

PLANNING COMMITTEE

25th August 2022

Present: Councillor Chris Mitchell in the Chair

Councillors Agar (Vice-Chair), Allcott, Amos, Barnes, Bisset, Cleary, Desayrah, A. Ditta (in place of Councillor S. Ditta), Lewing and Roberts

Apologies: Councillor S. Ditta

31 Declarations of Interest

The following declarations of other disclosable interest were made:

Application 22/00411/HP – 20 Staplow Road
(Minute No. 43)

Councillor Agar – Had called the application in before Planning Committee and was acquainted with the neighbour of the adjoining property, who had objected to the application. Councillor Agar left the room during the consideration of this item, but prior to that addressed the Committee as Ward Member.

Application 21/00551/FUL and 21/00552/LB - Lindisfarne House, 4 Barbourne Terrace (Minute Nos. 38 and 39)

Councillor Lewing stated that she had called in this application and had spoken with the objector. She had not expressed an opinion and was open-minded, she therefore stayed and took part in the discussion.

32 Minutes of Previous Planning Committee

RESOLVED: That the minutes of the meeting held on 28th July 2022 be approved as a correct record and signed by the Chair.

33 Minutes of Previous Conservation Advisory Panel

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

34 Site Visits

There were no site visits.

35 Public Participation

None.

36 Public Representation

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

37 Application 22/00602/HP - 177 Malvern Road

Introduction

The Committee considered an application for the demolition of car port, erection of a single storey upward extension above existing chalet bungalow to create a two storey house, alongside two storey rear extension (including Juliet balcony) and associated fenestration changes (part retrospective) at 177 Malvern Road.

Reason Why Being Considered by Planning Committee

The application had been called in 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 proposal 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

The following people had registered to speak on the application:

Kevin O'Hara (Objector) and Abdul Taroun (Applicant)

Key Points of Debate

- The objector, in addressing the Committee, stated that he had no objection to the original permission, but objected to the Juliet balcony, which was in contravention of the previously approved scheme. The balcony overlooks his rear garden and part of his house. If this retrospective application is approved and carried out in a timely manner and the balcony removed he would have no objection.
- The objector responded to questions from Committee Members relating to enforcement and the regularising of planning applications, of which he understood.
- The Chair asked the Head of Planning to clarify the timing of completion of the proposed works. He stated that there is no guarantee that if an application is approved that the work would be carried out. It would be expected that the applicant or their agent would confirm the timescale of completion, if it takes too long then an enforcement notice can be served.
- The applicant, in addressing the Committee, acknowledged that he should not have built the balcony, but with the onset of the Covid pandemic he

scaled back the project and did not add any new features to the design. He had spoken with neighbours following their objections and in collaboration with the officers confirmed there would be no balcony. Issues of drainage had been raised by neighbours which he agreed to attend to and agreed that work would be completed as soon as possible.

- The applicant responded to questions from Committee Members, particularly around timescale which he agreed would hopefully be completed by Spring/Summer next year.
- Members were reassured by this but some Members still had concerns over the drainage issues. The Interim Head of Development Management stated that there is an existing connection which is shared between the properties and the works for this are devolved to Severn Tret Water Authority and they will resolve any issues with the landowners.
- Clarification was requested as to whether either of the lampposts at the access to the properties needed removing. The County Council Highways representative stated that there no were alterations to the access which would require the removal of either lamppost.

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 as follows:

For – 11
Against – 0
Abstentions – 0

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

38 Application 21/00551/FUL - Lindisfarne House, 4 Barbourne Terrace

Introduction

The Committee considered an application for the demolition of a side extension, erection of 2 semi-detached dwellings together with parking and landscaping at Lindisfarne House, 4 Barbourne Terrace.

Reason Why Being Considered by Planning Committee

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

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 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 for the item.

Public Representations

The following people had registered to speak on the application:

John Stagg (Objector) and Graham Coyle and Nick Carroll (Applicant/Agent)

Key Points of Debate

- The objector, in addressing the Committee, stated that he objected in principle to the development of 2 new dwellings. He provided the Committee with a background to the significance of the house and its history. The proposal he stated would cause significant harm to the listed building. The objector responded to questions from Committee Members
- The Chair acknowledged the interesting information provided by the objector in his address to Committee, but reminded Members that the application before us is for 2 houses to the side of Lindisfarne House, the listed building, and not whether Lindisfarne House can be turned back into a house.
- The applicant and agent in addressing the Committee stated that the heritage of the past at Lindisfarne House could not be restored. City Church who currently occupied the side extension had now outgrown the site and as a charity needed to maximise the assets of the trust. The applicant/agent responded to questions from Committee Members.
- The Chair stated that a number of questions raised by Members are covered in the conditions in length, such as the bat survey and boxes, which is covered by conditions 8 and 9.
- The County Council Highways representative confirmed that parking requirements for the proposal conformed to the design guide.
- Some Members felt that the design for the new homes was ugly and felt that it could be better and that more needed to be done to protect the city's historical assets. Other Members felt that it was too late to be commenting about preserving the city's heritage and did not consider the proposals to be ugly or pastiche.
- It was noted that there were no comments from residents in Barbourne Terrace, although they were consulted and no comments from Historic England.
- Reference was made to the comments of Conservation Advisory Panel who were very positive about the proposals which would bring about considerable improvements to the original building and grounds.

- Some Members felt that this was a good solution for the site with decent sized gardens

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 as follows:

For – 9
Against – 2
Abstentions – 0

RESOLVED: That the Committee grant planning permission, subject to the conditions set out in section 9 of the report and the grant of a satisfactory Listed Building Consent.

39 Application 21/00552/LB - Lindisfarne House, 4 Barbourne Terrace

Introduction

The Committee considered an application for Listed Building consent relating to the demolition of a side extension to Lindisfarne House, 4 Barbourne Terrace.

Reason Why Being Considered by Planning Committee

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

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 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 for the item.

Public Representations

The following people had registered to speak on the application:

John Stagg (Objector) and Graham Coyle and Nick Carroll (Applicant/Agent)

Key Points of Debate

See previous item – Application 21/00551/FUL.

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 as follows:

For – 9
Against – 1
Abstentions – 1

RESOLVED: That the Committee grant Listed Building consent, subject to the conditions set out in section 9 of the report and the grant of a satisfactory planning permission.

40 Application 22/00449/FUL - 55 Martley Road

Introduction

The Committee considered an application for the change of use from a 5 bedroom House in Multiple Occupation (HMO) (Use Class C4) to a 6 bedroom HMO (Use Class Sui Generis) including a proposed ground floor side extension.

Reason Why Being Considered by Planning Committee

The application had been referred to the Committee at the request of Councillor Mitchell on the grounds of overdevelopment of the site and parking concerns.

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 representation and consultations where applicable.

The Committee's attention was drawn to the late paper which related to the amendment of condition 4 with regard to the proposed boundary treatment. Officers recommended that the condition is updated accordingly in the event that planning permission is granted. The Deputy Service Manager, in presenting the report, informed Committee Members that Officers had noted that conditions 2 and 6 needed to be amended to take into account amended plans received for cycle and bin store.

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 Chair stated that the property was an improvement compared to 3/4 years ago, parking requirements had been met and the removal of the fences were seen as a betterment.
- Members asked for clarification on the internal dimensions of the bedroom on the ground floor, this was clarified by the Deputy Service Manager and reference was made to the relevant powerpoint presentation slide.
- Some Members thought the proposal was considered absolutely monstrous and hideous but agreed that this was not a reason for refusal.
- Members welcomed the amendment to condition 4 and acknowledged that there would be some betterment through a condition related to landscaping.

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 as follows, subject to the amendment of conditions 2 and 6 and amendment to condition 4 as set out in the late paper.

For – 10
Against – 0
Abstentions – 1

RESOLVED: That the Committee grant planning permission, subject to the conditions set out in section 9 of the report and to the amendment of conditions 2 and 6 and the amendment of condition 4 as set out in the late paper.

41 Application 22/00100/FUL - 17 New Street

Introduction

The Committee considered an application for the change of use from a hot food take-away and a 3 bedroom flat, to a laundrette and 3 no, residential units for short-term holiday lets; demolition of existing two storey return; erection of a new single and two storey extension to the rear and all associated external works at 17 New Street.

Reason Why Being Considered by Planning Committee

The application had been referred to Planning Committee at the request of Councillor Denham on the following grounds:

- Units do not meet the national minimum space standards;
- Lack of outlook for future residents (ground floor unit in particular); and
- Impact of the laundrette on neighbouring and future residents in terms of noise nuisance and extraction of fumes.

Report/Background/Late Papers

The report set put 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.

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. However, local Ward Member, Councillor Denham, who was unable to attend the meeting had provided her comments on the application, which had been circulated to Members of the Committee prior to the meeting.

Key Points of Debate

- Members raised concerns over the size of the rooms which were smaller than the national standards.
- The comments of the Conservation Advisory Panel were noted who had stated that the proposed residential use is overdevelopment for the site with amenity space for occupants. The Interim Head of Development Management acknowledged their comments but stated that other material circumstances had to be taken into account. He considered that the amenity space probably would be an issue if the flats were permanent.
- Members did question how we would know they were being used as short term and what was the definition of short term holiday lets. In response the Interim Head of Development Management said it can be checked if they pay council tax/business rates and stated that there was no specific definition of short term holiday lets.
- The Head of Planning referred Members to condition 3 in the report which stated that they shall not be occupied as a person or persons' sole main place or residence. If evidence came to light then a planning contravention notice can be served.
- Concerns were raised over the use of large machines in the laundrette and the harm it could cause to the fabric of the old building, together with the noise and steam. It was confirmed that there was a condition in the listed building application to cover this.
- The rear flat was of concern which only had a sky light and no windows which was considered unacceptable.
- Members did comment that businesses should be encouraged and supported and a proposal was made to approve the application, but there was no seconder.

- A proposal was then made to refuse the application on the grounds of overdevelopment, lack of amenity and harm to the listed building, this was seconded.

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 for the reasons given as follows:

For – 9
Against – 0
Abstentions – 2

Contrary to Officer recommendation it was

RESOLVED: That the Committee

- 1. refuse planning permission on the grounds of overdevelopment, lack of amenity and harm to the listed building; and**
- 2. delegates 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 grounds and issue the Decision Notice.**

42 Application 22/00101/LB - 17 New Street

Introduction

The Committee considered an application for the demolition of an existing two storey return; erection of a new single and two storey extension to the rear and internal and external alterations at 17 New Street.

Reason Why Being Considered by Planning Committee

The application had been referred to Planning Committee at the request of Councillor Denham on the following grounds:

- Units do not meet the national minimum space standards;
- Lack of outlook for future residents (ground floor unit in particular); and
- Impact of the launderette on neighbouring and future residents in terms of noise nuisance and extraction of fumes.

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 amendment of condition 8 with regard to the proposed vents. Officers

recommended that the condition is updated accordingly in the event that Listed Building consent is approved.

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. However, local Ward Member, Councillor Denham, who was unable to attend the meeting had provided her comments on the application, which had been circulated to Members of the Committee prior to the meeting.

Key Points of Debate

See previous item – Application 22/00101/LB.

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 follows:

For – 10
Against – 0
Abstentions – 1

Contrary to Officer recommendation it was

RESOLVED: That the Committee

- 1. refuse Listed Building consent as the proposals would result in harm to the listed building; and**
- 2. delegates 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 grounds and issue the Decision Notice.**

43 Application 22/00411/HP - 20 Staplow Road

Introduction

The Committee considered an application for a two storey side and single storey front and rear extensions at 20 Staplow Road.

Reason Why Being Considered by Planning Committee

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

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.

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. However, local Ward Member, Councillor Agar addressed the Committee.

Key Points of Debate

- The local Ward Member, Councillor Agar, informed Committee Members that the neighbour who lives adjacent to this property was unable to attend Committee to address his concerns. Councillor Agar on his behalf outlined these concerns as overdevelopment and out of keeping with the area. He also had concerns with the gap between his property and the proposal.
- In response to a question on the boundary distances between the two properties and the Deputy Service Manager, in conjunction with the powerpoint presentation, clarified the sizes on the extension and ground floor level.
- During discussions it was felt by some Members that the proposal was out of keeping with the area and clearly overdevelopment of the site and a proposal to refuse was made. There were however Members who felt that there were no sound reasons for refusal.
- Based on questions being asked by some Members it was thought that a site plan showing context of the application would have been useful and that the drawings provided were not helpful.

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 for the reasons given as follows:

For – 9

Against – 0

Abstentions – 1

Contrary to Officer recommendation it was

RESOLVED: That the Committee

1. **refuse planning permission on the grounds of out of keeping with the area, overdevelopment of the site and over bearing impact on the neighbouring property; and**
2. **delegates 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 grounds and issue the Decision Notice.**

44 Any Other Business

Interim Head of Development Management

The Committee gave thanks to Mr Andrew Thompson, the Interim Head of Development Management, as this was the last Planning Committee meeting that he would be attending as he was leaving the City Council. Mr Thompson gave thanks to the Committee and to the Planning Team who had supported him during his time at the City Council. He reported that his replacement would be commencing on 5th September 2022.

Appeal Decisions

The Interim Head Development Management referred Members of the Committee to recent planning appeal decisions for Pitmaston House and Rose Villa. He particularly highlighted the comments of the Inspector at paragraphs 7 and 8 for Rose Villa and paragraphs 13 and 14 for Pitmaston House.

He also referred Committee Members to the appeal decisions of 13 Lansdowne Road and 78 Ombersley Road.

The Chair thanked the Interim Head of Development Management for bringing these to the attention of the Committee for which the Committee need to learn from them.

Duration of the meeting: 1.30p.m. to 4.30p.m.

Chair at the meeting on
29th September 2022