

PLANNING COMMITTEE

20th July 2023

Present: Councillor Karen Lewing in the Chair

Councillors Allcott, Amos, Cleary, Cross, Desayrah, Riaz (in place of Councillor Agar) Smith, Stephen (in place of Councillor Round) and Udall

Apologies: Councillors Agar, Ditta and Round

13 Declarations of Interest

The following declarations of interest were made:

Application 23/00290/FUL – Northwick Road Allotments, Marion Close
(Minute No. 20)

Councillor Cleary – As allotment holder and Deputy Site Representative but had not been involved in the preparation or submission of the application. Councillor Cleary elected to speak and vote on the item.

Councillor Allcott – Had spoken with the Allotment Officer following concerns raised by allotment holders and had as Ward Member supported improvements to the site as part of the Section 106 agreement money allocations but had not been involved in the preparation or submission of the application. Councillor Allcott elected to speak and vote in the item.

Both Councillors had not predetermined the application and came to the meeting with an open mind.

14 Minutes of Previous Planning Committee

RESOLVED: That the minutes of the meeting held on 22nd June 2023 be approved as a correct record and signed by the Chair.

15 Site Visits

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

Application 22/01078/FUL – Perdiswell House, Droitwich Road

16 Public Participation

None.

17 Public Representation

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

18 Heritage at Risk Register: Update and Review

The Committee considered the Heritage at Risk in Worcester update and review report. The Register for 2023 was attached as Appendix 1 to the report.

An updated Heritage at Risk Register was approved for publication by Planning Committee on 28th July 2022 and since that time officers have monitored progress and reviewed other assets for potential inclusion in the Register. No assets have been removed from or added to the Register, but the Priority of 8 has been downgraded.

The Conservation Officer presented the report, in conjunction with a powerpoint presentation and highlighted the key points. He responded to questions from Members in particular relating to HAR 18, 79-83 St Johns and the need for this to be resolved and the reassurance that the Cordle's shop front is stored securely. Also, clarity on the condition of HAR 18 St Cuthbert's Chapel was requested. The Conservation Officer agreed to follow up and report back to the individual Members.

A request was made for the Register to include What3words to identify each site's location. The Conservation Officer in response preferred to use the National Grid Reference and proposed to add them in before the Register was published.

Reference was made to the Property Enhancement Grant Scheme and whether this could be extended for those properties in other parts of the city e.g. Lowesmoor. The Conservation Officer agreed to defer to colleagues in Economic Development.

The Service Manager – Development Management in response to a question on resources available following the departure of the Planning Enforcement Officer, reassured Members that an interim Enforcement Officer had been appointed before he left, so the level of resource is the same. He hoped that Members would not see a deterioration in the level of service and stated that the recruitment to that post is seen as a priority.

It is proposed to continue to monitor all entries on the Heritage at Risk Register quarterly, update actions, and update the register on a yearly basis.

RESOLVED: That the Committee note the contents of the 2023 Heritage at Risk Register and approve it for publication with the addition of National Grid References.

19 Application 22/01078 - Perdiswell House, Droitwich Road

Introduction

The Committee considered an application for the demolition of the Perdiswell Harvester Restaurant and redevelopment of a 76-bedroom C2 care home, with amenity gardens, boundary treatments, car parking, revised access from Droitwich Road and servicing at Perdiswell House, Droitwich Road.

Reason Why Being Considered by Planning Committee

The application had been referred to Planning Committee as it is outside the scope of the adopted Scheme of Delegation as a Major Development and has been called by Councillor Allcott.

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 typographical errors in respect of the report recommendation and paragraphs 8.13 and 9.10 of the officers report.

Officer Presentation

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

The Service Manager – Development Management confirmed that the application is a resubmission of refused planning application 22/00159/FUL, which was refused by the Committee in July 2022. The two reasons for refusal were set out in paragraph 3.3 of the report.

This application sought to respond to and address the concerns raised by Members previously and details of the resubmission proposals were set out in paragraph 3.5 of the report.

Public Representations

The following person had registered to speak on the application:

Eleanor Lovett – Agent for the Applicant

Key Points of Debate

- The agent for the applicant, in addressing the Committee, confirmed that the application was a resubmission of the application refused by Planning Committee last year. The revised proposals respond to the concerns raised, a summary of which were provided for Members, which included a reduction in the built form and an increase in outdoor space. Reference was made to the financial contributions towards the provision of Active Travel facilities and a contribution towards Community transport. Additional technical information had also been provided relating to landscaping enhancements.
- The agent for the applicant responded to questions and points of clarification from Committee Members relating to EVPs and cycle storage provision; 25% net biodiversity gain and how the figure was reached; suitability of the amenity space for a care home environment; percentage increase in outdoor amenity space; request for the increase in 10% energy requirements and suitability of the design for the site.

- Clarification was requested on the S106 agreement and whether the contributions were dependent on room take up or the completion of the build. The Service Manager – Development Management referred Committee Members to the draft Heads of Terms (Section 106) and confirmed that highways contributions were before completion and the NHS contribution was after.
- In terms of the biodiversity net gain, the Service Manager – Development Management explained that the Council’s Landscape and Biodiversity Adviser was satisfied with the improvements made.
- Reference was made to paragraph 7.20 of the report and the primary healthcare provision and the contribution of £19,200 and based on this it was asked whether the policy had changed. In response the Service Manager – Development Management explained that the request had come from the Primary Care Trust in terms of this development and was for physical infrastructure and not revenue funding which he explained further. The Head of Planning stated that the figure in the report was based on a formula of number of residents, number of accommodation units needed to provide treatment.
- It was questioned why it was acceptable for 30 car parking spaces to be provided when based on the formula used in the Streetscape Design Guide required 40. The County Council Highways representative stated that the applicants had provided justification why 30 spaces were more appropriate. They had provided evidence of 12 other sites similar to this proposal and site visits were made to 3 of them. It was concluded that in this instance it was appropriate to accept a reduction.
- Further comments were made on the impact on the NHS and other resources and the amount of contribution to be made. The Service Manager – Development Management stated that the NHS were consulted, and they had taken impact into consideration and considered the financial contribution of £19,200 to be acceptable to create additional floor space to provide health care on site.
- It was commented that the reasons for refusal for the previous application still remained for this application, in that the building is too big for the site, considered to be overdevelopment and not enough amenity space. Although EVPs, cycle storage and 25% biodiversity increase was acknowledged. In response the Service Manager – Development Management, in referring to the reasons for refusal previously, stated that the applicants had sought to address the concerns made previously and had reviewed all comments made. This has resulted in an increased amount of amenity space and referred Members to the enhancements that had been made. Looking at the proposal as a whole Members needed to weigh up the planning balance and come to a balanced conclusion.
- Reassurances were requested on the room size adequacy for future residents.

The Service Manager – Development Management stated that unlike the nationally described standards for residential properties, there is a body that reviews and assesses care homes before they are occupied to ensure they meet a certain standard. The applicant will be aware of this provision.

- It was acknowledged that the building is not locally listed but was considered to be important by local residents, the Chair asked if interpretation boards could be placed at the entrance of the building, as has been the case at other developments. The Service Manager – Development Management stated that an additional condition could be looked at, if Members wished, in terms of an interpretation scheme and the retention of any features of interest.
- A motion to refuse the application was made on the grounds as previously, as it was considered that little had changed, although there was more outdoor space. The Head of Planning drew the Committee's attention to paragraph 8.44 of the report which referred to the reduction of the proposed building by 94sqm and to paragraph 8.53 which referred to the increase of 165.5sqm of additional landscaped areas. He stated that these were important points to take into consideration. The motion to refuse was seconded.
- Other Members supported the proposal and outlined the benefits of the development. This would be a managed site which would be secure with no prospect of anti-social behaviour. It achieved the objectives in terms of housing need and provided employment. It was considered that if refused it would not stand up to an appeal.
- Members commented that although not a material planning consideration it was considered that the proposal if approved would impact on the GP surgeries in the area who were already full. The Head of Planning informed Committee Members that the impact on healthcare was capable of being a material consideration, however the relevant consultee in this matter is advising that the impact of the development can be mitigated via the financial contribution being sought. Other Members considered the proposal to be unsustainable from a health and transport point of view. The building was considered ugly and the elevations were considered very bland.

Clarity was sought on the wording of the grounds of the previously proposed and seconded motion to refuse the application on the grounds of size and massing. This was seconded. The Service Manager – Development Management referred to paragraph 3.3 of the report and suggested the first of those reasons for refusal for the wording. The Chair asked the Legal Team Manager to read out the reasons for refusal, contrary to Officer recommendation, to Committee Members prior to voting.

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 motion to refuse was lost as follows.

For – 5
 Against – 5
 Abstentions – 0

In accordance with the Council's Constitution, as there were equal number of votes for and against, the Chair used her casting vote. The Chair voting against refusal of the proposal.

For – 5
 Against – 6
 Abstentions – 0

A proposal to approve the application was made and this was seconded. The motion to include the additional condition relating to internal features being retained and a heritage interpretation board.

Prior to the vote there was further debate on the NHS contributions in appendix 1, draft Heads of Terms, and it was questioned whether the figure of £19,200 was correct and clarification was sought as to whether it was accurate as it seemed low.

The Service Manager – Development Management stated that in terms of provision this has come direct from the relevant consultee and based on an established formula, this is what they require to make the development acceptable in planning terms. The Head of Planning also informed Members that they should be able to rely on the formal responses received from consultees, but if Committee as a whole feels that checking is necessary then he suggested that the Committee authorise the Corporate Director – Planning and Governance in consultation with the Chair and Vice Chair to grant planning permission, subject to the checking of the figure. If the figure was incorrect, which was highly unlikely, then it would come back to Committee.

The Legal Team Manager asked if the proposer of the motion to approve accepted the amendment as above, which was agreed, the seconder was in agreement also.

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 confirmation of the NHS contribution being confirmed with the Chair and Vice Chair and an additional condition for internal features to be retained and the provision of a heritage interpretation board.

For – 5
 Against – 5
 Abstentions – 0

In accordance with the Council's Constitution, as there were equal number of votes for and against, the Chair used her casting vote. The Chair voting for approval of the proposal.

For – 6
 Against – 5
 Abstentions – 0

RESOLVED: That the Committee

1. **delegate authority to the Corporate Director - Planning and Governance to grant planning permission, subject to:**
 - a. **the conditions set out in Section 9 of the report and the additional condition relating to the retention of internal features and the installation of a heritage interpretation board;**
 - b. **the applicant and all parties with an interest in the land entering into a S106 legal agreement to the satisfaction of the Corporate Director – Planning and Governance in accordance with the Heads of Terms; and**
 - c. **confirmation of the NHS contribution amount, such amount to be confirmed with the Chair and Vice Chair; and**
2. **on the Corporate Director – Planning and Governance being satisfied with the amount of contribution and final wording of the additional condition to issue the Decision Notice.**

20 Application 23/00290/FUL - Northwick Road Allotments, Marion Close

Introduction

The Committee considered an application for the proposed erection of replacement fencing and gates at different access points of the existing Northwick Road allotments, Marion Close.

Reason Why Being Considered by Planning Committee

The application had been referred to Planning Committee as the applicant is Worcester 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 representation and consultations where applicable.

The Committee's attention was drawn to the late paper which related to the amendment of condition 3.

Officer Presentation

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

The Planning Officer reported that two objections had been received and referred Committee Members to paragraph 7.5 of the report which addressed the concerns that had been raised.

Officers responded to questions from Committee Members.

Public Representations

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

Committee Members welcomed the proposals and thanked officers for their time.

A proposal to approve the application was made and this was seconded. There being no further points made the Legal Team Manager 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 - 10

Against - 0

Abstentions - 0

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

21 Application 23/00309/FUL - Hillborough Allotments, Stanley Road

Introduction

The Committee considered an application for the proposed erection of replacement fence and vehicle gate on the southern perimeter and entrance at Midland Road and the erection of concrete posts and fence on the northern perimeter adjacent to Byfield Rise at Hillborough allotments, Stanley Road.

Reason Why Being Considered by Planning Committee

The application had been referred to Planning Committee as the applicant is Worcester 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 representation 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. Officers responded to questions and points of clarification from Committee Members.

Public Representations

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

Committee Members welcomed the proposals.

A proposal to approve the application was made and this was seconded. There being no further points made the Legal Team Manager 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 - 10

Against - 0

Abstentions - 0

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

22 Annual Review of Planning Decisions

The Committee received a report to agree the arrangements for the annual site inspection of a sample of implemented planning decisions for all Councillors.

Section 13 of the 'Good Practice Protocol for Councillors and Employees Dealing with Planning Matters' (Part 12 of the Council's Constitution) recommends that Councillors visit a sample of sites where planning permissions have been implemented in order to assess the quality of those decisions and outcomes on the ground.

Previously organised site visits have focused on a cross-section of development types. All Councillors will be encouraged to take this opportunity to view the selection of implemented developments across the city.

The recommended site visits by officers were highlighted at paragraph 3.2 of the report and it was proposed that a maximum of six sites would be visited to make the inspections manageable on the day. Members were encouraged to suggest other sites for inclusion and to let the Service Manager – Development Management know by Friday 18th August 2023.

Committee Members were informed that the suggested date and time for the site visits was Thursday 14th September 2023 commencing at 10.00am, subject to the availability of transport and the availability of Members.

The final list of sites and itinerary to be agreed with the Chair and Vice Chair and circulated to all Members.

Several suggested sites were put forward by Members, namely Rose Bank, and Wilks Close, which the Service Manager - Development Management agreed to look at.

The Service Manager – Development Management responded to questions and points of clarification from Committee Members.

RESOLVED: That the Committee agree the recommended site visits and to the suggested date and time of Thursday 14th September 2023 commencing at 10.00am.

23 Any Other Business

None.

Duration of the meeting: 3.00p.m. to 5.48pm

Chair at the meeting on
24th August 2023