

Application Number	20/00167/FUL & 20/00168/LB
Site Address	International House, 13 Pierpoint Street, Worcester, WR1 1YD
Description of Development	Conversion into 14no x 1-bedroom flats
Expiry Date	26 th March 2021
Applicant	Red Spring
Agent	Miss Stacie Brookes
Case Officer	Dr Paul Collins
Ward Member(s)	Arboretum Ward
Reason for Referral to Committee	Major Development
Key Issues	The principle of development and whether the proposal would be sustainable form of development having regard to the 3 dimensions of sustainable development in terms of its economic role, social role and environmental role.
Web link to application	https://plan.worcester.gov.uk/Planning/Display/20/00167/FUL ; https://plan.worcester.gov.uk/Planning/Display/20/00168/LB
Recommendation	<p>The Deputy Director - Economic Development and Planning recommends that the Planning Committee:</p> <ol style="list-style-type: none"> 1. is minded to grant planning permission subject to the applicant and all persons having an interest in the land entering into an agreement under Section 106 of the Town and Country Planning Act in accordance with the agreed Heads of Terms, and subject to the Deputy Director - Governance being satisfied with the nature of such an Agreement delegate to the Deputy Director of Economic Development and Planning approval to grant the necessary planning permission, subject to the conditions set out in section 9 of this report, and; 2. grants listed building consent subject to the conditions set out in section10 of this report.

1. Background

- 1.1 The application was registered on 18 March 2020 and was due for a decision on 17 June 2020.
- 1.2 However, comments were pending Worcestershire Regulatory Services (WRS) regarding noise and amenity considerations. These were received on 13 August 2020, and recommended refusal on the grounds of noise and environmental amenity.
- 1.3 A lengthy period of discussion, scheme amendment and negotiation between the applicants' agents and Worcestershire Regulatory services (WRS) followed, which resulted in the scheme now being considered acceptable to all parties.
- 1.4 An extension of time for the determination of the application has been agreed until 26 March 2021 to allow determination by the Planning Committee.
- 1.5 The application has been referred to the Planning Committee in accordance with the adopted Scheme of Delegation because it is major development.

2. The site and surrounding area



Figure 1. Site location plan

- 2.1 The application site is in the north of the City Centre, close to Foregate Street Station. It is a grade II listed building and is situated within the Foregate Street & The Tything Conservation Area. Built in 1830, it was the City's first purpose-built public library, which was replaced by the Library and Victoria Institute on Foregate Street. Since then, the building has enjoyed a variety of uses, including as a motor showroom in the early 1950s. From the mid-1960s until the mid-1980s it was used by Kay & Co, latterly as a photographic studio. Kay's also added the garage to the Foregate Street side for use as a loading bay – c.1968. Until recently it was the offices of 'Discover Britain' magazine but has been vacant for a few years.

3. **The proposals**

- 3.1 The proposal is to convert the premises into 15 one-bedroom flats. This will be achieved with minor alterations externally and modernisation of internal space. The proposed development consists of: -

- Basement – 1 unit,
- Ground floor – 7 units, and;
- First floor – 7 units.

In detail the following works are proposed: -

Basement:

Rooms currently used for storage and plant, will remain, with an existing adjoining kitchen and store becoming a new flat (No.14) using the existing access. In addition, a new fire escape will also be formed, and the existing basement windows opened up through the removal of later-added pavement-level grilles.

Ground floor:

Flats 1 & 2 will be created using the existing room layouts;

Flats 3 to 6 will be created by subdividing the lower level of the former main hall at the rear. A new window will be created within flat 3 by adapting a doorway and;

First floor:

Flats 8 to 10 will be created by using an existing room layout but also subdividing an additional long front office between them. Flat 8 requires some opening up between the front and the back.

Flats 11 to 14 will be created by replicating the arrangements for Flats 3 to 6 by subdividing the upper level of the former main hall at the rear. In Flat 11 a new opening will be formed in the floor to expose an existing sash window and create a light well.

In Flats 12 & 13 the existing rear window opening size will be increased to 1800mm wide x 2100mm high and in Flat 14 a light well will be formed around an existing sash window and a new front-facing window opening created to match one on opposite side of the building.

- 3.2 External enhancements will include widening existing windows to the rear as well as adapting former doorways into new windows to side elevations. All windows to newly formed flats will benefit from the introduction of secondary glazing to improve both energy efficiency and noise attenuation. New windows will be sympathetic to the character and appearance of the Conservation Area and the building. Therefore, windows will be conservation type sash windows. Elevations not visible from the street scene will be double glazed.
- 3.3 The application is accompanied by a full set of plans together with a suite of supporting documents that include:
188 0119 01 Site Location Plan A4(1)
188 0119 02 Site Block Plan A4(1)
188 0119 03 Existing Plans A1
188 0119 04 Existing Elevations A1
188 0119 05c Proposed Ga A1
188 19 06b Proposed Elevations A1
188-0119-05(E) Proposed GA-A1
Noise and Vibration Impact Assessment
- 3.4 In accordance with Article 15 (7) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), full details of the application have been published on the Council's website. As such, Members will have had the opportunity to review the submitted plans and documents in order to familiarise themselves with the proposals prior to consideration and determination of the application accordingly.

4 Planning Policy

- 4.1 The Town and Country Planning Act 1990 ('the Act') establishes the legislative framework for consideration of this application. Section 70(2) of the Act requires the decision-maker in determining planning applications/appeals to have regard to the

Development Plan, insofar as it is material to the application/appeal, and to any other material consideration. Where the Development Plan is material to the development proposal it must therefore be taken into account. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application/appeal to be determined in accordance with the Plan unless material considerations indicate otherwise.

4.2 The key legal provisions relating to the consideration of heritage assets in the planning system are s72 (1) and s66 (1) of the Planning Listed Buildings and Conservation Areas Act 1990 which state that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area" and "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

4.3 The Development Plan for Worcester now comprises:

- The South Worcestershire Development Plan (SWDP) which was adopted February 2016, and;
- The Worcestershire Waste Core Strategy, which was adopted on December 2012.

South Worcestershire Development Plan

4.4 The following policies of the SWDP are considered to be relevant to the proposal: -

SWDP 1: Overarching Sustainable Development Principles
SWDP 2: Development Strategy and Settlement Hierarchy
SWDP 4: Moving Around South Worcestershire
SWDP 6: Historic Environment
SWDP 14: Market Housing Mix
SWDP 21: Design
SWDP 22: Biodiversity and Geodiversity
SWDP 24: Management of the Historic Environment
SWDP 26: Telecommunications and Broadband
SWDP 27: Renewable and Low Carbon Energy
SWDP 29: Sustainable Drainage Systems
SWDP 30: Water Resources, Efficiency and Treatment
SWDP 31: Pollution and Land Instability
SWDP 33: Waste

4.5 Policies SWDP 6 and SWDP 24 seek to protect and enhance designated and non-designated heritage assets and guide against development that would cause substantial harm to the significance of any heritage asset. . Policy SWDP 21 which sets generic design principles for development proposals, requires that all development will be expected to be of a high design quality and integrate effectively with its surroundings and that development proposals must complement the character of the area. Furthermore, proposals should respond to surrounding buildings and the distinctive features or qualities that contribute to the visual and heritage interest of the townscape, frontages, streets and landscape quality of the local area and states that the scale, height and massing of development must be appropriate to the setting of the site and the surrounding landscape character and townscape, including existing urban grain and density.

The Waste Core Strategy for Worcestershire – Adopted Waste Local Plan 2012-2027

4.6 The Waste Local Plan was adopted by Worcestershire County Council on 15 November 2012 and is a plan outlining how to manage all the waste produced in Worcestershire up to 2027. The following policies are relevant to this application: -

WCS1 (Presumption in favour of sustainable development)
WCS3 (Re-use and recycle)
WCS17 (Making provision for waste in new development)

Material Considerations

1. National Planning Policy Framework

- 4.7 The latest version of the National Planning Policy Framework (NPPF) was published and came into effect in February 2019. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It constitutes guidance for local planning authorities and decision takers and is a material planning consideration in determining planning applications.
- 4.8 The NPPF outlines a series of considerations against which delivering sustainable development should be assessed. The Government believes that sustainable development can play three critical roles in England: an economic role, contributing to a strong, responsive, competitive economy; a social role, supporting vibrant and healthy communities; and an environmental role, protecting and enhancing our natural, built and historic environment.
- 4.9 Paragraph 130 states: *"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area"*. With regard to heritage assets, paragraph 200 of the NPPF states that *"Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably."* Paragraph 202 continues that *"Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies"*.

2. National Planning Practice Guidance

On 6 March 2014 the Government also published National Planning Practice Guidance (NPPG) that has been updated in the meantime and comprises, amongst other matters: Design, Determining a planning application, Health and Wellbeing, Noise, and Use of Planning Conditions.

3. Supplementary Planning Documents

- 4.10 The following Supplementary Planning Documents (SPD) are relevant to the application proposals: -
- South Worcestershire Design SPD

The South Worcestershire Design SPD was adopted on 5th March 2018 and replaces the previous Supplementary Planning Guidance Note 3: Design (SPG3). Both documents encourage high standards of design for development proposals in accordance with the aims and interests that the NPPF seeks to protect and promote in this regard. The Design Quality SPD is consistent with the planning policies in the SWDP.

- Planning for Health in South Worcestershire SPD

The Planning for Health SPD primarily focuses on the principal links between planning and health. It provides guidance and interpretation of the SWDP from a public health perspective. The SPD addresses following nine health and wellbeing principles:

- Sustainable development
 - Urban form - design and the public realm
 - Housing and employment
 - Age-friendly environments for the elderly and those living with dementia
 - Community facilities
 - Green infrastructure and play spaces/recreation
 - Air quality, noise, light and water management
 - Active travel
 - Encouraging healthier food choices
- Developer Contributions SPD

The Developer Contributions SPD - was adopted by the South Worcestershire Councils on the 20th October 2016. The Developer Contributions SPD sets out the South Worcestershire Councils' approach to seeking developer contributions via the SWDP for infrastructure or environmental improvements required as a result of development. The SPD provides guidance about when planning obligations will be expected, the scale of developer contributions, and how developer contributions will be used.

- Adopted Affordable Housing SPD

The Affordable Housing Supplementary Planning Document covers the administrative areas of Worcester City Council, Malvern Hills District Council and Wychavon District Council and was adopted by The South Worcestershire Councils on 20 October 2016. The SPD explains the details of the South Worcestershire Development Plan (SWDP) policies that relate to the provision of affordable housing. It is a guide intended to help developers, landowners, and applicants applying for planning permission, registered providers and others who are seeking to provide or benefit from affordable housing.

- Renewable and Low Carbon Energy SPD

The SPD relates to policy SWDP 27 of the South Worcestershire Development Plan, which seeks to promote a percentage of energy requirements on qualifying development sites to be provided from renewable energy and/or low carbon sources. The policy also requires large scale development to examine the potential for decentralised energy and heating networks, and also sets out the policy approach for stand-alone renewable and low carbon energy schemes (with the exception of wind turbines).

4. Worcestershire's Local Transport Plan (LTP4) 2018 – 2030

4.11 LTP4 set out issues and priorities for investment in transport infrastructure, technology and services, focussed on supporting travel by all modes. In accordance with national and local objectives, a series of local transport-specific objectives are identified in the LTP4:

- "To support Worcestershire's economic competitiveness and growth through delivering a safe, reliable and efficient transport network.
- To limit the impacts of transport in Worcestershire on the local environment, by supporting enhancements to the natural environment and biodiversity, investing in

transport infrastructure to reduce flood risk and other environmental damage, and reducing transport-related emissions of nitrogen dioxide, particulate matter, greenhouse gases and noise pollution. This will support delivery of the desired outcomes of tackling climate change and reducing the impacts of transport on public health.

- To contribute towards better safety, security, health and longer life expectancy in Worcestershire, by reducing the risk of death, injury or illness arising from transport and promoting healthy modes of travel.
- To optimise equality of opportunity for all of Worcestershire's citizens with the desired outcome of creating a fairer society.
- To enhance the quality of life for Worcestershire's residents by promoting a healthy, natural environment, for people, wildlife and habitats, conserving our historic built environment and preserving our heritage assets."

5. Worcestershire County Council Streetscape Design Guide (2018)

- 4.12 The 'Streetscape Design Guide' (SDG) was produced to aid architects, engineers, planners, developers, designers and other professionals in preparing transport infrastructure related to new developments. It is to be considered in conjunction with Manual for Streets 1 and 2, as well as the Design Manual for Roads and Bridges.
- 4.13 Chapter 4 relates to 'Planning for Parking' and seeks to provide an approach as to how car parking in Worcestershire should be provided to support development in a manner which embraces the NPPF. It is considered that if the applicant is the end user that they are well placed to assess operational demands but all sites must be considered against a planning use class to ensure they equally address the needs of future users. Therefore applications should provide a suitable evidence base to ensure vehicles are not displaced onto the highway to ensure highway safety is not compromised and maintain the free flow of traffic to the benefit of the local economy. This document only reflects a small part of managing vehicle demands and therefore should be read alongside the Local Transport Plan (above) which contains policies to promote sustainable travel through the provision of physical infrastructure and travel planning initiatives.
- 4.14 Car and cycle parking standards are provided within the SDG which replace those contained in WCC's Interim Car Parking Standards (2016). Regarding car parking standards for residential development the SDG states as follows: -

'There is no direct relationship between car parking provision and choice of transport mode, so a minimum provision for residential need should be made to ensure suitable in curtilage storage.

The following are the minimum requirements:

- 1 Bedroom Unit 1 Space, 1 cycle space
- 2 – 3 Bedroom Units 2 Spaces, 2 cycle spaces
- 4 – 5 Bedroom Units 3 Spaces, 2 cycle spaces

These are the minimum requirements. They apply to both Affordable/Social Housing and Market Housing. The requirements apply to flats/apartments and houses. Cycle parking must be sheltered, secure and easily accessible.

6. The New Homes Bonus

- 4.15 The 'New Homes Bonus' is a Government scheme which is aimed at encouraging local planning authorities to grant planning permissions for the building of new homes in return for additional revenue. The Government provides additional funding for new

houses by matching funding the additional council tax raised for new homes with an additional amount for affordable homes for six years. Having regard to Section 70 (2) of the Town and Country Planning Act 1990, the New Homes Bonus is statutory and a local finance consideration in the determination of planning applications. As such, it is a material planning consideration.

5 Planning History

- 5.1 As presented today, the building, and its interior, results from a series of three planning consents granted between 1985 and 1999, namely: -
- L85C0010 Internal alterations in connection with formation of floor to main hall for photographic studio – approved 12 March 1985;
 - L97M0028 Internal and external alterations and refurbishments associated with conversion to office accommodation – approved 05 June 1997, and;
 - P99M0109 & L99M0017 Insertion of windows in rear elevation – approved 22 April 1999.
- 5.2 Successively, the 1985 consent divided the original full height single-story main hall at the rear into two stories, also requiring changes to the main staircase; the 1997 consent converted the building to offices; amongst others, these alterations included the addition of new fire doors and upgrading of existing doors, ramp surfacing; new staircases; a new roof light; chimney stacks, including pots to all flues, and repairs to ceiling cornices. Finally, the 1999 consent saw windows inserted in rear elevation. These features can still be seen today, and it is these later changes that, for the most part, are affected by the current proposals.

Pre-application Engagement

A site meeting was held with the agent on 29 November 2019 to discuss and refine details of these applications.

Public Consultation by Applicant

None

6. Consultations

- 6.1 Formal consultation, including display of site notices, has been undertaken in respect of the application. The following comments from statutory and non-statutory consultees and interested third parties have been received in relation to the original and amended proposals and are summarised as follows: -

Neighbours and other third-party comments: No comments received.

Worcester City Council Archaeological Officer: *"This is an important historic building, purpose built as a public library in c.1839 and repurposed as an art school in c.1876. Both historic uses may be reflected in the building's overall structure and details. More recently it has been a photographic studio and offices. The proposals seem well developed as far as impact on the external fabric and appearance of the building is concerned. However, there is little or no comment on internal features in the heritage statement. The list description notes that the building retains original plasterwork and joinery including panelled shutters to windows. Neither are mentioned in the heritage statement. These features are protected by the building's listing, as much as its external appearance is. It is important that information on the surviving*

extent of these and other features is provided, in the form of a full heritage statement, to allow the impact on the building's significance to be assessed. I am therefore objecting to the application as submitted. In due course I may recommend a suitable level of building recording to document changes to the building. There do not appear to be any concerns about impact on below ground archaeological remains. As a way forward, it was proposed to condition production of a Heritage Statement to make appropriate mention of original internal features and to provide appropriate details/commentary upon their retention/protection. On 26 June 2020 the Archaeological Officer agreed to this approach, and suggested an amended wording for condition AR009, which has been used."

Worcester City Council Landscape and Biodiversity Adviser: *"If all work is internal and excludes any roof voids or roof work, no objection. However, if there is any roof work involved, including eaves etc, a bat assessment should be carried out."* A condition is recommended accordingly.

Worcester City Council Refuse Team: *"The plan shows provision for refuse collections only. We operate an alternative weekly service with refuse collected week 1 and recycling week 2. The appropriate bin capacity for 15 flats would be 2 x 1100 litre black and 2 x 1100 litre green bins. Looking at the proposal the bin store would need to double in size to incorporate the 4 bins. With regards to the proposed location am I right is thinking that access to this area would be gained from the main road through the big red double doors? If so that isn't an issue but we would require any keys or codes the development company put on these doors so that we can gain access to the bin store behind. I preferred the location on the previous plan that was closer to the road and meant a shorter distance for collection crews to move the bins but as the size of the bins store will need to be increased to house the 4 bins I understand this location would need to be reviewed anyway."*

Worcester City Council Planning Policy: Commented as follows: -

- No CIL issues provided it is not proposed for Student Accommodation.
- SWDP 4 – Travel Plan requirements needed
- SWDP 8, part F not applicable as under 1,000 sq.m.
- Is located next to the Marrs Bar. Potential noise issues/complaints (SWDP 31).
- Located in a conservation area.

Overall, no concerns from a planning policy perspective except for potential noise related issues/complaints arising from future residents. These are covered by conditions.

Worcestershire County Council (Highway Authority): *"It is noted that there is no parking associated with the proposed development however it is in a highly sustainable city centre location, close to amenities, services, employment sites and public transport links. There are parking restrictions in place on Pierpoint Street to prevent displacement parking.*

The submitted Planning Statement indicates that cycle parking could be provided within the courtyard. This provision should be made to support the sustainable credentials of the site and a suitable condition has been applied. A Welcome Pack to promote sustainable travel options should be provided to future occupants." Conditions are recommended accordingly.

Worcestershire Regulatory Services (Air quality): No objection.

Worcestershire Regulatory Services (Nuisance): Made representation on the basis of noise nuisance for residents and subsequent changes have been made to the scheme based on these concerns, as fully detailed in paragraphs 7.25 - 7.49.

Lead Local Flood Authority: Ahead of this application, the applicants consulted the Environment Agency regarding flood risk. The Agency replied that the: - 'location is in flood zone 1, an area with a low probability of flooding'.

West Mercia Constabulary Crime Risk Manager: *"With reference to the Design and Access Statement there is very little and limited information with reference to the security of the development. I would want to see, Secure access control into the communal area of the development and on each individual property a rim latch and five lever mortice lock to secure the doors. There are no details of the secure cycle store, cycle thefts are a concern in the city therefore further details of the proposed store is required. Finally, the development is located close to licenced premises which are licenced to play amplified music, therefore appropriate measures need to be considered for future residents ensuring complains of noise are not a regular occurrence."*

Historic England: *"Based on the information available to date, we do not wish to offer any comments."*

Conservation Advisory Panel: Panel members commented individually in lieu of a meeting. Several concerns were expressed regarding light:

- There are no windows or natural light to bedrooms to flats 4 and 5, it was suggested a light well fed by roof lights to drop through flats above in location of adjoining stores.

I note this comment, however, according to submitted drawing (188-0119) 05 (dated July 2019), both flats have a window, and there is a note against each one which reads: - *'Increase existing window opening size to 1.5m²'*.

- Further suggestions include a light shaft and roof lights in lieu of sun tubes to bedrooms to flats 12 and 13 above. Details of light wells serving bedrooms to flats 3 & 6 and 11 & 14 should be sought prior to approval as fire and sound separation requirements could lead to the omission of these or a request to alter the external fenestration.

I note this comment, however, as built, the rear of the building was a large, single, double-height, single-storey room, into which a mezzanine floor was introduced to create more floor space when the application site was in use as offices. On each side elevation this large room had full height sash windows, which the mezzanine had to be formed around. In order to accommodate these, glazed enclosures were formed to enable the sashes still to open; these will remain and be incorporated into the proposed development.

- The light well in Flat 3 is existing, and Flat 6 has no light well shown on submitted drawing (188-0119) 05 (dated July 2019), having two windows, one to be adapted from an existing doorway.

Again, the light wells in flats 11 & 14 are also existing, with that in the former being enhanced; a note on the submitted drawing says: - *'Form opening in floor to expose existing sash window to create light well'*, which I consider to be sufficient detail; the floor in question not being historic fabric, as noted above.

The Panel also emphasised the importance of the material choice for the front elevation and for Flat 7. The Panel commented that the scheme is not acceptable in its current format due to concerns of natural light provisions, which have been discussed in detail above.

- 6.2 Members have been given the opportunity to read all representations that have been received in full. At the time of writing this report no other consultation responses have been received. Any additional responses received will be reported to members verbally or in the form of a late paper, subject to the date of receipt.
- 6.3 In assessing the proposal due regard has been given to all consultation comments as material planning considerations.

7. Comments of Deputy Director - Economic Development and Planning

- 7.1 Policy SWDP 1 of the South Worcestershire Development Plan sets out overarching sustainable development principles and these are consistent with the Framework. The various impacts of the development have to be assessed and the benefit and adverse impacts considered, to establish whether what is proposed is sustainable development. Taking the above matters into account I consider the main issues raised by the proposal relate to the principle of development and whether the development would be sustainable, having regard to the 3 dimensions of sustainability set out in the Framework: economic, social and environmental, in particular with regard to:

1. The economic role;
2. The social role:
 - affordable housing;
 - housing mix;
3. The environmental role:
 - impact on heritage assets;

- impact on future and neighbouring residents' amenities;
- access, car parking and highway safety;

These issues will now each be considered in turn.

The Principle of Development

- 7.2 The site is located within the City Centre comprising a mixture of residential, leisure, office and retail uses. The conversion to residential use is considered to be compatible with these uses and consistent with the aims of the NPPF. The provision of residential accommodation in a sustainable location such as this City centre site is welcomed. Accordingly, there is no objection to the principle of the proposed uses on the site. Furthermore, it is Officer opinion that there would be benefits in bringing this listed building into full use in terms of the maintenance of the building. In this respect the proposal is welcomed too.
- 7.3 Notwithstanding the above, it is appreciated that where new development is introduced, it is important to evaluate whether the proposals would represent a sustainable form of development.

Sustainable Development

1. The economic role

- 7.4 In the short term the proposal would see the creation of construction jobs for the construction period of the project and some on-going opportunities for the provision of goods and services. The longer-term benefits would be that it would help support local services and would potentially increase the level of disposable income in the area. Upon completion, the development would also attract a New Homes Bonus payment. In my opinion, this weighs in favour of granting planning permission.

2. The social role

- 7.5 The key aim is to bring back into use a listed building located in the City Centre which has been vacant since 2015. This will:
- Provide much needed residential accommodation in the city centre;
 - Contribute to regeneration of the city centre;
 - Bring an economical and viable use to a listed building and prevent it from decay, and;
 - Contribute towards sustainable development.

As a consequence, it has valuable social roles which I consider weigh in favour of granting planning permission.

Affordable Housing

- 7.6 Policy SWDP 15 requires the provision of affordable housing on residential development schemes of 15 dwellings or more. The requirement is 30% which, based on a scheme of 15 dwellings, would give a theoretical figure of 4.5 dwellings. However, as the proposal entails the conversion of an existing vacant building the proposal would benefit from Vacant Building Credit (VBC). Running the VBC calculation on the actual amount of vacant floorspace in this case provides the following:

Floor	Number of units	Internal Area
Basement	1	Flat 14: 61m ²
Ground	6	Flat 1: 49.8m ² Flat 2: 49.8m ² Flat 3: 56.0m ² Flat 4: 28.0m ² Flat 5: 30.0m ² Flat 6: 30.0m ²
First	7	Flat 7: 37.0m ² Flat 8: 38.2m ² Flat 9: 37.8m ² Flat 10: 56.0m ² Flat 11: 30.0m ² Flat 12: 30.0m ² Flat 14: 30.0m ²
Total	14	563.6m ²

- 7.7 The total existing floor area is (excluding the garage) 965.4 sq.m.
- 7.8 The proposed floor area would be 563.6 sq.m (excluding the basement plant and storage area). As such there would be no uplift.
- 7.9 However, if the basement plant and storage areas were included (as they would serve the proposed flats) this would equate to 815sq.m producing an uplift of 251 sq.m
- 7.10 as the (maximum) proposed total gross floorspace (815 sq. m) is still less than the amount of floorspace eligible for vacant building credit (965.4 sq. m), no affordable contribution is required i.e.:

For a brownfield site of 14 units in Worcester City 30% of the dwellings should be affordable.

- 30% of 14 dwellings = 4.2 affordable dwellings
- The proposed total gross floorspace for all new dwellings units is 815 sq. m
- The floorspace of vacant buildings eligible for the credit is 965.4 sq. m.
- $815 - 965.4 = -149.4$
- $-149.4/815 = -0.18$
- $4.2 \times -0.18 = -0.75$

- 7.11 Therefore, no affordable contribution is required.

Housing Mix

- 7.12 The NPPF states that the planning system needs to perform a number of roles, including a social role in supporting strong, vibrant and healthy communities, by providing a supply of housing required to meet the needs of present and future generations. This is reflected in policy SWDP 2.
- 7.13 Policy SWDP 14 states under part A that all new residential developments of five or more units, having regard to location, site size and scheme viability, should contain a mix of types and sizes of market housing.

The mix will be informed by the latest Strategic Housing Market Assessment and/or other local data, for example, Neighbourhood Plans, Parish Surveys, Parish Plans and developers' assessments. In this respect, the development would provide only 1-bed flats rather than a mix of types and sizes of market housing.

- 7.14 However it is Officer opinion that the location of the application site and flatted nature of the development site are such that a development of smaller units as is proposed is acceptable in this location and will meet a need for the 'millennial' housing market. Furthermore, it is considered that the layout of the host building is such that it lends itself to the conversion in the manner proposed. On balance, the proposal is considered to be appropriate to the site location in terms of housing mix.

3. The environmental role

Impact on heritage assets

- 7.15 The application site is a grade II listed building that stands within the Foregate Street & The Tything Conservation Area and is within an Archaeologically Sensitive Area. As such, the proposals should be considered against Policies SWDP 6 and SWDP 24 which seek to protect and enhance designated and non-designated heritage assets and guide against development that would cause substantial harm to the significance of any heritage asset. Policy SWDP 6 states that "Development proposals should conserve and enhance heritage assets, including assets of potential archaeological interest" and "Development proposals will be supported where they conserve and enhance the significance of heritage assets, including their setting".
- 7.16 This is consistent with the NPPF in that they seek to protect and enhance designated and non-designated heritage assets and guide against development that would cause substantial harm to the significance of any heritage asset. In accordance with the NPPF great weight must be given to the conservation of designated heritage assets and in accordance with s66 of the Planning Listed Building and Conservation Areas Act 1990, special regard is to be had to the desirability of preserving listed buildings or their settings.
- 7.17 There is a substantial amount of planning case law regarding how a decision taker must address the issue of harm to heritage assets, such as listed buildings. Essentially, this makes it clear that the decision maker is required to give considerable importance and weight to the desirability of avoiding harm to the heritage asset. There is accordingly a strong presumption, imposed by the Planning Listed Buildings and Conservation Areas Act 1990, against harmful development. This is the case whether the harm is 'substantial' or is 'less than substantial'. There is no specific test in the NPPF of what differentiates substantial harm from other harm for the purposes of national policy. Whilst the judgments are not prescriptive as to where the threshold between 'substantial' and 'less than substantial' lies, nevertheless case law has been established that for harm to be substantial, the impact on significance is required to be serious such that very much, if not all, of the significance of the asset is eroded, for example by complete demolition.
- 7.18 Overall, the original date of the former library – 1830 – belies that of its interior, which is what the current application mainly affects. The planning history charts the changes made to the building over the years. Although internal spaces have been reworked, these changes have generally retained existing features. In the current scheme these will again be retained, and reinforced. The front facade will be retained, as will the general layout of the floors, notably with the retention of the existing focal staircase as the main circulation element within the building.

- 7.19 Internally, the main changes will involve the sub-division of the floor area to the rear of the building; the existing floor being added in to a space which was previously a full-height single-storey one with a feature curved ceiling and feature side windows, which at present are split with modern fire glazed partitions in a very unsatisfactory and clumsy finish to both levels. Almost exclusively, these proposed interventions only affect more modern fabric. On the ground floor, the garage, which is proposed to become Flat 7, is a free-standing structure, erected c.1968' and the floor to be cut through on the first floor was consented in 1985, with the rear windows to be enlarged being consented in 1999.
- 7.20 External enhancements will include widening existing windows to the rear as well as adapting former doorways into new windows to side elevations. All windows to newly formed flats will benefit from the introduction of secondary glazing to improve both energy efficiency and noise attenuation. New windows will be sympathetic to the character and appearance of the Conservation Area and the building. Therefore, windows will be conservation type sash windows. Elevations not visible from the street scene will be double glazed.
- 7.21 Regarding the comments received, those from the Archaeological Officer and Landscape Consultant have been dealt with by setting the conditions recommended relating to a Photographic Survey before work commences; no works below ground level; a Written Scheme of Investigation, and an Ecological Mitigation and Enhancement Scheme. Historic England did not wish to offer any comments. The Conservation Advisory Panel's comments were based upon a particular reading of the submitted plans and resulting concerns about an apparent lack of natural light to some of the proposed flats, which were in fact unsubstantiated if the plans are studied in detail.
- 7.22 Overall, I consider that the proposed scheme has been drawn up in a manner that is respectful of the historic fabric and would minimise both harm to and loss of it from this listed building, In summarising the likely effects of the proposal on heritage assets and having full regard to the policies in the development plan and national guidance it is assessed that the proposed development would have less than substantial harm to the significance of the designated heritage assets. Paragraph 196 of the NPPF requires a balancing exercise to be undertaken between the "less than substantial harm" to the designated heritage asset on the one hand, and the public benefits of the proposal on the other including, where appropriate, securing its optimum viable use. Taking this into account, I am of the opinion that the less than substantial harm would be outweighed by the public benefits of the proposals, namely the refurbishment and restoration of the listed building into full and beneficial use. A use that would be compatible with the surrounding area and that would reflect responsible stewardship of the building.

Impact on neighbouring residents' amenities

- 7.23 The site lies adjacent to residential properties located within Pierpoint Street. Policy SWDP 21 requires that new development does not have a significant adverse effect on neighbouring amenity. This is consistent with paragraph 127 of the NPPF that requires planning policies and decisions, amongst other matters, to ensure a high standard of amenity for existing and future users of land and buildings.
- 7.24 Whilst the proposal would represent a significant intensification in the use of the site I do not consider it to be such that it will result in harm to the occupants of surrounding properties through overlooking, loss of light or noise disturbance.

However, the introduction of the proposed development could give rise to potential noise and disturbance for the occupiers of the surrounding properties during the construction phase as a result of the movement of construction and related traffic and conversion works.

Residential amenity for future occupiers

- 7.25 The application site is in a vibrant part of the City which plays a key role in its night-time economy. Pierpoint Street is within easy walking distance from Foregate Street Station and the area has many bars and restaurants. The street itself is geographically small and used predominantly for entertainment and commercial use. There is a J.D. Wetherspoon public house and an Odeon Cinema located at one end and the 'Marrs Bar' Live music club (12 Pierpont Street) at the other, next door to the proposed development.
- 7.26 For the last 20 years the 'Marrs Bar' has established itself as the City's only dedicated live music venue and it has played a very important role in the cultural development of Worcester's music and arts scene. The venue is extremely popular and draws the public from afar. It is currently licenced for live music, entertainment and the consumption of alcohol until 04:00 all year round. The J.D. Wetherspoon pub is licenced to sell alcohol to the public until 01:00.
- 7.27 The proximity of the site to the 'The Marrs Bar' and, to a lesser extent, 'The Postal Order' PH, has the potential to cause noise and disturbance to future residents of the proposed development.
- 7.28 Government policy on noise is set out in the National Planning Policy Framework. Paragraph 170 (e) of the NPPF states:
- 'Planning policies and decisions should contribute to and enhance the natural and local environment by:
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;'
- 7.29 In addition, paragraph 180 (a) stipulates:
- 'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;'
- 7.30 In particular, paragraph 182 introduces the 'agent of change' principle i.e. the principle by which a person or business introducing a new land use is responsible for managing the impact of that change to ensure that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established:

“Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”

7.31 Under the agent of change principle, the responsibility for ensuring that that the occupants of a new noise sensitive development will not be adversely affected by noise from an existing noisy use is placed on the promoter of the new development, with suitable mitigation measures provided before the development has been completed. The intention is that issues of potential noise conflict are considered and resolved by the housing developer at the planning application stage.

7.32 Paragraph 180 of the NPPF also refers to advice on adverse effects of noise given in the Noise Policy Statement for England (NPSE). This document sets out a policy vision to:

Promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development.

7.33 To achieve this vision the NPSE identifies the following three aims:

Through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development:

- *Avoid significant adverse impacts on health and quality of life;*
- *Mitigate and minimise adverse impacts on health and quality of life;*
- *Where possible, contribute to the improvement of health and quality of life.*

7.34 In achieving these aims the document introduces significance criteria as follows:

SOAEL – Significant Observed Adverse Effect Level

This is the level above which significant adverse effects on health and quality of life occur. It is stated that “significant adverse effects on health and quality of life should be avoided while also considering the guiding principles of sustainable development”. Residential Noise Survey Unit 2, Pope Iron Road, Worcester, WR1 3HB

LOAEL – Lowest Observed Adverse Effect Level

This is the level above which adverse effects on health and quality of life can be detected. It is stated that the second aim above lies somewhere between LOAEL and SOAEL and requires that: “all reasonable steps should be taken to mitigate and minimise adverse effects on health and quality of life while also considering the guiding principles of sustainable development. This does not mean that such adverse effects cannot occur.”

NOEL – No Observed Effect Level

This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise. This can be related to the third aim above, which seeks: “where possible, positively to improve health and quality of life through the pro-active management of noise while also considering the guiding principles of sustainable development, recognising that there will be opportunities for such measures to be taken and that they will deliver potential benefits to society. The protection of quiet places and quiet times as well as the enhancement of the acoustic environment will assist with delivering this aim.”

- 7.35 The NPSE recognises that it is not possible to have a single objective noise-based measure that is mandatory and applicable to all sources of noise in all situations and provides no guidance as to how these criteria should be interpreted. It is clear, however, that there is no requirement to achieve noise levels where there are no observable adverse impacts but that reasonable and practicable steps to reduce adverse noise impacts should be taken in the context of sustainable development and ensure a balance between noise sensitive and the need for noise generating developments.
- 7.36 Pertinent advice is also given in NPPG: Noise (last updated on 22nd July 2019) that provides advice on how planning can manage potential noise impacts in new development and confirms that consideration should be given to the potential effects of locating new residential development close to existing businesses that cause noise. Paragraphs 9 and 10 advise:

“How can the risk of conflict between new development and existing businesses or facilities be addressed?”

Development proposed in the vicinity of existing businesses, community facilities or other activities may need to put suitable mitigation measures in place to avoid those activities having a significant adverse effect on residents or users of the proposed scheme.

In these circumstances the applicant (or ‘agent of change’) will need to clearly identify the effects of existing businesses that may cause a nuisance (including noise, but also dust, odours, vibration and other sources of pollution) and the likelihood that they could have a significant adverse effect on new residents/users. In doing so, the agent of change will need to take into account not only the current activities that may cause a nuisance, but also those activities that businesses or other facilities are permitted to carry out, even if they are not occurring at the time of the application being made.

The agent of change will also need to define clearly the mitigation being proposed to address any potential significant adverse effects that are identified. Adopting this approach may not prevent all complaints from the new residents/users about noise or other effects, but can help to achieve a satisfactory living or working environment, and help to mitigate the risk of a statutory nuisance being found if the new development is used as designed (for example, keeping windows closed and using alternative ventilation systems when the noise or other effects are occurring).

It can be helpful for developers to provide information to prospective purchasers or occupants about mitigation measures that have been put in place, to raise awareness and reduce the risk of post-purchase/occupancy complaints.

How can planning address the adverse effects of noise sources, including where the ‘agent of change’ needs to put mitigation in place?

This will depend on the type of development being considered the type of noise involved and the nature of the proposed location. In general, for developments that are likely to generate noise, there are 4 broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;

- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

For noise sensitive developments, mitigation measures can include avoiding noisy locations in the first place; designing the development to reduce the impact of noise from adjoining activities or the local environment; incorporating noise barriers; and optimising the sound insulation provided by the building envelope. It may also be possible to work with the owners/operators of existing businesses or other activities in the vicinity, to explore whether potential adverse effects could be mitigated at source. Where this is the case, it may be necessary to ensure that these source-control measures are in place prior to the occupation / operation of the new development. Where multiple development sites would benefit from such source control measures, developers are encouraged to work collaboratively to spread this cost. Examples of source control measures could include increased sound proofing on a building (e.g. a music venue) or enclosing an outdoor activity (e.g. waste sorting) within a building to contain emissions.

Care should be taken when considering mitigation to ensure the envisaged measures do not make for an unsatisfactory development.”

7.37 Professional Practice Guidance on Planning and Noise (ProPG) has also been published by the Institute of Acoustics (IOA), Chartered Institute of Environmental Health (CIEH) and Association of Noise Consultants (ANC) to provide practitioners with guidance on the management of noise within the planning system in England. The guidance aims to:

- Advocate full consideration of the acoustic environment from the earliest possible stage of the development control process;
- Encourage the process of good acoustic design in and around new residential developments;
- Outline what should be taken into account in deciding planning applications for new noise-sensitive developments.
- Promote appropriate noise exposure standards; and
- Assist the delivery of sustainable development.

7.38 The advice and procedures contained in the ProPG are restricted to the consideration of new residential development that will be exposed predominantly to airborne noise from existing transport sources. New housing is the most common type of new residential development, however the ProPG can also be applied to other types of residential developments such as residential institutions, care homes etc.

7.39 A noise and vibration impact assessment has been undertaken that was conducted between 5th and 6th December 2019. Three aspects of noise and vibration were considered: -

i) Plant associated with the basement level commercial unit

This may include air conditioning, refrigeration, ventilation or extraction plant. Once the precise nature of this equipment has been determined, ENS recommended that any considered plant be reviewed against the noise level criteria stated in their report. They also recommended that the acoustic data (including octave band spectra) be referred to them in order to assess compliance with the criteria.

ii) Vertical noise transfer to the proposed flats

Estimated sound insulation performance tests were carried out between the existing floors in December 2019. Based upon these, in order to provide a required level of improvement in separating floor airborne sound insulation performance, it was recommended that a dynamic batten floating floor be installed at ground floor level,

and a suspended ceiling system on acoustic hangers be installed below the existing ceiling. Very detailed recommendations were made regarding this.

iii) Noise and vibration impact

Noise monitoring was carried out to establish external noise levels affecting the site and immediate vicinity. In addition to ambient levels from the street, there was concern with the control of music and patron noise associated with the neighbouring Marris Bar, and vibration from vehicular traffic and ground borne vibration due to train movements at Foregate Street Station to the rear. Vibration monitoring was undertaken on Thursday 5th and Friday 6th December 2019. This determined that the measured daytime and night-time vibration levels were an order of magnitude lower than the range where there is a 'low probability of adverse comment'.

- 7.40 Mitigation measures are recommended, including glazing, ventilation, construction methodology and insulation measures. These recommendations are considered to be sufficient to achieve the internal and external noise levels for the proposed development according to BS8233:2014 noise criteria.
- 7.41 The owners of the 'Marris Bar' were consulted about this application but did not respond. However, on 13 August 2020 Worcestershire Regulatory Services (WRS) commented upon the applicant's submitted Noise Impact Assessment. This was based upon a 'windows closed' strategy, implying with windows open noise levels would be unacceptable. It was also considered that this strategy raised additional concerns regarding the amenity of future occupants as rooms on the eastern and southern façade would require mechanical ventilation to achieve suitable internal noise conditions. Furthermore, the submitted noise impact assessment also sought to demonstrate that noise mitigation could be used to achieve suitable internal living conditions as per relevant UK guidance. However, these standards were designed to lower ambient noise levels to acceptable levels within dwellings and relate to characterless noise sources such as from trains, road and aircraft, and not that from sources with identifiable characteristics.
- 7.42 For this reason achieving a high level of acoustic performance alone does not overcome the potential for noise problems, due to the dynamic nature of noise from the beat of drums and bass to that generated by patrons cavorting in the street whilst queuing and leaving a venue. These types of noises are unavoidable with a live music venue and can only be eliminated through engineering inaudibility into the neighbouring building which is not sought by the current proposal.
- 7.43 Notwithstanding the above, future residents of the proposed flats will also have a high expectation of amenity, which is incompatible with a live music venue which operates into the early morning. Given the diverse range of musical genres that the 'Marris Bar' hosts it is fair to say that the characteristics of the noise generated will vary significantly with the dynamics differing from one night to the next.
- 7.44 Overall, WRS considered that the conversion of 13 Pierpoint Street for residential purposes was a unsuitable use and would result in a level of amenity that was considered unacceptable to future residents and a likely source of noise nuisance complaints which would also threaten the viability of the 'Marris Bar'. They recommended refusal on the grounds of noise and environmental amenity.
- 7.45 A lengthy period of discussion, scheme amendment and negotiation between the applicants' agents and WRS followed, which resulted in the submission of a 'Noise and Vibration Impact Assessment'. This assessment includes a number of recommended mitigation measures and has been considered in detail by Worcestershire Regulatory Services that has commented in response as follows:

"WRS are happy to support the conclusions drawn within the report and that with the proposed 'mitigation measures/recommendations' suitable internal noise levels can be achieved. Measures appear sufficient to protect the amenity of future residents and safeguard the interests of the neighbouring live music venue."

- 7.46 There would remain the potential for patrons of The Marr's Bar to congregate outside the premises, and cause additional disturbance primarily through inconsiderate behaviour, particularly if it occurred late at night or in the early hours of the morning when nearby residents have a reasonable expectation of quieter conditions. However, although a degree of late night noise is to be anticipated for residents of such areas, particularly at weekends, nevertheless I consider there is a trade-off between standards of amenity and the convenience of City Centre living and future residents will be in a position to make an informed decision about whether to purchase or reside in the proposed apartments.
- 7.47 In reaching this view, I note that the premises front a busy city centre street and that the local area has a number of uses that open into the late evening, and beyond. Consequently, a degree of late-night noise is to be anticipated for residents of such areas particularly at weekends. While these other outlets have late night opening hours, the particular circumstances of these vary given factors such as evolving planning policy. In this regard, the NPPF recognises that residential development can play an important role in ensuring the vitality of centres and that housing applications should be considered in the context of the presumption in favour of sustainable development.
- 7.48 Conditions regarding implementation of the measures set out in the Noise and Vibration Impact Assessment' and those recommended by WRS are recommended accordingly in order to safeguard future residents' amenities. I give weight to the lack of objection raised by Worcestershire Regulatory Services regarding the projected noise levels within the proposed residential units which in itself suggests that, subject to the implementation of the noise mitigation measures, the future occupants of the property should not have reason to make a complaint to Worcestershire Regulatory Services regarding the noise from the 'Marrs Bar'. I also note that no complaints of noise and disturbance from existing residents of Pierpoint Street and the surrounding area have been confirmed as being received by Worcestershire Regulatory Services or that any statutory noise abatement notices have been served on the 'The Marr's Bar' or that any restrictive conditions have been applied to its current licenses in respect of such concerns.
- 7.49 With regard to air quality, an Air Quality Assessment (produced by Crestwood Environmental Ltd and dated 13 February 2020) was submitted. This found that the results of a dispersion modelling assessment indicated that predicted annual mean concentrations of NO₂ (Nitrogen Dioxide) and PM₁₀ (particulate matter with an aerodynamic diameter of less than 10µm) were below the relevant Air Quality Objectives across the proposed location. As such, the site was considered suitable for the end use. Overall, based on the assessment results, the consultant did not consider air quality issues to be a constraint to the proposed development.
- 7.50 The proposed flats would each be self-contained varying in size from 28 m² to 61 m² with bedroom, shower room/W.C. and kitchen/living area:

Flat 1 - 49.8m ²	Flat 8 - 38.2m ²
Flat 2 - 49.8m ²	Flat 9 - 37.8m ²
Flat 3 - 56.0m ²	Flat 10 - 56.0m ²
Flat 4 - 28.0m ²	Flat 11 - 30.0m ²
Flat 5 - 30.0m ²	Flat 12 - 30.0m ²
Flat 6 - 30.0m ²	Flat 13 - 30.0m ²

- 7.51 The Technical housing standards – nationally described space standard 2015 require a minimum gross internal area of 37 m² for a 1-bed/1-person flat (with a shower instead of a bathroom) and 50 m² for a 1-bed/2-person flat. In this respect, flats 4, 5, 6 and 11- 13 would be below the lower of these standards. However, there is no specific policy requirement within the South Worcestershire Development Plan 2016 or guidance within the Design Guide SPD regarding internal space standards for residential development schemes. In my opinion, the shortfall is not so substantial that it would render the internal space arrangements unacceptable.
- 7.52 Provision for refuse/recycling and bike storage facilities are proposed in the secure yard area to the side of the property that would be accessed via Pierpoint Street from the main entrance in the front elevation of the property. The living area windows of flats 4, 5 and 6 on the ground floor would overlook the bike storage facilities and could potentially compromise the privacy of these windows. However, I do not consider that the nature and extent of activity in the courtyard would be so significant on a daily basis to compromise privacy to an unacceptable degree.
- 7.53 With regard to the consultation comments regarding the provision of refuse and recycling facilities, provision has been increased to address these concerns. Specific requirements with regard to the numbers of each type of bin needed and access to the storage area were relayed back to the applicants who accommodated these in a revised site plan. These requirements have also been set by condition.
- 7.54 Taking all of the above matters into account, I consider the proposals would be acceptable with regard to the impact on future residents' amenities and the continued operation of the adjacent 'Marrs Bar' premises and would thereby also be consistent with the aims and objectives of policy SWDP 21.

Access, car parking and highway safety

- 7.55 The site does not benefit from off-road car parking spaces and there is no capacity for on-road parking in the vicinity of the site due to parking restrictions along Pierpoint Street and Sansome Walk. The site is located close to the city centre, a number of city centre car parks and public transport routes and is close to the facilities and services in the city centre. In this respect, I note that the Highway Authority has raised no objection to the proposal, subject to conditions regarding details of the proposed secure cycle storage and the provision of a Welcome Travel Pack for residents.

Planning obligations

- 7.56 It is recognised that new development can create the need for new or improved infrastructure and community facilities. Planning obligations mitigate the impact of development to make it acceptable in planning terms. Obligations should meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations and as policy tests in the National Planning Policy Framework.
- 7.57 In accordance with Community Infrastructure Levy Regulations, the applicants are willing to enter into a legally binding agreement to deliver contributions to provide improvements to the infrastructure that the development will impact upon. This legal agreement will be made under Section 106 of the Town and Country Planning Act 1990 (as amended).

7.58 The following Heads of Terms have been identified:

Public Open Space

7.59 Draft Heads of Terms for a s106 Agreement have been agreed with the applicants and are attached as **Appendix 1**.

8 Conclusion and planning balance

- 8.1 The NPPF identifies a series of the components that are considered critical to achieving sustainable development. In my opinion, the above assessment of the planning application proposals demonstrates that the application responds to, and is in accordance with, the requirements of the adopted planning policy within the development plan and material considerations relevant to the determination of the application.
- 8.2 Whilst the assessment is not an exhaustive list of all policies that are potentially applicable to this site, it seeks to address how the proposals respond to the key planning criteria in the planning policy framework against which the planning application will be determined.
- 8.3 With regard to the economic role, the proposed development would result in some economic benefits; employment during construction and thereafter upon the occupation of the flats it is likely that the occupants would contribute towards maintaining the vitality of local services and facilities. For this role of sustainable development, the balance would be in favour of granting planning permission.
- 8.4 With regard to the social role, the scheme would be immune from the delivery of affordable homes by the application of Vacant Building Credit and as such would set aside the requirements of policy SWDP 15. However, there would be some conflict with policy SWDP 14 in terms of solely 1-bed flats. However, it is Officer opinion that the location of the application site and flatted nature of the development site are such that a development of smaller units as is proposed is acceptable in this location. Furthermore, it is considered that the layout of the host building is such that it lends itself to the conversion in the manner proposed. On balance, the proposal is considered to be appropriate to the site location in terms of housing mix.
- 8.5 With regard to the environmental role, there would be some impact upon the amenities of neighbouring residents from noise associated with construction traffic, nevertheless this would not cause an unacceptable degree of harm when balanced against the temporary duration of the construction period, and suitably mitigation through a Construction Environmental Management Plan. There would also be an intensification in the use of the property. However, it is not considered that this would result in harm to the occupants of surrounding properties through overlooking, loss of light or noise disturbance.
- 8.6 No adverse impacts have been identified with regard to air quality and the proposed flats are considered to provide an acceptable standard of amenity for future residents. However, the proximity of the site to the 'The Marrs Bar' and, to a lesser extent, 'The Postal Order' PH, has the potential to cause noise and disturbance to future residents of the proposed development. Following protracted discussions this aspect of the proposal has been resolved to the satisfaction of Worcestershire Regulatory Services and, subject to conditions regarding implementation of the measures set out in the Noise and Vibration Impact Assessment and those recommended by WRS, the proposals are deemed to be acceptable with regard to the impact on future residents' amenities and the continued operation of the adjacent 'Marrs Bar' premises.

As such, the proposals are considered and would thereby also be consistent with the aims and objectives of policy SWDP 21.

- 8.7 In heritage terms, the proposals have been identified as having a 'less than substantial' impact and in accordance with the balancing exercise required by paragraph 196 of the NPPF it is considered that the less than substantial harm would be outweighed by the public benefits of the proposals, namely the refurbishment and restoration of the listed building into full and beneficial use that would be compatible with the surrounding area in land use terms that would reflect responsible stewardship of the building.
- 8.8 With regard to car parking to serve the proposed development, the site does not benefit from off-road car parking spaces and there is no capacity for on-road parking in the vicinity of the site due to parking restrictions along Pierpoint Street and Sansome Walk. However, as the site is located close to the city centre and public transport routes and is close to the facilities and services in the city centre it is considered to be sustainable development in transportation terms and my view on this matter is reinforced by the lack of objection from the Highway Authority, subject to conditions regarding details of the proposed secure cycle storage and the provision of a Welcome Travel Pack for residents.
- 8.9 I acknowledge all comments received as part of the consultation process and consider all material planning issues have been considered in the determination of this application. Having regard to the totality of the policies in the Framework, I consider that the proposed development is sustainable when looking at its social, economic and environmental credentials in the round. The adverse impacts of the development, taking into account the considerable importance and weight to be given to the less than substantial harm to the significance of the heritage assets, do not significantly and demonstrably outweigh the benefits. Overall, it is considered that the proposals constitute an environmentally, socially and economically sustainable form of development that accords with the Framework and the Development Plan as a whole.

9. Recommended conditions for Planning Permission

- 9.1 In the event that members resolve to grant planning permission the following conditions are recommended:
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
 2. The development hereby permitted shall be carried out and completed in accordance with the following approved plans and associated documents and the specifications and recommendations contained therein, except where otherwise stipulated by conditions attached to this permission

188 0119 01 Site Location Plan A4(1)

188 0119 02 Site Block Plan A4(1)

188 0119 03 Existing Plans A1

188 0119 04 Existing Elevations A1

188 0119 05c Proposed Ga A1

188 0119 06b Proposed Elevations A1

188-0119-07A PROPOSED BIN and CYCLE STORE – A3

188-0119-05(F) Proposed GA-A1

Noise and Vibration Impact Assessment' Ref: NIA/8835/19/8854/v3/Pierpoint St, Worcester – prepared by Environmental Noise Solutions Ltd (dated 10 February 2021)

Reason: To ensure compliance with the approved scheme.

3. Twenty one days before any development is commenced resulting in any excavation within the site, written notice shall be given to the local planning authority, whereupon the local planning authority shall, within 21 days of receipt of such notice, specify in writing to the developer which persons authorised by the local planning authority shall be allowed access to the site whilst any excavations are in progress for the purpose of archaeological investigation. This access shall allow for a period of up to one day for unencumbered archaeological recording to take place within the trenches if in the opinion of the City Archaeological Officer features of interest are revealed.

Reason:- To allow the historical and archaeological interest of the site to be recorded in accordance with policies SWDP 6 and SWDP 24 of the South Worcestershire Development Plan and aims and objectives of the National Planning Policy Framework.

4. No development shall take place within the area proposed for change until a comprehensive photographic survey has been submitted to and approved in writing by the local planning authority.

Reason:- To allow the historical and archaeological interest of the site to be recorded in accordance with policies SWDP 6 and SWDP 24 of the South Worcestershire Development Plan and aims and objectives of the National Planning Policy Framework.

5. No works shall be carried out below any existing ground levels on the site (including works associated with the demolition or removal of any buildings/structures on the site) without the prior written consent of the local planning authority.

Reason:- To preserve the archaeological interest of the site in accordance with policies SWDP 6 and SWDP 24 of the South Worcestershire Development Plan and aims and objectives of the National Planning Policy Framework.

6. No development shall take place until a written scheme of investigation (WSI) for archaeological building investigation and recording has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the

nomination of a competent person(s) or organisation to undertake the agreed works

- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason:- To allow the historical and archaeological potential of the building to be recorded in accordance with policies SWDP 6 and SWDP 24 of the South Worcestershire Development Plan and aims and objectives of the National Planning Policy Framework.

7. Before the commencement of development hereby permitted an ecological mitigation and enhancement scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall be based on the recommendations contained within the findings of the preliminary roost assessment (bat survey) report and shall include an implementation timetable. The works shall thereafter be carried out in accordance with the approved details and timetable. The development hereby approved shall be carried out in complete accordance with the above bat survey, that: -

- a licenced bat worker remains 'on call' during the development works. In the event that roosting bats are discovered, works must cease immediately, and Natural England must be contacted to advise on any licencing requirements to allow lawful completion of the work;
- a single bat box should be installed within the landownership of No.8 Lansdowne Crescent. The box should be fixed to an existing built structure (e.g. Schwegler wall-mounted Bat Shelter 2FE; Habi-Sabi Bat Box or Schwegler 2FR Bat Tube); or installed on a suitable mature tree (e.g. Schwegler 2F Bat Box). The box should be installed at least 4m above ground-level and not placed above windows, and;
- should any development commence 12 months after the date of the current preliminary roost assessment an updated survey will be required to determine the status of the site during the intervening period.

Reason: - To allow for habitat protection and creation in accordance with policies SWDP 5 and SWDP 22 of the South Worcestershire Development Plan and the aims and objectives of the National Planning Policy Framework.

8. The development hereby permitted shall not be first occupied until sheltered, secure and accessible cycle parking to comply with the Council's adopted Streetscape Design Guide has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards.

9. The development hereby approved shall not be occupied until the applicant has submitted in writing to and had approval in writing from the Local Planning

Authority a residential welcome pack promoting sustainable forms of access to the development.

Reason: To reduce vehicle movements and promote sustainable access.

10. No building operations hereby permitted shall commence until details of the materials to be used in the construction of the external surfaces of the residential conversion hereby permitted have been submitted to and approved in writing by the local planning authority. The details to be submitted shall include: -
- a precise specification of the proposed external render or plaster, including any decorative panels or patterns, and detailed specification of the mix, the number of coats and surface finish to be used;
 - external joinery details along with architectural details of the proposed external finishes, heads, sills, position in wall reveal and any surrounding dressings (elevational drawings at a minimum scale of 1:20 and vertical sectional drawings at minimum scale of 1:2);
 - details of external doors including information on finish; The development shall be carried out using the materials as approved.

Reason: To protect, conserve and enhance the significance of heritage assets and to ensure that the new materials are in keeping with the surroundings and/or represent quality design in accordance with policies SWDP 6, SWDP 21 and SWDP 24 of the South Worcestershire Development Plan.

11. Prior to their installation as part of the development hereby approved, details of the following shall be submitted to and approved in writing by the local planning authority: -
- detailed schedule of thermal and sound insulation and damp proofing proposals for the building;
 - details of new doors showing design, vertical and horizontal sections, method of opening, finish, cills, heads and depth of external reveal (where appropriate);

The development shall be carried out using the materials as approved.

Reason: To protect, conserve and enhance the significance of heritage assets and to ensure that the new materials are in keeping with the surroundings and/or represent quality design in accordance with policies SWDP 6, SWDP 21 and SWDP 24 of the South Worcestershire Development Plan.

12. Before the first occupation of any apartment hereby permitted a scheme of noise attenuation measures shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented before the first use of the development and shall be retained thereafter. These measures shall follow the specific recommendations made in the document 'Noise and Vibration Impact Assessment' Ref: NIA/8835/19/8854/v3/Pierpoint St, Worcester – prepared by Environmental Noise Solutions Ltd (dated 10 February 2021), together with the following measures:

- Glazing with a minimum sound reduction performance value as per Table 4.1, 4.2 and 4.3.
- Ventilation to be provided by mechanical means. Mechanical ventilation shall be specified such that the plant does not exceed NR25 in bedrooms and NR30 in living rooms.
- Wall Treatments to comply with recommendations as per section 4.2 of the report

To minimise the potential for noise propagation into habitable rooms via structural elements, all external walls in living rooms and bedrooms on the southern and eastern facades should be treated with an independent lining consisting of: -

- Independent studs = 50mm thickness set = 50mm from the inner leaf of the external/structural wall
- New studs to be lined with 2 no. layers of 12.5mm dense plasterboard (e.g. Gyproc SoundBloc or equivalent)
- The cavity between the inner leaf of the external/structural wall and the independent lining should be filled with = 100mm mineral wool insulation (e.g. Rockwool with density = 60 kg/m³)'

Ceiling treatments shall comply with recommendations in section 4.2 and to minimise the potential for noise propagation into habitable rooms via a potentially weak roof / ceiling construction, all ceilings in living rooms and bedrooms on the southern and eastern facades shall be treated as follows: -

- Underdraw the existing ceiling with a suspended metal frame (MF) ceiling system on acoustic hangers (e.g. British Gypsum Casoline MF or equivalent).
- The MF ceiling system should be lined with two layers of 12.5mm dense plasterboard with staggered joints (e.g. Gyproc SoundBloc or equivalent)
- The ceiling void should be a minimum of 150mm (the larger the better) and should contain 100mm mineral wool insulation (density = 45 kg/m³)'

Proposed external plant associated with the development shall be designed so that rating levels do not exceed the existing background noise level when measured at the nearest noise sensitive receptor (NSR). This will avoid an adverse impact as per the guidance of BS4142:2014.

The highest permissible free-field rating noise levels from external plant at the nearest NSRs should be 43 dB L_{Ar,Tr} during the day and 33 dB L_{Ar,Tr} at night, inclusive of all acoustic features/penalties.

The separating floor/ceiling between each apartment shall achieve an airborne sound insulation performance target of 60 dB D_{nTw}.

In order to provide the required improvement in separating floor airborne sound insulation performance, a dynamic batten floating floor shall be installed at ground floor level and a suspended ceiling system on acoustic hangers shall be installed below the existing ceiling in accordance with the following specification:

- Ensure floorboards are in good repair, and all gaps between the existing floor boarding and at the perimeter wall junctions are sealed. If in poor condition, overlay with a 6mm plywood layer
- On top of the existing floorboards, install 50mm resilient composite battens (e.g. Cella, JCW, Karmafloor, Monarfloor or Profloor) with a resilient layer pre-bonded to batten
- Install 25mm mineral wool layer (density = 10 kg/m³) between battens

- Overlay the batten system with a layer of 19mm plasterboard plank and 18mm tongue and groove chipboard (fixings must not penetrate the resilient strip of the batten)
- Install 5mm perimeter resilient edging strip to isolate the floating floor from all perimeter walls and skirting
- If necessary, upgrade the existing ceiling board to 20 kg/m² (this will require an additional layer of dense 15mm plasterboard if existing ceiling is a single layer)
- Underdraw the existing ceiling with a suspended metal frame (MF) ceiling system on acoustic hangers (e.g. British Gypsum Casoline MF or equivalent). The MF ceiling system should be lined with two layers of 15mm dense plasterboard with staggered joints (e.g. BG SoundBloc board or equivalent)
- The ceiling void should be a minimum of 150mm (the larger the better) and should contain 100mm of mineral wool insulation (density = 45 kg/m³)

Alternative measures may be implanted subject to the above performance target being achieved.

To avoid structure-borne transmission of noise via flanking routes, the external or structural (spine) walls in the basement area shall be treated with an independent lining consisting of: -

- Independent studs = 50mm thickness set at = 20mm from the inner leaf of the external/structural wall
- New studs to be lined with 2 no. layers of 12.5mm dense plasterboard (e.g. Gyproc SoundBloc or equivalent)
- The cavity between the inner leaf of the external/structural wall and the independent lining should be filled with = 50mm mineral wool insulation (e.g. Rockwool with density = 60 kg/m³)

Reason: - To ensure the proposal preserves residential amenity and to prevent unacceptable noise pollution to the detriment of human health contrary to policy SWDP 31 of the South Worcestershire Development Plan.

13. Before the first occupation of any apartment hereby permitted details of the means to be provided to ensure secure access to communal areas and each apartment shall be submitted to and approved in writing by the local planning authority. These shall be in accordance with the recommendations of the Design Out Crime Officer and include that each individual property a rim latch and five lever mortice lock to secure the doors. The approved measures shall be implemented before the first use of the development and shall be retained thereafter.

Reason: - To allow for appropriate security measures for users of new development to be integrated effectively into its design and layout to ensure that they can be accessed in a safe and convenient manner, whilst not detracting from the overall appearance of the development, in accordance with policy SWDP 21 of the South Worcestershire Development Plan and the aims and objectives of the National Planning Policy Framework.

14. The development hereby permitted shall not be occupied until the applicant has submitted to and had approved, in writing by the Local Planning Authority, a Travel Welcome Pack based upon the 'Guidelines for Producing Travel Welcome Packs' developed by Worcestershire County Council to assist developers in

producing Welcome Packs to support residential developments.

Reason: - For the avoidance of doubt and to secure a satisfactory form of development in accordance with policy SWDP 4 of the South Worcestershire Development Plan and the aims and objectives of the National Planning Policy Framework.

15. Prior to first occupation, details of refuse storage facilities to serve the development and/or each of the buildings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The appropriate bin capacity for 15 flats would be 2 x 1100 litre black and 2 x 1100 litre green bins. Details of access to the refuse storage area shall also be provided. The approved refuse storage facilities shall be implemented prior to the first occupation of the associated development and/or building(s) and retained thereafter. □□ Reason - To ensure adequate refuse storage facilities are incorporated in the development and/or ensure high quality design in accordance with policies SWDP21 and SWDP33 of the South Worcestershire Development Plan.

10. Recommended conditions for Listed Building Consent.

10.1 In the event that members resolve to grant listed building consent the following conditions are recommended:

1. The works to which this Listed Building Consent relates must be commenced before the expiration of three years beginning with the date of this consent.

Reason: To conform with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The works hereby permitted shall be carried out and completed in accordance with the following approved plans and associated documents and the specifications and recommendations contained therein, except where otherwise stipulated by conditions attached to this permission

188 0119 01 Site Location Plan A4(1)

188 0119 02 Site Block Plan A4(1)

188 0119 03 Existing Plans A1

188 0119 04 Existing Elevations A1

188 0119 05c Proposed Ga A1

188 0119 06b Proposed Elevations A1

188-0119-07A PROPOSED BIN and CYCLE STORE – A3

188-0119-05(F) Proposed GA-A1

Noise and Vibration Impact Assessment' Ref: NIA/8835/19/8854/v3/Pierpoint St, Worcester – prepared by Environmental Noise Solutions Ltd (dated 10 February 2021)

Reason: To ensure compliance with the approved scheme.

3. Twenty one days before any works are commenced resulting in any excavation within the site, written notice shall be given to the local planning authority, whereupon the local planning authority shall, within 21 days of receipt of such notice, specify in writing to the developer which persons authorised by the local planning authority shall be allowed access to the site whilst any excavations are in progress for the purpose of archaeological investigation. This access shall allow for a period of up to one day for unencumbered archaeological recording to take place within the trenches if in the opinion of the City Archaeological Officer features of interest are revealed.

Reason:- To allow the historical and archaeological interest of the site to be recorded in accordance with policies SWDP 6 and SWDP 24 of the South Worcestershire Development Plan and aims and objectives of the National Planning Policy Framework.

4. No works shall take place within the area proposed for change until a comprehensive photographic survey has been submitted to and approved in writing by the local planning authority.

Reason:- To allow the historical and archaeological interest of the site to be recorded in accordance with policies SWDP 6 and SWDP 24 of the South Worcestershire Development Plan and aims and objectives of the National Planning Policy Framework.

5. No works shall be carried out below any existing ground levels on the site (including works associated with the demolition or removal of any buildings/structures on the site) without the prior written consent of the local planning authority.

Reason:- To preserve the archaeological interest of the site in accordance with policies SWDP 6 and SWDP 24 of the South Worcestershire Development Plan and aims and objectives of the National Planning Policy Framework.

6. No works shall take place until a written scheme of investigation (WSI) for archaeological building investigation and recording has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason:- To allow the historical and archaeological potential of the building to be recorded in accordance with policies SWDP 6 and SWDP 24 of the South

Worcestershire Development Plan and aims and objectives of the National Planning Policy Framework.

7. No building operations hereby permitted shall commence until details of the materials to be used in the construction of the external surfaces of the residential conversion hereby permitted have been submitted to and approved in writing by the local planning authority. The details to be submitted shall include: -
- a precise specification of the proposed external render or plaster, including any decorative panels or patterns, and detailed specification of the mix, the number of coats and surface finish to be used;
 - external joinery details along with architectural details of the proposed external finishes, heads, sills, position in wall reveal and any surrounding dressings (elevational drawings at a minimum scale of 1:20 and vertical sectional drawings at minimum scale of 1:2);
 - details of external doors including information on finish.

The works shall be carried out using the materials as approved.

Reason: To protect, conserve and enhance the significance of heritage assets and to ensure that the new materials are in keeping with the surroundings and/or represent quality design in accordance with policies SWDP 6, SWDP 21 and SWDP 24 of the South Worcestershire Development Plan.

8. Prior to their installation as part of the works hereby approved, details of the following shall be submitted to and approved in writing by the local planning authority: -
- detailed schedule of thermal and sound insulation and damp proofing proposals for the building;
 - details of new doors showing design, vertical and horizontal sections, method of opening, finish, cills, heads and depth of external reveal (where appropriate);

The development shall be carried out using the materials as approved.

Reason: To protect, conserve and enhance the significance of heritage assets and to ensure that the new materials are in keeping with the surroundings and/or represent quality design in accordance with policies SWDP 6, SWDP 21 and SWDP 24 of the South Worcestershire Development Plan.

9. Before the first occupation of any apartment hereby permitted a scheme of noise attenuation measures shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented before the first use of the development and shall be retained thereafter. These measures shall follow the specific recommendations made in the document 'Noise and Vibration Impact Assessment' Ref: NIA/8835/19/8854/v3/Pierpoint St, Worcester – prepared by Environmental Noise Solutions Ltd (dated 10 February 2021) together with the following measures:
- Glazing with a minimum sound reduction performance value as per Table 4.1,

4.2 and 4.3.

- Ventilation to be provided by mechanical means. Mechanical ventilation shall be specified such that the plant does not exceed NR25 in bedrooms and NR30 in living rooms.
- Wall Treatments to comply with recommendations as per section 4.2 of the report

To minimise the potential for noise propagation into habitable rooms via structural elements, all external walls in living rooms and bedrooms on the southern and eastern facades should be treated with an independent lining consisting of: -

- Independent studs = 50mm thickness set = 50mm from the inner leaf of the external/structural wall
- New studs to be lined with 2 no. layers of 12.5mm dense plasterboard (e.g. Gyproc SoundBloc or equivalent)
- The cavity between the inner leaf of the external/structural wall and the independent lining should be filled with = 100mm mineral wool insulation (e.g. Rockwool with density = 60 kg/m³)'

Ceiling treatments shall comply with recommendations in section 4.2 and to minimise the potential for noise propagation into habitable rooms via a potentially weak roof / ceiling construction, all ceilings in living rooms and bedrooms on the southern and eastern facades shall be treated as follows: -

- Underdraw the existing ceiling with a suspended metal frame (MF) ceiling system on acoustic hangers (e.g. British Gypsum Casoline MF or equivalent).
- The MF ceiling system should be lined with two layers of 12.5mm dense plasterboard with staggered joints (e.g. Gyproc SoundBloc or equivalent)
- The ceiling void should be a minimum of 150mm (the larger the better) and should contain 100mm mineral wool insulation (density = 45 kg/m³)'

Proposed external plant associated with the development shall be designed so that rating levels do not exceed the existing background noise level when measured at the nearest noise sensitive receptor (NSR). This will avoid an adverse impact as per the guidance of BS4142:2014.

The highest permissible free-field rating noise levels from external plant at the nearest NSRs should be 43 dB L_{A,r},T_r during the day and 33 dB L_{A,r},T_r at night, inclusive of all acoustic features/penalties.

The separating floor/ceiling between each apartment shall achieve an airborne sound insulation performance target of 60 dB D_nT_w.

In order to provide the required improvement in separating floor airborne sound insulation performance, a dynamic batten floating floor shall be installed at ground floor level and a suspended ceiling system on acoustic hangers shall be installed below the existing ceiling in accordance with the following specification:

- Ensure floorboards are in good repair, and all gaps between the existing floor boarding and at the perimeter wall junctions are sealed. If in poor condition, overlay with a 6mm plywood layer
- On top of the existing floorboards, install 50mm resilient composite battens (e.g. Collecta, JCW, Karmafloor, Monarfloor or Profloor) with a resilient layer pre-bonded to batten
- Install 25mm mineral wool layer (density = 10 kg/m³) between battens
- Overlay the batten system with a layer of 19mm plasterboard plank and

18mm tongue and groove chipboard (fixings must not penetrate the resilient strip of the batten)

- Install 5mm perimeter resilient edging strip to isolate the floating floor from all perimeter walls and skirting
- If necessary, upgrade the existing ceiling board to 20 kg/m² (this will require an additional layer of dense 15mm plasterboard if existing ceiling is a single layer)
- Underdraw the existing ceiling with a suspended metal frame (MF) ceiling system on acoustic hangers (e.g. British Gypsum Casoline MF or equivalent). The MF ceiling system should be lined with two layers of 15mm dense plasterboard with staggered joints (e.g. BG SoundBloc board or equivalent)
- The ceiling void should be a minimum of 150mm (the larger the better) and should contain 100mm of mineral wool insulation (density = 45 kg/m³)'

Alternative measures may be implanted subject to the above performance target being achieved.

To avoid structure-borne transmission of noise via flanking routes, the external or structural (spine) walls in the basement area shall be treated with an independent lining consisting of: -

- Independent studs = 50mm thickness set at = 20mm from the inner leaf of the external/structural wall
- New studs to be lined with 2 no. layers of 12.5mm dense plasterboard (e.g. Gyproc SoundBloc or equivalent)
- The cavity between the inner leaf of the external/structural wall and the independent lining should be filled with = 50mm mineral wool insulation (e.g. Rockwool with density = 60 kg/m³)

Reason: - To ensure the proposal preserves residential amenity and to prevent unacceptable noise pollution to the detriment of human health contrary to policy SWDP 31 of the South Worcestershire Development Plan.

10. Before the first occupation of any apartment hereby permitted details of the means to be provided to ensure secure access to communal areas and each apartment shall be submitted to and approved in writing by the local planning authority. These shall be in accordance with the recommendations of the Design Out Crime Officer and include that each individual property a rim latch and five lever mortice lock to secure the doors. The approved measures shall be implemented before the first use of the development and shall be retained thereafter.

Reason: - To allow for appropriate security measures for users of new development to be integrated effectively into its design and layout to ensure that they can be accessed in a safe and convenient manner, whilst not detracting from the overall appearance of the development, in accordance with policy SWDP 21 of the South Worcestershire Development Plan and the aims and objectives of the National Planning Policy Framework.