

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