, evening and night-time economy. It is therefore considered that the proposed scheme is acceptable in terms of use, would not have an adverse impact on residential amenity and the street scene and the scheme would be in accordance with the Black Country Core Strategy and Saved UDP Policies.

RECOMMENDATION

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

APPROVAL STATEMENT INFORMATIVE

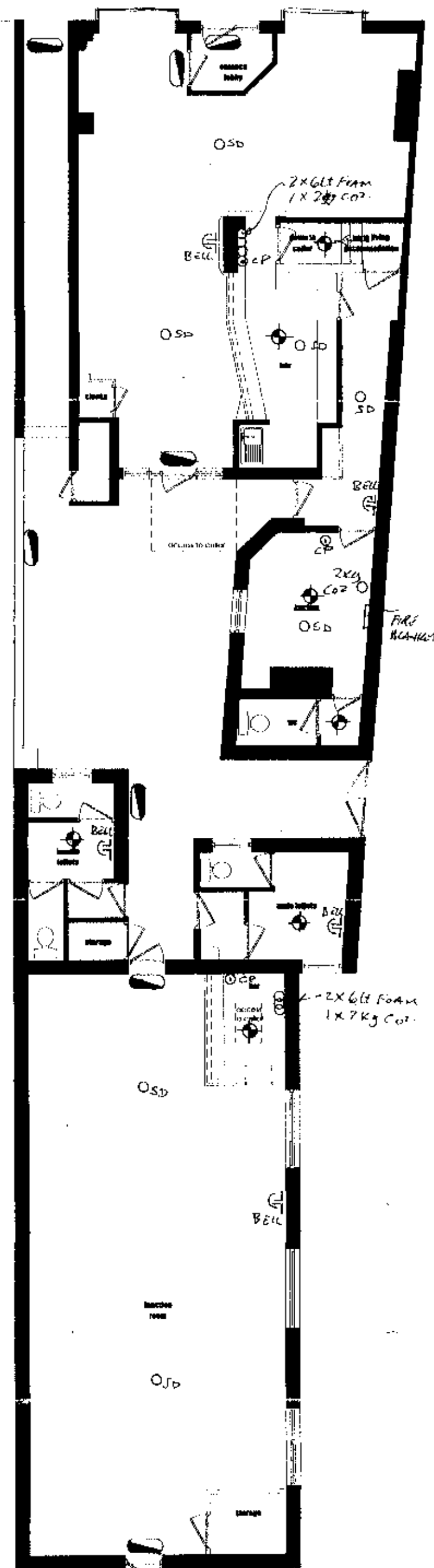
In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in

relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

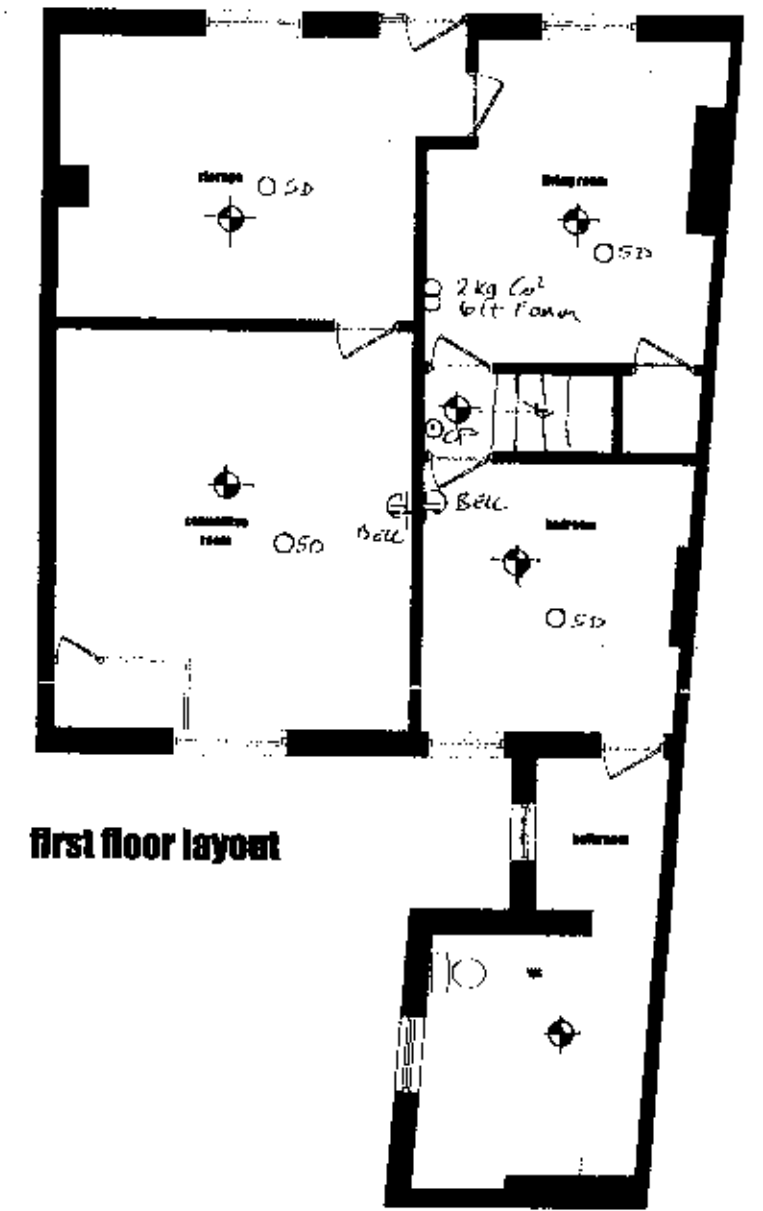
Conditions and/or reasons:

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 plan: MD/QBLC/941/1R1.
3. Prior to the commencement of development details of the parking layout including disabled spaces to be provided on site shall be submitted to and approved in writing by the local planning authority. Prior to first use the parking area will be provided in accordance with the approved details and graded, levelled, surfaced, drained and marked out and maintained for the lifetime of the development.
4. Prior to the commencement of development a scheme containing full details of arrangements for internal air extraction, odour control and discharge to atmosphere from cooking operations, including any external ducting and flues, shall be submitted to and approved in writing by the Local Planning Authority. The works detailed in the approved scheme shall be installed in their entirety before the use hereby permitted is commenced. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times when cooking is being carried out unless otherwise agreed beforehand in writing with the Local Planning Authority and retained for the lifetime of the development.
5. The noise rating level of any fixed plant and/or machinery associated with the development (including the discharge of cooking fume from a flue) shall not exceed background noise levels at any nearby dwelling by more than 5dB(A), as assessed under the methodology of BS 4142 (1997) (Method for rating industrial noise affecting mixed residential and industrial areas) and/or its subsequent amendments.
6. Prior to the commencement of development details of the service area allocation, delivery management plan with banksman system shall be submitted to and approved in writing by the Local Planning Authority. The facilities, as agreed, shall be implemented on site prior to first use and maintained for the lifetime of the development
7. The servicing, including deliveries, for the approved public house shall be undertaken outside of public opening times.

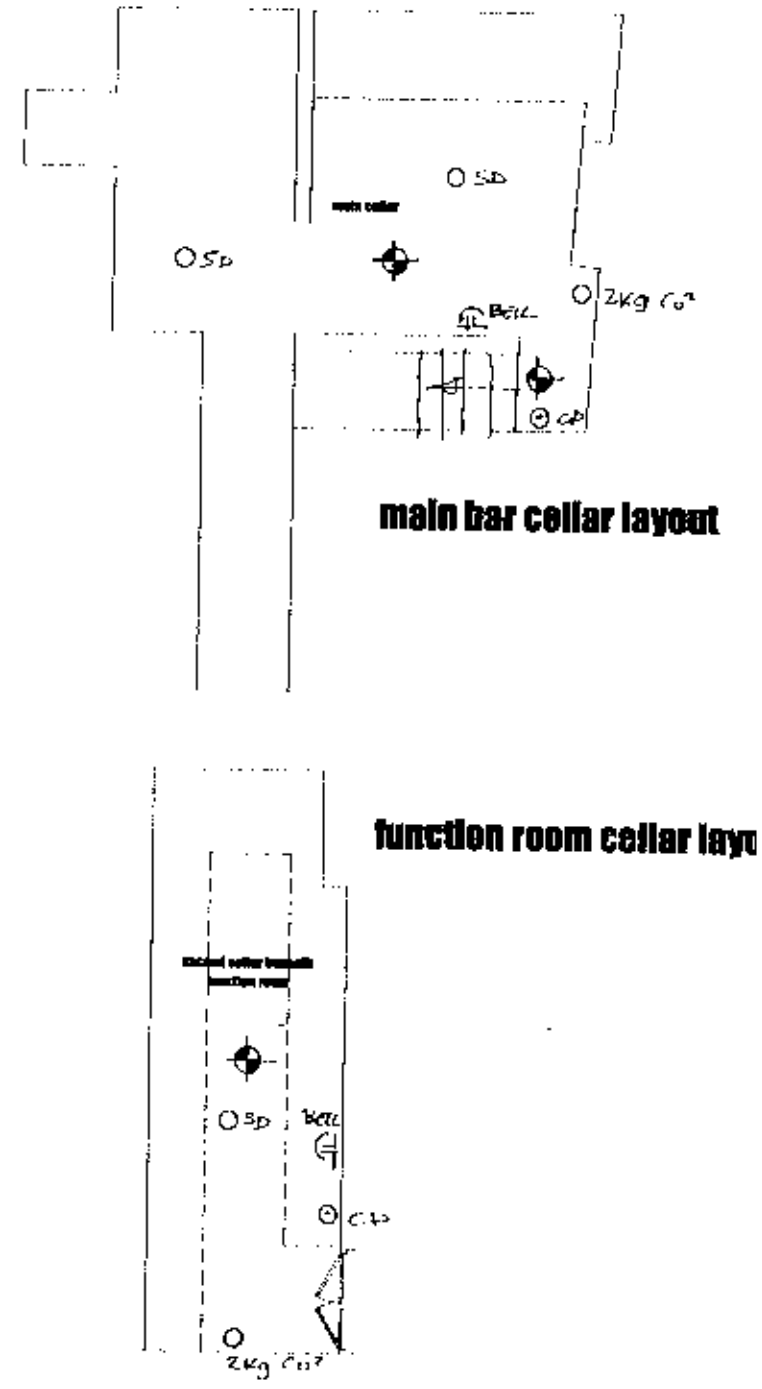
8. Prior to the commencement of development details of the cycle storage and shower facilities shall be submitted to and approved in writing by the Local Planning Authority. The facilities, as agreed, shall be implemented on site prior to first use and maintained for the lifetime of the development



ground floor layout



first floor layout

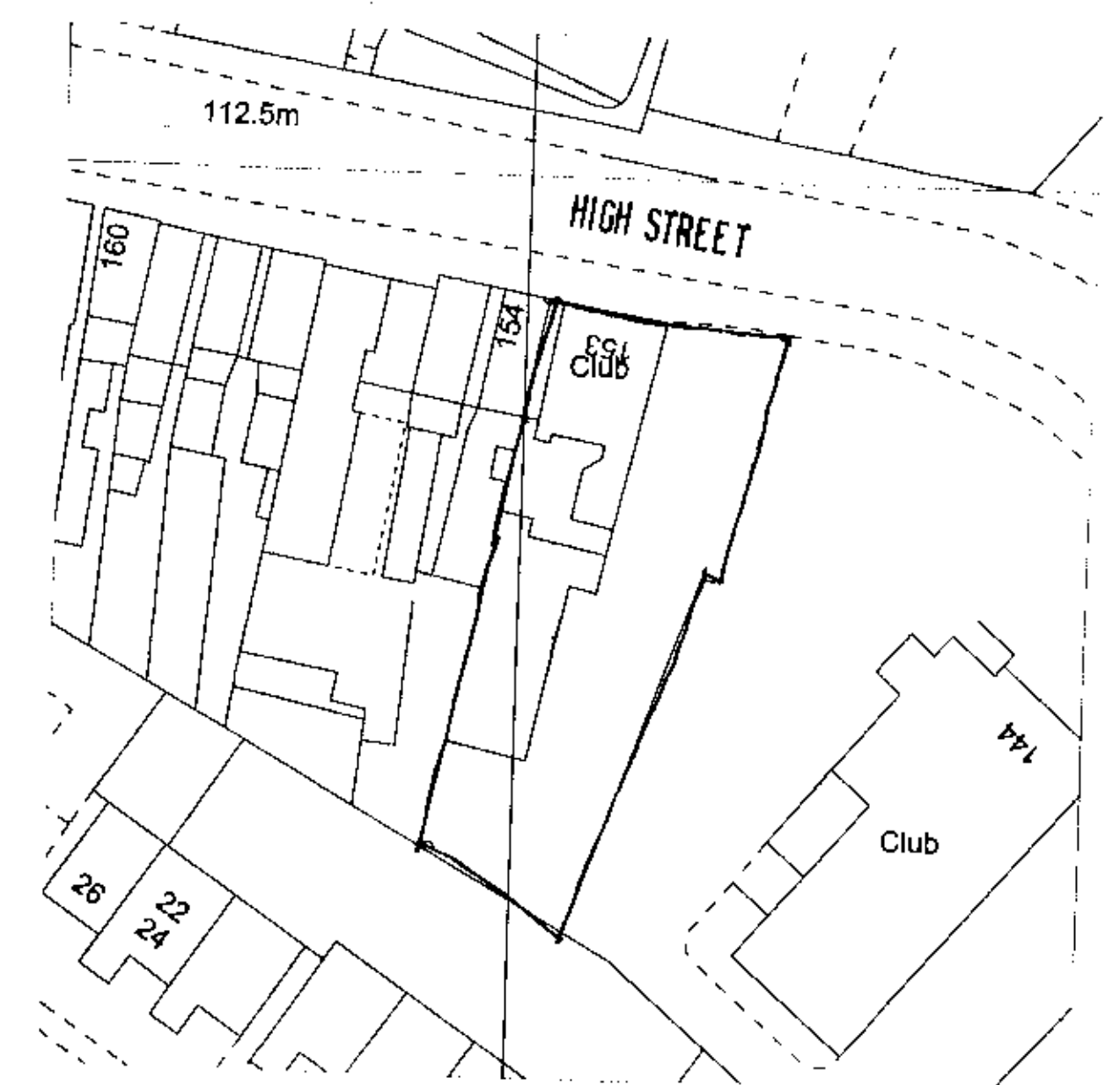


main bar cellar layout

function room cellar layout



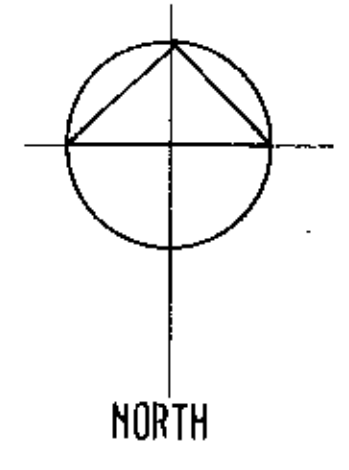
LOCATION 1:1250



SITE PLAN 1:500

- LEGEND**
- 3 hour Non-Maintained Emergency light
 - 3 hour Maintained emergency Light
 - Smoke Detector
 - Heat Detector
 - Fire Bell
 - Break Glass Call Point (Activation of any call point to be linked to sound System and cut off power to amplifiers)

- Emergency Lighting to BS 5266 part1 2005
- Fire Safety Signs and Notices to BS 5499 part3, 1990
- Fire Alarm System to BS 5839 part1, 2002
- Fire Fighting Equipment to BS 5423, 1987 and BS 5306 part 3 1985
- Upholstery seating furniture to satisfy resistant to ignition source: smouldering cigarette and match flame equivalent all to BS EN 1021-1-2006.
- Curtains and other textile hangings to be inherently flame retardant or be treated with durable flame retardant. They will be capable of complying with the "Type B" performance requirements of BS 5967 part 2, 1980, "Specification for fabrics for curtains and drapes flammability requirements".
- Textured floor coverings to conform to BS 5287 when tested in accordance with BS 4790, 1987.
- Doors and partitions required to be fire resisting are to be in accordance with BS 476, 1972, as amended. Fire resisting doors required to resist the passage of smoke at ambient temperature conditions, should, unless tested in accordance with BS 476, section 31.1, 1981, be fitted with smoke seals.



NORTH

- R1 (January 2015)**
- a) Emergency lighting and fire alarm system added
 - b) Fire fighting equipment added

MAPLE DESIGN
 93, Trinity Road, Amblecote,
 Stourbridge, West Midlands.
 DY8 4LZ
 Tel:- 01384-442458
 Fax:- 01384-442479
 Mob:- 07831-278898
 e-mail:- robert-francis@btconnect.com

PROPERTY :-
 Quarry Bank Liberal Club,
 153, High Street,
 Quarry Bank,
 Brierley Hill,
 West Midlands.
 DY5 2AF

TITLE:-
 Existing Floor Plans
DATE:- December 2014
SCALE:- 1:100
Drawing No MD/QBLC/941/1 R1

PLANNING APPLICATION NUMBER:P14/1831

Type of approval sought	Full Planning Permission
Ward	Netherton Woodside and St Andrews
Applicant	Mr D. Vaughan
Location:	60, HILL STREET, NETHERTON, DUDLEY, DY2 0NX
Proposal	REMOVAL OF EXISTING FLUE AND INSTALLATION OF EXTRACTION FLUE FOR A PAINT SPRAY BOOTH (RESUBMISSION OF WITHDRAWN APPLICATION P14/1421)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The site comprises a single storey workshop building set back approximately 30m from the highway. The site is broadly rectangular in shape with the building closely adjoining the rear and side boundaries of the site with the deep frontage providing access and parking. The original workshop building measures 23m deep and 13.5m wide with a shallow pitched roof that extends 4.7m to its eaves and 6.5m to its ridge. The site rises in level to the rear with the workshop having been built into the embankment. The workshop has a flat roof single storey front extension that projects 9.5m from the front elevation of the original building and which measures 4.2m wide. The front elevation of the workshop is built in red facing brick.

2. The workshop is used as a car accident repair centre. The building has established general industrial use (B2). The current occupier has only recently operated the car repair business from the premises with the most recent uses prior to the current operation being for window and furniture manufacturing, also falling within B2 use.

3. The site is located within a predominantly residential area. The eastern boundary of the site adjoins a pair of modern semi-detached bungalows (No. 66 and 67) and a former industrial building that has planning permission to be converted into

apartments. This former industrial building is unique in its appearance and has a large red brick chimney that stands at least 20m high. Beyond the former industrial building there are other residential properties comprising a semi-detached pair and detached dwelling (No. 63-65). The south-western boundary of the site adjoins a modern detached dwelling (No. 59). Immediately beyond the northern and western boundaries of the site is Hillcrest School and Community College. The staff car park lies adjacent to the western boundary of the site and a 12m wide landscaped area immediately adjoins the northern boundary of the site.

PROPOSAL

4. The proposal seeks the removal of the existing flue and the installation of a new extraction flue for a paint spray booth. The flue would be sited on the western roof plane of the building being set back 21m from the front elevation of the building and set in 4.3m from the western elevation of the building. The proposed flue would extend 3m above the ridge height of the workshop building and would be clad with a material to match the facing brickwork of the front elevation of the building.
5. Planning application P14/1421 was withdrawn on the 4th December 2014 in order for the applicant to resolve concerns with respect to noise and disturbance that could generate from the use of the paint spraying booth and its associated flue and in order to consider measures to improve the appearance of the flue located in a residential area.
6. The latest application includes the provision of a silencer made from galvanised sheet and lagged acoustic foam to be placed immediately above the fan and below the eaves of the building. The external flue would also be clad in a brick skin to match the brickwork on the existing building.

HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
DY/49/313	Garage for delivery vans.	Approved with conditions	17/11/49
DY/64/582	Erection of warehouse.	Approved with conditions	29/01/63
88/50062	Erection of boundary fence, concrete garage and covered way.	Approved with conditions.	07/03/88

PUBLIC CONSULTATION

7. The application was advertised by way of neighbour notification letters being sent to the occupiers of 35 properties within close proximity to the site and the display of a site notice. The latest date for comments was the 3rd February 2015. At the time of writing, five letters of objection have been received raising the following material planning considerations:

- Noise
- Odour
- Dust
- The use of the paint spraying booth through its odour, the release of paint particles into the air and toxins, will be detrimental to human health.
- The use of the flue would have an adverse impact upon wildlife.
- This scheme is totally unsuitable for its siting next to a school.
- The proposed flue would look unsightly and are overbearing.

OTHER CONSULTATION

8. Head of Environmental Health and Trading Standards: Having reviewed the information submitted in support of this resubmission Environmental Safety and Health does not object to the proposal subject to a condition limiting the hours of use of the extraction flue and a condition ensuring that the in-line silencer results in a suitable noise reduction. An informative would also be attached to the consent to make it clear that the recommendation of approval would not preclude any further action being taken by Environmental Safety and Health in accordance with the statutory nuisance provisions of the Environmental Protection Act should a noise nuisance be found to exist following completion of the works. The applicant is also advised to seek a guarantee about the stated performance of the silencer unit from the manufacturer.

RELEVANT PLANNING POLICY

National Planning Guidance (2012)

9. The National Planning Policy Framework (NPPF) sets out the Governments planning policies for England and how these are expected to be applied. The NPPF is a material consideration in planning decisions, but does not change the statutory status of the development plan as the starting point for decision making. In determining planning applications, paragraphs 196 and 197 of the Framework confirm that planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise and that in assessing and determining development proposals that Local Planning Authorities should apply the presumption in favour of sustainable development. Proposed development that accords with an up-to-date Local Plan should be approved.

Planning Practice Guidance

Air Quality

Noise

Use of Planning Conditions

Black Country Core Strategy (2011)

CSP2 Development Outside the Growth Network

ENV 8 Air Quality

Unitary Development Plan (2005)

DD4 Development in Residential Areas

NC1 Biodiversity

EP7 Noise Pollution

ASSESSMENT

10. The main issues are

- Principle
- Residential Amenity
- Visual Impact
- Nature Conservation
- Other Issues

Principle

11. The site lies outside of the Growth Network and Regeneration Corridors associated with the delivery of the regeneration objectives set within the Black Country Core Strategy and was not designated for any particular use within the Dudley Unitary Development Plan. In essence, therefore, there is no formalised land use designation relating to the application site. The commercial use of the site appears long established with the site originally being developed as a garage for delivery vans and then warehousing in the 1940s and 1960s. The use of the site appears to have changed over time with local residents recalling the most recent uses relating to the manufacture of furniture and windows. These previous uses have also been verified by officer's research into the consideration of this application. No planning applications have been received for any changes of use at the site but it seems likely that the site has been used for general industrial use (B2) for some time. The current occupier of the unit running an accident repair centre would fall into the same use class (B2) as the previous uses of the workshop and therefore the Local

Planning Authority is satisfied that no material change of use has occurred at the site.

Residential Amenity

12. The installation of an in-line silencer that would result in a noise reduction of 20dB(A) would result in the noise/sound level from the flue being reduced to a similar level as the existing background noise level (the sound climate in the absence of any sound from the flue). In view of the reduction in noise that would occur with the implementation of the in-line silencer within the flue it would be difficult to substantiate a reason for refusal on noise grounds. Since the in-line silencer would reduce noise levels of the flue to the same level as existing background noise levels local residents would not be adversely affected by the use of the flue in noise terms and the proposed development would therefore be in accordance with saved Policies DD4 and EP7 of the Adopted Dudley Unitary Development Plan.

13. The existing background noise level is a background noise of a typical working day. The 20dB(A) reduction may therefore not be adequate if the flue was operated in the evenings or Sundays when background noise levels can be lower than on a typical day. In order to ensure that the proposed development would not have an adverse impact upon residential amenity during the evenings and on Sundays it is recommended that a condition is put upon the consent to limit the hours of use of the extraction system and flue. A sound level limit condition would also be recommended to ensure that the noise reduction of the silencer is achieved and maintained in order to protect residential amenity. The attachment of these conditions to any consent would satisfactorily protect the residential amenity of the occupiers of the adjoining properties ensuring compliance with saved Policies DD4 and EP7 of the Adopted Dudley Unitary Development Plan.

14. A number of the objections raise concerns with respect to fumes, odour and dust. The existing extraction system has been in operation since April 2014 with no complaints having been received by Environmental Safety and Health relating to these matters. Environmental Safety and Health have frequently visited the site and

not witnessed concerns with respect to fumes, odour or dust. The proposed chimney height would be 3m above the ridge height of the workshop. This would be of a suitable height to achieve the adequate dispersion of paint fumes and odours. It would be difficult to substantiate a reason for refusal based upon the potential impacts of fumes/odour/dust on the evidence to date. The proposed development would not have an adverse impact to residential amenity or health and would be in accordance with saved Policy DD4 of the Adopted Dudley Unitary Development Plan.

Visual Impact

15. The proposed flue would be set back approximately 50m from the highway with limited views in the wider street scene. The flue would be most visible from the rear of no. 59 Hill Street with the occupiers of this property being able to see the flue at it comes out of the roof plane and extends 3m above the ridge of the building. The flue would be positioned approximately 41m from the rear elevation of this neighbouring property. The occupiers of no. 66-67 Hill Street would see the 3m flue projection above the ridge from the rear of their properties. The flue would be sited approximately 21m from the rear of these dwellings. The flue would be clad in a brick skin matching the facing brickwork on the existing workshop building. The brick skin would result in the flue appearing as a traditional chimney of relatively domestic proportions. Given the distance of the proposed flue from the surrounding dwellings and its brick skin cladding, it would not be visually obtrusive or overbearing and would ensure the protection of the immediate outlook from the neighbouring properties thereby being in accordance with saved Policy DD4 of the Adopted Dudley Unitary Development Plan.

16. It should also be noted that there is an existing industrial sized brick built chimney that exceeds 20m in height that immediately adjoins the eastern boundary of the site and that the occupiers of the adjoining residential properties look out onto. In view of the small scale nature of the proposed brick clad flue to the existing workshop that would be positioned to the rear of the site in comparison to the size and scale of the adjoining chimney, it would be difficult to suggest that the proposed flue would have an adverse impact upon the visual amenity of the area or appear

out of context. The proposed flue would not detract from the character of the area and would protect residential amenity thereby being in accordance with saved Policy DD4 of the Adopted Dudley Unitary Development Plan.

Nature Conservation

17. The site adjoins Hillcrest School's car park to the west. The car park was developed in 2008 and involved the loss of a large part of a Site of Local Importance for Nature Conservation (SLINC). The car park and its associated land remain designated as a SLINC despite its redevelopment. The Local Planning Authority is currently undertaking a review of its SLINC designations in order to feed into the evidence base associated with the emerging Dudley Borough Development Strategy. A site falling within a SLINC does not preclude development. The now car park site had become degraded by the invasion of bramble, scrub and Japanese knotweed and was considered botanically poor. The approved scheme sought to enhance that habitat to the north of the school together with retained land to the west of the parking area for nesting birds and foraging bats. The proposed development would not have an adverse impact upon the retained habitat immediately adjoining the site and would be in accordance with saved Policy NC1 of the Adopted Dudley Unitary Development Plan.

Other Issues

18. An objector has stated that the proposed use would be unsuitable next to a school. The previous sections within this report have demonstrated the suitability of the proposed development in terms of residential and visual amenity. The proposed development would not have a differing impact upon school children than local residents and would not have an adverse impact upon health thereby being in accordance with saved Policy DD4 of the Adopted Dudley Unitary Development Plan.

CONCLUSION

19. The proposed flue with the installation of an in-line silencer projecting at least 3m from the ridge of the building would not have an adverse impact upon residential

amenity. Subject to conditions restricting the hours of use of the extraction system and a condition ensuring noise from the flue would not exceed background sound levels; the proposed development would be acceptable from a noise perspective. The height of the flue would ensure that any odour or fumes are dispersed without resulting in harm to residential amenity.

20. The limited height of the flue encased in brick and its significant distance away from immediate neighbours and the wider street scene, as well as its siting within close proximity to a former industrial chimney that stands in excess of 20m in height would ensure that the flue would not appear obtrusive or visually dominant within the overall street scene thereby protecting the character of the area. The proposed development would not have an adverse impact upon wildlife and would be in accordance with the Development Plan.

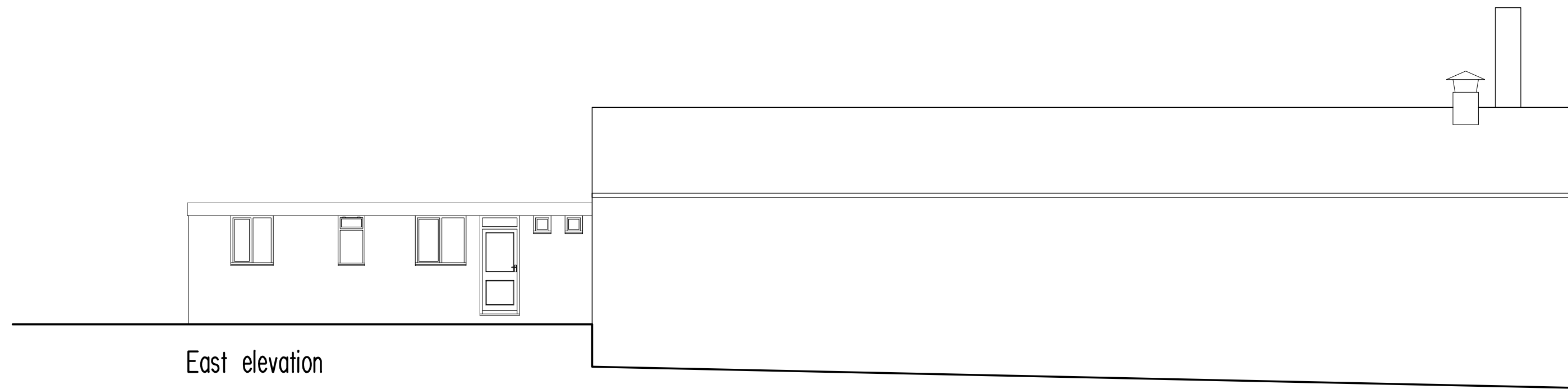
RECOMMENDATION

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

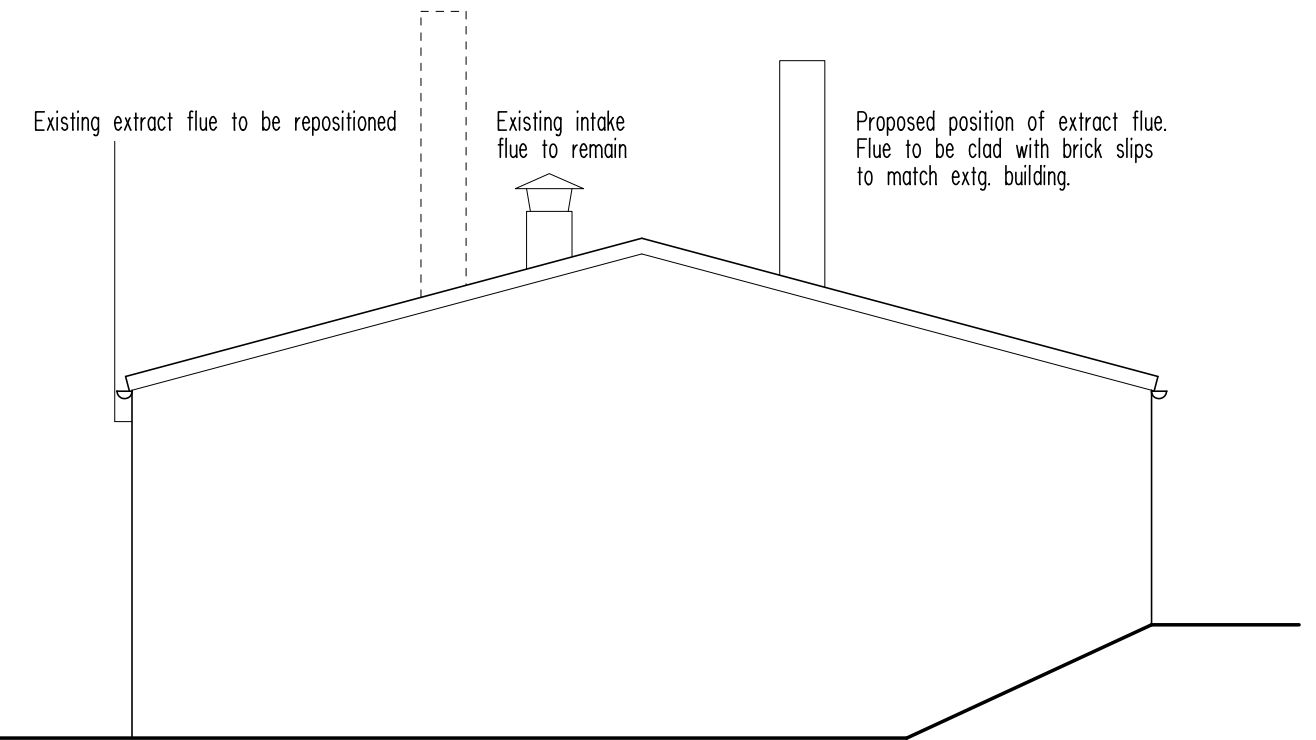
Conditions and/or reasons:

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: 14:88:01 A
3. The unauthorised flue without the benefit of planning permission, as shown on Drawing no. 14:88:01 A shall be removed by the 31st March 2015.
4. The rating level of sound emitted from the extraction system as shown on Drawing no. 14:88:01 A shall not exceed the background sound level between the hours of 0700-2300 (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 sound 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.
5. The extraction flue hereby approved shall not be operated before 0800 hours or after 1800 Monday to Saturday and not at all on Sundays and Public Holidays.

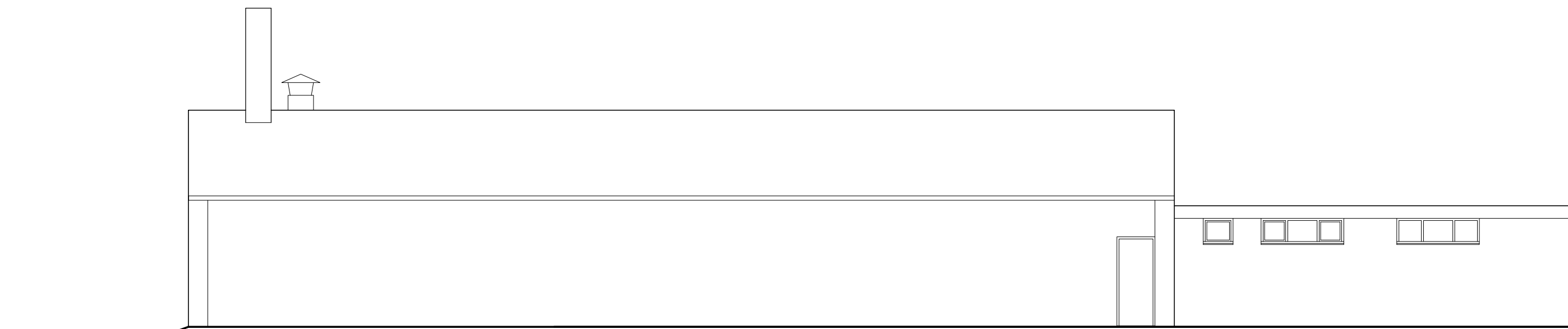
6. The flue as shown on approved Drawing no. 14:88:01 A shall be enclosed in a material to closely resemble the facing brick on the front elevation of the workshop. The brick skin shall remain in place for the lifetime of the development.



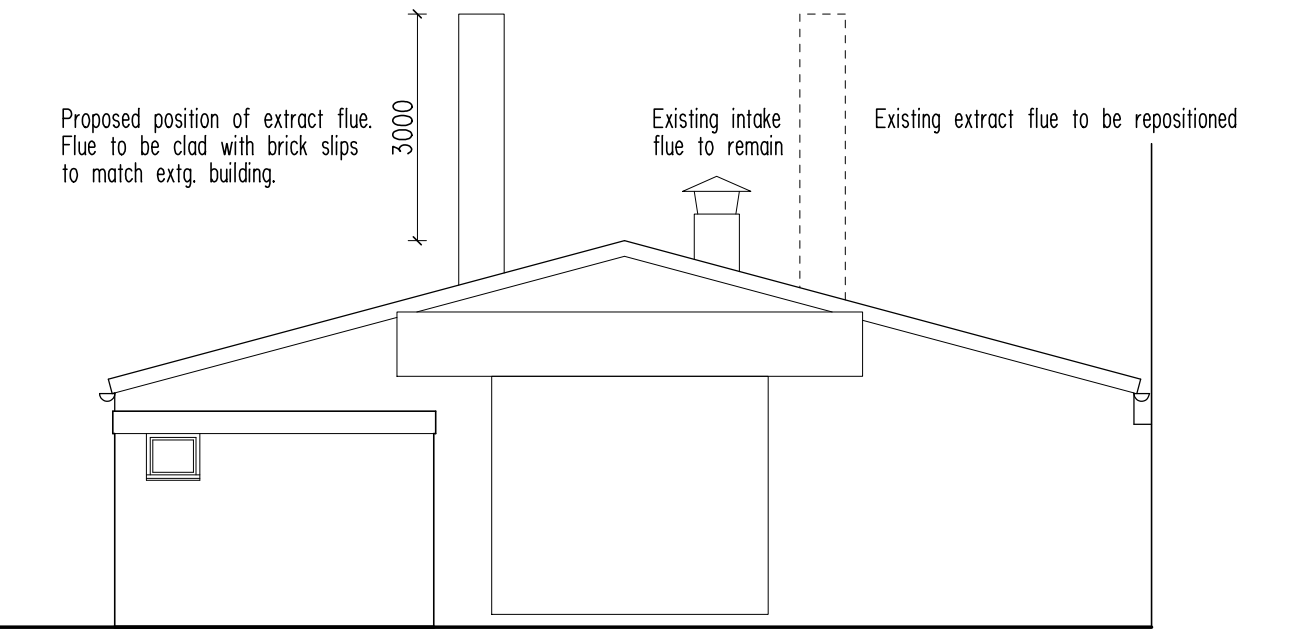
East elevation



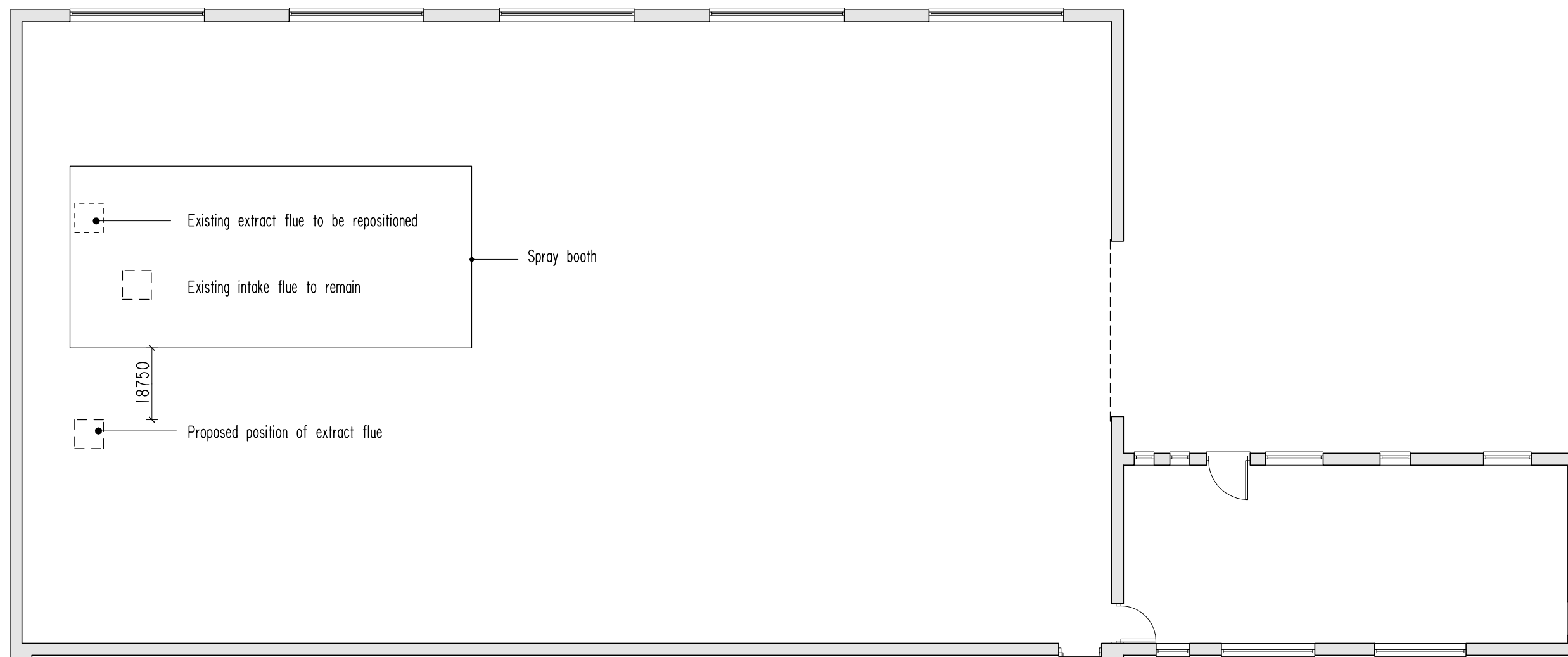
North elevation



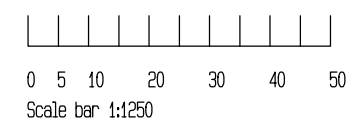
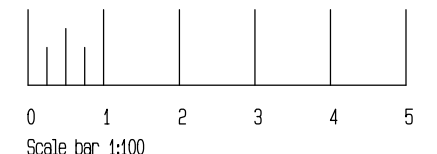
West elevation



South elevation



Floor plan



A : 03/02/15 : Flue height amended.
Revisions:



Location plan

SMV Accident Repair Specialists
PROPOSED ALTERATIONS
60-61 HILL STREET
NETHERTON
REVISED PROPOSALS
14:88:01A

Scale 1:100 1:1250
 Date December 2014

MFL Design

Architectural Design Service
 5 Glynn Crescent,
 Halesowen,
 West Midlands,
 B63 2PZ
 Tel. 01384 561334



Do not scale. Figured dimensions only to be taken from drawing.
 The contractor is to visit the site and be responsible
 for taking & checking dimensions relative to this work.

PLANNING APPLICATION NUMBER:P15/0005

Type of approval sought	Full Planning Permission
Ward	Netherton Woodside and St Andrews
Applicant	Rupert Dugdale, Dudley Metropolitan Borough Council
Location:	HINGLEY ANCHOR, NETHERTON, DUDLEY
Proposal	INSTALLATION OF 2 NO. INTERPRETATION PANELS/PUBLIC ART FEATURES
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site comprises a public art display known locally as 'Hingley Anchor'. The anchor is an exact replica of the original anchor commissioned for the Titanic ocean liner in 1911 which was originally manufactured by a local firm N. Hingley & Son. The replica resides within the triangular 'Market Place' the form of which resembles the prow of a ship. The 'Market Place' is situated at the Halesowen Road/Northfield Road junction and the anchor is recorded on the Council's Sites and Monuments record (SMR 15204).
2. The 'market place' is located opposite to the locally listed Netherton Arts Centre and the entrance to Netherton Park and can be seen as a gateway to the town from the north.

PROPOSAL

3. It is proposed to install two interpretation panels within the area of open space to the north of the anchor either side of the pedestrian footpaths. The interpretation panels would document the history of the original anchor and the storey of the replica. They would be sited on two identical sculptures modelled on an anchor

Windlass which would have been installed on the Titanic. The Windlass is the mechanical device used on a ship to wind in the anchor cable and the anchor itself.

4. The sculptures would be made up of steel plates and (from edge of base to edge of base) would be 2050mm wide, a maximum height of 1100mm and a maximum width of 1250mm. The sculptures would include a length of solid steel chain bar which would be 24mm in diameter, 160mm in width and 240mm in length. The materials would comprise galvanised steel painted black and white to match the anchor itself. The sculptures would be welded on a flat steel plate which would be anchored to a concrete pad.

HISTORY

APPLICATION	PROPOSAL	DECISION	DATE
P11/0831	Erection of replica Titanic Anchor within Netherton Market Place	Approved with Conditions	06/07/11

PUBLIC CONSULTATION

5. Direct notification letters have been sent to 60 neighbouring properties with the final date for receipt of representations being 3rd February 2015. No representations have been received.

OTHER CONSULTATION

6. Group Engineer (Highways); No objection

RELEVANT PLANNING POLICY

National Planning Policy Framework (2012) (NPPF)

Black Country Core Strategy (2011) (BCCS)

- ENV2 Historic Character and Local Distinctiveness
- ENV3 Design Quality

Saved Unitary Development Plan Policies (2005) (UDP)

- DD1 Urban Design
- DD4 Development in Residential Areas
- HE5 Buildings of Local Historic Importance

ASSESSMENT

7. Key issues;

- Visual Amenity & Historic Assets
- Public Safety

Visual Amenity & Historic Assets

8. The replica anchor is a physical reminder of the involvement of Netherton in the metal industry and is a local landmark. The addition of the interpretation panels providing an historical account of the original and replica anchors and with both panels modelled on an anchor Windlass further emphasises the historical connection. It is considered that the proposal would enhance the appearance of the historic asset and the significance of the local landmark. The scale and appearance of the interpretation panels is appropriate to the existing context and the development is in the wider public interest. There would be no adverse impact upon the setting of the locally listed Netherton Arts Centre. The proposal is therefore compliant with the NPPF, saved Policy DD1 and HE5 of the Dudley UDP and Policy ENV2 of the Black Country Core Strategy.

Public Safety

9. The Group Engineer (Highways) raises no objection to the proposals and there are no consequential highway safety issues arising. In this respect the proposal therefore complies with saved UDP Policy DD4.

CONCLUSION

10. The proposal would enhance the appearance of the heritage asset whilst reinforcing the historic links of the area to a world renowned event that can be identified by all members of the local community. The development is in the wider public interest and there would be no adverse impact upon adjacent heritage assets. There are no highway safety issues arising and the proposal complies with the NPPF, saved Policy DD1 and HE5 of the Dudley UDP and Policy ENV2 of the Black Country Core Strategy.

RECOMMENDATION

11. It is recommended that the application is APPROVED subject to the following conditions;

APPROVAL STATEMENT INFORMATIVE

In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Informative

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

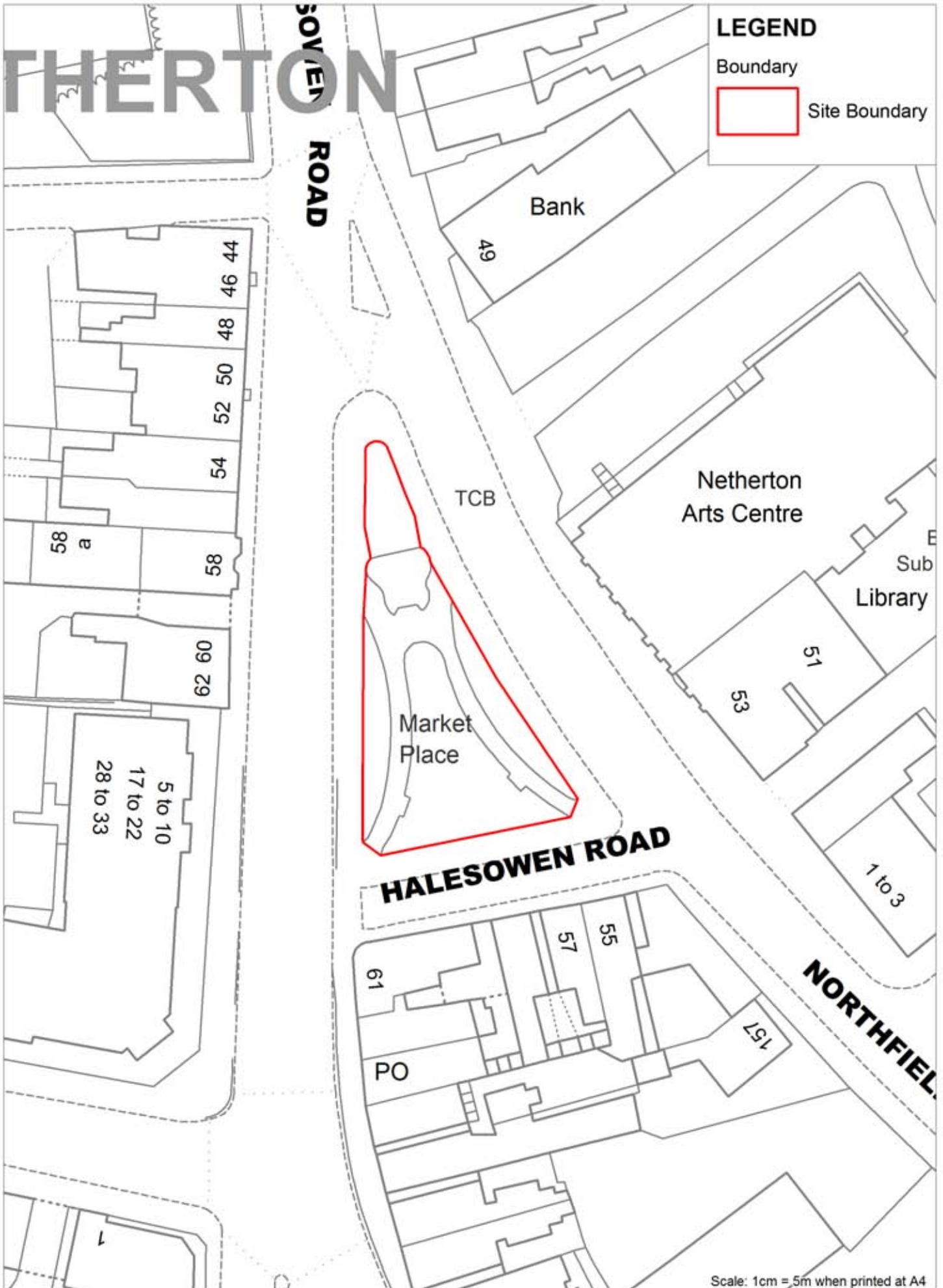
Further information is also available on The Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

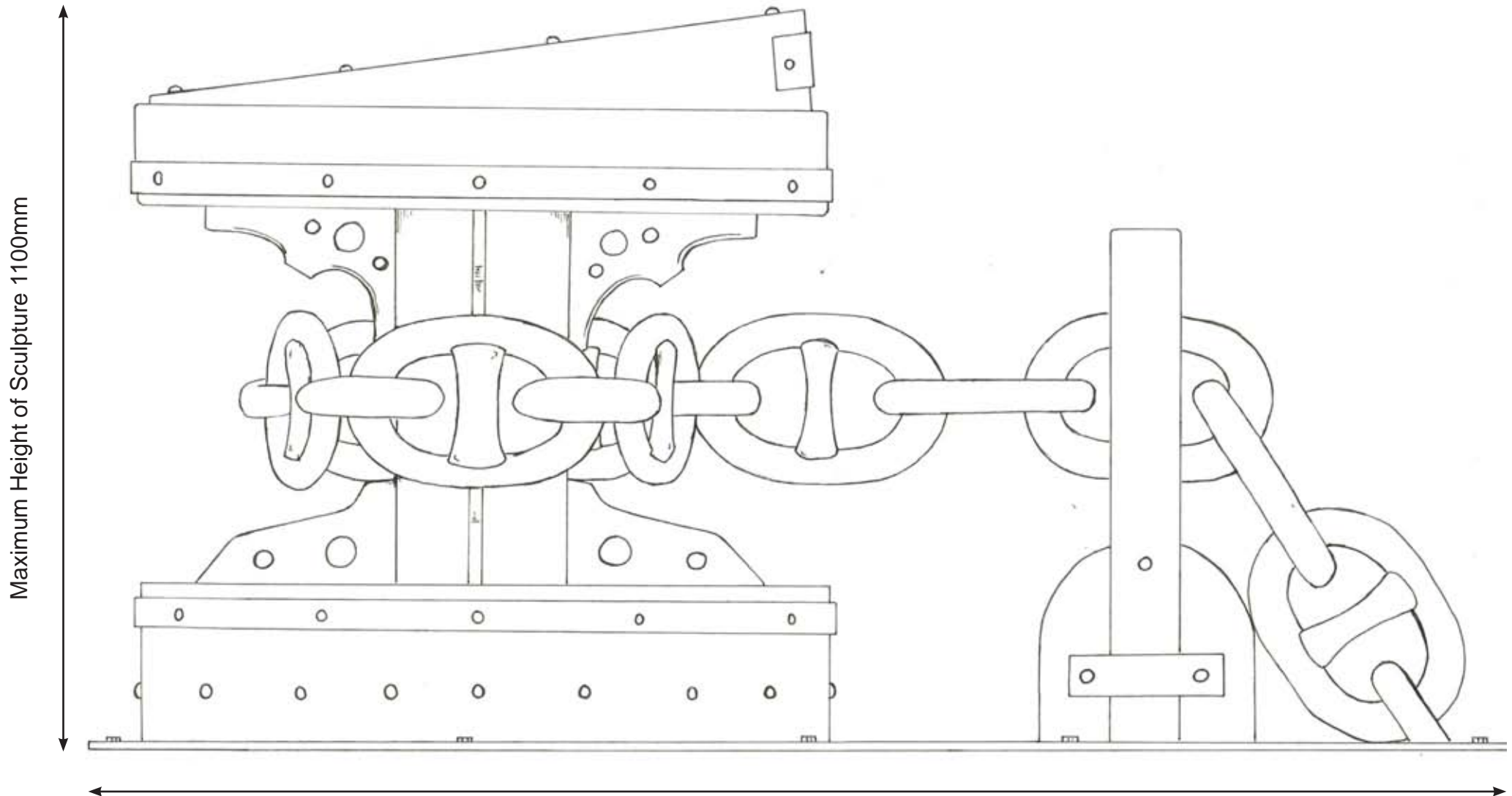
Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

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 plan: Drawing No. 1 Figure 1 Site Location Plan, Figure 2 Proposed Site Plan and the drawing entitled 'Hingley Anchor, Netherton. Windlass Interpretation Elevation Drawing.
3. Notwithstanding the submitted details, development shall not commence until large scale architectural drawings (to a scale of not less than 1:20) have been submitted to and approved in writing by the Local Planning Authority of the interpretation panels and sculptures. The drawing shall include details of the proposed materials and finishes and the development shall be carried out in accordance with the approved details.

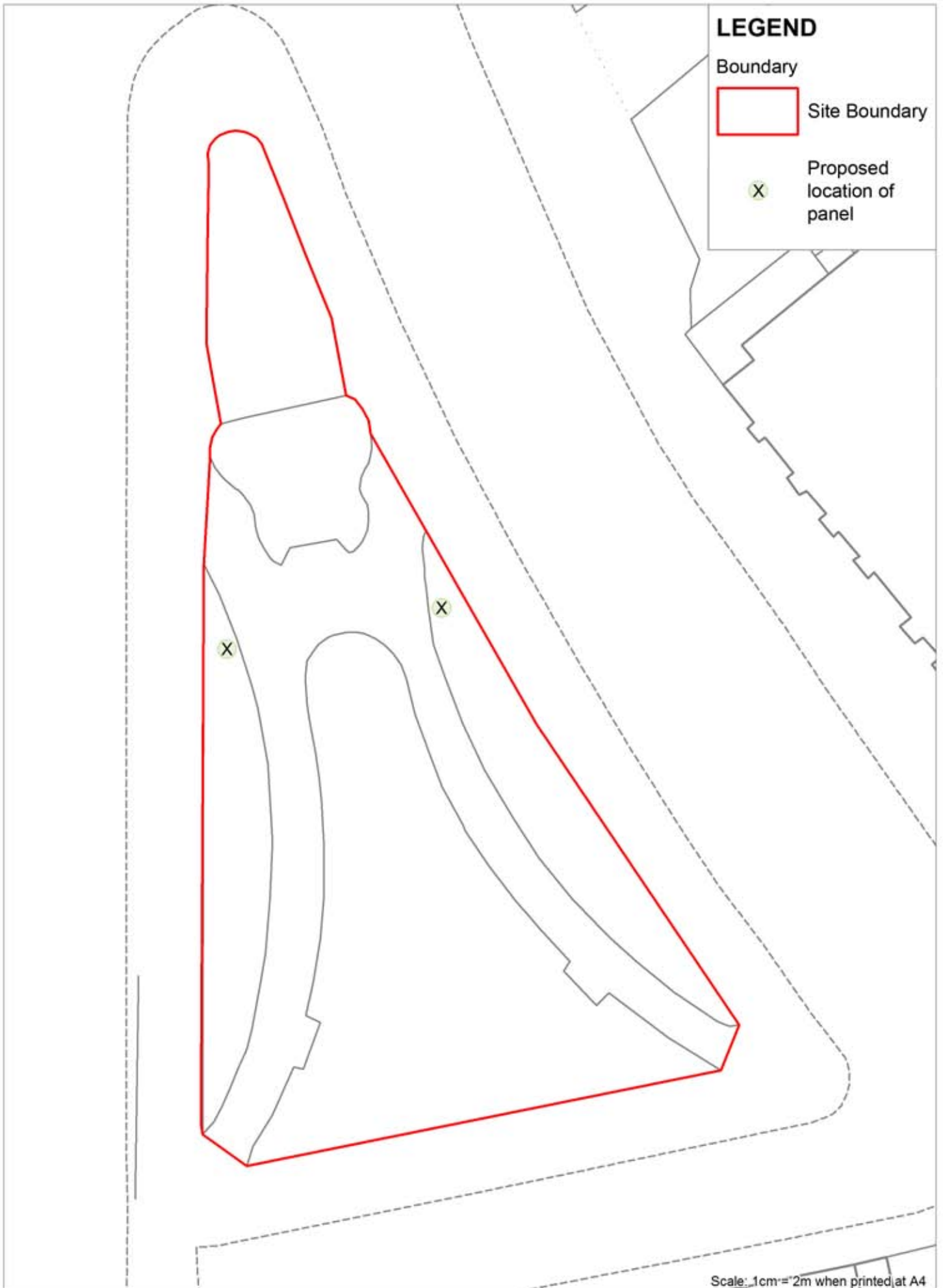


Hingley Anchor, Netherton. Windlass Interpretation Elevation Drawing



Maximum Height of Sculpture 1100mm

Width of Sculpture From Edge of Base to Edge of Base 2050mm



LEGEND

Boundary



Site Boundary



Proposed location of panel

Scale: 1cm = 2m when printed at A4

PLANNING APPLICATION NUMBER: P15/0031

Type of approval sought	Determination on need for approval (GDO)
Ward	Hayley Green & Cradley South
Applicant	H3G Ltd & EE Ltd
Location:	AMENITY OPEN SPACE OFF, LUTLEY MILL ROAD, HALESOWEN
Proposal	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
Recommendation Summary:	PRIOR APPROVAL IS NOT REQUIRED

SITE AND SURROUNDINGS

- 1 This site consists of part of the highway verge alongside an area of open space which borders a watercourse (Lutley Gutter). It is located between semi-mature trees near the junction of two footpaths, alongside Lutley Mill Road, near the junction with Stourbridge Road (A458).

- 2 There is a public house on the opposite side of Lutley Mill Road to the application site, and to the south of that, a row of dwellings. There are also houses on the opposite side of the open space fronting Beecher Road East, and onto Stourbridge Road.

PROPOSAL

- 3 This application is a prior approval application for telecommunications equipment under the provisions of Part 24 of the General Permitted Development Order 1995 (as amended). Given the prior approval nature of the application, if the application is not formally determined by the Council and the agents notified of the decision by the expiry date then the applicant is legally able to install the proposed apparatus.

- 4 The application proposes the removal of the existing 3G, 11.7m monopole and replacement with a similar 4G, 11.7m high and 0.25m diameter monopole with shrouded head frame which contains the antennas, together with the provision of an additional equipment cabinet that measures 0.5m by 1.2m with a height of 1.2m.
- 5 The application is submitted with a Design and Access Statement and an ICNERP Certificate.

HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
P05/1086	Prior approval under part 24 of the GPDO for installation of a 11.7m high monopole, 3 No. antennae incorporating shroud, 3 no. cabinets and ancillary development.	Allowed	22 November 2006

- 6 P05/1086 was refused by the council on visual amenity and green belt grounds. However, the application was subsequently allowed at appeal.

PUBLIC CONSULTATION

- 7 1 letter of objection received, following consultation with 201 adjoining neighbours, the posting of a site notice and the publication of an advert in a local newspaper.

Main issues raised:-

- Appearance of mast
- New mast is 4G
- Interference caused by masts - i.e. car keys
- Possible long term health risks – ill health of mother
- Electromagnetic
- Objected to original application in 2006

OTHER CONSULTATION

8 None.

RELEVANT PLANNING POLICY

- National Planning Guidance

National Planning Policy Framework (2012) - Section 5 – Supporting high quality communications infrastructure

- Black Country Core Strategy (2011)

ENV 2 Historic Character and Local Distinctiveness

- Unitary Development Plan (2005) (Saved Policies)

DD1 Urban Design

DD4 Development in Residential Areas

DD13 Telecommunications

ASSESSMENT

9 The main issues are

- Policy
- Need
- Visual Impact
- Health
- Interference

Policy

10 Section 5 of the NPPF states that local authorities should support the expansion of electronic communications networks, although there is an acknowledgement that new base stations and masts should be kept to a minimum and should be sympathetically designed and camouflaged where appropriate.

- 11 Saved Unitary Development Plan Policy DD13, states that applications for telecommunication development should include an assessment of site share opportunities and other alternatives to a new mast. Where new masts are needed to provide for the efficient operation of the network, masts should be sensitively designed and sited to minimise their impact.
- 12 Both local and national planning policy requires operators to provide evidence that the proposed base station conforms with the ICNIRP (International Commission on Non-Ionizing Radiation Protection) exposure guidelines. The applicant has submitted the necessary certificate confirming that the proposed mast conforms to those guidelines.

Need

- 13 On the basis that the proposal replaces an existing mast the applicant is under no obligation to provide a justification of need for the site. However, the applicant advises that the reason for the replacement is to allow the upgrade of the currently shared site (EE and Hutchinson) from 2G and 3G, to 4G which allows for high speed data services to be provided.
- 14 As the site allows for operators to share and is providing improved communications the proposal essential meets the requirement of the NPPF.

Visual Impact

- 15 The replacement mast is essentially the same scale as the one presently at the site, with an identical height and a similar slim line monopole design. As such there are no concerns regarding the proposed mast and visual impact.
- 16 The proposed additional equipment cabinet is not considered to pose any significant visual amenity concerns as the main visual draw would be the mast rather than the relatively modest cabinet. Moreover, the telecommunications operators have significant permitted development rights to provide such cabinets without resorting

to the prior notification process which is required for the majority of new or replacement masts.

Health

- 17 Whilst health is a material consideration when considering applications for development, the National Planning Policy Framework states that local planning authorities should not reconsider health matters where the applicants have certified that the base station conforms to the International Commission on Non-Ionising Radiation guidelines. In this case the applicant has submitted the required information confirming that the proposal would meet the guidelines.

Interference

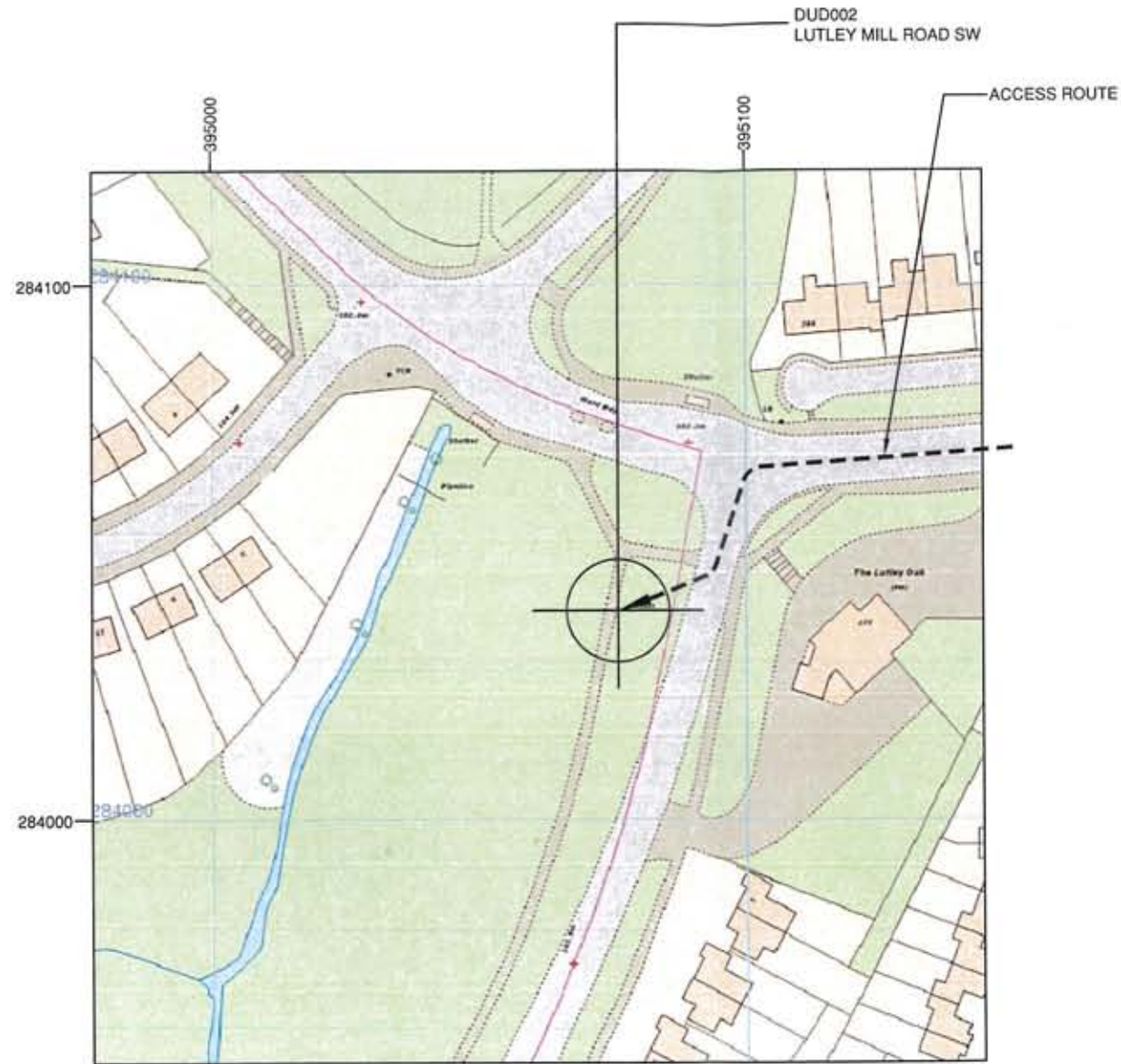
- 18 Interference to radio systems is generally not a planning issue as matters related to radio spectrum planning and allocation are the responsibility of OFCOM.

CONCLUSION

- 19 On the basis the proposal is for the replacement of an existing mast there are no concerns about visual impacts and need does not have to be demonstrated. In terms of health issues, the applicant has provided an ICNREP Certificate. The development conforms to Saved Policy DD13 of the Dudley Unitary Development Plan.

RECOMMENDATION

It is recommended that prior approval is NOT required.



SITE PLAN

SCALE 1:1250
 Ordnance Survey map extract.
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- GENERAL NOTES:
1. DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT DRAWINGS AND SPECIFICATIONS. SEE DOCUMENT TRANSMITTAL FOR COMPLETE LIST OF DRAWINGS
 2. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE STATED.
 3. DO NOT SCALE DRAWINGS.
 4. ITEMS SHOWN BOXED ARE PROPOSED WORKS BY OPERATOR, ALL OTHER ITEMS ARE EXISTING SITE FEATURES.
 5. DUCT ROUTES ARE SHOWN INDICATIVELY, ACTUAL ROUTES TO BE DETERMINED ON SITE.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DIMENSIONAL ACCURACY AND THE CORRECT SETTING OUT OF ALL WORK ON SITE.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING ALL SITE DIMENSIONS PRIOR TO THE COMMENCEMENT OF WORK.
 8. ALL DISCREPANCIES ARE TO BE REPORTED TO THE ENGINEER.



* EXCLUSION ZONES CONFORM TO THE ICNIRP REFERENCE LEVEL FOR LIMITING RF EXPOSURE TO MEMBERS OF THE GENERAL PUBLIC.*

A	24.11.14	FIRST ISSUE	APS	IK	IH
RV	DATE	DESCRIPTION	DRN	CHK	APP

THIS DRAWING IS THE PROPERTY OF AND MAY NOT BE REPRODUCED OR DISCLOSED TO A THIRD PARTY IN ANY FORM WITHOUT WRITTEN PERMISSION

SITE LOCATION

CELL ID: DUD002

SITE NAME: LUTLEY MILL ROAD SW

SITE ADDRESS:
 LUTLEY MILL ROAD SW
 LUTLEY MILL ROAD
 DUDLEY, WEST MIDS
 B63 4HX

G.S. CO-ORDINATES: 395076, 284039

DATE: 24.11.14 DRN: APS SCALE: 1:1250

DRAWING No: DUD002 -001 REV: A

PLANNING APPLICATION NUMBER: P15/0059

Type of approval sought	Full Planning Permission
Ward	St James's
Applicant	Mrs J. Hutchinson
Location:	UNIT 2, 100, DOCK LANE, DUDLEY, WEST MIDLANDS., DY1 1SN
Proposal	CHANGE OF USE FROM B8 TO SOCIAL CLUB WITH PHOTOGRAPHIC STUDIO AND NEW SMOKING SHELTER (SUI GENERIS) (RESUBMISSION OF REFUSED APPLICATION P14/1592)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. 100 Dock Lane is located on the corner of Dock Lane and Cleveland Street within a wider industrial and commercial area on the outskirts of Dudley Town centre, known as Dock Lane Industrial Estate. The site consists of a larger building which has been subdivided into 5 units. This site lies within Regeneration Corridor 11a as defined by the Black Country Core Strategy. The Regeneration Corridors are where investment and development will be focussed up to 2026 and RG11 is intended to feature a rejuvenated Dudley town centre with surrounding high quality housing and employment areas. No.100 Dock Lane lies outside an area identified for local employment retention and future housing growth near to Dudley Town centre.
2. Adjacent to the western side of the building is a small area of green space and a driveway to access other industrial premises. To the rear, sits a builders yard which is fenced off with high industrial palisade fencing which of approximately two metres in height. Beyond this to the south, sits a large factory building. The application site sits immediately opposite the car park serving the Dudley Leisure Centre and is enclosed by a low boundary wall and is accessed off Cleveland Street. The nearest residential properties are some 80m away at the junction of Ludgate Street and

Dock Lane located to the west of the application site, and there are further residences approximately 100m away at the junction of Steppingstone Street and Oxford Street to the northeast.

3. The application site measures approximately 550sqm overall which includes the application premises and car park to the eastern side. The application relates to the ground floor unit (Unit 2) measuring 189sqm within the larger building which is made up of five units in total. Unit 2 is screened from view of Dock Lane by Unit 1 which runs along the frontage of that road and in any event this unit has no windows providing any form of outlook. Access to Unit 2 is via a shared ground floor entrance with Unit 5 located off Cleveland Street.
4. The car parking area is located off Cleveland Street and is noted to accommodate some 17 spaces, with an additional 10 spaces available after 5pm on land to the south of the unit, under the control of the overall site owner. There are no parking restrictions along Dock Lane or the adjacent streets. The car park is set at a lower level than Dock Lane but is relatively flat, whilst Cleveland Street sits on a slight incline.

PROPOSAL

5. This application is a resubmission of refused application P14/1592 refused at Development Control Committee on 22/12/2014. The reasons for refusal were:
 - a. *The proposed use is considered to be detrimental to the residential and associated amenities of the locality and the viability of commercial interests by virtue of the perceived impacts of the proposed development upon the area, being incompatible with the social and cultural cohesion of the community, contrary to saved policies DD1, DD4 and DD5 of the Unitary Development Plan 2005 and policy ENV3 of the Black Country Core Strategy 2011.*
 - b. *The development is not considered to provide an appropriate level of car parking for the proposed use which may lead to overspill car parking on the local highway network or local businesses to the detriment of highway safety and the operation of commercial interests, contrary to saved policies DD4 and DD5 of the Unitary*

Development Plan 2005, policies TRAN 2 and TRAN4 of the Black Country Core Strategy 2011 and the Parking Standards Supplementary Planning Document.

6. This current application differs only from P14/1592 in the description of the proposed use and the planning Statement that has been provided by the applicant which sets out the intended function of the Social Club and the people it will cater for.
7. This proposal seeks approval for a change of use to a 'Sui Generis' use that does not fall within any general use class. The previous use of this building was as B8, warehousing, storage and distribution with an element of A1 retail. The proposed use as a Social Club and photographic studio does not fit into one specified Use Class category, although the photographic studio could fall under an office category (B1), the Social Club would be most similar to a nightclub therefore considered to be 'Sui Generis', a use not falling within a specified Use Class.
8. The applicant has described the club as a '*social club with a licensed bar catering for the lesbian, gay, bisexual and transsexual (LGBT) minority community, disabled persons and vulnerable*'. The club will operate a membership system to vet anyone entering the premises with only strictly over 18's able to enter.
9. The location and operation of the club must be considered in material land use planning considerations. The purpose of this report is to assess the suitability of the proposed use from a land use planning perspective and not to consider a moral judgement on the nature of the club.
10. The development will involve some internal reconfiguration to provide a main bar area, a photographic studio a toilet block and admin area. There are no proposed changes to the external elevations aside from repainting the external walls and the inclusion of a smoking shelter adjacent to the entrance doors. A reception desk will monitor the entrance for membership checking with CCTV covering the both external and internal entrances, bar area and 'chill area'. No window openings exist or will be formed at the premises.

11. The club will be accessed via double doors located to the rear of the premises which form a shared entrance with first floor Unit 5. The smoking shelter is to be generally positioned to the front of these doors, adjacent to the building. The smoking shelter will measure 3m wide and 2m deep and be constructed using a timber frame and clear polycarbonate roof. The side perpendicular to the entrance doors will remain open and the 2 remaining sides will feature mid line trellis in order to retain privacy for the members but to allow a degree of 'openness' required for such structures.

HISTORY

APPLICATION	PROPOSAL	DECISION	DATE
DY/53/394	Different use of foundry premises – conversion into manufacturing clothier factory	Approved with conditions	12/12/53
DY/55/184	Different use of land – proposed erection of chain link fencing and use of land as a building site	Approved with conditions	21/04/55
DY/59/335	New lavatory block at factory	Approved	22/07/59
DY/60/300	Proposed alterations, repairs, extensions and conversion to existing factory	Approved with conditions	28/07/60
DY/62/161	Development of land for erection of offices, canteen and car park	Approved with conditions	23/03/62
DY/61/285	New machine shop, parking, dispatch and boiler house	Approved with conditions	05/04/62
DY/65/193	Taking off existing pitched roofs and replace with flat roofs, build in new window	Approved with Conditions	23/07/65
DB/73/13081	Erection of 2 storey extension to form office and store room	Approved with conditions	19/12/73
CC/78/2308	Alterations to stockroom for retail purposes	Refused	16/10/78
82/50224	Use of premises as night club	Refused	28/06/82
82/51961	Use of premises at night club	Approved with	20/12/82

		conditions	
83/52319	Change of use from workshop offices and stores to trade paint sales offices and stores	Approved with conditions	09/01/84
P14/1592	Change of Use from (B8) to private members club with photographic studio and new smoking shelter (Sui generis)	Refused	23/12/15

PUBLIC CONSULTATION

12. The application was advertised by way of ten direct neighbour notification letters being sent to the occupiers of premises and units within close proximity of the site, plus the display of a site notice. The latest date for comments is the 26th February 2015 with one written representation being received from the Leisure Centre management confirming that the Leisure Centre has no objections to the proposal. Any additional representations received following the close of the agenda will be reported in a pre-Committee note.

OTHER CONSULTATION

13. The development does not differ in its intended use or function from the previous application P14/1592 and therefore comments do not materially differ from those given, other than to acknowledge that a Premises Licence was granted by the Licensing Committee for the applicant and use on 13th January 2015.

Group Engineer – (Highways)

- There is sufficient car parking provision within the land controlled by the applicant to cater for the day to day needs of the scheme and there is spare capacity available on the adjacent roads that would not prejudice highway safety in the vicinity.
- Subject to conditions requiring the retention of the off-street car parking for the life of the development there are no objections to the development.

The West Midlands Police, Crime Reduction Team

- The Police raise no objection in principle and no objection was raised to the recently granted Premises Licence. Non-material planning comments were that an intruder alarm remotely monitored with police response is recommended.

Head of Environmental Health and Trading Standards

- No objection. A premises licence has now been granted for these premises, which contains relevant conditions to control noise and public nuisance.

RELEVANT PLANNING POLICY

Black Country Core Strategy (2011)

- CSP1 The Growth Network
- DEL2 Managing the Balance Between employment Land and Housing
- ENV 3 Design Quality

Saved Unitary Development Plan Policies (UDP) (2005)

- DD1 Urban Design
- DD4 Development in Residential Areas
- DD5 Development in Industrial Areas

Supplementary Planning Documents / Guidance

- Parking Standards Review SPD

ASSESSMENT

14. The proposed development must be assessed firstly to ascertain whether the principle of the development is acceptable. The proposal must also be assessed with regard to design and compatibility with the existing premises and character of the surrounding area, in terms of potential impact on the amenity of neighbouring uses and car parking provision.

15. The key issues are

- Principle of Development
- Design and Visual Amenity
- Neighbour Amenity
- Parking Provision

Principle of Development

16. Core Strategy Policy CSP1 sets out how the Growth Network, which includes the Regeneration Corridors and Strategic Centres, will be the focus for growth, regeneration and land use change up to 2026. This Policy aims to help deliver the Core Strategy spatial objectives where sustainable development and the re-use of redundant land and buildings is an important element.
17. Policy DEL2 within the Core Strategy is applied in certain circumstances to help manage the balance between employment land and primarily housing, but also other uses. Often, when a change of use is proposed for premises where the previous use was employment, the applicant may be required to demonstrate how the requirements of Core Strategy Policy DEL2 have been met. In particular this would relate to demonstrating that the site is no longer required for employment use and ensuring that the development does not adversely affect the operation of existing or proposed employment uses nearby.
18. In this instance, it is noted that the application building has been vacant for a significant time and it has been marketed thoroughly which would suggest that the site is no longer viable for employment use. Notwithstanding this, the site is adjacent to other buildings which are used primarily for industrial and employment uses and it will be important to consider the future operations of these businesses. As the hours of operation will be mainly in the evening and night-time, most of the adjacent premises will be closed and therefore it is considered that there would be minimal disturbance to their continued operations. Additionally, the applicant has undertaken a sound test for amplified music being played within the Unit and from this test, it is perceived that noise from within the Club would not adversely affect the closest residential properties some 80 metres away or neighbouring premises.
19. It is considered that the proposed use is unlikely to adversely affect or prejudice the neighbouring uses and it will reuse an otherwise redundant building. Therefore the principle of this proposed use would be considered as acceptable in this location. It is

also worth noting that the planning history on this site indicates that permission was granted in 1982 for a nightclub in this building.

Design and Visual Amenity

20. Policy ENV3 of the Core Strategy states that development proposals across the Black Country should feature high quality design that stimulates economic, social and environmental benefits. This approach is supported through Saved UDP Policy DD1, Urban Design which requires all development to apply the principles of good urban design including consideration of crime prevention measures.
21. The site lies outside the town centre boundary and does not fall within the Conservation Area or a Townscape Heritage Area. The surrounding uses are mainly light industry and the nearest residential properties are approximately 100 metres away. The building sits opposite a public car park serving the Leisure Centre. It is proposed that no external alterations will take place to accommodate the proposed change of use apart from the installation of an outside smoking area. The character of the building is comparable with the industrial surroundings, and has recently benefited from an aesthetic enhancement to the external appearance. The proposed use will not feature any signage or external advertising. In this respect, the design and visual amenity of the building would not affect the street scene or be contrary to the character of the area.
22. The proposed outdoor smoking area measures 3m x 2m and is positioned adjacent to the triple entrance doors outside Unit 5. The first two sections of the door would abut the smoking shelter and the side which would run perpendicular to the building would remain fully open. The remaining two sides will feature mid line trellis which will protect the privacy of the club members and also conform with the Smoke Free (Premises and Enforcement) Regulations 2006 made under the Health Act 2006. In particular, to enable any structure with a ceiling or roof to be used for smoking at least 50% of the total areas of walls must be absent ("the 50% rule") including other structures that serve the purpose of walls.

Neighbour Amenity

23. As noted above, the building is surrounded by similar industrial style buildings and the closest residences are approximately 80m away at the junction of Dock Lane and Ludgate Street. Measures to mitigate any potential noise impact have not been considered necessary with residents of the closest properties being unlikely to be affected by noise from amplified music within the building.
24. The Planning Statement provided by the applicant notes that the club has operated for 7.5 years at various premises in the general area with no knowledge of disruption or concerns during this period. One year of this being spent at 60a Wellington Road and 2 years at 62 Wolverhampton Street, both premises located within the town centre and within close proximity of residences and businesses. The statement further confirms that a number of minority groups have and will use the club on an occasional basis including Wheelchair Users Group, Gay Group, Lesbians Against Prejudice, Women Against Violence and Disabled Users Group, with normally between 10 to 20 people attending each group and 5-15 cars at any one time using the facility. The statement further confirms that club members would not wish to draw attention to themselves and that displayed rules require members to enter and leave the premises in normal daytime apparel.
25. The proposed use is also considered unlikely to affect the amenity of nearby industrial premises as the hours of operation would be mostly in the evenings and weekends when the other businesses are generally not operational. Indeed, the reuse and maintenance of this part of the building is perceived as positive economic improvement which will help combat decline of this industrial area.
26. It is therefore considered that in terms of neighbour amenity the proposal would be compliant with Policies DD1, DD4 and DD5 in the Adopted UDP.

Car Parking

27. The site boundary shown on the submitted plans indicates the open area to the east of 100 Dock Lane to be utilised for car parking. The parking area measures approximately 330sqm. The Group Engineer is of the opinion that there is sufficient

car parking provision within the land controlled by the applicant and site owner to cater for the use. This view is supported by the applicants statement that refers limited traffic generation and to operation from previous premises with no impacts and there being no need to use car parking associated with the Leisure Centre. Capacity is available on the adjacent unrestricted minor roads that would not prejudice highway safety in the vicinity. There are also no parking restrictions on Dock Lane which is a highway capable of providing on street parking with no detriment to other road users.

28. It is considered that the car parking provision provided on site and available on street will be sufficient to serve the proposed development consistent with the Parking Standards SPD.

CONCLUSION

29. This proposed development will involve the reuse of an otherwise redundant building which has been shown to be no longer viable for further industrial use. The reuse of the premises for a social club and photographic studio will provide an economic use within this area and be consistent with the Core Strategy spatial objectives. It is unlikely that the proposed use would cause any adverse impact to the occupants of residential properties, cultural facilities or to the future operations of nearby industrial premises. The proposed car parking provision is considered acceptable and any possible overspill parking could be accommodated on streets in the vicinity without prejudicing highway safety. On this basis, it is considered that the proposed change of use is acceptable in this location in compliance with the relevant policies.

RECOMMENDATION

30. It is recommended that the application is approved subject to the following conditions:

APPROVAL STATEMENT INFORMATIVE

In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to

dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Informative Note

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological fissures; mine gas and previous surface mining sites. Although such hazards are often not readily visible, they can often be present and problems can occur as a result of development taking place, or can occur at some time in the future.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Building Regulations approval

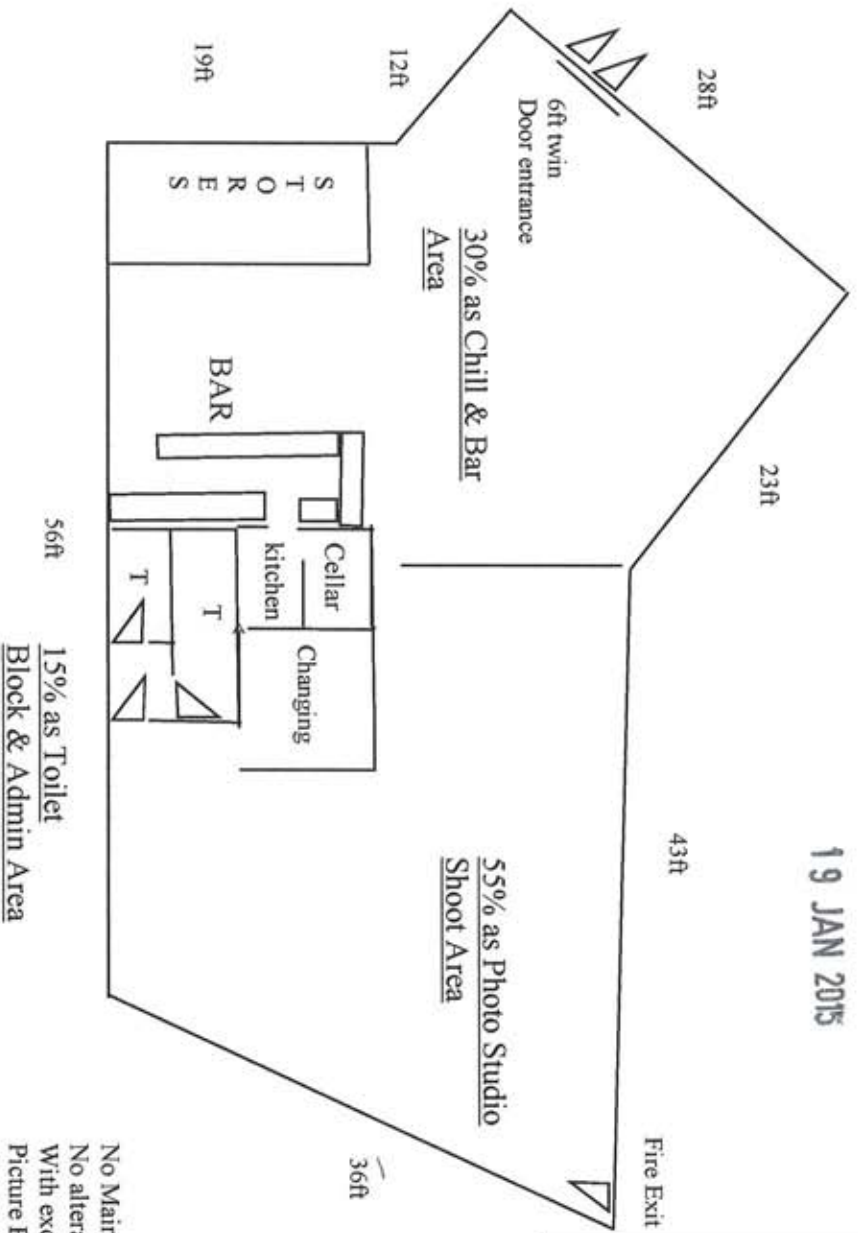
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

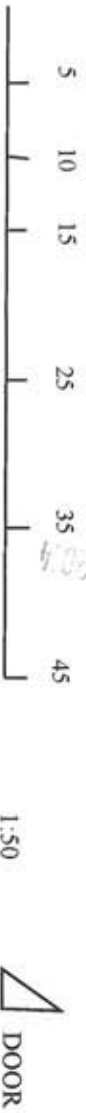
Conditions and/or reasons:

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: [Location Plan, Proposed Ground Floor, Floor Plan 21/10/14]
3. The off-street car parking outlined in red shall be retained for the life of the development.

19 JAN 2015



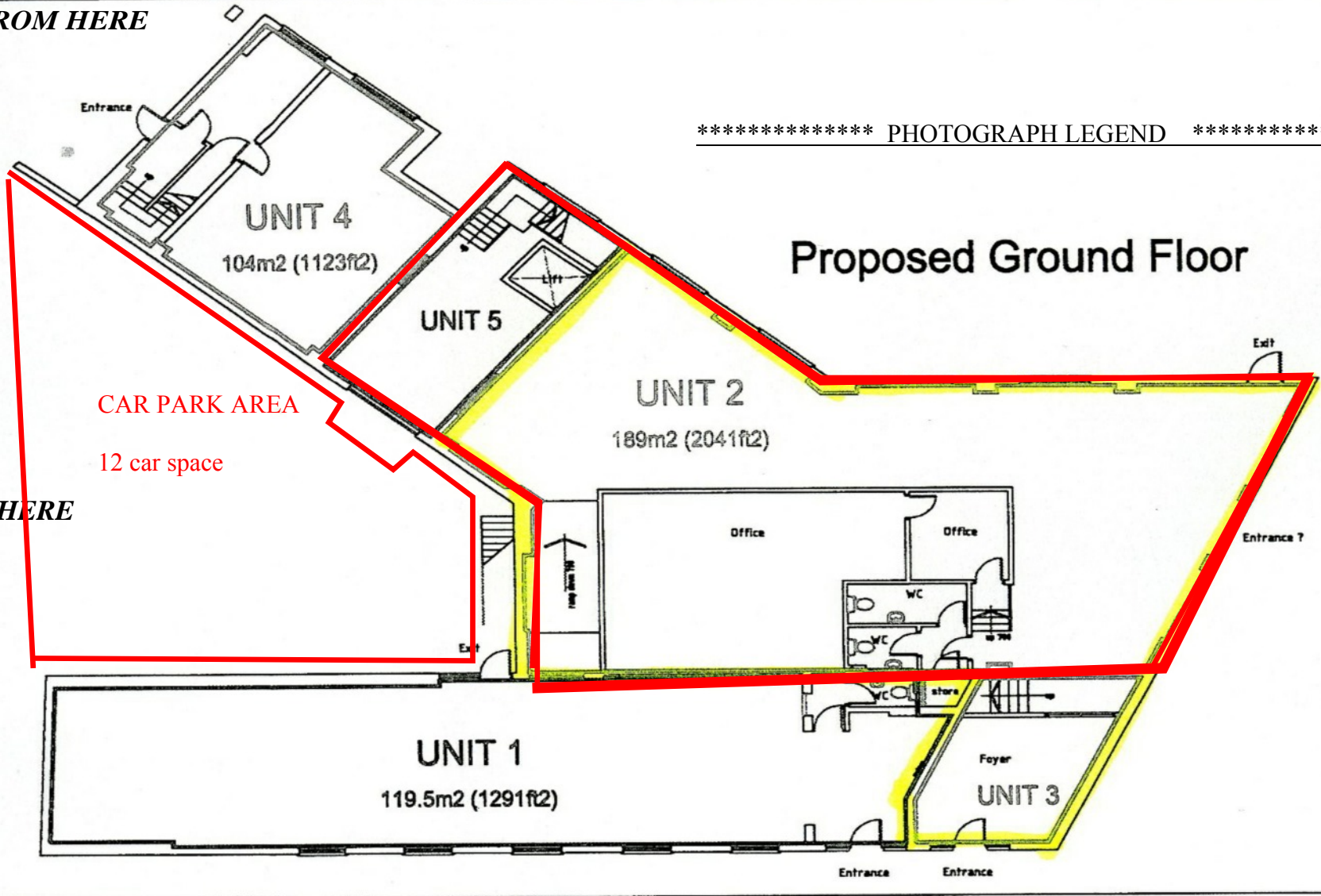
No Main Building works are to be undertaken.
 No alterations to external of building
 With exception of Smoking Shelter
 Picture Enclosed/Attached.
 No alterations to main entrances or exit points.
 No additions or alterations to windows
 or other openings



PIC 5 FROM HERE

PIC 4 FROM HERE

***** PHOTOGRAPH LEGEND *****



PIC 1 FROM HERE

PIC 3 FROM HERE

PIC 2 FROM HERE

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 and 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 and 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 and Country Planning Act 1990)

LAW

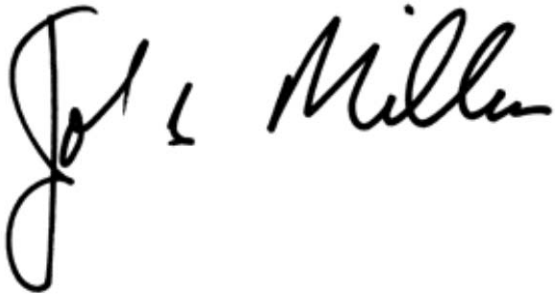
12. The relevant statutory provisions have been referred to in paragraph 2, 4, 5 and 10 of this report.

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.



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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/0121/SED – Confirmation Report;
Appendix 1.2 – TPO Plan and Schedule as served;
Appendix 1.3 – Plan identifying objectors.

Appendix 2.1 – TPO/0121/SED – Confirmation Report;
Appendix 2.2 – TPO Plan and Schedule as served;
Appendix 2.3 – Plan identifying objectors;
Appendix 2.4 – TPO Plan and Schedule for confirmation.

Appendix 3.1 – TPO/0126/SED – Confirmation Report;
Appendix 3.2 – TPO Plan and Schedule as served;
Appendix 3.3 – Plan identifying objectors;

Appendix 4.1 – TPO/0128/SED – Confirmation Report;
Appendix 4.2 – TPO Plan and Schedule as served;
Appendix 4.3 – Plan identifying objectors;
Appendix 4.4 – TPO Plan and Schedule for confirmation.

APPENDIX 1.1

Confirmation Report for

***The Borough of Dudley (Melford Close, Penns Wood Close, Long Meadow Drive
Sedgley (TPO/0121/SED)) Tree Preservation Order 2014***

Tree Preservation Order	TPO/0121/SED
Order Title	Melford Close, Penns Wood Close, Long Meadow Drive, Sedgley
Case officer	James Dunn
Date Served	09/10/14
Recommendation	Confirm

SITE AND SURROUNDINGS

1. The tree preservation order comprises of 3 mature birch trees and an early mature maple tree that are located in the gardens of 2 Melford Close, 18 Penns Wood Close and 135 Long Meadow Drive. The trees are all prominently visible in the street scene of Long Meadow Drive.
2. The trees appear to be contemporary with the construction of the properties, and were all considered to provide sufficient amenity to the surrounding area to justify their protection.
3. The order has been served following a review of existing TPOs in the area. The three birch trees are all protected by previous orders.

PUBLIC REPRESENTATIONS

4. Following the service of the order, objections were received from the owner of the 2 birch trees at Melford Close. The objections are based on the following grounds:
 - The cost of upkeep and pruning of the trees;
 - The debris from the trees block drain and gutters;
 - Dead branches drop onto the road and footpath.

RESPONSE TO OBJECTIONS

5. It is considered that the trees subject to this TPO do all provide a sufficient amount of amenity to the area, and their inclusion within the TPO is justified.
6. The owner's of the tree are under no specific duty to prune the trees. Their only obligation as land owners it to take reasonable steps to prevent reasonably foreseeable damage that is caused by the trees. It is not considered that the trees will put any great maintenance burden on the owners of the property, and as such any maintenance required will fall within the remit of reasonable property maintenance.

7. The issues relating to leaf fall or other seasonal debris from the trees is not considered to be sufficient grounds to prevent the confirmation of the TPO. Whilst seasonal debris can sometimes cause issues with guttering and drains, it is considered that the clearance of drains and guttering is part of reasonable property maintenance.
8. Birch trees will often drop small dead branches and twigs; these are rarely of sufficient size to cause and damage or injury. On inspection no significant deadwood was observed in the trees, and any that does occur can be removed without permission. As such it is not considered that the trees are in poor condition, and therefore should not be removed from the TPO
9. Overall it is considered that the trees subject to this TPO provide a sufficient amount of amenity to the surrounding area to justify the confirmation of this order and their continued protection.

CONCLUSION

10. It is not considered that any of the objections raised to the TPOs are sufficient to prevent the confirmation of the order.

RECOMMENDATION

11. It is recommended that the Tree Preservation Order be confirmed as served.

APPENDIX 1.2

Tree Preservation Order Plan and Schedule As Served



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Map referred to in the Borough Council of Dudley
Melford Close, Penns Wood Close and Long Meadow Drive

Sedgley (TPO/0121/SED) 105

Tree Preservation Order 2014

Scale: 1 : 800

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	Birch	2 Melford Close
T2	Birch	2 Melford Close
T3	Birch	18 Penns Wood Close
T4	Maple	135 Long Meadow Drive

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
Melford Close, Penns Wood Close and Long Meadow Drive

Sedgley (TPO/0121/SED) 108

Tree Preservation Order 2014

Scale: 1 : 800

APPENDIX 2.1

Confirmation Report for

***The Borough of Dudley (Greenslade Road, Long Meadow Drive Sedgley
(TPO/0122/SED)) Tree Preservation Order 2014***

Tree Preservation Order	TPO/0122/SED
Order Title	Greenslade Road, Long Meadow Drive, Sedgley
Case officer	James Dunn
Date Served	09/10/14
Recommendation	Confirm with modifications

SITE AND SURROUNDINGS

1. The tree preservation order comprises of 6 mature trees and that are located in the gardens of 1 Greenslade Road, 8 Green Slade Road and 105 Long Meadow Drive. Trees 1,2,3,5 and 6 are all visible in the local street scene of Long Meadow Drive, and from the junction of Greenslade Road and Longmeadow Drive. Tree 4 is visible at the head of the cul-de-sac in Aylesford Close
2. The order has been served following a review of existing TPOs in the area. With the exception of the tree 4, all of the trees are all protected by previous orders. The trees were all considered to provide sufficient amenity to the surrounding area to justify their protection.

PUBLIC REPRESENTATIONS

3. Following the service of the order, objections were received from the owners of the 103, 105 and 107 Long Meadow Drive regarding the inclusion of T5 & T6 in the order. The objections are based on the following grounds:
 - Lack of amenity value;
 - Concerns about the safety of the trees;
 - The debris from the trees drops on to the patios and the gardens of the adjacent properties.
 - The debris from the trees block drain and gutters;
 - The trees are too large for their locations;
 - The shade from the trees precludes the use of a greenhouse;
 - The cost of maintenance of the trees.

RESPONSE TO OBJECTIONS

4. It is considered that the trees subject to this TPO do all provide a sufficient amount of amenity to the area, and their inclusion within the TPO is justified.
5. It is noted that the trees in question are mainly visible against the backdrop of the Alder Coppice woodland, however it is considered that the evergreen nature of the trees, make them more prominent in certain views, especially in the winter. Also as the trees are positioned slightly in front of the woodland when viewed from in front

to the adjacent properties their upper crowns stand above the crowns of the adjacent woodland.

6. The objection from 103 Longmeadow Drive included a list of 14 local residents who have stated that they would have no objection to the felling of the trees.
7. Whilst it is accepted that the amenity of the local area would not be catastrophically depleted should these trees be removed, it is considered that they do provide a good amount of amenity to the area, and as such are worthy of their continued protection.
8. On inspection of the trees no symptoms of poor vigour or structural impairment were observed. As such it is not considered that the trees are at any heightened risk of substantial failure. The cedar tree may be liable to lose branches following snow or windy weather, but given the crown form of the tree it is not considered that such branches will ever be particularly large or are likely to cause major damage or injury should they fall.
9. It is not considered that the issues relating to needle fall and other seasonal debris onto the garden and patios is sufficient to prevent the confirmation of the order. It is accepted that throughout the year various debris will fall from the trees, and that this can lead to the need for regular clearances. However it is considered that such debris is part and parcel of enjoying mature trees in an urban environment and the resulting inconvenience must be tolerated.
10. The issues relating to needle fall or other seasonal debris blocking the guttering is not considered to be sufficient grounds to prevent the confirmation of the TPO. Whilst seasonal debris can sometimes cause issues with guttering and drains, it is considered that the clearance of drains and guttering is part of reasonable property maintenance.
11. It is accepted that the trees are large specimens relatively close to the adjacent properties. The cedar tree (T5) is located 5.5 metres from the rear elevation of 107 Long Meadow Drive and 7.6 metres from the rear elevation of 105 Longmeadow Drive. The spruce tree (T6) is located some 12.3 metres from the rear elevation of 105 and 3.6 metres from the rear elevation of 103 Long Meadow Drive.
12. Given the orientation of the trees to the properties, it is considered that despite its closer proximity, the spruce tree has limited shading impact on the adjacent properties, but it is accepted that the cedar tree will block some diffuse daylight from the properties at 105 and 107 Long Meadow Drive.
13. The impact of the trees could be lessened to some degree by appropriate crown lifting, although this will only partially improve the issues.

14. On balance it is considered that the amenity value that the trees provide to the area is sufficient to outweigh the issues related to the size, proximity and light loss to the adjacent properties.
15. Similarly it is not considered that the fact that the shading caused by trees precludes the owner of 107 Long Meadow Drive from using a greenhouse in their garden is sufficient to prevent confirmation of the order. It is considered that the ability to have a greenhouse is insufficient to outweigh the public benefit of protecting the trees.
16. Overall it is considered that the trees subject to this TPO provide a sufficient amount of amenity to the surrounding area to justify the confirmation of this order and their continued protection.

ADMINISTRATIVE CORRECTIONS

17. Following the service of this order it was noted that T5 and T6 were incorrectly plotted on the plan and that T6 was incorrectly numbered (as T5) and incorrectly identified as a fir when it is in fact a spruce. As such these issues need to be corrected if the decision is take to confirm the order. A correct plan and schedule have been included at appendix 2.4

CONCLUSION

18. It is not considered that any of the objections raised to the TPOs are sufficient to prevent the confirmation of the order. The correction detailed above should be made if the order is confirmed

RECOMMENDATION

19. It is recommended that the Tree Preservation Order be confirmed subject the administrative corrections set out below.

APPENDIX 2.2

Tree Preservation Order Plan and Schedule As Served



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 Produced by evoGIS - www.evoGIS.com

Map referred to in the Borough Council of Dudley

Long Meadow Drive, Greenslade Road, Sedgley (TPO/0122/SED)

114



Tree Preservation Order 2014

Scale: 1:1000

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	Rowan	12 Greenslade Road
T2	Whitebeam	12 Greenslade Road
T3	Whitebeam	12 Greenslade Road
T4	Ash	8 Greenslade Road
T5	Cedar	105 Long Meadow Drive
T5	Fir	105 Long Meadow Drive

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 2.3

Plan Identifying Objectors Properties

★ - *Objection Received from Property*



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Map referred to in the Borough Council of Dudley

Long Meadow Drive, Greenslade Road, Sedgley (TPO/0122/SED)

117



Tree Preservation Order 2014

Scale: 1:1000

APPENDIX 2.4

Tree Preservation Order Plan and Schedule As Recommended for Confirmation

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	Rowan	12 Greenslade Road
T2	Whitebeam	12 Greenslade Road
T3	Whitebeam	12 Greenslade Road
T4	Ash	8 Greenslade Road
T5	Cedar	105 Long Meadow Drive
T6	Spruce	105 Long Meadow Drive

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)

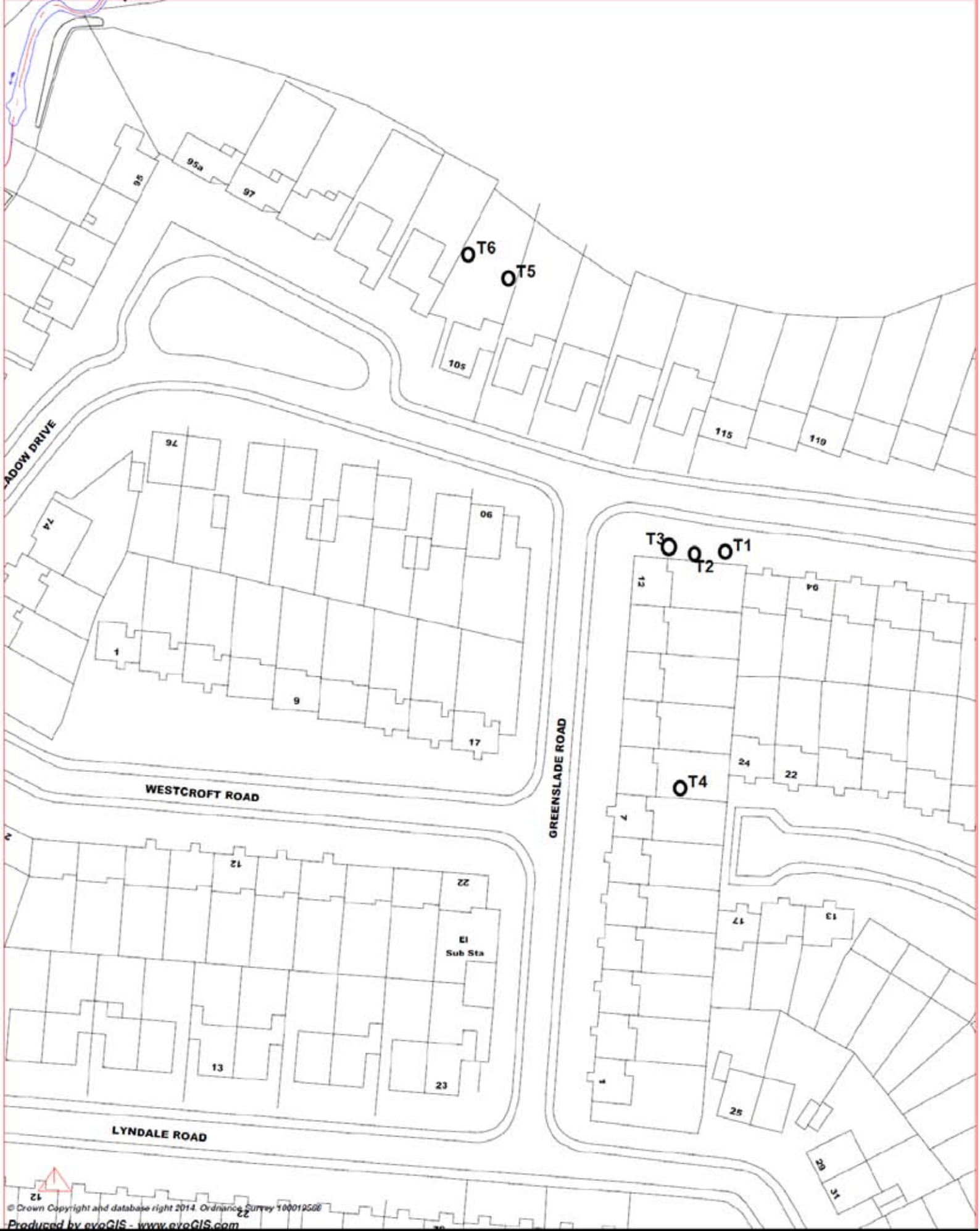
<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

NONE

Woodlands (within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

NONE



Map referred to in the Borough Council of Dudley

Long Meadow Drive, Greenslade Road, Sedgley (TPO/0122/SED)

120

Tree Preservation Order 2014



Scale: 1 : 1000

APPENDIX 3.1

Confirmation Report for

***The Borough of Dudley (Sunningdale Road / Gower Road, Sedgley
(TPO/0126/SED)) Tree Preservation Order 2014***

Tree Preservation Order	TPO/0126/SED
Order Title	Sunningdale Road / Gower Road, Sedgley
Case officer	James Dunn
Date Served	15/10/14
Recommendation	Confirm

SITE AND SURROUNDINGS

1. The tree preservation order comprises of 17 trees that are located in the gardens of properties in Sunningdale Road, and Gower Road. All of the trees are visible in the street scene.
2. The order has been served following a review of existing TPOs in the area. With the exception of the trees 9, 10, 16 & 17, all of the trees are protected by previous orders. The trees were all considered to provide sufficient amenity to the surrounding area to justify their protection.

PUBLIC REPRESENTATIONS

3. Following the service of the order, an objection was received from the owner of 31 Gower Road. The objection was also made on behalf of the owner/occupier of 18 Sunningdale Road. The objections are based on the following grounds:
 - T9, T10 & T17 were not previously protected in 2002.Lack of amenity value;
 - T16 has been poorly pruned on one side by the owner of 20 Sunningdale Road. This has resulted in a tree with poor form;
 - The process of looking over garden fences to identify trees subject TPOs is questionable as this has led to some trees not being protected as the ownership of the trees could not be established.
 - T9 & T10 pose a risk to the adjacent drainage apparatus which serves a number of properties;
 - The roots of T11 may damage the sewerage pipes that run across the rear gardens of 29 and 31 Gower road and due to the lack of inspection manholes such damage could not be checked until major disruption is caused;
 - T11 is damaging the garden fence of 31 Gower Road, causing it to lean out towards Gower Road;
 - T11, as a result of root encroachment in to the garden, extracts moisture from the soil of the rear garden of 31 Gower Road, preventing the objector from growing vegetables;
 - If left in place the roots of T11 may grow into the lawn of 31 Gower Road and damage mowing equipment;
 - The lower branches of T11 overhang the pavement and at times drop to below 2 metres form the pavement forcing user to walk into the road;
 - The branches of the tree are growing into the road, so as to impede the passing of traffic;

RESPONSE TO OBJECTIONS

4. The trees identified for protection as part of the review have all been scored using an amenity evaluation system called TEMPO. This system assesses various factors such as, condition, life expectancy, public visibility and expediency to protect the trees. Each factor is given a score, and the total of these scores determines whether a tree is suitable for protection.
5. All of the trees in the order were scored as providing sufficient amenity to warrant protection. As such it is not considered that the fact that some trees were not previously protected 12 years ago is necessarily relevant in the assessment of the tree for protection under this order.
6. With regards to T16, whilst the pruning works that have been undertaken, have impaired the form of the tree, it still presents itself to public view as a reasonably formed tree. As such the previous poor works are not considered to be sufficient reason to prevent the inclusion of this tree in the TPO.
7. With regards to the process of indentifying trees for protection, it is considered that any tree visible form a public vantage has the potential to provide sufficient amenity for protection. It is not considered that only trees wholly visible within the public realm should be considered, and that trees that are substantially or even partially visible from within back gardens are appropriate for TPO if it is deemed that they provide sufficient amenity to the area.
8. Other trees in rear gardens in Gower Road have been included in other orders, and where trees have not been included it is considered that this is the result of them providing insufficient amenity to the local area, rather than an inability to identify the ownership of the trees.
9. Tree roots do not have the ability to break into sewerage or drainage pipes that are not already previously damaged. As such, if any root ingress into drain has occurred it is the result of faulty drains that need to be repaired regardless of any root ingress. Modern repair techniques allow for long sections of the drain to be lined without the vulnerable joints that are susceptible to the failures that allow for root ingress. As such the need to remove trees as a result of root ingress has markedly decreased in recent years.
10. However given that there is currently no evidence of any root ingress into the local drainage system, the removal of the trees from the order on these grounds is considered to be inappropriately speculative. As such it is not considered that Either T9, T10 or T11, should be removed for the order on the grounds of potential damage to drainage apparatus in the future.

11. Similarly it is not considered that the lack of inspection manholes in the sewers adjacent to T11 is sufficient grounds to remove this tree for the order. CCTV drain inspections can be carried out over relatively long distances, and as such it is considered unlikely that the distance between inspections chambers would be sufficient to prevent the identification of any suspected root ingress.
12. Garden fence along the northern boundary of 31 Gower Road is leaning towards the road. However it is not accepted that the cause of this lean is singularly or even predominantly related to the root growth of the trees. The fence also serves as a retaining structure for the raised ground level behind. The soil level behind the fence is approximately 600mm higher than the on the road side.
13. The natural ground pressure pushing the fence towards the road will be considerable and advice provide by the Building Control section suggests that gravel boards and concrete posts are not considered to be an appropriate retaining structure. It is this ground pressure, rather than any root action is likely to be the cause to the movement of the fence. As such it is not considered appropriate to remove the tree for the order due to the movement of the fence.
14. It is accepted that the roots of T11 may well have entered the objector's garden and may be extracting moisture from the soil that will have a knock-on effect on what can be grown adjacent to the tree. However this moisture extraction is not an insurmountable obstacle to growing vegetables at the property, and as such it is not considered that the tree should be removed from the order on these grounds.
15. Given the change in and levels it is not considered likely that any major roots that have grown under the fence will surface in the lawn and cause damage to the lawn mower. If such roots do appear appropriate root pruning, subject to permission, would be able resolve any issues. As such it is not considered that the tree should be removed from the order on this basis.
16. Section 154 of the Highways Act 1980 obliges any owners of trees adjacent to the highway to maintain appropriate clearances over the pavement and carriageway. The accepted clearances are 2.5 metres over the pavement and 5.2 metres over the carriageway. As this is a requirement in law, the exemptions within the TPO mean that formal permission is not required in order to undertake the minimum required works to meet this obligation. As such it is not considered that presence of the TPO is a barrier to providing adequate clearance to the highway.
17. Overall it is considered that the trees subject to this TPO provide a sufficient amount of amenity to the surrounding area to justify the confirmation of this order and their continued protection.

CONCLUSION

18. It is not considered that any of the objections raised to the TPOs are sufficient to prevent the confirmation of the order. It is recommended that the order be confirmed without modifications

RECOMMENDATION

19. It is recommended that the Tree Preservation Order be confirmed without modifications.

APPENDIX 3.2

Tree Preservation Order Plan and Schedule As Served



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Map referred to in the Borough Council of Dudley
Sunningdale Road/Gower Road, Sedgley (TPO/0126/SED)
 127

Tree Preservation Order 2014

Scale: 1 : 1000

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	Whitebeam	32 Sunningdale Road
T2	Whitebeam	32 Sunningdale Road
T3	Tulip Tree	31 Sunningdale Road
T4	Whitebeam	29 Sunningdale Road
T5	Whitebeam	26 Sunningdale Road
T6	Whitebeam	13 Sunningdale Road
T7	Rowan	11 Sunningdale Road
T8	Monkey Puzzle	7 Sunningdale Road
T9	Cypress	20 Sunningdale Road
T10	Cypress	20 Sunningdale Road
T11	Lime	20 Sunningdale Road
T12	Cherry	33 Gower Road
T13	Cherry	33 Gower Road
T14	Cherry	33 Gower Road
T15	Silver Birch	51 Gower Road
T16	Pine	20 Sunningdale Road
T17	Pine	18 Sunningdale Road

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>
-------------------------	--------------------	------------------

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)

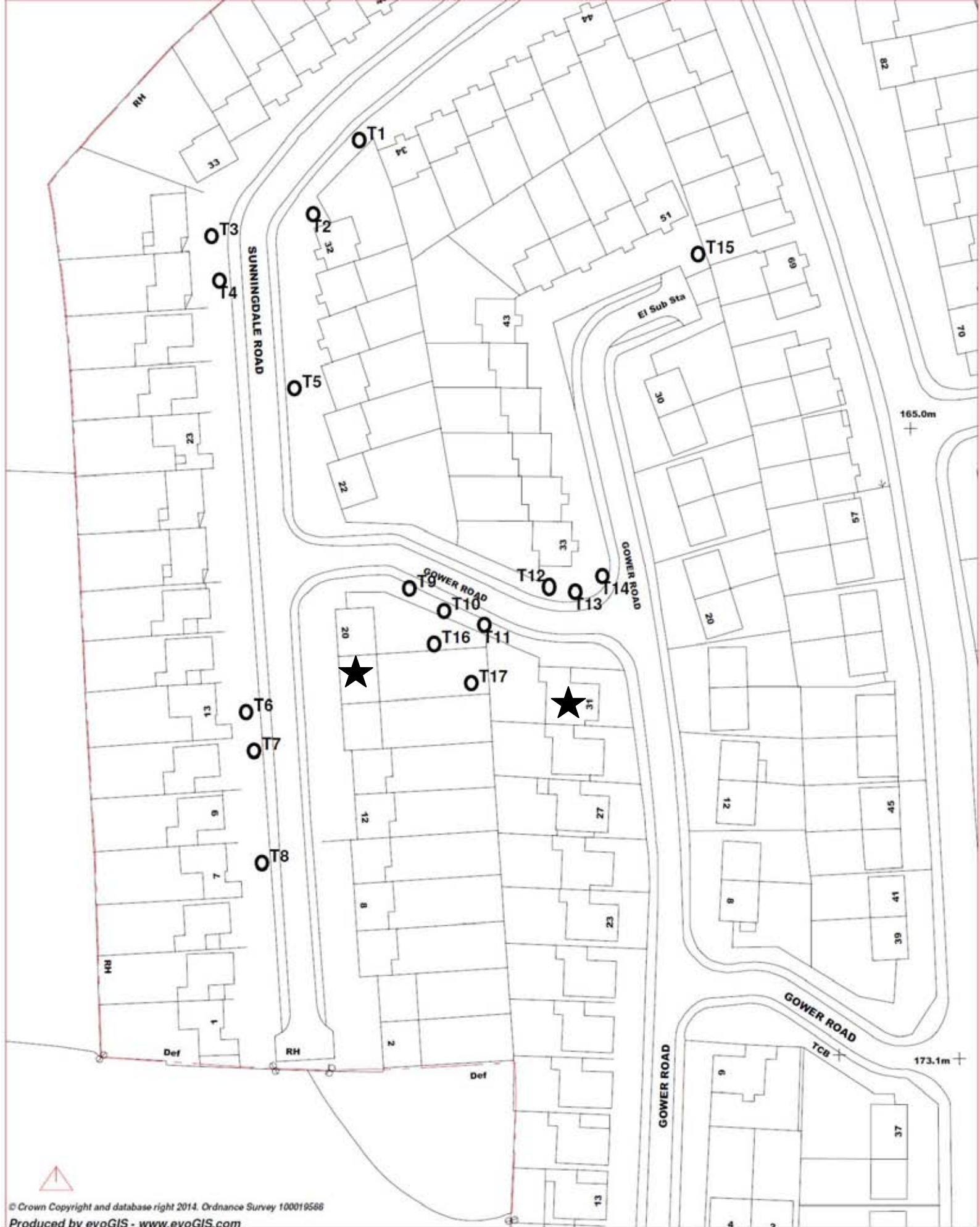
<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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NONE

APPENDIX 3.3

Plan Identifying Objectors Properties

★ - *Objection Received from Property*



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Map referred to in the Borough Council of Dudley

Sunningdale Road/Gower Road, Sedgley (TPO/0126/SED)

131

Tree Preservation Order 2014



Scale: 1 : 1000

APPENDIX 4.1

Confirmation Report for

***The Borough of Dudley (Horton Close / St Brides Close / Languard Drive /
Eastleigh, Sedgley (TPO/0128/SED)) Tree Preservation Order 2014***

Tree Preservation Order	TPO/0128/SED
Order Title	Horton Close / St Brides Close / Languard Drive / Eastleigh, Sedgley
Case officer	James Dunn
Date Served	21/10/14
Recommendation	Confirm with modifications

SITE AND SURROUNDINGS

1. The tree preservation order comprises 27 trees that are located in the gardens of properties in Caswell Road, Westridge, Ryecroft Close, Languard Drive and Horton Close. The trees were all indentified as worthy of protection due to their contribution to the local street scene.
2. The order has been served following a review of existing TPOs in the area. Nine of the listed trees are protected by previous orders. The trees were all considered to provide sufficient amenity to the surrounding area to justify their protection.

PUBLIC REPRESENTATIONS

3. Following the service of the order, objections were received from the owner of 50 Languard Drive, 14 Horton Close and 26 Caswell Road. The objections were based on the following grounds:
 - The tree in the rear garden of 50 Languard Drive drops a substantial amount of debris whilst the property owner is unable to clear up;
 - The tree in front garden of 16 Horton Close (T25) is located very close to the adjacent properties and is inappropriate to be retained in this location;
 - The trees in the side garden of 26 Caswell Road (T17 – T20) are poor specimens that are not worthy of inclusion within the order.

RESPONSE TO OBJECTIONS

4. The birch tree in the rear garden of 50 Languard Drive is prominently visible in the street scene of Languard Drive when viewed from the area around the junction with St Brides Close. It is considered that the tree provides sufficient amenity to the area to warrant the protection of a TPO.
5. It is accepted that the tree will drop various seasonal debris in the rear garden of the property and that this will require clearing on a number of occasions a year. It is considered that the clearance of such debris is part of reasonable property maintenance, and whilst the resident at 50 Langdale Drive may not personally be

able to undertake the task it is not considered that it is sufficient grounds to prevent the confirmation of the TPO.

6. On inspection the tree in the front garden of 16 Horton Close (T25) was found to be located in very close proximity to the adjacent properties, and that given its growth potential it is an inappropriate tree to be located in such a location as it will never be able to satisfactorily develop into a good specimen. As such it is considered that this tree should be removed from the order.
7. Similarly it is considered that the trees in the side garden of 26 Caswell Road are not worthy of continued protection as they were all found to have issues that will limit their long term amenity values.
8. The cherry trees (T17 & T19) were found to have substantial decay cavities and it is considered that the life expectancy of the trees is limited. The cedar tree T18 was found to have been topped out in the past, which has resulted in the tree developing poor form. Given the species characteristics, if this tree is retained and required to grow into a large tree it is likely that it will suffer substantial failures at the point at which it was topped out. The rowan tree has developed a relatively poor canopy form, and due to its proximity to the street light it will require constant pruning in order to prevent the tree from blocking the street light. As such the tree is likely to develop into a very poor specimen with an unbalanced crown.
9. It is accepted that these four trees, due to their various issues, are not particularly appropriate for continued protection and as such it is recommended that they are removed from the order.
10. Overall it is considered that the order should be confirmed subject to the removal of T17-T20 and T25 from the order as they are not, on balance, considered to be appropriate candidates for the long term protection that is afforded by a TPO.

ADMINISTRATIVE CORRECTIONS

11. Following the service of the order a number of owners of the protected trees contacted the council to inform them that the trees had been removed prior to the service of the order.
12. In all cases the trees removed had not been subject to previous protection, and given that there was a slight delay between the survey of the trees and the service of the order it is not considered that there has been any breach of the order.
13. As such T3, T4, T8 & T26 should be removed from the order.
14. Also following service of the order it was noted that T13 and T14 were plotted on the wrong side of the boundary between 14 and 16 Caswell Road. As such the location of these trees should be amended.

15. An amended plan and schedule have been included at appendix 4.4.

CONCLUSION

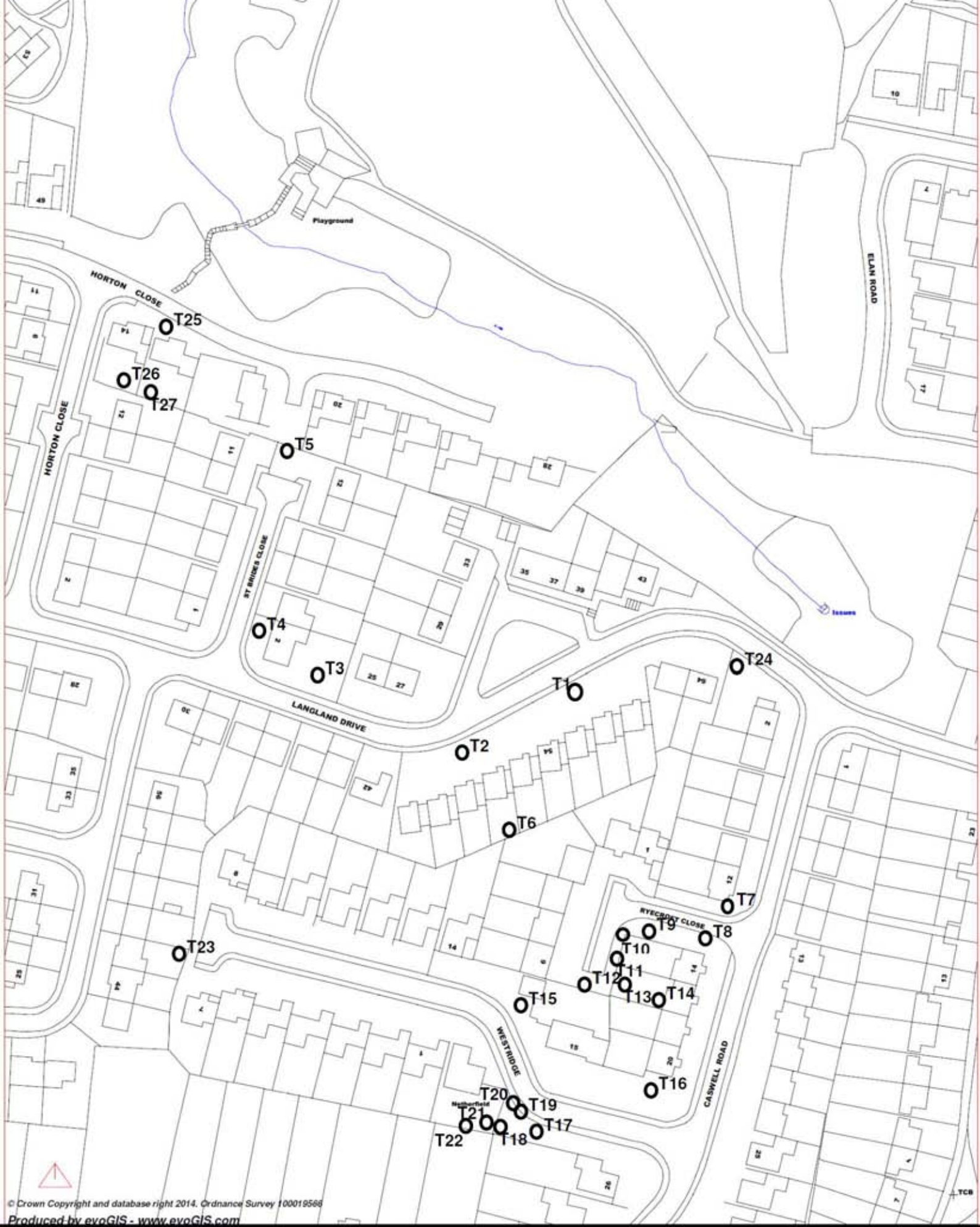
16. Overall it is considered that T17 T20, and T25 are not worthy of continued protection under the order due to either defects within the trees, inappropriate location of poor form.
17. T3, T4, T8 and T26 should be removed from the order as they were felled prior to the service of the order, and the location of T13 and T14 should be amended.

RECOMMENDATION

18. It is recommended that the Tree Preservation Order be confirmed subject the modifications and administrative corrections set out below.

APPENDIX 4.2

Tree Preservation Order Plan and Schedule As Served



Map referred to in the Borough Council of Dudley

**Horton Close/St Brides Close, Langland Drive/
Eastleigh, Sedgley (TPO/0128/SED)**

Tree Preservation Order 2014



Scale: 1 : 1400

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	Oak	56 Langland Drive
T2	Whitebeam	48 Langland Drive
T3	Lime	2 St. Brides Close
T4	Laburnum	2 St. Brides Close
T5	Maple	12 St. Brides Close
T6	Silver Birch	50 Langland Drive
T7	Lime	12 Caswell Road
T8	Spruce	14 Caswell Road
T9	Silver Birch	14 Caswell Road
T10	Silver Birch	Open space in Ryecroft Close
T11	Silver Birch	Open space in Ryecroft Close
T12	Silver Birch	6 Ryecroft Close
T13	Cherry	16 Caswell Road
T14	Cherry	16 Caswell Road
T15	Copper Beach	15 Westridge
T16	Beech	20 Caswell Rod

T17	Cherry	26 Caswell Road
T18	Cedar	26 Caswell Road
T19	Cherry	26 Caswell Road
T20	Rowan	26 Caswell Road
T21	Ash	Netherfield, Westridge
T22	Ash	Netherfield , Westridge
T23	Silver Birch	46 South View Road
T24	Red Maple	2 Caswell Road
T25	Pine	16 Horton Close
T26	Red Maple	14 Horton Close
T27	Cedar	16 Horton Close

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)

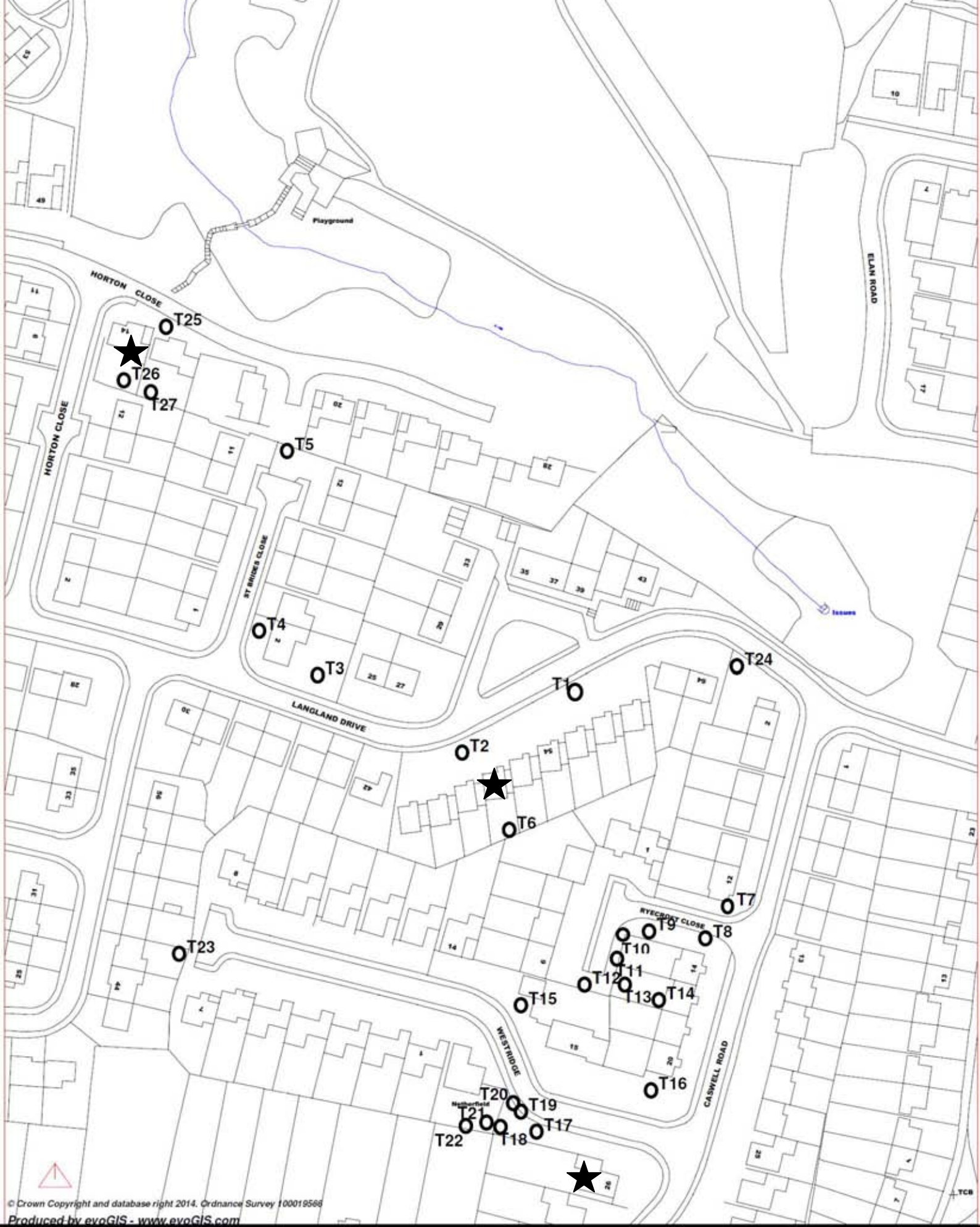
<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

NONE

APPENDIX 4.3

Plan Identifying Objectors Properties

★ - *Objection Received from Property*



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Map referred to in the Borough Council of Dudley
 Horton Close/St Brides Close, Langland Drive/
 Eastleigh, Sedgley (TPO/0128/SED)

APPENDIX 4.4

Tree Preservation Order Plan and Schedule As Recommended for Confirmation

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	Oak	56 Langland Drive
T2	Whitebeam	48 Langland Drive
T3	Lime	2 St. Brides Close
T4	Laburnum	2 St. Brides Close
T5	Maple	12 St. Brides Close
T6	Silver Birch	50 Langland Drive
T7	Lime	12 Caswell Road
T8	Spruce	14 Caswell Road
T9	Silver Birch	14 Caswell Road
T10	Silver Birch	Open space in Ryecroft Close
T11	Silver Birch	Open space in Ryecroft Close
T12	Silver Birch	6 Ryecroft Close
T13	Cherry	14 Caswell Road
T14	Cherry	14 Caswell Road
T15	Copper Beach	15 Westridge

T16	Beech	20 Caswell Rod
T17	Cherry	26 Caswell Road
T18	Cedar	26 Caswell Road
T19	Cherry	26 Caswell Road
T20	Rowan	26 Caswell Road
T21	Ash	Netherfield, Westridge
T22	Ash	Netherfield, Westridge
T23	Silver Birch	46 South View Road
T24	Red Maple	2 Caswell Road
T25	Pine	16 Horton Close
T26	Red Maple	14 Horton Close
T27	Cedar	16 Horton Close

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>
-------------------------	--------------------	------------------

NONE

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

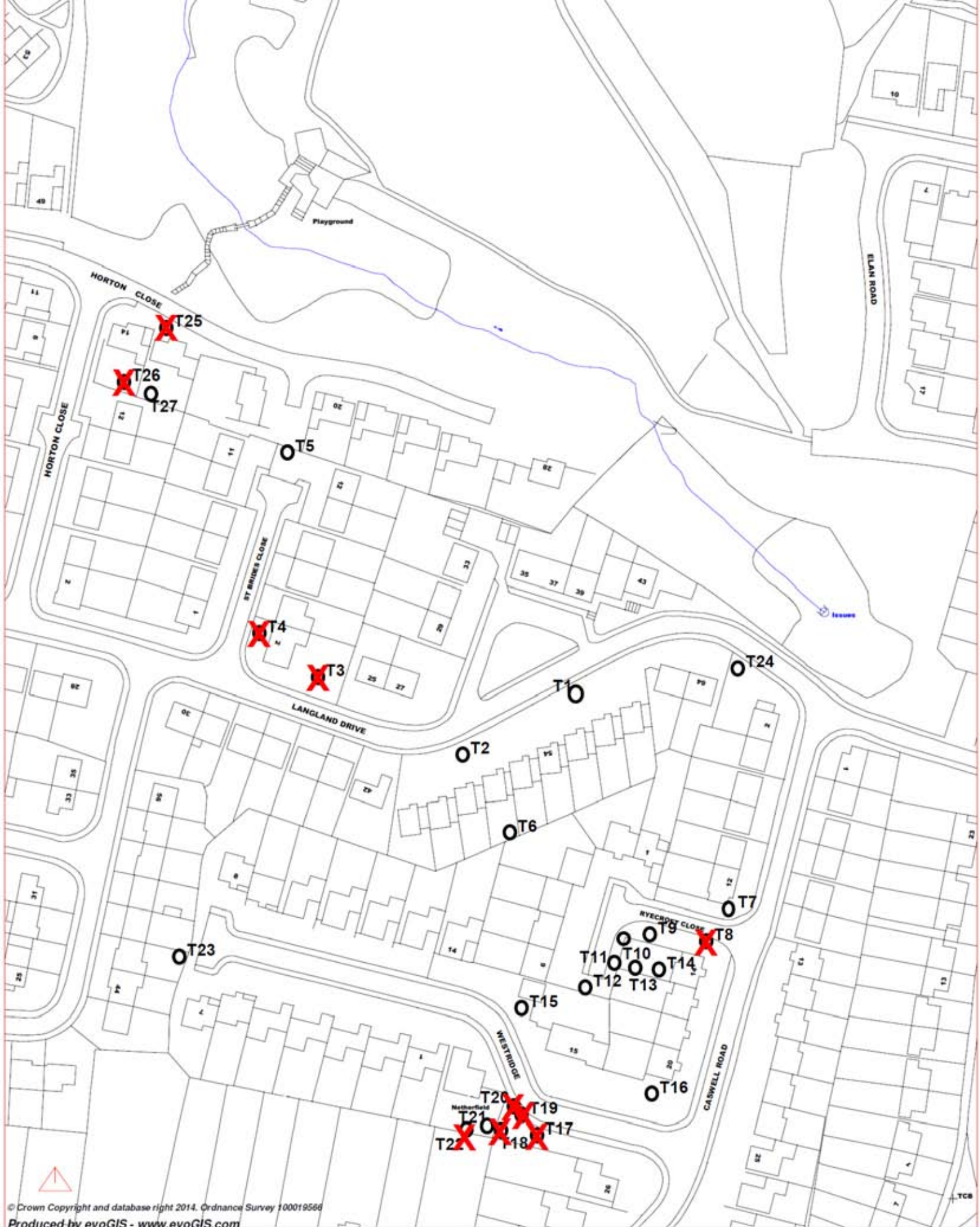
<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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NONE

Woodlands
(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

NONE



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 Produced by evoGIS - www.evoGIS.com



Map referred to in the Borough Council of Dudley
 Horton Close/St Brides Close, Langland Drive/
 Eastleigh, Sedgley (TPO/0128/SED)

Development Control Committee – 24th February 2015

Report of the Strategic Director (Environment, Economy and Housing)

Authority's Monitoring Report (AMR) 2013/14

Purpose of Report

- 1 To inform Members of the Council's Authority Monitoring Report (AMR) for 1st April 2013 to 31st March 2014.

Background

- 2 As a requirement under the Localism Act, each year the Council produces an Authority Monitoring Report, or AMR. The AMR forms part of the Council's Local Plan and has two main purposes:

- To review progress on the implementation and effectiveness of the Local Development Scheme (LDS*) and the Local Plan; and
- To assess the extent to which the planning policies set out in the Local Plan documents are being achieved.

** NB: The Local Development Scheme (LDS), is the Council's three-year project plan that identifies which local plan documents will be produced, in what order and by when.*

- 3 A monitoring framework using measurable indicators assesses progress towards the aims and targets set out within the Local Plan documents and assessing progress against many of the Council's priorities, including:

- Increasing the availability and affordability of homes;
- Regenerating the Borough;
- Making the Borough cleaner and greener;
- Protecting employment land and therefore jobs; and
- Making it easier for people to access shops and services close to where they live.

4. The 2013/14 AMR covers the period from 1st April 2013 to 31st March 2014 and monitors the delivery of a range of planning documents, the key ones being:

- Black Country Core Strategy
- Unitary Development Plan (UDP) (saved policies only)
- Brierley Hill Area Action Plan

5. The Stourbridge and Halesowen AAPs were both adopted halfway through the 2013/14 monitoring year (in October 2013); as such monitoring of these documents will be included within next year's 2014/15 AMR.
6. A summary of the key outcomes from the 2013/14 AMR can be found at Appendix 1 of this report.
7. The current AMR is available on the Council's website at the below link:

<http://www.dudley.gov.uk/resident/planning/planning-policy/local-development-framework/annual-monitoring-report/>

Finance

- 8 The production of the AMR is funded from relevant, existing budgets and resources.

Law

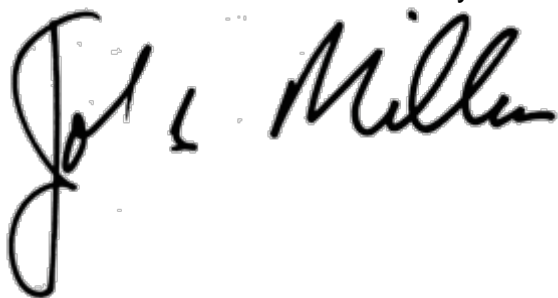
- 9 The Council is required to prepare Authority's Monitoring Reports (AMRs) as set out within Section 113 (5) of the Localism Act 2011.

Equality Impact

- 10 The planning policy documents which form the Dudley Local Plan, including the AMR, aim to ensure that sufficient homes, shops and industries, social, educational and recreational facilities are planned and provided for to meet the needs of all the communities in the borough. This includes meeting the needs of disabled persons as well as children and young people by seeking to provide sufficient facilities for them, as well as having a positive effect for future generations.

Recommendation

- 11 That the 2013/14 Authority's Monitoring Report (AMR) be noted.



.....
J. B. Millar
Strategic Director (Environment, Economy and Housing)

Contact Officers:

Helen Martin - Head of Planning
Email: helen.martin@dudley.gov.uk
Telephone: 01384 814186

Jo Bozdoganli - Principal Planning Officer
Email: jo.bozdoganli@dudley.gov.uk
Telephone: 01384 816489

Appendix 1 – 2013/14 AMR – Summary of Key Outcomes

List of Background Papers

- A. Authority's Monitoring Report (AMR) 2013/14

Appendix 1 – 2013/14 AMR – Summary of Key Outcomes

The findings demonstrate that the objectives of the Development Plan Policies are in the whole being achieved, and that the majority of the indicators are being effectively monitored.

Housing

- 468 dwellings built; 343 below the annual Core Strategy target therefore a further 11,694 dwellings are required to be built in Dudley Borough to 2026.
- 102 Affordable Housing dwellings built; the remaining target up to 2026 is 1,252 dwellings.
- A 5 year housing supply has been identified as required by national policy.

The Economy and Employment

- 1.70 ha of land was developed for employment and 2ha of land was redeveloped for residential use. The overall target for Dudley Borough is to reduce employment land by 179ha between 2006 and 2026.
- 2ha of Strategic High Quality Employment Land has been delivered (0.5 ha in 13/14). Core Strategy target is for a further 116ha within Dudley Borough to 2026.
- 38 ha of Readily Available Employment Land (above Core Strategy target of 28 ha).

Retail and Centres

- Permissions:
 - Three Dudley foodstore permissions committing 9,922 sq m of convenience retail is against the total of 5,000 sq m net of convenience retail floorspace identified in the Core Strategy for the centre and emerging DAAP.
- Completions:
 - Small level of Retail and Leisure completions in District and Local Centres (150sqm retail and 125sqm leisure) whereas the Town Centres saw higher completions (6,092sqm retail and 2,117sqm leisure)
 - No office permissions or completions. The Core Strategy aims for each of the 4 Strategic Centres within the Black Country to accommodate up to 220,000sqm office floorspace, and each of the Town Centres up to 5,000sq.m.
- More permissions and completions in-centre than in out-of-centre locations demonstrating that investment is being focused in-centre supporting a network of vibrant centres.
- 'Protected Frontages' policy is being successfully applied to the majority of centres. However, some areas have a poor representation of A1 Shops and a long term strategy is needed to prevent the further decline of these centres. The Core Strategy target is for 65% of all units within the core areas of Dudley to be A1 retail, with a 50% target in district and local centres.

Transportation and Accessibility

- Two locations have benefited from transport related improvements directly:
 - Cox's Yard, Birmingham Street, Stourbridge
 - Lidl, Stallings Lane, Kingswinford
- Cycling on monitored routes in Dudley has increased by 2.7% and a total of 3.433km of new cycle links was provided. The Core Strategy target is for 1% increase in cycling.
- One new footpath was formally adopted as part of the PROW network (Castle Gate Way, Dudley) and five existing public rights of way were improved.

Nature Conservation

- No net reduction in the area of designated nature conservation sites through development or in the extent of the Biodiversity Action Plan priority grasslands. This meets Core Strategy targets.
- No net reduction in the number of nature conservation sites being managed positively for nature conservation (40 sites or 21%). This meets the Core Strategy target for the percentage to remain stable or increase.

Historic Character, Local Distinctiveness and Canals

- No statutorily listed buildings were demolished and no locally listed buildings were lost without an archaeological record having been made.
- One Locally Listed building had an Article 4 directions imposed (The King Arthur).
- Two buildings were added to the Statutory list as Grade II listed, 260 Hagley Road, Halesowen and the Garibaldi Inn, Cross Street, Stourbridge.
- The Brierley Hill Conservation Area added to the English Heritage 'Heritage at Risk Register'
- 3 Grade II* Buildings continued to remain on the 2013 'Heritage at Risk Register' (Brown Bear Pit, and Kiosk to east of Brown Bear Pit, and The Old Foundry, Lowndes Road).
- 4 Places of worship continue to be present on the 2013 'Heritage at Risk Register' (St Edmunds, St James's, St John's and the Presbyterian Chapel, Lower High Street).
- No applications were approved that would adversely affect a SAM.

Open Space, Sport and Recreation

- No inappropriate applications or loss of any existing green open space corridors were approved within the Green Belt
- The number of Parks and natural green space sites that have achieved the 'Green Flag' quality standard remained consistent and stable at 7 sites.
- No significant new proposals came forward to open up fully restricted green space areas within Brierley Hill, Stourbridge and Halesowen AAP plan areas. The relevant AAPs require 100% of relevant development proposals within major opportunity sites to incorporate green infrastructure.
- No loss of Playing Fields or other outdoor sports facilities.

Renewable Energy and Air Quality

- No new development proposals have taken place which is contrary to the advice of Environmental Protection on air quality and other issues. This meets the Core Strategy target for 100% of permissions to be granted in accordance with Environment Protection recommendations.
- Concentrations of nitrogen dioxide and particulate matter have been falling since 2008, meeting Core Strategy targets.

Waste

- The total quantity of Local Authority Collected Waste increased by 3,350 tonnes however the amount disposed of to landfill (7,985 tonnes) remains at a low level. Levels have increased from 84.1% in 2007/8 to 94.1% in 2013/14, meeting the Core Strategy target for the percentage to increase over a 5 year period.
- No additional strategic waste management facilities came forward, however there has been an overall increase of 166,600 tonnes per annum of strategic waste management operational capacity since the 2009 baseline.
- No planning permissions were submitted to or granted permission that would be detrimental to the ongoing operations or capacity of existing strategic waste management facilities.

Minerals

- No permissions were granted for non-mineral development that would compromise working at an existing quarry or within any of the Core Strategy Areas of Search.
- No applications for opencast coal working, coalbed methane exploration or exploitation, or extraction of building stone were received.

Planning Obligations

- A total of 14 Legal Agreements were signed, £247,980.80 approved, £1,009,451.58 received and £354,091.72 spent during the year.

N.B. Please note that where available, Core Strategy and Area Action Plan targets have been included, however some Indicators are based on the delivery of Plan objectives and do not have specific targets.

Development Control Committee – 24th February 2015

Report of the Strategic Director (Environment, Economy and Housing)

Phased review of Conservation Area Character Appraisals across the Borough

Purpose of Report

1. To inform Development Control Committee of a phased review of Conservation Area Character Appraisals across the Borough in accordance with the programme set out in Table 1 of this report.

Background

2. Since 1967 Local Planning Authorities have been able to protect areas which are valued for their special architectural or historic interest through the designation of Conservation Areas.
3. Conservation Areas are defined in law as '*areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance*' and Local Planning Authorities have the statutory duty to identify and designate such areas.
4. Conservation Area Appraisals should be undertaken before an area is designated to gain an understanding of the character. Where a Conservation Area has been designated for some time an appraisal may not have been undertaken and a review provides the opportunity to re-assess the designated area and to evaluate and record its special interest.
5. It is vital that the Borough's Conservation Areas are preserved and protected given that they are important as a catalyst for future regeneration. They provide economic and social benefits and they are important to the character, identity and local distinctiveness to the Dudley Borough.

6. Within Dudley Borough there are 22 Conservation Areas, 8 of which have Conservation Area Character Appraisals; most of which have not been reviewed for over 25 years and there is therefore a need to undertake a review prioritising in order of need.
7. In line with best practice provided by English Heritage a methodology has been devised for the implementation of a phased programme of Conservation Area Character Appraisals across the Borough.
8. A scoring system has been devised based on an assessment of the date of last survey; whether an Article 4 Direction (removing specified permitted development rights) is in place; whether Area is on the At Risk Register: the local plan coverage, and whether or not the Area is under pressure at present. Those Conservation Areas with the highest score have been prioritised for appraisal first. It is proposed to introduce a 5 phase rolling programme with the most urgent ones being surveyed over the next 12 months, with the other less urgent reviews completed within the remainder of the a 5 phase rolling programme. The scoring process has culminated in the proposed Review Programme as set out in Table 1 below:

TABLE 1 –Conservation Area Character Appraisal Review Programme

Phase	Conservation Area Character Appraisals to be reviewed or prepared
Phase 1	<ul style="list-style-type: none"> • All Saints, Sedgley • Stourbridge Town Centre • Wollaston • Wordsley Church, Wordsley
Phase 2	<ul style="list-style-type: none"> • Bumble Hole, Netherton • Oak Street, Coseley • Parkhead Locks, Dudley • The Coppice, Coseley • The Village, Kingswinford
Phase 3	<ul style="list-style-type: none"> • Church Road, Oldwinford • Lutley Lane, Halesowen • Mushroom Green, Dudley • The Leasowes, Halesowen • Love Lane, Oldswinford
Phase 4	<ul style="list-style-type: none"> • Stourbridge Branch Canal (Amblecote) • Stourbridge Branch Canal (Canal Street) • Delph 'Nine' Locks, Brierley Hill • Stourbridge 16 Locks, Wordsley
Phase 5	<ul style="list-style-type: none"> • Wordsley Hospital, Wordsley • Dudley Town Centre • Castle Hill, Dudley • Brierley Hill High Street

9. If once completed the appraisal demonstrates the the Conservation Area boundary should be amended, this will be subject to statutory consultation and approval by the Cabinet Member for Regeneration in consultation with Development Control Committee.

Finance

10. The production of the Conservation Area Character Appraisals will be funded from existing budgets and resources dedicated to the production of Development Plan Documents and other statutory planning documents.

Law

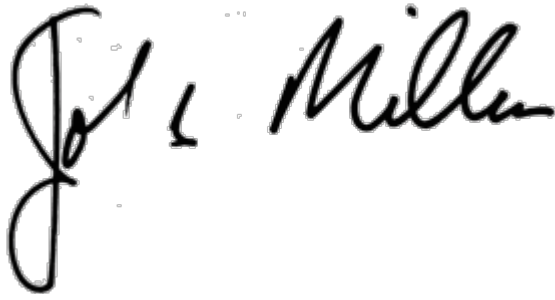
11. The undertaking of Conservation Area Reviews and the formulation of proposals for the enhancement of conservation areas, including public consultation, is a statutory duty for local authorities as is their designation. This is set out in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
12. In addition, Section 2 of the Local Government Act 2000 allows the Council to do anything that it considers is likely to promote or improve the economy or environment in the Borough.

Equality Impact

13. The Conservation Area Character Appraisals form part of the evidence base for the Dudley Local Plan. The Local Plan is the plan for the future development of Dudley Borough. Aiming to meet the needs of all communities within the Borough, the Local Plan will guide new sustainable development to appropriate locations, providing regeneration and growth, while protecting Dudley's natural and built heritage. This includes meeting the needs of disabled persons as well as children and young people by seeking to provide sufficient facilities for them, as well as having a positive effect for future generations.

Recommendation

14. That Development Control Committee notes the phased review of Conservation Area Character Appraisals across the Borough in accordance with the programme set out in Table 1 of this report.



.....
John B Millar
Strategic Director (Environment, Economy and Housing)

Contact Officers: Helen Martin - Head of Planning
 Email: helen.martin@dudley.gov.uk
 Telephone: 01384 814186

 Jayne Pilkington – Senior Conservation Officer
 Email: jayne.pilkington@dudley.gov.uk
 Telephone: 01384 814168

List of Background Papers

Department for Communities and Local Government 'National Planning Policy Framework (NPPF)' (March 2012) – In particular Section 12 (Conserving and enhancing the historic environment) and paragraph 169 (Historic environment).

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

English Heritage 'Understanding Place: Conservation Area Designation, Appraisal and Management' 2011.

Appendix 1 – Phasing of Borough Conservation Area Character Appraisals

Name of Conservation Area	Date Conservation Area adopted / last surveyed. Surveyed within last 4 years = 1 score. Surveyed within last 5 to 9 years = 3 score. Last surveyed over 10 years ago – 5 score	Does the Conservation Area have an existing Article 4 Direction in place? Yes or No Yes score = 0 No score = 5	Is the Conservation Area on the English Heritage 'At Risk' Register? Yes score = 5 No score = 0	If a Conservation Area is at Risk, is the lack of an up-to-date Conservation Area Character Appraisal a significant factor? Yes = 10 No = 0	Is an existing Character Appraisal in Place for this Conservation Area? Yes or No. Yes score = 0 No score = 10	Is this Conservation Area covered by an existing Historic Landscape Characterisation (HLC)? Yes or No. Yes score = 0 No score = 5	Is this Conservation Area covered by an Area Action Plan? Yes score = 0 No score = 5	Does the CA fall inside a Black Country Core Strategy (2011) Regeneration Corridor? Yes score = 5 No score = 0	Speed of delivery (level of existing info available to assist generation of CA appraisal) Good = 10 Medium = 5 Poor = 0	Is the Conservation Area currently experiencing pressures and considered to be at high risk Yes score = 5 No score = 0 Totals:	Total Score
All Saints, Sedgley (Dudley Street/ Vicar Street/ Gospel End Street)	1983 5	No 5	No 0	Not applicable 0	No 10	No 5	No 5	Not located inside any Regeneration Corridors. 0	5	High priority because no CA appraisal is in place 5	40
Brierley Hill High Street	2011 1	No 5	Yes 5	No 0	Yes 0	Yes –Brierley Hill Urban Historic Landscape Characterisation (2007) supporting the Brierley Hill Area Action Plan (2011) 0	Yes. Brierley Hill AAP (2011) 0	Regeneration Corridor 11b (Brierley Hill – Stourbridge). 5	5	Low priority as recent Conservation Area review completed as part of the Brierley Hill AAP 0	21
Bumble Hole, Netherton. (north of Windmill End)	1995 5	No 5	No 0	Not applicable 0	No 10	No 5	No 5	Regeneration Corridor 11a (Dudley – Brierley Hill). 0	0	High priority because no CA appraisal is in place 5	40

								5			
Castle Hill Dudley	Being assessed as part of the emerging Dudley AAP work (2015) 1	No 5	No 0	Not applicable 0	Emerging 0	Yes – By an emerging HLC being prepared for the Dudley AAP (2015) 0	Yes – by the emerging Dudley AAP. 0	Regeneration Corridor 11a (Dudley – Brierley Hill). 5	10	Low priority as Character Appraisal being prepared as part of Dudley AAP 0	21
Church Road, Oldswinford, Stourbridge (‘T’ junction of Church Road and Priory Road.)	1975 5	No 5	No 0	Not applicable 0	No 10	No 5	No 5	Not located inside any Regeneration Corridors. 0	0	This location does not have a Conservation Area (CA) appraisal in place. However, medium priority as a lot of the buildings are already listed so have a high level of protection already. 0	30
The Coppice, Coseley (Caddick Street/ Turls Hill Road/)	1970 5	No 5	No 0	Not applicable 0	No 10	No 5	No 5	Regeneration Corridor 16 (Coseley – Tipton – Princes End). 5	0	High priority because no CA appraisal is in place 5	40
Delph ‘Nine’ Locks, Brierley Hill (west of Delph Road/ The Goss)	2007 3	No 5	No 0	Not applicable 0	Yes 0	Yes – Brierley Hill Urban Historic Landscape Characterisation (2007) 0	No 5	Regeneration Corridor 11b (Brierley Hill – Stourbridge). 5	5	Low priority as a Conservation Area Appraisal in place. 0	23
Dudley Town Centre Conservation Area	Being assessed as part of the emerging Dudley AAP work (2015) 1	No 5	No 0	Not applicable 0	Emerging 0	Yes – By an emerging HLC currently being prepared for the Dudley AAP (2015) 0	Yes – by the emerging Dudley AAP 0	Regeneration Corridor 11a (Dudley – Brierley Hill). 5	10	The Dudley Town Centre emerging Area Action Plan is already tackling this issue so this location is a low priority. 0	21

										0	
High Street, Stourbridge Town Centre	2005	No	No	Not applicable 0	No	Yes –HLC completed for the Stourbridge AAP (2013) 0	Yes. Stourbridge AAP (adopted October 2013) 0	Regeneration Corridor 11b (Brierley Hill – Stourbridge). 5	10	5	40
The Leasowes, Halesowen	1976	Yes	No	Not applicable 0	No	No	No	Regeneration Corridor 14 (Coombeswood - Halesowen). 5	0	A lot of information has already been generated for this location as part of Heritage Lottery Bid. 0	30
Love Lane, Oldswinford, Stourbridge (Heath Lane/ Love Lane)	1998	Yes	No	Not applicable 0	Yes	No	No	Not located inside any Regeneration Corridors. 0	10	Medium priority given that this location already has a CA Review in place, although in need of review. 0	25
Lutley Mill, Lutley, Halesowen (Lutley)	1975	No	No	Not applicable 0	No	No	No	Not located inside any Regeneration Corridors. 0	0	No CA Appraisal in place however a medium priority as the location falls inside an open area of Green Belt countryside which is already highly protected. 0	30
Mushroom Green, Dudley (South of Quarry Road)	1970	Yes	No	Not applicable 0	No	No	No	Regeneration Corridor 11a (Dudley – Brierley Hill). 5	0	No CA Appraisal in place however a medium priority as has an Article 4 Direction Appraisal already in place 0	30
Oak Street, Coseley. (South of Oak	1969	No	No	Not applicable	No	No	No	Regeneration Corridor 16 (Coseley – Tipton		High priority because no CA appraisal is in	40

Street. West of Masefield Avenue)	5	5	0	0	10	5	5	– Princes End). 5	0	place 5	
Parkhead Locks, Dudley. (South of Dudley Southern By-pass. East of Suffolk Road).	1981 5	No 5	No 0	Not applicable 0	No 10	No 5	No 5	Regeneration Corridor 11a (Dudley – Brierley Hill). 5	0	High priority because no CA appraisal is in place 5	40
Stourbridge Branch Canal (Amblecote)	2007 3	No 5	No 0	Not applicable 0	Yes 0	Yes –HLC documents completed for the Glass Quarter SPD (2009) 0	No 5	Regeneration Corridor 11b (Brierley Hill – Stourbridge). 5	5	Low priority given that location already has a Conservation Area Appraisal in place. 0	23
Stourbridge Branch Canal (Canal Street)	2007 3	No 5	Yes 5	No 0	Yes 0	Yes –HLC documents completed for both the Glass Quarter SPD (2009) 0	Yes. Stourbridge AAP (2013) 0	Regeneration Corridor 11b (Brierley Hill – Stourbridge). 5	10	Low priority given that location already has a Conservation Area Appraisal in place. 0	28
Stourbridge 16 Locks, Wordsley.	2007 3	No 5	No 0	Not applicable 0	Yes 0	Yes –HLC documents completed for both the Glass Quarter SPD (2009) 0	No 5	Regeneration Corridor 11b (Brierley Hill – Stourbridge). 5	5	Low priority given that location already has a Conservation Area Appraisal in place. 0	23
The Village, Kingswinford	1969 5	Yes 0	No 0	Not applicable 0	No 10	No 5	No 5	Regeneration Corridor RC10 (Pensnett - Kingswinford). 5	0	High priority given that there is currently no Conservation Area Appraisal in place. 5	35
Wollaston, Stourbridge	1991 5	No 5	Yes 5	Yes 10	No 10	Yes – South eastern tip of Conservation Area partly falls within the	No 5	Regeneration Corridor 11b (Brierley Hill – Stourbridge). 5		0	50

						Stourbridge AAP HLC boundary. 0		5	5		
Wordsley Church, Wordsley	1996 5	No 5	Yes 5	Yes 10	No 10	Yes –HLC documents completed for both the Glass Quarter SPD (2009) 0	No 5	Regeneration Corridor 11b (Brierley Hill – Stourbridge). 5	 0	High priority given that there is currently no Conservation Area Appraisal in place. 5	50
Wordsley Hospital Conservation Area, Stream Road, Wordsley	2005 5	No 5	No 0	Not applicable 0	Yes 0	No 5	No 5	Regeneration Corridor 11b (Brierley Hill – Stourbridge). 5	 0	Relatively low priority due to recent development within CA which has been carefully controlled. No major pressure anticipated 0	25