

PLANNING COMMITTEE

21st September 2023

Present: Councillor Karen Lewing in the Chair

Councillors Agar (Vice-Chair), Allcott,
Amos, Cleary, Desayrah, Round, Smith,
Stephen and Udall

Also in Attendance:

Councillor Cockeram

33 Declarations of Interest

The following declarations of interest were made:

Application 22/00751/FUL – Land off Broomhall Way (Minute No. 38)

Councillor Round – As a local Ward Member who had been contacted by residents, she had not predetermined the application and came to the meeting with an open mind. Councillor Round elected to speak and vote on the item.

Application 23/00487/FUL – Old Northwick Lane Allotments, Lugano Road (Minute No. 40)

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

The following declarations of other disclosable interest were made:

Application 23/00595/DW3 – Shrub Hill Road (Minute No. 43)

Councillors Desayrah and Lewing – As Members who sat on the Place and Economic Development Committee who had approved the scheme at its meeting on 23rd January 2023. Both Councillors elected not to take part in the discussion and determination of this item.

34 Minutes of Previous Planning Committee

RESOLVED: That the minutes of the meeting held on 24th August 2023 be approved as a correct record and signed by the Chair.

35 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 22/00751/FUL – Land off Broomhall Way

36 Public Participation

None.

37 Public Representation

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

38 Application 22/00751/FUL - Land off Broomhall Way**Introduction**

The Committee considered an application for the change of use of land to provide 10 permanent Travellers Pitches, including the stationing of caravans for residential purposes with ancillary dayroom for each pitch plus associated access, parking, landscaping, engineering and infrastructure works at land off Broomhall Way.

Reason Why Being Considered by Planning Committee

The application had been referred to Planning Committee in accordance with the Scheme of Delegation in that the Corporate Director – Planning and Governance considers this application should be considered by the Planning Committee.

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.

The Service Manager – Development Management provided detailed background on this application for Committee Members.

He stated that after taking all of the benefits of the proposal and weighed them in the planning balance, including the provision of pitches to meet an identified need, it was concluded that the harm to the Strategic policy approach will outweigh any of the benefits that come from the development, the application is therefore unacceptable for these specific reasons and is recommended for refusal, the reasons for refusal were set out in section 9 of the report.

The Chair stated, as a point of clarification, that all Members had been sent an email from the applicant regarding Traveller welfare and inequalities, she confirmed that it had not been circulated as a late paper as it had been received after the deadline for the submission of late papers, which is 4pm on Tuesdays.

Public Representations

The following people had registered to speak on the application:

Objectors

Jason Tait – Agent (Planning Prospects) on behalf of St Modwen Homes (adjacent landowners)

Simon de Garis – On behalf of local residents

John Renshaw – On behalf of St Peter’s Parish Council

Councillor Steve Cockeram – local Ward Member

Supporters

Roger Lethem - Applicant

Matthew Williams – Agent (Williams Gallagher), for the applicant

Key Points of Debate

- The objectors outlined their reasons for objecting to this application, further details to their objections were highlighted in section 6 of the report. The objectors all agreed that there is a need for a site for the Traveller community needs, but this was not the right location for the reasons identified and was not considered suitable from a highway safety aspect. The objectors responded to questions from Committee Members
- The applicant and his agent both spoke in support of the application and stated that there was a need for Traveller pitches in the city and the lack of pitches was not disputed by the City Council. Reference was made to paragraph 8.1 of the report, and it was stated that the scheme is compliant with policy and the reasons for refusal go nowhere near the benefits. The applicant and agent responded to questions from Committee Members.
- Committee Members asked questions about the Public Right of Way (PROW), it was confirmed that this was currently inaccessible and would need to be opened up again and upgraded, if approval given. It would be for the applicant to fund this and secured through an appropriate legal agreement.
- The Service Manager – Development Management was asked to confirm whether the Gypsy and Traveller Accommodation Assessment (GTAA) carries any weight at this stage. It was confirmed that the GTAA has informed the Traveller and Travelling Showpeople Site Allocations DPD which is being considered alongside the revised SWDP and has yet to be submitted to the Secretary of State. It therefore has minimal weight to offer in respect of provision towards the 5-year housing land supply. Worcester City currently does not have any suitable sites to put forward as a proposed allocation in the DPD.
- Reference had been made to the management of the site and the need to impose conditions as part of a management plan, but it was noted that the plans did not include a manager’s office. In terms of crime and anti-social behaviour, which was of concern, the Service Manager – Development Management referred Committee Members to paragraph 7.30 of the report, although a material planning consideration, there needed to be evidence.

- Committee Members were grateful for the site visit prior to the meeting. Some Members felt that they could not be supportive of a proposal that would be cited next to a busy dual carriageway, which would be noisy and polluted and commented that approval would not be given for housing in this location. Some Members did not agree with the comments from highways and the access issues.
- Committee Members commented that when the SWDP was agreed, the land was for green use and saw no reason to change that now. Green space is important and needs to be preserved and protected. The comments of the Landscape Officer outlined in the report were referred to. The site was not considered suitable, although it was agreed that sites need to be found.
- Other Committee Members felt that there is an overwhelming need for these sites, transient sites needed more than static. Approving this would improve the PROW, it would be managed, it would be lit, highways have no objection and there is no evidence of anti-social behaviour.

A proposal to refuse the application had been made, as per the officer's recommendation, 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 was refused for the reasons set out in the report, as follows.

For - 8
Against - 2
Abstentions - 0

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

39 Application 23/00611/FUL - Listers 'U' Dealership, Bromyard Road

Introduction

The Committee considered an application for the refurbishment of an existing car dealership premises, including removal of existing front showroom section and erection of replacement showroom; partial recladding of retained building; provision of new workshop opening to the rear; MOT testing facilities; new valet bay building; new sub-station; reconfiguring of existing vehicle parking and display areas and associated works at Listers 'U' Dealership (Former Renault/Isuzu Dealership), Bromyard Road.

Reason Why Being Considered by Planning Committee

The application had been referred to Planning Committee at the request of Councillor Amos who highlighted the issue of employee parking provision and the significant consequences for neighbouring residential streets.

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.

The Service Manager – Development Management informed Committee Members that this application follows on from a recent planning approval under 23/00243/FUL. Planning permission sought in this current application is similar to the previous planning approval, although this now also involves the provision of an MOT testing facility. The proposed description of the development was outlined in paragraph 3.2 of the report. The applicants have advised that they have a requirement for specific reference to MOT testing facilities to be stated within the application description to satisfy the licensing requirements of the DVLA. This is the basis for this application.

Following concerns raised by a local Ward Member, as outlined in paragraph 1.2 of the report, officers obtained additional information from the applicants and it was agreed to include the provision of a Car and Parking Management Strategy which would be secured by condition, paragraph 7.25 of the report refers. This is the only additional condition from the original planning permission.

Public Representations

The following person had registered to speak on the application:

John Baggott - Agent (Tyler Parkes) for the Applicant

Key Points of Debate

- The agent for the applicant in addressing the Committee stated that the proposal before them was exactly the same as approved, the only difference is the specific reference to the MOT testing facility in the description. The agent for the applicant responded to questions from Committee Members relating to cycle storage facilities, the Travel Plan and the condition relating to the Car Parking and Management Strategy.
- The Local Highway Authority representative confirmed that cycle parking is identified in the travel plan and that it would be prudent to add a condition for safe, secure and accessible cycle parking.
- Committee Members expressed concerns over employee vehicles parking on nearby roads and the consequences for neighbouring streets and how this would be policed. It was noted that there would be an increase of 24 staff to a total of 48 and travel planning measures for staff are expected to

promote sustainable forms of access to the site. Although some Committee Members felt that employees will continue to park in residential areas.

- In view of the concerns raised officers had sought additional information from the applicants in terms of the existing and proposed business operations as a result of the proposed development in this case. Therefore, a Car and Parking Management Strategy has been secured by a condition (condition 8). This would provide the Council with an opportunity to redress any issues of nuisance car parking.
- Some Members agreed that the parking situation is an historical one and that the applicants have not had a good relationship with the local community in the past. It was asked if a community engagement plan could be added as a condition. The Service Manager – Development Management stated that the expansion of condition 8 could be updated to include this.
- Reference was made to the Travel Plan and the level of accreditation it must meet. The Service Manager – Development Management confirmed that it must meet green level as per the condition (condition 5). Committee Members agreed that the travel plan is important, and that choice is important and asked if there was an opportunity to strengthen it. Also how is it enforced and reviewed.
- The Service Manager in response stated that the condition could be updated to include the 'highest' level of the travel plan. He also confirmed that the travel plan is to be submitted by the applicant using the Modeshift STARS Business. Once registered the applicant must ensure that their targets have been uploaded so that progress on the implementation of the travel plan can be monitored by the Local Highway Authority.
- In response to a question on who would be monitoring the staff car parking in the neighbouring streets, the Service Manager – Development Management confirmed that condition 8, the Car and Parking Management Strategy would cover this.

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 was eligible to vote. Following the recording of the votes the proposal to approve was agreed as follows, subject to the amended condition 5 and 8 and the additional condition 9.

For - 6
Against - 3
Abstentions - 0

Councillor Amos asked for his vote against the proposal to be recorded in the minutes.

RESOLVED: That the Planning Committee

- 1. grant planning permission, subject to the conditions set out in section 9 of the report, the amendment to condition 5 to include the**

'highest' level of Travel Plan, the amendment to condition 8 to include 'Community Engagement Plan' and an additional condition (condition 9) related to safe, secure and accessible cycle parking; 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.**

Councillor Allcott left the meeting during consideration of this item. She returned prior to the decision being made and was advised by the Legal Team Manager that she should not speak or vote.

40 Application 23/00487/FUL - Old Northwick Lane Allotments, Lugano Road

Introduction

The Committee considered an application for the proposed erection of 1.8m high replacement boundary fences, vehicle gates and pedestrian gates at various locations to improve security measures at Old Northwick Lane Allotments, Lugano 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 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 Chair welcomed the investment in the City Council's allotment sites as there had been some security issues. These improvement measures would increase the security of the site.
- Reference was made to the neighbour comments on page 39 of the report in relation to their hedge along their boundary and its possible removal.

For clarification the Planning Officer confirmed that the existing fence line was to remain and referred to the plan on page 35 marked pink. It was originally to be replaced with the new fencing, but a site visit confirmed that it was to remain.

- It was asked what type of lock was to be used on the gates. The Planning Officer confirmed that the proposal was for keypad entry on the gates.
- Members commented that this was a substantial fence and asked if there was a way through for wildlife. It was confirmed that there would be minimal impact on the ecology to the site and the Council has a duty to comply with the requirements of the Wildlife and Countryside Act 1981 whilst carrying out the works.

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 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 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.

41 Application 23/00567/FUL - The Green Centre, Gresham Road

Introduction

The Committee considered an application for a construction skills centre for community use with associated fencing, landscaping and parking area amendments at The Green Centre, Gresham Road.

Reason Why Being Considered by Planning Committee

The application had been referred to Planning Committee as the application is submitted by the City Council and the City Council is the freehold owner of the site, subject to a lease to Worcester Community Trust.

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

- Concerns were raised by some Members over the proposed location and its appearance. The reduction of 8 car parking spaces were also of concern and reference was made to the parking survey carried which took place in August at a time when the centre is least used. Reassurances were sought that the access doors at the back will be used for emergency use only and not ventilation.
- Reference was made to the existing shops in this area whereby shop owners had asked for bollards to be placed outside their shops to protect them from overflow parking, as a result of the loss of car parking spaces, and the obstruction/damage to their entrances. Reference was made to a recent accident in this area where an existing bollard prevented a vehicle hitting those in the vicinity. The relevant slide of the powerpoint presentation was shown to Members of the Committee for clarification.
- It was asked if a condition could be added to request that bollards be placed by Mayflower House to protect these shops. The Service Manager – Development Management in response referred Members of the Committee to the plan on the slide of the powerpoint presentation and stated that it identifies land that the City Council can control and where the Local Highway Authority have control. He asked the Local Highway Authority representative to comment as to whether bollards would be acceptable in this shared space.
- The Local Highways Authority representative in response stated that they had not recommended this as necessary and did defer commenting on the application in order to obtain further evidence to support the reduction of 8 car parking spaces. A further 4-week survey, together with 12 months of usage of the centre, was carried out and they were content that there was not going to be an issue and not cause overflow parking. With regard to imposing a condition for bollards, there would need to be a review as to whether this would have an impact on cycling/pedestrian connectivity and vehicle movement. If a condition were to be imposed there would be no guarantee that this would be deliverable.
- The Head of Planning stated that concerns raised were understandable, but it would be whether the condition is reasonable and would meet the necessary tests. He suggested that Committee Members consider the application on its own merits today but may wish to ask the Chair of the Committee to write to the Local Highway Authority to investigate this matter on their behalf. The Chair agreed that she would be happy to do so.
- The Chair commented that this was an excellent proposal as the City Council is investing in the skills of residents and it is a great opportunity for employment provision.

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 was eligible to vote. Following the recording of the votes the proposal to approve was agreed as follows.

For - 8
Against - 0
Abstentions - 1

RESOLVED: That the Committee grant 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 10 of the report.

42 Application 23/00568/FUL - Community Centre, Canterbury Road

Introduction

The Committee considered an application for the erection of a classroom extension and associated landscaping at the Community Centre, Canterbury 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 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 Vice Chair (also the Ward Member) welcomed this proposal, which would be welcomed by residents also. She did raise the question as to whether the proposal would impinge onto the field nearby, which is designated as a Town Green. Although the redline on the plan includes the Town Green, it had been confirmed that the extension does not impinge onto it.

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 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 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.

COUNCILLOR AGAR IN THE CHAIR

43 Application 23/00595/DW3 - Shrub Hill Road

Introduction

The Committee considered an application for the proposed Shrub Hill Quarter Shared Use Link (Pheasant Street to Cromwell Street) at Shrub Hill 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 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 Chair asked the Service Manager to explain what a 'holding' objection meant as there were 3 listed at paragraph 6.2 of the report. He explained for the benefit of Committee Members.
- Members welcomed the proposal and asked if signs could be placed on the bridge, which is very narrow for cyclists and pedestrians, e.g. 'share with care'. Also, with regard to lighting will this be in the plan for extra security.

- The Service Manager – Development Management referred Committee Members to page 94 of the report which made reference to the different types of signage and saw no reason why the one referred to could not be included. With regard to lighting, it was confirmed that there is a condition (condition 8) to ensure safe and suitable access for all users.
- The link between Foregate Street and Shrub Hill was considered important and as this is a public realm scheme it was asked whether the City Council had considered a bus route that would take this in. The Service Manager – Development Management commented that as far as this application goes, he was not aware of anything, but it might be something of a wider consideration for the City Council.

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 was eligible to vote. Following the recording of the votes the proposal to approve was agreed as follows.

For - 6
Against - 0
Abstentions – 0

RESOLVED: That the Committee grant 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.

For voting purposes Councillor Cleary had left the meeting before the consideration of this item.

COUNCILLOR LEWING IN THE CHAIR

44 Any Other Business

Legal Team Manager

The Chair informed the Committee that this was the last meeting the Legal Team Manager, Georgina Coley would be attending as she was leaving the City Council. On behalf of the Committee the Chair thanked her for her valuable, reliable and helpful advice that she had always given the Committee. This was echoed by Committee Members who agreed that the advice given was always very measured and professional and they wished her well for the future.

Duration of the meeting: 3.00p.m. to 6.15p.m.

Chair at the meeting on
19th October 2023