

PLANNING COMMITTEE

23rd June 2022

Present: Councillor Agar in the Chair

Councillors Allcott, Amos, Barnes, Bisset, Desayrah, S. Ditta, Mrs L. Hodgson (in place of Councillor Mitchell), Lewing and Roberts

Apologies: Councillors Cleary and Mitchell

9 Declarations of Interest

None.

10 Minutes of Previous Planning Committee

RESOLVED: That the minutes of the meeting held on 26th May 2022 be approved as a correct record and signed by the Chair.

11 Minutes of Previous Conservation Advisory Panel

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

12 Site Visits

There were no site visits.

13 Public Participation

None.

14 Public Representation

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

15 Application 22/00276/HP - 109 Canada Way

Introduction

The Committee considered an application for the proposed two storey front and side extension, single storey rear and front porch extension at 109 Canada Way.

Reason Why Being Considered by Planning Committee

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

Report/Background/Later 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.

Public Representations

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

Key Points of Debate

- A question was raised on the percentage of increase on the volume of the property the proposal would have, in response the Planning Officer said that guidance received recently states this is not for consideration unless it is in the Green Belt. Although some Members challenged why this figure could not be given.
- It was asked if there were any implications with regard to car parking. The Planning Officer stated that the proposals would not increase the number of bedrooms and there is sufficient space on site for appropriate car parking. It was also noted that the County Council Highway Authority had no objections.
- Having considered the merits of the application Committee Members agreed that the proposals were in keeping with the character of the existing property and would not impact on neighbouring residential amenity.

A proposal to approve the application had been made and this was seconded. There being no further points made the Chair requested 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 - 10
Against - 0
Abstentions - 0

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

16 Application 21/00500/FUL - Mister Construction Ltd. - South Street

Introduction

The Committee considered an application for a new mixed-use development comprising 2no. ground floor commercial units (Class E) and 4no. upper floor apartments on the former Mister Construction Ltd, site in South Street.

Reason Why Being Considered by Planning Committee

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

Report/Background/Later 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 further representations from Anthony Cupper, Seats and Sofas.

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 Head of Planning, in presenting the item, stated that the application is recommended for refusal by officers in terms of the proposed design, which is inappropriate for this site and this location, and the close proximity of the paint spraying activity. He also referred to the comments made by Worcestershire Regulatory Services.

The full reasons for refusal were set out in paragraph 9.1 of the report.

Public Representations

The following person had registered to speak on the application:

Robert Collis, Miller and Lloyd (Objector)

Key Points of Debate

- The objector, owner of Miller and Lloyd (car repairers), South Street, informed the Committee that the only access to his business is along South Street from the City Walls Road. He requires constant access along South Street for his business and this development would result in additional vehicles, pedestrians or parking on the road. Construction traffic would block his access plus there was no room to turn and vehicles would need to reverse onto the City Walls Road. The very nature of his business also created noise, dust and odour which would be disruptive for residents. He informed the Committee that he planned to relocate to other premises in the near future.
- In referring to the potential for the site to contain human or historical remains on the site, the Chair confirmed that if approved, contrary to officer recommendation, then an appropriate condition would be added.
- Members agreed that the proposal would have an adverse impact on the streetscene and there was overwhelming evidence to refuse the application.

It was suggested that should an application be presented in future it should take into account the whole site and not just a stand-alone development. This was agreed by other Members.

- The proposal was considered to be an isolated building with a lack of ventilation and problems with the elevations and potential for overheating.
- It was highlighted that applications that show cycle parking in vertical or semi vertical positions are not conforming with the County Council's Streetscape Design Guide. Developers need to give a bit more thought to the distance, probably a further 30cm to enable the cycle to remain flat and non-discriminatory.
- The Chair stated that whatever may be happening in the future we cannot foresee so need to look at the situation as it is today as presented to the Committee.

A proposal to refuse the application had been made and this was seconded. There being no further points made the Chair requested the voting of each Member of the Committee who were eligible to vote. Following the recording of the votes the proposal was refused as per the Officer's recommendation as follows:

For - 10
Against - 0
Abstentions - 0

RESOLVED: That the Committee refuse planning permission for the following reasons:

- 1. by virtue of the extent of the full height glazing at all three levels in the front elevation of the proposed building and its blank flank and rear elevations and the size of the proposal, projecting above the two storey business premises to the rear of the site, the proposed development would have an adverse impact upon the street scene. The impact would be exacerbated by the size, bulk and massing of the proposed development and its prominence in the street scene. The proposed development is therefore contrary to Policy SWDP21 of the South Worcestershire Development Plan (2016), the South Worcestershire Design Guide Supplementary Planning Document (2018) and the National Planning Policy Framework (2021); and**
- 2. by virtue of its nature and the odour arising from it, the adjacent paint spraying business would have a significant and harmful impact upon the amenities of the future occupiers of the development. The proposal is therefore contrary to Policy SWDP21 of the South Worcestershire Development Plan (2016), the South Worcestershire Design Guide Supplementary Planning Document (2018) and the National Planning Policy Framework (2021).**

17 Planning Application Local Validation Document

The Committee considered a report on the Planning Application Local Validation. The draft Local Validation Document June 2022 was attached as appendix 1 to the report.

The Project Officer, Development Management presented the report which provided background to the draft document, why a new one is necessary and the proposed public consultation period. Paragraph 4.4 of the report identified the stakeholders who would be consulted.

The adoption of the document would provide a clear and equitable way of assessing if all of the relevant information has been submitted and reduces the need for a case by case assessment but acts as a checklist for the Planning Team in ensuring all necessary information is provided.

Following the consultation period it is proposed that any changes are agreed with the Corporate Director – Planning and Governance in consultation with the Chair and Vice Chair of Planning Committee. The document will then be used for Development Management purposes and reviewed every two years.

It was asked if there was an opportunity at this time to propose an additional item with regard to cycle storage. The Government's Gear Change document was referred to whereby page 44 identifies that cycle parking should consider the needs of all potential users and the range of cycles which will use the facilities. By adding this it would ensure that more appropriate storage would be offered.

In response the Head of Planning and the Project Officer agreed that an appendix on cycle storage guidance would be more preferable rather than a requirement in the validation. The Head of Planning stated if Members had other suggestions to make during the consultation period to then let officers know, in the meantime he asked for the appropriate link for this item.

Members asked for reassurance that the document will be updated following any changes in Government guidance, changes in legislation, change in planning policies at local or national level. Reference was made to the SWDP Review and any changes that would bring. The Head of Planning stated that it was important that the validation document was brought forward now and sent out for consultation. From a back office point of view there are always ways to improve the validation of applications and the sooner it is in place the better. It was pointed out that the document would require a complete overall once the SWDP review has been adopted and there will also be changes to the National Planning Policy Framework which will need to be taken into account.

As previously mentioned, Members asked that the % increase and square feet on domestic extensions can be included within the document as this would be really helpful. The Head of Planning in response understood why the question is asked as it is a way of appreciating and understanding the scale and mass of residential applications. The most relevant policy is SWDP 21 and the Residential Design Guide, but that does not say that a certain % of design is not acceptable. The advice is to be careful when referring to % figures as a refusal cannot be based on this.

Three matters were raised with regard to new developments – community spaces, waste collection for large items and internet cabling for those working from home. The Head of Planning agreed to speak with the Member outside the meeting with regard to the first two items but with regard to the third on internet cabling, he stated that technology providers are way ahead of our policies but will pick this up at the review stage.

The Chair referred to heritage and asked what level is required for planning applications, is it an assessment or a full report. The Head of Planning responded and agreed to look at this.

The Chair thanked officers and reminded Members to respond to the consultation process and ask questions of officers if needed.

RESOLVED: That the Committee:

- 1. approve the draft Local Validation Document for consultation purposes and to inform decisions regarding the validation of planning applications during the consultation period and until such time as the Local Validation Document is adopted by the City Council;**
- 2. authorise the Corporate Director - Planning and Governance in consultation with the Chair and Vice Chair of the Planning Committee to make any necessary amendments to the Local Validation Document following the public consultation period of six weeks and to adopt the Local Validation Document for development management purposes; and**
- 3. authorise the Corporate Director - Planning and Governance in consultation with the Chair and Vice Chair of the Planning Committee to undertake future reviews and redraft and re-format of the Local Validation Document in the event of amendments being necessary as a result of new Government guidance, changes in legislation, change in planning policies at local or national level or a change in local circumstances.**

18 Any Other Business

Appeal Decision – Land at Darwin Avenue

The Head of Planning referred Members of the Committee to a recent planning appeal decision for Land at Darwin Avenue. Application 20/00632/FUL proposed to demolish 3 existing dwellings and erect 50 dwellings, access and public open space and associated development including the re-routing of a public footpath.

The application had been minded to refuse at the Planning Committee meeting on 25th February 2021 and subsequently refused at its meeting on 24th June 2021. The Head of Planning stated that the Planning Committee would be pleased to see that the Planning Inspector has dismissed the appeal and made reference to his reasons for doing so.

The Head of Planning encouraged Members of the Committee to read the appeal decision as the decision had been an important one.

Duration of the meeting: 1.30p.m. to 2.36p.m.

Chair at the meeting on
28th July 2022