

Application Number	21/00197/FUL
Site Address	5 Shrubbery Avenue, Worcester, WR1 1QN
Description of Development	Demolition of existing rear extension/conservatory and replacement with single storey rear extension to house two dwellings, plus reconfiguration of existing units. Demolition of existing garden outbuildings and extension of rear parking area. Creation of stand-alone rear bin and cycle store and garden areas
Expiry Date	27 May 2021. An extension of time for determination of the application has been requested.
Applicant	Shooting Stars Properties Ltd
Agent	James Lawrence
Case Officer	Sally Watts
	sally.watts@worcester.gov.uk
Ward Member(s)	Arboretum Ward
Reason for Referral to Committee	Ward Member referral
Key Issues	The principle of development and whether the proposal would be sustainable 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/21/00197/FUL
Recommendation	The Corporate Director of Planning and Governance recommends that the Planning Committee grants planning permission, subject to conditions as set out in section 9 of this report.

1. Background

- 1.1 The application was registered on 1 April 2021 and was due for a decision on 27 May 2021. An extension of time for the determination of the application has been

requested.

1.2 The application has been referred to the Planning Committee at the request of Councillor Lewing on the following grounds based on updated comments received on 15 November 2021:

- Privacy for future residents as a result of the removal of the boundary wall
- Concern with regard to crime in the area (in particular bike theft)
- Loss of the wall would damage the character of the Conservation Area
- Proposals are unsympathetic in terms of materials
- Bike storage should include space for horizontal and vertical storage
- Landscape Officer comments suggests that the building extension is too large for the site to provide appropriate amenities for future residents.

Previous comments from the Councillor include:

- The scale of the extension on the back and its impact on the houses in St George's Square and the neighbouring Shrubbery Avenue properties
- precedent for further over development on the road
- The open car park proposal is also an issue with neighbours who on previous applications had to pay for expensive gates or new back walls to meet planning requirements.

2. The site and surrounding area

2.1 The property is located in Barbourne to the north of Worcester. The site is within the St. Georges Square Conservation Area and is within an area which is the subject of an Article 4 direction which restricts permitted development rights.



Figure 1. Site location plan

- 2.2 To the north is the back lane known as St George’s Lane South which relates to St Georges Square which are Georgian buildings of high quality, all of which are listed. The back lane serves the rear of these properties and many of the dwellings have garages which directly access the lane.
- 2.3 To the east is a Dentist practice, to the south is Shrubbery Avenue which forms a mix of residential and commercial properties. There are infill properties along the road, especially near the site and the adjacent property. No 3. Shrubbery Avenue is a later addition albeit well established in the streetscene. The property has a garage on the side of the dwelling which adjoins the application site and projects beyond the rear elevation of No 3.
- 2.4 The building is a large Victorian villa with a double gable on the front. There is a wide front bay and decorative door features. It is in a yellow/buff brick which is seen within the road, albeit most dwellings are a Worcester red brick.



2.5 Figure 2. Photograph of front elevation

2.6 The original villa has been converted into 5 flatted units. As seen in Figure 2 it has a front boundary wall, beyond which the landscaping is significantly overgrown and obscures the building from the footpath.

The building is in a poor state of repair with overgrown planting and visible repairs necessary throughout the building. However, many original features remain.

2.7 At the rear of the building, at ground floor there is a large extension and conservatory which leads to the garden area which is used solely by the ground floor flat, although the car parking at the rear is capable of being shared by all residents. There is a side ground floor extension which houses a bathroom.

2.8 There is a large outbuilding which serves as a garage/shed. There is an existing area of hardstanding which has been used as car parking with gates to access St Georges Lane South.

Shrubbery Avenue Conservation Area

2.9 The Article 4 Direction for the Shrubbery Avenue Conservation Area was made on 23 October 2018 and was confirmed by Worcester City Council's Planning Committee on 13 December 2018 and came into effect on 20 December 2018.

- 2.10 This limits development that can be undertaken within the Article 4 area, examples include changes to the principal or side elevation, alterations to the roof on the front or side elevation, the painting of the exterior of the principal or side elevation or installation of photovoltaics.
- 2.11 Other restrictions within the Article 4 include limiting hard surfacing at the front of the property and the demolition, erection or alteration of a gate, fence, wall or other means of enclosure at the front or side of a dwelling house or flat where it would front a public highway.
- 2.12 The site is designated within an area that is archaeologically sensitive. The site and none of the properties in Shrubbery Avenue are listed. All the properties to the rear in St Georges Square are listed.

3. The proposals

- 3.1 The proposal is seeking to remove the existing side and rear extensions on the property, reconfigure the existing internal layout and add a single storey rear extension to facilitate additional units to the rear.
- 3.2 The existing layout currently has one unit on the ground floor which has 3 bedrooms . The first floor has 2 one-bedroom units, and the top floor (in the attic space) has 2 bedsit units.
- 3.3 The proposed layout seeks to alter the existing ground floor to accommodate 2 units comprising 1 one-bedroom unit in the existing building, and 1 two-bedroom unit having one bedroom, living room and kitchen on the ground floor with a bedroom and bathroom in the basement. In addition, There is proposed to be a single storey rear extension which would house two further one-bedroom units.
- 3.4 The 1st floor proposed has two units in the existing dwelling. The top floor is proposed to be one 2 bed unit.
- 3.5 The changes would result in the development changing from an existing 5 flats (with 7 bedrooms) to 7 flats with 9 bedrooms in total.
- 3.6 Visually the frontage of the building has limited changes except for the insertion of a rooflight in the front roof plane. The outbuilding in the rear garden area would be demolished.
- 3.7 The scheme has included improvements to the front and rear amenity space plus installation of a cycle store at both the front and rear of the property. The rear amenity is proposed to be subdivided into 4 areas, a private garden area for the proposed two new ground floor units. A shared garden space with seating, BBQ area, refuse and cycle storage for the remaining flats. To the rear, adjacent to St Georges Lane South would be 4 car parking spaces. This includes wider car parking spaces to allow for manoeuvring as the lane is narrow in width with garages opposite the rear access.
- 3.8 The application is accompanied by a full set of plans together with a suite of supporting documents that include:
 - BA31461120/01 Topographical Survey
 - BA31461120/02 Ground Floor- Existing
 - BA31461120/04 First Floor- Existing
 - BA31461120/05 Second Floor- Existing
 - BA31461120/06 Roof Plan- Existing
 - BA31461120/07 Elevations- Existing
 - BA31461120/08 Elevations- Existing

BA31461120/09 Elevations- Existing
Location Plan
Planning Heritage Supporting Statement
BA3146120/01 Topographical Survey (1)
Planning Heritage Supporting Statement
Contaminated Land Assessment
Photo Montage
P1002-ONE-ALL-ALL-RE-MEPH-002 (P--) Shrubbery Avenue Energy Statement.pdf
5SA-ONE-XX-XX-Z-DR-0001, revision: 04 Proposed Plans and Elevations

3.9 Members have had the opportunity to review the submitted plans and documents 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 comprises of:

- 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 relevant to the proposal:

SWDP 1: Overarching Sustainable Development Principles
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 25: Landscape Character
SWDP 26: Telecommunications and Broadband
SWDP 27: Renewable and Low Carbon Energy
SWDP 28: Management of Flood Risk
SWDP 29: Sustainable Drainage Systems
SWDP 30: Water Resources, Efficiency and Treatment
SWDP 33: Waste

Material Considerations

- National Planning Policy Framework
- National Planning Practice Guidance
- Worcestershire Local Transport Plan (LTP4) 2018 – 2030
- Worcestershire County Council Streetscape Design Guide (2018)
- South Worcestershire Design Supplementary Planning Document
- Renewable and Low Carbon Energy Supplementary Planning Document

5. Planning History

5.1 The site has been the subject of the following planning applications:

- 14147 -The conversion of the ground floor of two storey house into a flat and the erection of a pair of garages. Approved on the 3rd October 1958
- 14251 -Conversion of house into six flats. Approved on the 21st November 1958
- P91C0118 – Erect conservatory Approved on the 18th June 1991
- P96E0286 -Erection of a single storey rear extension. Approved on the 26th September 1996

5.2 The 1958 planning permission set out above, allowed the subdivision of the dwelling into 6 units. However, as identified in the plans submitted in support of the current application there are currently 5 units. If members find the scheme acceptable, this would be to add two units to the existing 5 units on the site and the previous permission permitting 6 units could not be implemented.

6. Consultations

Neighbours and other third party comments: Objections to the original submitted scheme have been received from the occupants of 1, 3, 4, 9, 14, 16, 19, 20, 36, 38, 48 (Councillor Lewing) 50, 56, 78 Shrubbery Avenue, and 3, 9, 10, 11 and 14 St. Georges Square plus the St Georges Square Residents Association.

These relate to some or all of the following material considerations;

- The impact of the loss of the front wall and use of the front garden area on car parking and the impact on the conservation area.
- The size of the extension and impact on neighbouring amenity especially from the first floor balcony.
- Increase in traffic on St Georges Lane South
- Size of the proposed extension and the external materials
- Concerns regarding refuse and cycle parking

Plus 7 Shrubbery Avenue (Dentists) who raised a separate concern regarding builder traffic and access to the property to ensure access for patients and staff.

Following the consultation period and the site visit meeting, the scheme was amended, and neighbours were consulted on the revised scheme.

Comments on the final revised scheme are as follows:

3 Shrubbery Avenue

Concerns have been addressed by the changes in the proposal

3 St Georges Lane North

- Reduction in size of extension and number of units is 'marginally better'
- Concern regarding loss of back wall relating to the St Georges Lane South and it breaches the Council's Back Lane policy; and
- Would prefer a reduction in car parking space and more garden area in the scheme as the site is well served by public transport.

A further consultation was undertaken as there was concern that the description of development was not sufficiently descriptive in the proposed development and did not include the number of additional dwellings proposed on the site. This was revised and a consultation undertaken to ensure there was clarity.

Consultee Responses

Worcester City Council Archaeological Officer: archaeology conditions are considered necessary.

Worcester City Council Landscape and Biodiversity Adviser The garden areas are a cause for concern being small and it would seem not enlarged by reduction of parking together with green travel arrangements. The planting detail will be important in terms of the sustainability of these spaces. The complete rear wall removal does not help to sustain the character here or the enclosure of the gardens. However, it would seem that the parking requirement is still affecting the garden amenity and making the site appear over developed especially with a character of large dwellings with large gardens dominating the area. Some reduction of parking to benefit amenity space would be preferred.

Worcestershire County Council (Highway Authority): No objection subject to conditions relating to implementation of the parking, hardsurfacing materials and a Construction and Environmental Management Plan.

Conservation Area Advisory Panel: No objection to the principle of the rear and side extensions (but noting the lack of amenity space to the rear), they object most strongly to the works to the front of the building which would cause significant harm to the character of the street.

Worcester City Council- Conservation Officer- Originally objected, however the amended scheme addressed concerns from the Article 4 viewpoint.

- 6.1 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.
- 6.2 In assessing the proposal due regard has been given to residents' comments as material planning considerations. Nevertheless, decisions should not be made solely based on the number of representations, whether they are for or against a proposal. The Localism Act has not changed this, nor has it changed the advice that local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission unless it is founded on valid planning reasons.

7. Planning Assessment

7.1 Policy SWDP1 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 must be assessed, and the benefit and adverse impacts considered, to establish whether what is proposed is sustainable development. Taking the above matters into account, the principle material considerations are;

- The principle of development
- Design
- Residential amenity for future occupiers
- Impact on neighbouring residential amenity
- Historic Environment
 - Conservation Area
 - Back Lane Policy
 - Listed Buildings
 - Archaeology
- Access and Highway Safety
- Renewable and Low Carbon Energy

These issues will now each be considered in turn.

The Principle of Development

7.2 Policy SWDP 1 contained within the South Worcestershire Development Plan echoes the NPPF's requirements for 'sustainable development' and that planning applications that accord with the policies in the Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.

7.3 Furthermore, Paragraph 70 of the Framework advises that plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

7.4 In this case, the site has been used as a private garden area for the residents of the building, and can be considered either as a residential garden or potentially previously developed land as defined by the NPPF i.e. 'land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed)'.

7.5 In relation to it being a residential garden, the Council does not have a specific development plan policy relating to development in residential gardens and the NPPF does not preclude residential development in gardens, subject to safeguarding and improving the environment and ensuring safe and healthy living conditions.

7.6 In relation to the site being considered as previously developed or brownfield land, the proposals would be consistent with the development strategy and settlement hierarchy set out in policy SWDP 2 by making best use of accessible, available and environmentally acceptable brownfield land, focusing development on the urban area, in a location at the heart of the settlement at the top of the hierarchy and would also

be in accordance with the expectations of the NPPF to make the most effective use of land by re-using previously-developed land. It is considered that the submitted proposal accords with the broad aims of the NPPF and is consistent with the development strategy and settlement hierarchy set out in policy SWDP 2.

- 7.7 It is important to consider whether the site has the capacity to accommodate the proposed development in an acceptable manner which meets the needs of future occupants, including the provision of adequate access, parking and private amenity space, and whether the development of this site would have an adverse impact on the character and appearance of the site and surrounding area.

Design

- 7.8 Policy SWDP 21 sets out the design principles and states that all new developments need to aim for a high-quality design, in which the new development integrates effectively into the surroundings, local distinctiveness is reinforced, and any heritage assets are enhanced. There are several factors that need to be considered in terms of design which are listed below and will be discussed in turn.
- 7.9 The design has been significantly reduced in scale from the originally submitted application following objections from neighbouring properties and Worcester County council highways. The reduction in the size of the extension results in the single storey rear extension not being significantly bigger than the existing extensions on the property and continue to be at single storey only. The extension would be visible from the rear only as the extension continues the side elevations and would not protrude from the side of the building when viewed from the streetscene as seen in Figure 3.



Figure 3. Proposed rear elevation

- 7.10 Given the mix of property sizes within the immediate vicinity, including a number of large rear extensions, it would not impact the massing of the building from the streetscene. Therefore it meets the requirements of SWDP 21 in terms of scale and also ensuring the proposal does not have a negative impact on the existing

streetscene.

7.11 The materials proposed differ from the existing and are designed to give a contemporary appearance. As seen in Figure 3 the use of grey metal windows and doors, grey cladding and roof covering with a buff brick plinth will clearly define the new extension from the original building.

7.11 New and innovative designs are supported in SWDP21 where they enhance the overall built environment. In the proposal the loss of the existing poor quality conservatory with the replacement extension is a positive addition and would add visual character to the rear elevation of the building, though it would not benefit the public realm given that views from St Georges Lane South would be largely obscured by the amenity spaces and car parking areas as seen in Figure 4.

Residential amenity for future occupiers

7.12 The proposal relates to the internal reconfiguration of the existing building as well as the extension which would provide two additional one bed units. The existing building is in a poor quality with the existing conservatory and extension in a poor state of repair reflected also in the internal accommodation and garden areas.

7.13 The proposal seeks to refurbish the interior of the building and to rationalise the room layout with more consistent room sizes and natural light into the accommodation.

7.14 The external areas would benefit from significant improvement with designated external shared garden space accessed via the eastern side of the property.

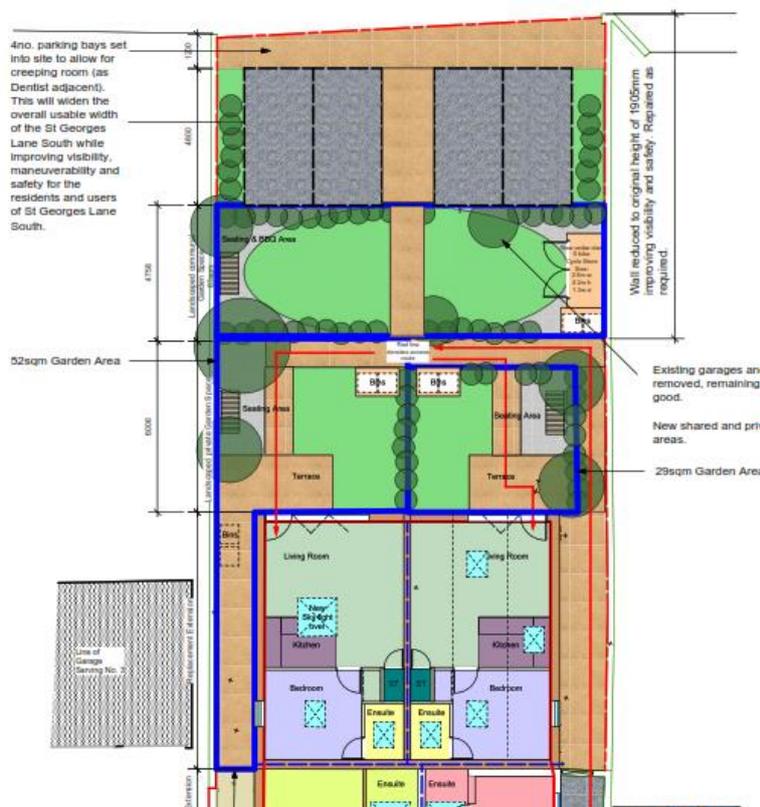


Figure 4. Ground floor plan showing rear external area

7.15 There are private gardens which serve the proposed units in the new extension, this would be main access for these residents through their garden area accessed by a central footpath through the shared garden areas.

- 7.16 The proposed new extension extends the depth of the building and creates a new block of accommodation which operates independently of the building. These units would have the benefit of private amenity space that would not be afforded to the units in the historic dwelling.
- 7.17 Whilst noting the comments of the Landscape Officer, it is considered that the proposal reflects a positive change in the quality of the accommodation proposed which supports the aims of SWDP21 in terms of design quality and amenity to ensure a high standard of amenity for existing and future users of land and buildings which would be appropriate to the size of dwelling being proposed.

Impact on neighbouring residential amenity

- 7.18 Neighbouring amenity under Policy SWDP 21 is part (iv) which strives to ensure that all new developments do not infringe upon neighbour amenities in respect of daylight, outlook, and privacy.
- 7.19 The site lies adjacent to No 3 Shrubbery Avenue and the Dentists practice. As part of refurbishment proposed, the internal reconfiguration of layout and rooms has been considered to ensure natural light and better room sizes is possible. The outlook from these rooms and the impact of overlooking has been considered as part of this process. The new windows are shown below in Figure 5. as bright blue and the existing purple.



revised

Figure 5. Showing proposed windows on plan and in elevation

- 7.20 The South Worcestershire Design Guide sets a requirement for a separation distance of 5m per storey between a direct facing window and a shared boundary with a neighbour. The window in the side elevation which relates to the ground floor bedroom (on both the east and west elevation) does not meet this standard. However, the outlook is facing the side boundary with the garage precluding views into the amenity area of No 3. Shrubbery Road and to the side boundary with the Dentists and no residential amenity would be compromised. Therefore, the proposal would comply with policy SWDP 21 part iv.

- 7.21 The design uses rooflights to support the objective of gaining natural light into the rear new units given their principle window would be north facing. Additionally, in the roof area where the light may be limited given the orientation of the building. Overall, the scheme has been well considered in terms of the outlook from external windows and door in considering the relationship to the adjoining properties and within the building also.
- 7.22 Due to the siting and orientation of the dwellings and the separation distance between the dwellings and the adjoining residential properties it is unlikely that there would be any impact in respect to loss of light or outlook. Therefore, the proposal would comply with policy SWDP 21 part iv.

Historic Environment

Conservation area

- 7.23 The Article 4 Direction in relation to Shrubbery Avenue Conservation Area came into effect on 20th December 2018 and work has been undertaken regarding the consideration area in terms of the management of the area and recognising the areas of special quality which make the area worthy of the designation.

- 7.24 Following a site visit and discussion regarding the proposal the scheme was altered to reflect the constraints of the site and the management aims for the area. The proposal has now limited the changes to the frontage of the building. It seeks to improve the front amenity space with tidy up works, adding a bench and cycle storage. On the building, the insertion of rooflight in the front roof plane which is precluded under the Article 4 directive.
- 7.25 The rooflight would provide a secondary light source to the living room in the roof area as the main light source is in the west elevation and so will receive lesser levels of natural light. The rooflight is not overly obtrusive and would not generate visual harm to the frontage of the building and received no objection from the Conservation Officer or Conservation Area Panel.

As seen in figure 1, the building currently has a negative visual contribution and the minor changes necessary to generate an improvement are acceptable, given the overall benefit it can provide. These changes are limited and any negative aspect would be offset in the improvement in the appearance of the building which would provide a more positive contribution to the conservation area currently which would have public benefit. **Back Lane Policy**

- 7.26 The Local Planning Authority has no "back lane" policy and whilst care is taken in terms of a general conservation approach to ensure the back lane area continues its relationship with the host dwelling- in terms of being subservient to the main frontage, a particular approach is not set out or required. The only direct reference for the application is on p.15 of the Shrubbery Avenue conservation area appraisal: -

The houses to the north of Shrubbery Avenue have large plots at the rear accessed through a small back lane, St George's Lane South, a former service lane to the grand houses of St George's Square. Originally enclosed by walls, the majority of the walls have now been removed to allow more access for car parking and some parts of the rear gardens have been paved over. The loss of this original characteristic has reduced the green cover and sense of 'back lane' enclosure.

- 7.27 5 Shrubbery Avenue has an existing car parking area with existing gates to the back lane. It is required by highways that the height of the rear boundary treatments are reduced to improve visibility when accessing the lane and it is proposed that the existing outbuildings are removed and the car parking be more formally laid out with car parking across the rear boundary of the site. The Shrubbery Avenue conservation area appraisal does not seek to prevent development of the kind proposed or reinstate a previous character but recognises it does change the character of this area.

Listed buildings

- 7.28 As set out, whilst the listed buildings on St. Georges Square share the back lane with the properties on Shrubbery Avenue, there is a clear distinction in terms of age, character and the relationship between these sets of properties which have a back to back relationship. The proposed development would not affect the setting or the character of the St Georges Square in a significant way beyond the opening up of the rear boundary to allow for additional car parking on the site which is discussed above and would not be significant given the separation and the context of the separate characters of the two areas.

Heritage assets assessment

- 7.29 There is less than substantial harm to the heritage asset and there is no harm to the setting or character of Listed buildings that are close to the site.
- 7.30 It is recognised there is a public benefit in the addition of 2 residential units and given

that the harm is not only less than substantial but limited, it meets all the necessary tests.

Archaeology

- 7.31 In accordance with the NPPF The Council's archaeological advisor states that as the proposed extension is largely on the footprint of existing extensions, any archaeological remains in this area are likely to have been disturbed by previous construction. The buildings to be demolished have extremely limited heritage interest, if any. Archaeological remains may be present within the wider site and these may be affected by groundworks. However the site is some distance from the nearest known Roman and medieval sites. Barbourne Road is a medieval and probably earlier road alignment, and Roman remains have been found on sites 100m to the south and 200m to the east and north-east. The Council's Archaeological Advisor highlights that there is no reason to suspect the presence of significant remains of other periods.
- 7.32 Whilst any remains in the area are considered extremely unlikely given the previous construction on the site. Conditions have been applied as safeguards to ensure the archaeological/ heritage interest is secured if the proposal is approved.

Access and Highway Safety

- 7.33 The proposed scheme would benefit from four off road car parking spaces accessed from St Georges Lane South. The Highways Authority have reviewed this application and requested that 4 spaces were preferred to 5 spaces to accommodate for the narrow nature of the rear lane as well as garages accessing St Georges Lane south from St Georges Square.

Renewable and Low Carbon Energy

- 7.34 In accordance with Policy SWDP27 10% of the predicted energy requirements of the development must be generated by either a low carbon or renewable source. An Energy Statement has been provided, with photovoltaic panels to be installed to meet the requirements of SWDP27. Recent central government announcements with regard to electric vehicle charging points are also noted.

Landscaping

- 7.35 A condition seeking detail of planting to the rear garden area has been requested by the Landscaping and Biodiversity Consultant and been applied. This condition also includes the boundary treatment within the site and security of the gate which relates to the concerns raised by Councillor Lewing regarding a number of burglaries in the area recently and ensuring the development is adequately secure.
- 7.36 The amenity space currently comprises of an overgrown, untidy and underutilised rear amenity space for the sole use of the ground floor residents. The proposal includes a shared amenity space for the 5 flats and rear access to the property, as well as private amenity space for the new ground floor units.
- 7.37 Overall this improvement provides greater amenity value to the residents and a positive shared external space which is not currently available to residents and is a positive element of the scheme.

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 The scheme would provide an opportunity to improve the existing building and the quality of accommodation as part of the refurbishment which would have betterment for future residents both in terms of the building refurbishment and access to a designated shared garden. The scheme also provides an opportunity to improve the contribution it makes to the conservation area and the other heritage assets in the local area.
- 8.4 The extension does not significantly increase the depth of the building beyond the existing building, and care has been taken in terms of the design to ensure there is no unacceptable impact on the neighbouring properties in terms of window placement and overlooking.
- 8.5 The original proposal generated local objection; however, the scheme has evolved to respond to these issues and apart from concerns regarding the impact on the character of the back lane which remains. A negative aspect of the scheme is the potential impact on the back lane with the car parking spaces, however this harm is not considered to be significant or significantly harmful that would on balance be a sustainable reason for refusal.
- 8.6 On balance, the submitted scheme has indicated more than sufficient detail to warrant approval. In fact, it is considered that the proposal is a well-designed site utilising the full potential of the site including the rear garden area within a sensitive location.
- 8.7 I acknowledge all comments received as part of the consultation process and relevant material planning issues have been considered in the determination of this application. Even when taking into account the considerable importance and weight to be given to the less than substantial harm to the significance of the heritage assets, the adverse impacts of the development do not significantly and demonstrably outweigh the benefits. Overall, the proposals constitute a sustainable form of development that accords with the Framework and the Development Plan as a whole. As such, it is recommended that planning permission is granted.

9 Recommended Conditions:

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

BA31461120/02Ground Floor

BA31461120/04First Floor

BA31461120/05Second Floor

BA31461120/06Roof Plan

BA31461120/07Elevations

BA31461120/08Elevations

BA31461120/09Elevations

Location Plan

Planning Heritage Supporting Statement

BA3146120/01Topographical Survey(1)

Planning Heritage Supporting Statement(1)

Planning Heritage Supporting Statement(2)

Contaminated Land Assessment

Photo Montage

Energy Statement.pdf

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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 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 SWDP6 and SWDP 24 of the South Worcestershire Development Plan and aims and objectives of the National Planning Policy Framework.

4. If during the course of the works hereby approved any of the following features of interest are uncovered, the local planning authority shall be notified immediately and no works affecting such features shall take place until they have been inspected by persons authorised by the local planning authority and a scheme for their retention and/or treatment agreed in writing.

Schedule of features of interest:

Archaeological remains of medieval or earlier date

For the following reason:-

To allow the historical and archaeological potential of the site to be recorded in accordance with policies SWDP6 and SWDP 24 of the South Worcestershire Development Plan and aims and objectives of the National Planning Policy Framework.

5. Before the first use/occupation of the development hereby permitted a detailed specification of the proposed materials for the hard landscaping of the site (to include boundary treatments within the site, roads, paths, patio areas, parking areas and other hard surfaces) shall be submitted to and approved in writing by the Local Planning Authority.

In addition the planting- including existing and replacement planting should be detailed..

The hard landscaping of the site shall be completed before the first occupation of the development hereby permitted and the planting within the first planting season. Development shall be carried out in accordance with the approved details.

Reason - To ensure the proposed development represents high quality design and does not have an adverse effect on the character and appearance of the area in accordance with policies SWDP21 and SWDP25 of South Worcestershire Development Plan.

6. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan should include the following:

- the parking of the vehicles of site operatives and visitors;
- loading, unloading and storage of plant and materials used in the construction of development;
- construction hours (including maintenance of plant and equipment) and delivery times;
- details of any temporary contractors buildings (offices, toilets etc), plant, storage of materials and parking for site operatives;
- measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway, including wheel washing facilities where appropriate and the arrangements for their use;
- measures to control noise, vibration and the emission of dust and dirt;
- the recycling/disposing of waste resulting from excavation and construction works;
- the operation of plant and machinery (including silencing and sound attenuation) associated with engineering operations.
- measures to enable the monitoring, reporting and auditing of compliance and mechanism for corrective action;
- a scheme for recycling/disposing of waste from excavation and construction works;
- the hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring;

The approved Construction Environmental Management Plan shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

For the following reason:-

In order to ensure that the development of the site is undertaken following best practice and to ensure the protection of the amenities of nearby land users and activities and in accordance with policy SWDP 21 of the South Worcestershire Development Plan and the aims and interests that the National Planning Policy seeks to protect and promote with regard to amenity..