

**Minutes of the Development Control Committee
Monday 13th September, 2021 at 6.00 pm
In the Council Chamber, Council House, Dudley**

Present:

Councillor A Goddard (Chair)
Councillor D Harley (Vice-Chair)
Councillors J Clinton, D Corfield, M Hanif, S Mughal, W Sullivan, E Taylor and
M Westwood.

Officers: -

H Benbow – Principal Planning Officer, L Benbow – Planning Officer, J Hindley – Highways
Officer, C Mellor – Planning Manager, P Mountford – Head of Planning and Regeneration, J
Pilkington – Principal Historic Environment Officer, P Reed – Principal Planning Officer (All
Directorate of Regeneration and Enterprise); T Glews – Public Protection Manager
(Directorate of Public Health and Wellbeing); G Breakwell – Solicitor and H Mills – Democratic
Services Officer (Directorate of Finance and Legal).

Also in Attendance: -

Councillors K Ahmed (For agenda item no. 6 – Site Visit)

21. **Apology for Absence**

An apology for absence from the meeting was submitted on behalf of Councillor C
Neale.

22. **Appointment of Substitute Members**

It was reported that Councillor J Clinton had been appointed to serve as substitute for
Councillor C Neale for this meeting of the Committee only.

It also was reported that Councillor K Ahmed had been appointed to serve as substitute
for Councillor M Hanif in relation to agenda item no. 6 – Site Visit, in accordance with
the Code of Practice for Members and Officers dealing with planning matters.

23. **Declarations of Interest**

The Chair advised that there were three applications for consideration which involved Members of the Council as applicants. It was reported that whilst the Members were known to the Committee in a Council capacity, all applications would be considered impartially on material planning grounds.

Councillor A Goddard declared a pecuniary interest in relation to Planning Application No. P21/0533 – 1 Lodge Close, Halesowen and would withdraw from the meeting during consideration of this agenda item. It was also noted that as she had been absent during the initially consideration of Agenda item no. 6 – Site Visit, she would not serve as Chair for this item of business.

Councillor S Mughal declared a pecuniary interest in relation to Planning Application No. P21/1486 – 36 St Marks Road, Dudley, as she was the applicant and would withdraw from the meeting during consideration of this agenda item.

24. **Minutes**

Resolved

That the minutes of the meeting held on 18th August, 2021, be approved as a correct record and signed.

(At this juncture Councillor A Goddard withdrew from the meeting and Councillor D Harley was in the Chair)

25. **Site Visit**

- a.) **Planning Application No. P21/0178 – 11 Hagley Road, Stourbridge – Change of use from Hair Salon (E) to Hot Food Takeaway (sui generis) with alterations to elevations to include extract flue and fresh air intake grills and new shop front and door.**

Resolved

That the application be approved subject to conditions numbered 1 to 11 (Inclusive) as set out in the report submitted.

(At this juncture Councillor M Hanif returned as the substantive Member, in place of his substitute Councillor K Ahmed.)

26. **Change in Order of Business**

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

Resolved

That the order of business be varied and the agenda items be considered in the order set out in the minutes below.

27. **Plans and Applications to Develop**

A report of the Director of Regeneration and Enterprise 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 reports submitted, notes known as Pre-Committee notes had also been circulated prior to the meeting updating certain information given in the reports submitted. The content of the notes were taken into account in respect of the applications to which they referred.

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

<u>Application No.</u>	<u>Objectors/Supporters who wished to speak</u>	<u>Agent/Applicant who wished to speak</u>
P21/0533	Councillor D Vickers Mrs M Haycock	
P21/0177	Mr Browne	Mrs Hall
P21/1035	Councillor P Miller Ms S McDonald	Aymen Mahgoub
P21/1063		Mr K Ahmed
P21/1326	Ms E Williams	Mrs B Dhanoa
P21/1396	Mr Bastable	

(a) **Planning Application No. P21/0533 – 1 Lodge Close, Halesowen – Two storey side extension (following demolition of existing snug and utility)**

In considering the application, Members took into account the comments made by the local Ward Councillor in support of the application, as well as the objections raised by a local resident, as outlined in the report and as reported at the meeting. Contrary to Officers recommendation, Members were of the view that the proposed development would not significantly impact upon the current street scene, neither would it infringe on the property boundary. Members were mindful of the concerns raised by the objector in relation to the impact the development would have on the highway and visibility splay, however it was acknowledged that no highway safety concerns had been raised by the relevant authority.

Resolved

- 1) That the application be approved as it was considered that the proposals were not out of character of the street scene and would enhance the local area.
- 2) That the Director of Regeneration and Enterprise be authorised to add, amend or remove conditions, as deemed appropriate.

(At this juncture Councillor A Goddard returned to Chair the meeting.)

(b) **Planning Application No. P21/0177 – 15 Sandy Road, Stourbridge – Two storey front, side and rear extensions with Juliet balconies to the rear, single storey side and rear extensions, front porch, modifications to the roof to increase the height and create new front and rear dormer windows, and rendering to the sides and rear of the dwelling, cladding to part of the rear extension (following demolition of existing garage and WC)**

Resolved

That the application be approved subject to conditions numbered 1 to 5 (inclusive), as set out in the report submitted.

(c) **Planning Application No. P21/1035 – 86 Lawnswood Road, Wordsley, Stourbridge – Change of use from washeteria to hot food takeaway (Sui Generis) with new shop front and extraction system (Resubmission of refused application P21/0492)**

In considering the application, Members took into account all of the comments made by the local Ward Councillor, resident and the applicant as reported at the meeting, together with the information contained in the report.

Members expressed concern in relation to the numerous commercial premises within the location that served hot food, although recognised that not all were classified as hot food takeaways and were also concerned that a Primary School was located directly opposite the vicinity and the impact this had on the Council's vision to promote healthy lifestyles. Comments were also made in relation to the installation of an additional extraction system in the parade of shops and the visual impact this had to the residents living above the commercial properties and within the local vicinity and the increase in Anti-Social Behaviour (ASB), litter and parking issues that would be caused from the proposed change of use.

Resolved

That the application be refused for the reason outlined below:-

The hot food takeaway increases the potential for anti-social behaviour on grounds that the proposed use does not have sufficient secure by design mitigation measures or a management plan that seek to protect users of the hot food takeaway, together with members of the public and staff within the unit. The proposed use is therefore contrary to Black Country Core Strategy Policy ENV3, Dudley Borough Development Strategy (2017) Policy D9 and guidance within the National Planning Policy Framework (2021).

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- (d) **Planning Application No. P21/1063 – Land at the junction of Steppingstone Street and Greystone Passage, Dudley – Erection of 1 no. dwelling with associated works**

Resolved

That the application be refused for the reason set out in the report submitted.

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- (e) **Planning Application No. P21/1326 – Hilton Lodge, High Park Crescent, Sedgley, Dudley – Change of use from residential dwelling (C3) to residential care home for children (C2) with a first floor extension and external alterations**

Resolved

That the application be approved, subject to conditions numbered 1 and 3 to 9 (inclusive), as set out in the report submitted, together with amended condition numbered 2 and an additional condition as outlined below:-

Amended Condition No. 2

The development hereby permitted shall be carried out in accordance with the following approved plans: 2107/001 Rev A; 2107/002 Rev A and 2107/003

Additional Condition

In order to minimise the impact of the development on local air quality, any gas boilers provided within the development must meet a dry NO_x emission concentration rate of <40mg/kWh.

Reason: To safeguard the air quality of the Borough which is an Air Quality Management Area in compliance with the Black Country Core Strategy Policy ENV8 and the adopted Air Quality SPD.

- (f) **Planning Application No. P21/1396 – Fairfield Road, Hurst Green, Halesowen – Telecommunications development comprising of the installation of one 15m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works**

Resolved

That the application be approved, subject to conditions numbered 1 and 2, as outlined in the report.

- (g) **Planning Application No. P21/1104 - 36 Sandy Road, Norton, Stourbridge – Single storey side and rear extensions (following demolition of existing garage), two storey rear extension and loft conversion with side dormer to form habitable use and elevational changes to include new Juliet balcony rear and loft.**

Resolved

That the application be approved, subject to conditions numbered 1 to 4 (inclusive) as set out in the report.

(At this juncture Councillor S Mughal withdrew from the meeting.)

- (h) **Planning Application No. P21/1486 – 36 St Marks Road, Dudley – Single storey rear extension**

Resolved

That the application be approved, subject to conditions numbered 1 to 3 (inclusive), as set out in the report.



28 **Adoption of the Revised Dudley Borough Local List**

A report of the Director of Regeneration and Enterprise was submitted seeking approval and adoption of the revised Dudley Borough Local List, in order to replace the Council's original 1996 version, which had become outdated.

Resolved

That the revised Dudley Borough Local List, replacing the original 1996 version, as attached as appendix 1 to the report submitted, be approved and adopted.

The meeting ended at 8.20 pm

CHAIR



DC/22