

## **PLANNING COMMITTEE**

**14th December 2023**

**Present:** Councillor Karen Lewing in the Chair

Councillors Agar (Vice-Chair), Allcott, Amos, Bisset (in place of Councillor Round), Cross, Desayrah, Riaz (in place of Councillor Udall) and Smith

**Apologies:** Councillors Cleary, Round and Udall

### **59 Declarations of Interest**

None.

### **60 Minutes of Previous Planning Committee**

**RESOLVED:** That the minutes of the meeting held on 19<sup>th</sup> October 2023 be approved as a correct record and signed by the Chair.

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

**RESOLVED:** That the minutes of the Conservation Advisory Panel meetings held on 4<sup>th</sup> October and 1<sup>st</sup> November 2023 be received.

### **62 Site Visits**

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

Application 22/01053/FUL – Former Berwick Arms, 250 Bath Road

### **63 Public Participation**

None.

### **64 Public Representation**

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

### **65 Application 22/01053/FUL - Former Berwick Arms, 250 Bath Road**

#### **Introduction**

The Committee considered an application for the change of use from residential dwelling (Use Class C3) to a 3-bedroom House of Multiple Occupation (HMO) (Use Class C4) at the former Berwick Arms, 250 Bath Road.

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

The application was originally referred to Planning Committee at the request of Councillor Denham on the grounds as set out in paragraph 1.2 of the report.

## **Report/Background/Late Papers**

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

There were no late papers circulated

The application was originally reported to Planning Committee on 19<sup>th</sup> October 2023, but was deferred to allow for a site visit to take place and for a Car Park Management Plan to be submitted, which was attached as Appendix 1 to the report. The officer report had been updated accordingly.

## **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 Senior Planning Officer informed Committee Members that an additional condition (10) had been added following the submission of the Car Park Management Plan in order to ensure compliance.

## **Public Representations**

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

## **Key Points of Debate**

- Concerns were still raised that the rooms that were originally bedrooms are now storage rooms of exactly the same size. It was noted however that a condition (3) had been applied to say no more than 3 bedrooms to be added without planning permission. The Service Manager – Development Management reassured Members that any additional bedrooms would require planning permission. In terms of licensing arrangements, Strategic Housing Services would need to check and issue a licence in accordance with the planning permission granted. Officers were comfortable with this and that the condition would be enforceable.
- It was felt that the property was not appropriate for conversion as an HMO and some Members preferred to see it as 2 separate flats for family use. It was commented that Stanley Road is the only point of access from Bath Road to Cherry Orchard which had businesses in the vicinity, car show room and day centre.
- Concerns were still raised that the 3 bedroom HMO could eventually become an 8 bedroom HMO which would impact on parking in the area.

The Local Highway Authority representative confirmed that their assessment has been carried out on a 3 bedroom HMO which would require 3 spaces, but is currently a 4 bedroom dwelling with 2 spaces, therefore already deficient of 1 space. She accepted that this was a busy area but referred Committee Members to paragraph 111 of the National Planning Policy Framework whereby refusal on highway grounds could only be given if there would be an unacceptable impact on highway safety or impact on the road network would be severe.

- The Service Manager in response to a question as to why a 3 bedroom HMO he stated that this was on the advice of the Local Highway Authority and officers based on amenity space and parking. He referred Committee Members to condition 6 which related to the removal of permitted development rights which will not allow for any extensions or additions to be built without permission, it was considered that this would be unsuitable on this site anyway.
- In response to a comment about the parking deficiency the Service Manager stated that this exists at the moment. With regard to enforcing conditions the Service Manager confirmed that resources are available, and although there may have been issues in the past, that is not now and he had no concerns about enforcing conditions if this was required.
- The Chair did highlight that following the site visit it was noted how close the bus stops are to the site and the additional cycle parking available. It was also noted when on the site visit that the proposed cycle storage has a steep ramp and a drainage cover in that area, the surface at the rear was also in a bad condition, which would cause accessibility issues.
- The Chair referred Committee Members to page 18 of the officers report and the comments of the Local Highway Authority with regard to cycle parking which provided reassurance. The Service Manager also referred Members to condition 8 referring to details of accessibility to be submitted in advance. It was noted that condition 4 was a repetition of condition 8 and would be deleted.
- With regard to enforcement it was asked if the enforcement team would keep a watch and brief on the development following concerns raised. The Service Manager stated that the applicant could be provided with an advance prior notice to be given to the authority of first occupation which would give officers the opportunity to visit the site and the internal arrangements. This could be added as an additional condition if Members wish. This was agreed by Committee Members.
- Committee Members agreed that the proposal for a 3 bedroom HMO was preferred to a 8 bedroom HMO and this application would enable the authority to regularise what is being proposed. The Article 4 Direction also allows the city to control the number of HMOs within a 100 metres radius.
- Some Members felt that the proposal was an inefficient use of space of what is being proposed and what it is currently and considered this a detrimental step back, on balance of sustainability this is not sustainable and it was felt that this was not an improvement and was a loss of a family

home. The Service Manager stated that in terms of the planning aspect there was no policy that restricts 4 bedroom properties being converted to HMOs. From a planning prospect there are no policies to change this from a moral point of view.

- In terms of the site visit there was a discussion about the drainage and what else was below the surface. The Service Manager stated that although condition 8 would provide the detail he could add an informative note for the applicant with regard to drainage and services. This was agreed.

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 to approve was agreed, subject to the deletion of condition 4, an additional condition requiring prior notice to be given to the Local Planning Authority of first occupation and provision of access, and an additional informative on drainage and services.

For - 7  
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 deletion of condition 4, an additional condition requiring prior notice to be given to the Local Planning Authority of first occupation and provision of access, and an additional informative on drainage and services; 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 and issue the Decision Notice.**

**66 Application 23/00776/FUL - Transmec UK Ltd. Wainwright Road**

**Introduction**

The Committee considered an application for the proposed extension of an existing industrial warehouse space to suit requirements of the existing occupier, Transmec UK Ltd; Wainwright Road.

**Reason Why Being Considered by Planning Committee**

The application has been referred to Planning Committee as it is a major planning application and a call in request from Councillor Hodgson has been made (correspondence dated 30<sup>th</sup> October 2023).

## **Report/Background/Late Papers**

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

The Committee's attention was drawn to the late paper which related to the withdrawal of the objection to the proposal from Warndon Parish Council.

## **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 Service Manager – Development Management explained the Warndon Section 52 Agreement, outlined in paragraphs 7.65-7.70 of the report. He informed Committee Members that the proposal included a Deed of Variation of this agreement, which is to be varied to make the development acceptable, appendix 1 attached to the report refers.

The Service Manager highlighted the benefits of the proposal, which were outlined in paragraph 7.7 of the report.

## **Public Representations**

The following person had registered to speak on the application:

Roland Lee, Hale Architecture – Agent for the applicant.

## **Key Points of Debate**

- The agent in addressing the Committee confirmed that the space is required for the expansion of the storage facilities to meet customer demand and future expansion and cements Transmec's future on the site. He confirmed that consultee comments had been addressed, although a small part of the green space is to be lost it has been reduced to an acceptable minimum balanced with an enhanced landscaping scheme. He welcomed the withdrawal of the objection from Warndon Parish Council.
- The agent responded to questions from Committee Members, particularly around job creation figures from the proposal, and the number of lorry movements to and from the site the proposal would create. The agent clarified the number of additional jobs created by the proposal, initially 15, but was unable to confirm the exact number of vehicle movements, but it was not a huge increase.
- The agent was also asked if the applicant would be amenable to helping to reduce the access just beyond the verge at Offerton Lane, which has had long standing issues with fly tipping, and/or additional CCTV in managing this perimeter and to also consider the possible increase in the provision of cycle spaces. The agent agreed to report these matters back to the applicant.

- In respect of tree planting and landscaping, the Service Manager, confirmed that conditions 5 (Tree Protection Plan) and 7 (Landscape Scheme) would apply and that condition 9 (Construction Environmental Management Plan) would cover any displaced parking.
- Committee Members welcomed the proposal, with a local business investing in the city and providing job opportunities. Anything that can be done to mitigate the surface of Offerton Lane and stop the fly tipping was also welcomed by Members.

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 to approve was agreed.

For - 9  
Against - 0  
Abstentions - 0

**RESOLVED: That the Committee grant planning permission, subject to the signing of a deed of variation relating to the planning agreement for the Warndon development, in accordance with the heads of terms in Appendix 1, and subject to the conditions set out in section 9 of the report.**

## **67 Any Other Business**

### Annual Review of Planning Decisions

The Service Manager – Development Management referred Committee Members to the Annual Review of Planning Decisions visit, which had been cancelled for several reasons. This was to be re-scheduled to take place in February 2024, date to be confirmed. The visit was open to all Members to attend and not just those who sit on Planning Committee.

**Duration of the meeting:** 3.00p.m. to 4.22p.m.

Chair at the meeting on  
18th January 2024