

## **PLANNING COMMITTEE**

**29th September 2022**

**Present:** Councillor Chris Mitchell in the Chair

Councillors Agar (Vice-Chair), Allcott, Amos, Bisset, Desayrah, Lewing, Roberts and Stanley

**Apologies:** Councillors Barnes and Cleary

### **45 Declarations of Interest**

The following declarations of other disclosable interests were made:

Application 22/00285/FUL - Grandstand, Worcester Racecourse, Grandstand Road (Minute 54)

Councillor Lewing – Had previously made comments in meetings objecting to development at the Racecourse. Councillor Lewing left the room during the consideration of this item.

Councillor Mitchell – As a Director of Worcester Racecourse Ltd. Councillor Mitchell left the room during the consideration of this item.

It was noted that the applicant in respect of Application 19/00684/FUL - Worcester Muslim Cemetery, John Comyn Drive was known by all Members of the Council.

### **46 Minutes of Previous Planning Committee**

**RESOLVED: That the minutes of the meeting held on 25<sup>th</sup> August 2022 be approved as a correct record and signed by the Chair.**

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

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

### **48 Site Visits**

The Committee had visited the following sites which were the subject of an application to be determined, prior to the commencement of the meeting:

Application 19/00684/FUL - Worcester Muslim Cemetery, John Comyn Drive  
Application 21/01108/FUL - Perdiswell Park, John Comyn Drive

### **49 Public Participation**

None.

### **50 Public Representation**

None.

**51 Application 21/00939/OUT - 20 Old Northwick Lane****Introduction**

The Committee considered an application for the erection of a single dwelling with garaging (all matters reserved except access).

**Reason Why Being Considered by Planning Committee**

The application had been referred to Planning Committee at the request of Councillor Allcott as a Ward Member.

**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 information was presented as set out by the Deputy Service Manager – Development Management, in conjunction with a powerpoint presentation for the item. The Committee’s attention was drawn to the late paper which gave an update to paragraph 4.8 of the report and set out additional recommended conditions which related to tree protection measures.

The Deputy Service Manager concluded that the proposal was considered to be in accordance with the Development Plan, and the adverse impacts of the development did not significantly and demonstrably outweigh the benefits. Accordingly, it was recommended that approval be granted.

**Public Representations**

None.

**Key Points of Debate**

- Councillor Allcott explained that she had referred the application to Committee because the location was adjacent to another residential development and there had previously been issues with regard to footpaths in the area.
- The Chair explained that this application is for outline approval.
- Officers responded to questions and comments from Committee Members. It was explained that, if outline permission is granted, the reserved matters application will enable Officers to establish whether the detailed scheme is considered to be appropriate.
- Matters relating to any restrictive covenants fall outside the remit of the planning process.

A proposal to approve the application had been made and this was seconded. There being no further points made the proposal was agreed as follows:

For - 8  
 Against - 0  
 Abstentions - 1

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

**52 Application 19/00684/FUL - Worcester Muslim Cemetery, John Comyn Drive**

**Introduction**

The Committee considered an application for change of use for the creation of an extension to the existing cemetery, and creation of two new ancillary buildings.

**Reason Why Being Considered by Planning Committee**

The application had been referred to Planning Committee at the request of Corporate Director – Planning and Governance due to the sensitive nature of the application as the City Council owns part of the site and the applicant is a Member of the City Council.

**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 information was presented as set out by the Service Manager – Development Management, in conjunction with a powerpoint presentation for the item. The Committee's attention was drawn to the late paper which gave an update to paragraph 4.8 of the report.

The Service Manager advised that, based on previous years, the maximum number of expected burials per year was 12, and therefore this number had been conditioned accordingly. A site management plan had been offered by the applicants and was included in the recommended conditions. Consequently, the Highways Authority had no objection, subject to conditions. Since the preparation of the report, the County Council's Public Rights of Way Team had confirmed they had no objection. The proposals for burial activity had been removed from flood zone 2 and there were no objections in respect of flood risk or ground water contamination.

With regard to ecology, it had been established that the revised proposals will not give rise to any harm to protected species, however a further survey had been requested. This was not yet ready and it was recommended that the Committee delegates authority to the Corporate Director for Planning and Governance to update the submitted evidence and where necessary update the conditions, subject to no new issues arising.

The Service Manager concluded that the proposal was considered to be suitable development within the Green Belt, and it was recommended that delegated approval be granted.

### **Public Representations**

None.

### **Key Points of Debate**

- The Committee debated whether 12 expected burials was a realistic number. The Service Manager explained that this figure had been put forward by the applicant. It had formed part of the discussions with the Highway Authority. They were satisfied with the number, but would be concerned if there were more. He advised that the issue related to access rather than burials, and if members felt this needed clarification the condition could be amended to refer to "funeral events" rather than burials.
- With regard to the one objection received, it was clarified that the cemetery was established before the adjoining office block was built.
- With regard to the ecology survey, the Service Manager advised that, if there were any new issues arising, the application would be brought back to the Committee.
- The County Council Highways representative replied to comments and questions and explained that protracted negotiations had taken place with the applicants to reach assurance on the various highway implications, including the number of funerals, the width of the access, maintenance of the path and pedestrian safety.
- Committee Members were of the view that the proposal had significant community benefit and attached weight to this aspect.
- Officers advised that condition 9 could be amended so as to limit the use of the access road to the south of the site to a maximum of 12 times per calendar year, as opposed to a limit on the number of burials. Access would still be available from the alternative access on John Comyn Drive.

A proposal to approve the application was made and this was seconded. Committee Members expressed support for the proposed amendment to the condition 9. There being no further points made the proposal was agreed as follows:

For - 8  
Against - 0  
Abstentions - 1

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

**53 Application 21/01108/FUL - Perdiswell Park, John Comyn Drive****Introduction**

The Committee considered an application for a new build 3 storey office building.

**Reason Why Being Considered by Planning Committee**

The application had been referred to Planning Committee because the proposed development was a departure from Development Plan and fell outside the 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.

The information was presented as set out by the Service Manager – Development Management, in conjunction with a powerpoint presentation for the item. The Committee's attention was drawn to the late paper which gave an update to paragraph 4.8 of the report.

The Service Manager concluded that the proposal was recommended for refusal because it would comprise inappropriate development in the Green Belt, and also compromise the designated Green Space, resulting in a harmful impact on the openness and essential quality of the site. The proposed office use was unacceptable due to the out-of-town centre location of the application site.

**Public Representations**

None.

**Key Points of Debate**

- One Member expressed the view that the out-of-town office accommodation should be encouraged, as directing major office developments to the city centre will create significantly more traffic congestion.
- Other Members expressed the view that the proposal was not an acceptable development in the Green Belt, for the reasons set out in the report, and no community benefit or exceptional circumstances had been demonstrated.

A proposal to refuse the application had been made and this was seconded. There being no further points made the proposal was agreed as follows:

For - 8  
Against - 1  
Abstentions - 0

**RESOLVED: That the Committee refuse planning permission for the reasons set out in section 9 of the report.**

**54 Application 22/00285/FUL - Grandstand, Worcester Racecourse, Grandstand Road**

Councillor Agar took the Chair for consideration of this item.

**COUNCILLOR AGAR IN THE CHAIR**

**Introduction**

The Committee considered an application for demolition of the existing weighing room to be replaced with a new timber frame building to provide jockey facilities and weighing area.

**Reason Why Being Considered by Planning Committee**

The application had been referred to Planning Committee because the Council is the freehold owner of the application site.

**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 information was presented as set out by the Deputy Service Manager – Development Management, in conjunction with a powerpoint presentation for the item. The Committee’s attention was drawn to the late paper which gave an update to paragraph 4.8 of the report, and additional comments received from Worcester Regulatory Services. They had advised that the proposal presented little risk from contamination or to human health.

The late paper also proposed an amendment to condition 2, replacement wording for condition 7 and two additional conditions.

The report concluded that the proposal was generally consistent with the aims and objectives of the South Worcestershire Development Plan. Whilst the proposal was situated in a flood plain, the Environment Agency had no objection, as it would retain the current use of the site and provide a new building which is elevated further above ground level and would not create a greater risk of flooding at this site. The redevelopment would benefit the viability of the racecourse and also the public. The new weighing room would preserve the Riverside Conservation area, whilst safeguarding the residential amenities of neighbours, as well as providing wider social, economic and environmental benefits.

**Public Representations**

None.

**Key Points of Debate**

- Members were advised that the new building, whilst higher than existing, would not have any negative impact on views of the Cathedral.

- Members were satisfied that the proposed scheme did not present any substantial harm to the riverside setting or heritage assets, and the redevelopment as proposed was a well-designed scheme.

A proposal to approve the application had been made and this was seconded. There being no further points made the proposal was agreed as follows:

For - 7  
Against - 0  
Abstentions - 0

**RESOLVED: That the Committee grant planning permission, subject to the conditions set out in section 9 of the report and the amended and additional conditions set out in the late papers.**

## **55 Any Other Business**

Councillor Mitchell returned to the Chair for this item. The Service Manager reported for information on the outcome of an appeal against a decision to refuse permission for change of use of 1-6 Court Mews from student accommodation to homeless refuge. The appeal had been dismissed by the Inspector, who found that there was insufficient assurance that there would be no anti-social behaviour arising from the proposal.

**Duration of the meeting:** 1.30p.m. – 3.15p.m.

Chair at the meeting on  
20th October 2022