

**Minutes of the Planning Committee
Wednesday 16th November, 2022 at 6.00 pm
In the Council Chamber at The Council House, Dudley**

Present:

Councillor D Harley (Chair)
Councillor A Goddard (Vice-Chair)
Councillors H Bills, D Corfield, P Drake, J Martin, P Miller, W Sullivan and M Westwood.

Officers:

J Todd (Development Manager), I Lowe (Principal Planning Officer), P Reed (Principal Planning Officer) (Directorate of Regeneration and Enterprise); G Breakwell (Solicitor) and H Mills (Senior Democratic Services Officer) (Directorate of Finance and Legal).

Observers:

Councillor S Saleem – Cabinet Member for Highways and Public Realm
Councillor Q Zada – Shadow Leader
Together with approximately 13 members of public

31 **Apology for Absence**

An apology for absence from the meeting was submitted on behalf of Councillor E Taylor.

32 **Appointment of Substitute Member**

It was reported that Councillor J Martin had been appointed to serve as a Substitute Member for Councillor E Taylor for this meeting of the Committee only.

33 **Declarations of Interest**

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

34 **Minutes**

Resolved

That the minutes of the meeting held on 12th October, 2022, be approved as a correct record and signed.

35 **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 Members on certain information given in the reports submitted. The content of the notes was 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>
P22/1288	Councillor E Taylor Mr R Johnson	

(a) **Planning Application No. P22/1288 – Netherton Park, Activity Centre and Healthy Hub, Greaves Road, Netherton – Creation of Car Park with new access from the highway**

In presenting of the report, the Principal Planning Officer confirmed that should the Committee be minded to approve the application, condition 2, as set out in the report submitted, would be revised to include additional planning references and proposed traffic regulations.

In considering the application, Members took account of the objections raised by the Local Ward Councillor and representative of the Friends of Netherton Park at the meeting, in that an additional car parking facility was not required or desired by residents and users of Netherton park, and that the development would have a detrimental impact to the local amenity and enjoyment of the green space. Concerns were raised that no complaints in relation to the lack of available car parking had been received and that the development would likely increase anti-social behaviour in the area and cause unnecessary disturbance to local residents. Members were also mindful of the development and subsequent maintenance costs that would be incurred in the midst of a cost-of-living crisis, as well as who would be responsible for the ongoing maintenance and management of the site.

Arising from questions raised by the Committee, the Principal Planning Officer confirmed that one Hawthorn tree was proposed to be felled to accommodate the development and that a condition would be attached to the application in that a car parking management plan would need to be approved prior to the car park being used.

Resolved

That the application be approved, subject to conditions numbered 1, 3 to 11 (inclusive), as set out in the report and revised condition numbered 2, as outlined below:-

2. The development hereby permitted shall be carried out in accordance with the following approved plans: CE/GT-036/001; CE/GT-036/02; CE/GT-036/03 and Proposed Prohibition of Waiting Drg No TM5318.

36 **Confirmation of Tree Preservation Order**

A report of the Director of Regeneration and Enterprise was submitted for Members to consider whether or not Tree Preservation Order (TPO) TPO/0308/SED – 2 Ladies Walk, Sedgley, as contained in the appendix to the report submitted, should be confirmed with or without modification in light of the objections received.

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

Objector who wished to speak

Supporter who wished to speak

Mr M Johnson

Ms S George-Dempster

In considering the TPO, Members took account of the objections made at the meeting in particular relating to the poor condition of the tree and the suggested seasonal nuisance and risk to local residents from falling debris, particularly during high winds, as well as the impact and damage that the tree had caused to neighbouring fences and drains.

Members also took into account the comments in support of the TPO in that the tree had a positive impact on the local amenity and could be seen from all surrounding streets. It was considered that the tree was in good health and provided habitat for birds and various wildlife, as well as supporting the ecological system.

In responding to questions raised by the Committee, the Principal Planning Officer advised that the Tree Preservation Officer had surveyed the tree and considered it worthy of preservation and that a TPO would not prevent maintenance works being carried out, however that work would be subject to prior consent.

Resolved

That the Borough of Dudley (2 Ladies Walk, Sedgley) (TPO/0308/SED) Tree Preservation Order 2022, as referred to in the Appendix to the report submitted, be confirmed without modification.

37 **Plans and Applications to Develop (continued)**

- (b) **Planning Application No. P21/2163 – 336 Hagley Road, Stourbridge – Fell and replace 1 no. Redwood (Sequoia) tree**

Resolved

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

- (c) **Planning Application No. P22/1164 – 42 St James’s Road, Dudley – Conversion of residential care home into 4 no. flats to include first floor side extension. Elevational changes to include new windows and doors and removal of external staircase (resubmission of refused application P22/0225)**

Resolved

That the application be approved, subject to conditions numbered 1 to 8 (inclusive), as set out in the report submitted.

- (d) **Planning Application No. P22/1225 – 25 Cottage Street, Kingswinford – Change of Use from residential to care home (C2)**

Resolved

That the application be approved, subject to conditions numbered 1 to 4 (inclusive), as set out in the report submitted, and additional condition as outlined below:-

5. Before the use hereby approved begins operating, or within a suitable timeframe to be agreed with the Local Planning Authority, a Management Plan setting out how the premises would be operated shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall be implemented in accordance with the details approved by the Local Planning Authority and remain operational for the life of the development.

Reason: In the interests of residential amenity and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings.

- (e) **Planning Application No. P22/1274 – Garage Site, Land off Fairfield Road and Swanfield Road, Stourbridge – Construction of 2 no. 3 bedroom houses and 1 no. 1 bedroom bungalow, together with external works, car parking and landscaping**

Resolved

That the application be approved, subject to conditions numbered 1 to 19 (inclusive), as outlined in the report submitted.

The meeting ended at 7.10pm.

CHAIR