

## **PLANNING COMMITTEE**

**28th April 2022**

**Present:** Councillor Mike Johnson in the Chair

Councillors Agar (Vice-Chair), Allcott,  
A. Amos, B. Amos, Barnes, Bisset, Cleary,  
Ditta, Hodges and Roberts

**Also in Attendance:**  
Councillor Lewing

### **150 Declarations of Interest**

The following declarations of interest were made:

Application 21/00714/HP – 5 Barbourne Court, Barbourne Crescent  
(Minute No. 155)

Councillors Ditta and Hodges – Both know one of the objectors who had registered to speak. Neither have discussed the application. Both Councillors elected to speak and vote on the item.

Councillor Johnson – Knows the two objectors who had registered to speak. He had not discussed the application. Councillor Johnson elected to speak and vote on the item.

### **151 Minutes of Previous Planning Committee**

**RESOLVED: That the minutes of the meeting held on 24<sup>th</sup> March 2022 be approved as a correct record and signed by the Chair.**

### **152 Minutes of Previous Conservation Advisory Panel**

**RESOLVED: That the minutes of the Conservation Advisory Panel be received.**

### **153 Public Participation**

None.

### **154 Public Representation**

Those representations made are recorded at the minute to which they relate.

### **155 Application 21/00714/HP - 5 Barbourne Court, Barbourne Crescent**

#### **Introduction**

The Committee considered an application for the proposed erection of a pitched roof single storey rear/side garage and the proposed erection of a flat roofed single storey side/rear extension at 5 Barbourne Court, Barbourne Crescent.

## **Reason Why Being Considered by Planning Committee**

The application had been referred to Planning Committee at the request of Councillor Lewing.

## **Report/Background/Late papers**

The report set out the background to the proposal, the site and surrounding area, the site itself, relevant policies, planning history and representations and consultations where applicable.

The Committee's attention was drawn to the late papers which related to the following:

- further representations from neighbouring properties at 4 Barbourne Court, Barbourne Crescent; Clevedon Lodge, Barbourne Crescent; 4 Barbourne Crescent and 3 Barbourne Crescent. Their concerns were summarised in the late paper;
- further representation from the applicant related to comments and points of clarification; and
- full copy of the additional comments received attached as appendix 1.

## **Officer Presentation**

The information was presented as set out by the Corporate Director – Planning and Governance, in conjunction with a powerpoint presentation for the item.

## **Public Representations**

The following people had registered to speak on the application:

Alwyn Davies and Richard Lockett (Objectors)

A local Ward Member, Councillor Lewing also addressed the Committee.

## **Key Points of Debate**

- The objectors in addressing the Committee expressed their concerns over various aspects of the proposal particularly in relation to the roof terrace which now had a double door, which was considered not to be in keeping with the design of the property or Barbourne Court. It was suggested that this should be a window and if not then a condition be applied stating that the flat roof is not used for recreational purposes. Concerns were raised generally with regard to the extensions and that they will cause significant loss of amenity. It was felt the proposal would result in over development of the site and would be out of keeping with the Conservation Area and asked that the Committee refuse the application. The objectors responded to questions on points of clarification from Members.
- The local Ward Member, Councillor Lewing addressed the Committee expressing her concerns over the process of consultation with neighbouring properties, which had also been highlighted by the objectors as being received quite late in the process.

It was stated that great weight should be given when considering applications within a Conservation Area such as this from all aspects. In referring to conditions it was requested that two conditions be added, one related to the access to the roof terrace and a condition for construction hours.

- The Interim Head of Development Management stated that these conditions were in place, namely condition 6 and 5. Concerns were however expressed over the enforcement of condition 6. He confirmed that the condition requires the balustrade to remain permanently and that enforcement was reactive. A Juliet balcony was not an uncommon feature and the condition was to prevent access to the roof to protect the amenity of neighbours.
- In response to a question over the percentage increase in the proposals the Interim Head of Development Management referred to the powerpoint presentation showing the key dimensions which he explained to Members. Members asked that it would be useful in the future to include key dimensions of extensions in the reports to allow an assessment of the size of the extension.
- Members debated the concerns raised and the Interim Head of Development Management responded to points of clarification. The Head of Planning did suggest that a change from double doors to a conventional window could be made and delegate to the Chair and Vice Chair to agree the amended plans.
- Some Members suggested that a strong case for rejecting the application could be made as the site is in a Conservation Area.
- The Head of Planning having listened to the concerns of Members regarding the size, design, mass and the impact on the Conservation Area, suggested a refusal reason, which he read out for Committee Members. He stated, however, that this was not his view but based on the points raised by Members, officers had come to a view that the proposal was in accordance with the requirements of the adopted planning policy within the development plan.
- Members generally agreed that this was overdevelopment and it was relevant that it was in a Conservation Area.

A proposal to refuse the application had been made on the grounds of design, over development and impact on the character of the Conservation Area and this was seconded. There being no further points made the Chair asked the Legal Team Manager to request the voting of each Member of the Committee who were eligible to vote. Following the recording of the votes the proposal was refused for the reasons given as follows:

For - 9  
 Against - 2  
 Abstentions - 0

Contrary to Officers recommendation it was

**RESOLVED: That the Committee**

1. **refuse planning permission on the grounds that the proposed extension would, by virtue of its siting, design and external detailing be harmful to the character and appearance of the area particularly with reference to the St Georges Square Conservation Area and lead to a negative impact on the significance of this heritage asset contrary to SWDP 6, 24 and 21 and the NPPF regarding design and the historic environment; and**
2. **delegate authority to the Corporate Director – Planning and Governance, subject to consultation with the Chair and Vice Chair of the Planning Committee, to confirm the final wording of the above grounds and issue the Decision Notice.**

**156 Application 21/00661/FUL - Land to the rear of 56-60 Lowesmoor**

The application was not considered by the Planning Committee as the applicant had withdrawn it on 26<sup>th</sup> April 2022.

The Committee's attention was drawn to the late paper which related to an updated Noise Assessment and the comments of Worcestershire Regulatory Services and comments from Worcestershire County Council Highways following a revisit of the site and the car parking area.

As a result of the comments received Officers proposed no change to the issues highlighted in the report or the recommendation.

**157 Application 22/00169/VARCO - Lowesmoor Trading Estate**

**Introduction**

The Committee considered an application to vary conditions 2, 3, 7, 14 and 23 and delete condition 24 attached to planning permission P19D0005 at Lowesmoor Trading Estate.

**Reason Why Being Considered by Planning Committee**

The application had been referred to Planning Committee in accordance with the adopted Scheme of Delegation.

**Report/Background/Late papers**

The report set out the background to the proposal, the site and surrounding area, the site itself, relevant policies, planning history and representations and consultations where applicable.

There were no late papers circulated.

## **Officer Presentation**

The information was presented as set out by the Corporate Director – Planning and Governance, in conjunction with a powerpoint presentation for the item.

The Interim Head of Development Management informed Committee Members that the application was submitted under Section 73 of the Town and Country Planning Act which allows an application to be made to vary conditions associated with a planning permission.

The application sought to vary the design and layout of the proposals and as a result of the proposed amendments this would also amend conditions 2, 3, 7, 14 and 23. The application also sought to delete condition 24.

As part of the powerpoint presentation, Committee Members were shown the original and proposed design and layouts of the scheme, which were also highlighted in paragraphs 7.4-7.8 of the report. The Interim Head of Development Management considered that the proposed design and layouts were acceptable and would improve the external appearance of the development

The Interim Head of Development Management informed Committee Members that condition 1 was also to be deleted as the original application has been implemented.

## **Public Representations**

There had been no one registered to speak on the application.

## **Key Points of Debate**

- In response to a query on parking provision the Interim Head of Development Management stated that the level of parking was considered acceptable by the County Council Highway Authority and had been approved. It's location makes it accessible to alternative modes of transport. It was commented however that removal of some bus routes may have an effect generally on public transport provision comments going forward.
- As a point of clarification the Interim Head of Development confirmed that there was no affordable housing provision in the original application and Section 106 agreement for the proposal. Committee Members did question whether this could be reviewed in view of the increased number of 1 bed and not 2 bed units. It was confirmed that the Section 106 agreement was signed in July 2021 and the viability assessment was accepted. It was confirmed that the proposed changes of this application would not change the status of the assessment.

A proposal to approve application had been made and this was seconded. There being no further points made the Chair asked the Legal Team Manager to request the voting of each Member of the Committee who were eligible to vote. Following the recording of the votes the proposal was agreed as follows:

For - 11  
Against - 0  
Abstentions - 0

**RESOLVED: That the Committee grant planning permission, subject to the conditions set out in section 9 of the report and to the deletion of condition 1.**

## **158 Any Other Business**

### National Space Standards

Committee Members requested clarification that the issue of National Space Standards was being progressed as it was not currently policy. The Interim Head of Development Management informed Members that applications can still be refused on scale/size providing reference is not made to the National Space Standards in the refusal. The matter was being progressed through policy, although each application is determined on its own merits.

### Retiring Councillors

Tributes were paid to the Chair of the Planning Committee, Councillor Mike Johnson, who was retiring in May and therefore attending his last meeting.

The Chair also paid tribute to those Councillors who were retiring in May and were therefore attending their last meeting of the Planning Committee, namely Bill Amos and Jo Hodges.

Committee Members also paid their own tributes to all three Councillors.

**Duration of the meeting:** 1.30p.m.to 2.55p.m.

Chairman at the meeting on  
26th May 2022