

PLANNING COMMITTEE

22nd June 2023

Present: Councillor Karen Lewing in the Chair

**Councillors Agar (Vice-Chair), Allcott,
Cross, Desayrah, Ditta, Round, Smith and
Udall**

Apologies: Councillors Amos and Cleary

1 Declarations of Interest

The following declarations of interest were made:

Application 23/00358/FUL – 56 Foregate Street
(Minute No. 10)

Councillors Agar, Allcott, Desayrah and Lewing – As Members who sit on other Committees where reports of The Arches Project have been considered. The reports had not considered the planning merits and all came to the meeting with an open mind. All Councillors elected to speak and vote on the item.

The following declaration of other disclosable interest was made:

Application 23/00226/FUL – 57a Stainburn Close
(Minute No. 9)

Councillor Udall – Had called the application in before Planning Committee and submitted a written objection. Councillor Udall left the room during the consideration of this item, but prior to that he addressed the Committee as Ward Member.

2 Minutes of Previous Planning Committee

RESOLVED: That the minutes of the meeting held on 20th April 2023 be approved as a correct record and signed by the Chair.

3 Minutes of Previous Conservation Advisory Panel

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

4 Site Visits

There were no site visits.

5 Public Participation

Local resident Mr Chris Mitchell, in addressing the Committee, stated that he had points he wished to raise and questions to ask which he felt were relevant not only to the Planning Committee but to the Council itself.

He first provided some context to the questions he wished to ask, which in summary covered the South Worcestershire Development Plan, the Affordable Housing Supplementary Planning Document, delays to planning decisions, extension of time for planning application decisions and viability assessments.

The questions asked were as follows:

1. How many affordable homes have the council delivered since Oct 20. I would like the total number of homes and how many each year?
2. How is the planning department working with external agencies and other parts of the council in order to ensure that the City have a plan to deliver the required level of affordable housing across the city, could you please share with me your plan for meeting this need?
3. My question is has the committee reached the target of resolving 60% of major planning applications in the last 8 quarters and which applications have failed to be resolved in this period and why?
4. How many of the major applications in process have been extended beyond the 13-week period and what percentage of these extensions are over than a year in length?
5. My question is, how do planning officers believe that a viability assessment, which when originally submitted and proved challenging, based upon an application that has now been delayed for 2-3 years will deliver the City's affordable homes requirement?

The Chair thanked Mr Mitchell for his comments and questions and stated that a formal response would be provided.

6 Public Representation

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

7 Application 23/00100/FUL - The Crown and Anchor, 233 Hylton Road

Introduction

The Committee considered an application for residential redevelopment of 7 no. apartments (2 no. existing) at The Crown and Anchor, 233 Hylton Road.

Reason Why Being Considered by Planning Committee

The application had been called into Planning Committee by a Ward Member, in accordance with the Council's Constitution, based on the following rationale:

- Failure to comply with County Highways Parking Policy
- Overdevelopment of the site
- Weight of neighbour's objections

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 paper which related to a further neighbour objection.

Officer Presentation

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

Public Representations

The following people had registered to speak on the application:

Carol Hallett (Objector) and Ho Lim Yung (Agent for the Applicant)

Key Points of Debate

- The objector, in addressing the Committee, stated that the site had caused many local problems over the years and that the community want to obtain the best long-term solution and not create unforeseen problems for the future. She stated that there was no way of enforcing the 'car free' expectation and the proposal will no doubt increase parking in the area which was already under pressure.
- Co-operation with the developer of the site to find a way forward was crucial and the objector asked the Committee to either refuse the application or partially accept with a modification to reduce the number from 7 to 6.
- The objector responded to questions from Committee Members relating particularly to highway pressures around the site and the impact it has and the benefit of a reduction in the number of apartments from 7 to 6.
- The agent for the applicant, in addressing the Committee, emphasised the key benefits the proposal would bring which would create a positive impact for the area. He stated that the scheme had been carefully designed and each apartment size met the national standards. The proposal would also benefit from additional units of housing. The site was considered to be in a sustainable location.
- The agent for the applicant responded to questions from Committee Members relating to the number of solar panels to be provided, the submission of a Travel information Pack promoting sustainable forms of access to the development and the hours of construction as required by the Construction Environmental Management Plan.
- The Service Manager – Development Management drew the Committee's attention to the recommended conditions at paragraph 9.1 of the report.

He highlighted the corrections to be made as the numbering of the 10% energy requirements as number 12; the obscure glazing as number 15 (which had been merged with condition 12); the reason for condition 13, to be the same as condition 14.

A proposal to approve the application was made and this was seconded. There being no further points made the Chair requested the voting of each Member of the Committee who was eligible to vote. Following the recording of the votes the proposal to approve was agreed, subject to the amended and additional conditions as referred to above as follows.

For - 6
Against - 2
Abstentions - 0

RESOLVED: That the Committee

- 1. grant planning permission, subject to the conditions set out in section 9 of the report, the amendment of conditions 12, 13 and 15 and to the additional conditions relating to obscure glazing and installation of solar panels; 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 conditions and issue the Decision Notice.**

For voting purposes, it was noted Councillor Ditta joined part way through the item and therefore was unable to take part in the voting.

8 Application 23/00178/FUL - Pitmaston House, Malvern Road

Introduction

The Committee considered an application for Listed Building consent for the retrospective installation of two ensuites to 2 no. bedrooms, reconfiguration of existing ensuites to 5 no. bedrooms, new stud wall enclosures and the reconfiguration of existing kitchen area at Pitmaston House, Malvern Road.

Reason Why Being Considered by Planning Committee

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

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.

Officer Presentation

The information was presented as set out by the Corporate Director – Planning and Governance, in conjunction with a powerpoint presentation. The presentation slides provided the existing plans/proposed plans for clarity.

The Service Manager – Development Management confirmed that the works carried out had made a positive impact on the listed building and that there had been no removal/alterations to any historic features.

The Committee Members were informed that no conditions are considered necessary, but an informative had been added at paragraph 9.1 of the report in the event that Members resolved to grant Listed Building Consent.

A question was raised over management of noise on site. The Service Manager – Development Management confirmed that conditions had been imposed on the previous application for change of use and it was not necessary to impose such conditions on Listed Building Consent.

Public Representations

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

A proposal to approve the application was made and this was seconded. There being no further points made the Chair requested the voting of each Member of the Committee who was eligible to vote. Following the recording of the votes the proposal to approve was agreed as follows.

For - 9
Against - 0
Abstentions - 0

RESOLVED: That the Committee grant Listed Building Consent for the retention of the works.

9 Application 23/00226/FUL - 57a Stainburn Close

Introduction

The Committee considered an application for the change of use from 4-bedroom house Use Class C3 (residential) to a 4-bedroom House of Multiple Occupation (HMO), Use Class C4 at 57a Stainburn Close.

Reason Why Being Considered by Planning Committee

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

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 paper which related to a correction to the map highlighting the existing HMO properties within the 100m radius of 57a Stainburn Avenue, being 41 and 55 Stainburn Close. The map highlighted at paragraph 7.8 on page 61 of the report was incorrect.

Officer Presentation

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

The Committee's attention was drawn to paragraph 7.2 of the report which related to the principle of development.

The Service Manager – Development Management stated that the concerns raised by Councillor Udall had been answered and these were highlighted in paragraphs 3.3-3.8 of the report.

Public Representations

There had been no one registered to speak on the application. However, Councillor Udall addressed the Committee as local Ward Member then left the room during the discussion and determination of the item.

Key Points of Debate

- The local Ward Member, in addition to his issues raised within the report, was concerned that only providing two spaces for a 4-bedroom HMO would cause parking problems for the very narrow and very often congested highway. He believed that the residents will each have a car which will result in an overflow onto the highway.
- It was noted that in this instance parking issues are not an adequate reason to refuse an application and the County Council Highways representative confirmed that there is already a shortfall of car parking spaces, and the conversion would not change that, hence the reason of no objection with conditions as set out in section 9 of the report. If an objection was made it is unlikely to be sustained at an appeal.
- As a point of clarification, the Service Manager – Development Management confirmed that the room sizes met the standards set by the City Council Housing Team.
- The comments of the City Council's Refuse Team were referred to who had stated that larger bins would be required for the proposal which would need to be located at the rear of the property and brought to the front on collection day via the side pathway. Some Committee Members had raised concerns over whether the bins would be left on the street. The Service Manager – Development Management stated that if we wished control over the provision of how they are managed then a Refuse Management Plan was suggested which could be added as a condition to put measures in place to cover this aspect if Members agreed.

- Reference was made to the cycle storage at the rear of the property and how it was to be accessed. The Service Manager – Development Management drew the Committee’s attention to the layout plan on page 52 of the report, which identified that the access path to the left-hand side of the property, there is a gate to the area where the cycle and bin store is located. It was confirmed that the pathway was sufficiently wide enough to move bins and cycles.
- It was noted that the shared path was outside the red line on the layout plan and the Service Manager – Development Management suggested an amendment to condition 5 relating to access be added if Members agreed.

The Service Manager – Development Management summarised the suggested additional/amended conditions as follows:

- Cycle parking – and ‘access’ to be added (amended condition 5)
- Refuse Management Plan (additional condition)

A proposal to approve the application was made and this was seconded. There being no further points made the Chair requested the voting of each Member of the Committee who was eligible to vote. Following the recording of the votes the proposal to approve was agreed as follows, subject to the amendment of condition 5 and the additional condition as above.

For - 6
Against - 1
Abstentions - 0

RESOLVED: That the Committee

- 1. grant planning permission, subject to the conditions set out in section 9 of the report, the amendment to condition 5 and an additional condition relating to a refuse management plan; 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 conditions and issue the Decision Notice.**

For voting purposes, it was noted that Councillor Allcott left the Committee meeting during the consideration and voting of this item.

For voting purposes, it was noted that Councillor Udall returned to the Committee meeting for the next item.

10 Application 23/00258 - 56 Foregate Street

Introduction

The Committee considered an application for the demolition of 56 Foregate street, implementation of public landscaping on its former footprint and making secure the resulting exposed viaduct arches (Nos. 63 and 64).

Reason Why Being Considered by Planning Committee

The application had been referred to Planning Committee as the applicant is Worcester City Council. The application had been submitted in accordance with Regulation 3 of The Town and Country Planning General Regulations 1992 (as amended).

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.

Public Representations

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

Key Points of Debate

- The Service Manager – Development Management drew the Committee’s attention to condition 5 and the submission of a scheme of planting and its maintenance.
- Committee Members welcomed the removal of the building, which did not enhance the street scene, but would expose more of the city’s heritage assets.
- Clarification was provided on condition 4, relating to the Construction Environmental Management Plan. The Service Manager – Development Management confirmed that the Council will be liaising with Network Rail with regard to the proposed works and the hours of operation.

There being no further points made the Chair requesting the voting of each Member of the Committee who was eligible to vote. Following the recording of the votes the proposal to approve was agreed as follows.

For - 8
Against - 0
Abstentions - 0

RESOLVED: That the Committee grant planning permission pursuant to Regulation 3 of The Town and Country General Regulations 1992 (as amended), subject to the conditions set out in section 9 of the report.

The Committee considered the Planning Committee Annual report 2022/23 which was attached as Appendix 1.

As part of an update to the Constitution, Part 12 Good Practice Planning Protocol, the Council approved the Monitoring Officer's recommendation that the Planning Committee should produce an Annual Report of its activities in the previous year.

The Annual Report shows how the Planning Committee has successfully achieved its objectives over the last year and shows the main areas of focus and overall work programme for the Committee. The report also addresses the improvements in performance of the Planning Service as a whole this year and it highlights learning points for further consideration.

The Corporate Director – Planning and Governance and the Head of Planning presented the report and summarised the key points and responded to questions from Committee Members.

RESOLVED: That the Committee agree to

- 1. approve the Planning Committee Annual Report 2022/23; and**
- 2. recommend to full Council for information.**

12 Any Other Business

None.

Duration of the meeting: 3.00p.m. to 5.20p.m.

Chair at the meeting on
20th July 2023