

Application Number	21/00551/FUL
Site Address	Lindisfarne House, 4 Barbourne Terrace, Worcester, WR1 3JS
Description of Development	Demolition of side extension; erection of 2 semi-detached dwellings together with parking and landscaping
Expiry Date	31 August 2022
Applicant	City Church Worcester
Agent	Mr Nick Carroll
Case Officer	Paul Collins paul.collins@worcester.gov.uk
Ward	Arboretum Ward
Reason for Referral to Committee	Ward Member referral
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/21/00551/FUL
Recommendation	The Corporate Director – Planning and Governance recommends that the Planning Committee grants planning permission subject to:- i)the conditions as set out in Section 9 of this report; and ii)the grant of a satisfactory Listed Building consent.

1. Background

- 1.1 The application was registered on 09 June 2021 and was due for a decision on 31 January 2022. An extension of time for the determination of the application has been agreed until 31 August 2022 to allow determination by the Planning Committee.
- 1.2 The application has been referred to the Planning Committee at the request of Councillor Karen Lewing

2. The site and surrounding area

- 2.1 The application site is situated in the Arboretum Ward and within the St Georges Square conservation area. It comprises the extended City Church Worcester building – an impressive three storey building (with single-storey side extension) set back from the road by around 24m. Much of the site to the front of the building is laid as hardstanding and there are several trees along the front boundary of the site, though they do not form a solid visual boundary. The site slopes to the rear. The application site is listed grade II and stands on the northern side of Barbourne Terrace, where Nos.1-3; 5-6A, and 9-12 are also listed grade II. These are large detached and semi-detached dwellings set back in their plots by a similar distance to the application

property. Facing, on the southern side of the road is Francis Court, a care home converted from a former Art College, which is Locally Listed, and Riversides, a Social, Emotional Mental Health (*SEMH*) School for those with an Education, Health and Care Plan.

- 2.2 Lindisfarne House was constructed c.1850 by Henry Day, the son of the architect Charles Day, who was County Surveyor for Worcestershire in the 1830s, and whose principal works include The Shire Hall on Foregate Street. Initially named Terrace Villa, its history is most closely linked with two main owners. The first was Thomas Chalk, a local Magistrate and the part-owner of the Worcester Herald, who commissioned the house from Henry Day. Chalk lived there until the 1870s. The next prominent owner was George Gascoyne, a printer and stationer from the Sheffield area, who moved to Worcester, aged 26, in 1891 to work for the hop merchants Henry James Firkins & Co. Soon afterwards he borrowed £1,000 from his father-in-law and set up his own business as a hop and seed merchant, and he was so successful that he eventually took over seven established local hop merchant firms, including: - Allesters, Bucklands, Caldicotts, Firkins, Harringtons, and Kents.
- 2.3 In 1895 Gascoyne had a pair of substantial semi-detached properties built in Park View Terrace, living in one of them – The Elms – as the family home, and leasing out the other – Riverlynne. Within a few years however, he bought Lindisfarne House, set in landscaped grounds at Barbourne Terrace. His business empire grew, and he bought the South Quay warehouse in 1915, plus other land and property in Worcester, including shops and buildings around his Sansome Street block, and he went into partnership with George Haynes, owner of the Crown Hotel in Broad Street, to build the Scala Cinema. George Gascoyne died in 1930, at the age of 64. His widow remained at Lindisfarne House until her death in 1950 aged 90, after which the house was sold.
- 2.4 According to its planning history, the house remained as a residence, but also accommodated a dental surgery. In the early 1960s it was bought by the National Farmers' Union for use as their county headquarters. They renamed the property 'Agriculture House', and added the current single-story side extension, as a 'club lounge', which was consented in August 1971. Around 1993, the City Church in Worcester rented a ground floor office there, and late in 1994 an opportunity arose for them to acquire the whole premises; it has been their base in the City until the present.
- 2.5 The area is not in an area of archaeological interest, is not within designated Green Space, but has TPOs (under reference TPO109 and TPO332) on some of its trees with the remainder protected by the Conservation Area. The vicinity is known to be inhabited by badgers and bats.

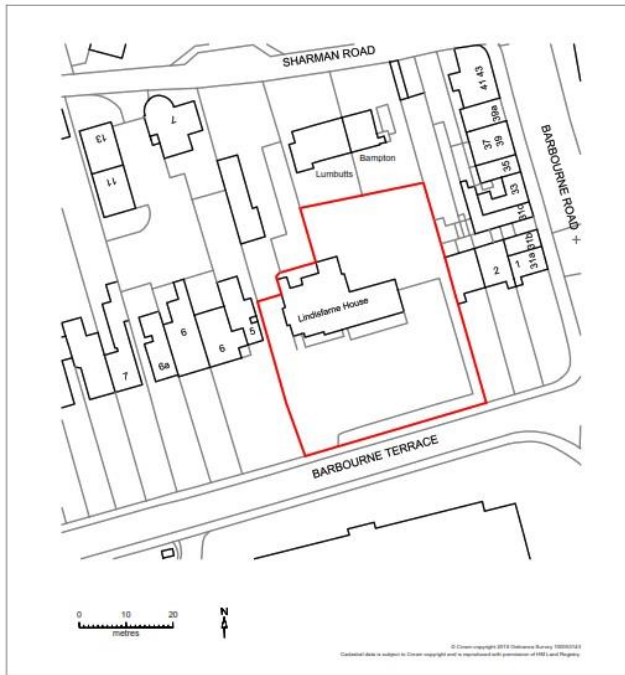


Figure 1 – Location Plan

3. The proposals

- 3.1 The proposed development is for the demolition of the single-storey side extension and the erection of a pair of semi-detached dwellings together with parking and landscaping. The dwellings would be set into the sloping ground of the site such that the lower ground floor would be exposed at the rear (with almost full width glazing across both dwellings) while the front half of that floor would be sunk into the ground. The development would comprise a further three floors, the top one being within the roof slope of the building. The roof would be set back from the walls of the building by around 600mm all the way round it. The building would have a centrally sited front porch with individual front doors serving each of the dwellings.
- 3.2 Each of the dwellings would comprise a kitchen/dining room, pantry, and utility room at lower ground floor level; a hall, dayroom, study, shower room and cloakroom at ground floor level; two en suite bedrooms and a store served by a landing at first floor level and two bedrooms, and a bathroom served by a landing at second floor level.
- 3.3 The dwellings would be served by a mix of fenestration. Either side of each of the front doors would be narrow glazed panels while above the porch would be a tall thin window to each of the dwellings, serving their stairs. To the ground and first floors of the dwellings, either side of these windows and the porch, would be a large and continuous window spanning both floors. To the rear elevation of the dwelling at ground floor level would be almost full width bi-fold doors, while at ground and first floors would be tall narrow windows spanning both floors, though with a dark panel separating the glazing to each of the floors. There would be two such window arrangements to the rear elevations of both dwellings. A similar arrangement would be provided to the flank elevations of both dwellings though it would include the lower ground floor as well and would be a glazed door. All the windows would have glazing bars.
- 3.4 The proposed development would also include the re-organisation of the existing parking on the site and the provision of additional landscaping. Seven parking spaces would be provided for the church and six for the dwellings. Both dwellings would be provided with a shed/bike store in their rear gardens.

- 3.5 The application is accompanied by a full set of plans together with a suite of supporting documents that include: -
- Proposed Plans
 - Proposed Elevations
 - Lindisfarne Design And Access Statement
 - Lindisfarne House Hs 3
 - Tree Protection Plan
 - revision: 1 Ecology report - Lindisfarne House, Worcester
 - revision: 1 Arboricultural Impact Assessment
 - Tree Constraints Plan
 - Lindisfarne - Design and Access Statement A .pdf
 - 2030 - P - 02 E Lindisfarne - Block Plan.pdf
- 3.6 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 Paragraph 200 of the NPPF states that "Local Authorities are called to look for opportunities for new development within conservation areas and the setting of heritage assets to enhance or better reveal their significance" and that "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" (paragraph 130). This is further reflected in South Worcestershire Development Plan 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 and policy SWDP 21 which sets generic design principles for development proposals.
- 4.3 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".
- 4.4 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 in December 2012, and;
 - The Worcestershire Minerals Local Plan, which was adopted in July 2022

South Worcestershire Development Plan

- 4.5 The following policies of the SWDP are considered to be relevant to the proposal:
- SWDP 21 Design
 - SWDP 27 Renewable and Low Carbon Energy
 - SWDP 4 Moving Around South Worcestershire
 - SWDP 29 Sustainable Drainage Systems
 - SWDP 6 Historic Environment
 - SWDP 24 Management of the Historic Environment

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

1. National Planning Practice Guidance

3. Supplementary Planning Documents

- 4.7 The following Supplementary Planning Documents (SPD) are relevant to the application proposals:-

- South Worcestershire Design SPD
- Planning for Health in South Worcestershire SPD
- Renewable and Low Carbon Energy SPD

4. Other Material Considerations

The following documents are relevant to the application proposals. Due to their status as evidence or guidance, they do not carry full weight of development plan policy or as SPD:

- Worcestershire's Local Transport Plan (LTP4) 2018 – 2030
- Worcestershire County Council Streetscape Design Guide (2020)

5. Relevant Planning History

- 5.1 The site has been the subject of the following planning applications the following are considered to be relevant to the determination of the application:

71/0772

The change of use of one general storage room to a club lounge and another to form kitchen into bar and store for the use of administrative H Q only.

Approved 6 August 1971

73/1067

Total demolition to permit re-development of new County Headquarters.

Refused
7 September 1973

P89C0576
Erection of three storey building to form residential apartments.
Refused
25 January 1990

P96M0008
Formation of external ramp and fire escape door and change of use of ground floor for church and community use.
Approved
14 March 1996

P01M0665 and L01M0076
New disabled access ramp to give access into the building for disabled people.
Approved 4 April 2002

P04A0477 and L04A0058
Proposed installation of disabled access lift and associated works.
Approved 3 September 2004
L07A0040
Erection of a proposed glazed link to The Hollies and Rose House.
Listed Building Consent Granted 4 June 2007

Pre-application Engagement

20/00071/PA
Demolition of existing side extension and erection of 2, semi-detached dwellings
Advice Given – 4 March 2020

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: Objections have been received from the occupants of Lumbutts, Sharman Road on grounds relating to the following matters: 01 July 2021: - I strongly object to this proposal for the following reasons: -

- The application states 'There is no overlooking of neighbouring properties.' This is not correct. The proposed development has 3 floors of windows on the north elevation which would directly overlook us as a neighbouring property depriving us of our privacy.
- Sunshine to the rear of our property would be blocked by the proposed development in winter months.
- There is a magnificent Cedar of Lebanon and a mature Holm Oak adjacent to the proposed development and within the grounds of Lindisfarne house, also a Magnolia in the proposed development area. These have been ignored in the application.
- Bats are seen flying in Lindisfarne House grounds and in our garden throughout the summer and it is an important corridor for wildlife, including badgers, hedgehogs and foxes and a flight path for many species of birds. A wildlife habitat survey has not been mentioned.

- Lindisfarne House (City Church and offices) will lose at least half of its car parking capacity (a good deal more than 6 spaces) with the area already suffering badly from car parking problems (in the street).
- The proposed work will have a negative impact on the listed building and the conservation area because 'A modern expression of Georgian architecture' has no place in a conservation area and should not be allowed to take away from Lindisfarne House – the only known Italianate style palatial Victorian dwelling in a spacious garden setting in Barbourne.

This application is flawed and misleading and I would urge for it to be rejected.

Third Party Comments:

South Worcestershire Land Drainage Partnership – 16 June 2021: - The site is located within Environment Agency (EA) (fluvial) Flood Zone 1 but it should be borne in mind that these maps only model watercourses with a catchment area >3km² and do not include allowance for climate change. Reference should also be made to surface water mapping and the EA flood maps for surface water (FMfSW) used in the South Worcestershire SFRA (December 2012) indicate 200yr shallow flood risk to the rear, north, part of the site. The updated version of these maps, (uFMfSW), published by the EA in December 2013 <https://flood-warninginformation.service.gov.uk/long-term-flood-risk> indicates 1000yr ('low') flood risk to the rear part of the site. Other layers on the EA maps indicate the depth and velocity of such event flows. I have no objection in principle to the proposals with respect to flood risk, but applications that involve an intensification of use with additional residential units should consider safe access as a risk and ensure that appropriate measures are in place, such as setting adequate minimum finished floor levels, in the detailed design. The Applicant has stated soakaway on the application form and in the accompanying Water Management Statement, the Applicant includes water butts at rainwater downpipe positions and permeable paving. The use of soakaways is acceptable in principle subject to site and ground conditions being suitable. Reference to a soils map reveals that ground conditions at this location are likely to be suitable for infiltration drainage methods and there seems to be sufficient space in the site layout to accommodate soakaways. The Applicant should follow a sustainable approach to surface water management (SuDS) and the recommended drainage hierarchy: source control-watercourse-sewer, to control additional surface water generated by roof and paved areas, so that the proposed total rate and volume of run-off from the site is no greater than present run-off rates and volume. Refer to the former EA Surface Water Management Advice Note for Worcestershire and the latest EA advice on climate change allowances, (+40% added to peak rainfall intensities). I have no objection to these proposals in principle, nor requirement for surface water drainage conditions to be applied to any planning permission granted for this application.

Historic England – 18 June 2021: - On the basis of the information available to date, we do not wish to offer any comments.

Worcester City Council Archaeological Officer: -
No archaeological concerns

Worcester City Council Landscape and Biodiversity Adviser: -
15 June 2021: - This scheme will need an ecological (phase 1 habitat and species) survey and a tree survey. Large mature gardens are havens for urban wildlife, and there are also concerns about hard construction in the root protection zones of significant trees.

26 October 2021: - (Commenting upon a Tree Report) Only a small magnolia would be lost which is fine but should be replaced in a suitable location. If we condition the Tree Protection Plan including suitable working methods as they suggest that should be fine.

It would still be good to get a considered view on the garden habitat though. It looks simple and open, but the key thing would be any badger activity which can be well concealed to the uninitiated eye, and there are badgers in the vicinity e.g., the riverside open spaces and large gardens of Barbourne generally. We'll soon be asking for biodiversity gain in all apps pretty much so a new fruit tree in each new back garden would be good. The careful retention of nearly all existing trees though is welcomed, and there is a nice Holm Oak too

Worcestershire County Council (Highway Authority): -

22 June 2021: - Based on the appraisal of the development proposals (we recommend) that this application be deferred. The existing site located on Barbourne Terrace, comprises City Church Worcester and associated offices plus a large frontage area for parking and a single point of access to the highway. It is noted that details of the existing parking provision have not been provided.

The proposed development of 2 x 4No.bedroom dwellings in place of the offices to be demolished, will require 3 parking spaces per dwelling within the curtilage and will result in a reduction in the external area available for parking on the site. The proposed Block Plan indicates 6 spaces for the residential use with 7 spaces retained for the Church use, however no evidence has been provided to demonstrate that this level of provision will be sufficient to meet the demands of the City Church which is a busy setting, with activities and services 7 days a week. Moreover, there are parking issues in the vicinity of the site and a residential parking scheme is in place on Barbourne Terrace.

The applicant should be requested to carry out an assessment of the existing parking demand for the City Church over a typical 7-day period as evidence to support the proposed parking provision and this should be presented in the form of a Technical Note. In addition, details of the existing access width are required and as this will become a shared access to serve 2 distinct uses on the site, the vehicular access should be widened to 5.5m to enable 2 vehicles to pass and get clear of the highway. It is noted that cycle parking is indicated on plan and electric vehicle charging points would also be expected.

The Highway Authority submits a response of deferral until the required information has been provided and considered.

26 May 2022: - Thank you for the email and the latest site plan showing 13 spaces. As before, the parking requirement is based on information previously provided by the applicant and the requirement for B1 use is 13 spaces based on a GFA of 3500sq ft which is equivalent to 325sqm.

I'm pleased to confirm that having reviewed the proposed layout to include the widened access, this layout is accepted on the basis that all spaces are 2.4m x 4.8m as a minimum with 6m turning for the residential spaces. Whilst specific details of the gated access to the residential parking have not been provided, e.g. are the gates sliding? this element is problematic and it is recommended that the gate is removed from plan. I'll then be happy to provide a final conditioned response.

The above amendment was provided by the Agent on drawing 2107 / P / 02E on 01 June 2022, and on 30 June 2022, Highways replied that: - 'Based on the appraisal of the development proposals the Transport Planning and Development Management Team Leader on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection subject to conditions'. The proposed conditions are set out in section 9 of this report.

South Worcestershire Land Drainage Partnership:

16 June 2021: - The site is located within Environment Agency (EA) (fluvial) Flood Zone 1 but it should be borne in mind that these maps only model watercourses with a catchment area >3km² and do not include allowance for climate change. Reference should also be made to surface water mapping and the EA flood maps for surface water (FMfSW) used in the South Worcestershire SFRA (December 2012) indicate 200yr shallow flood risk to the rear, north, part of the site. The updated version of these maps, (uFMfSW), published by the EA in December 2013 <https://flood-warninginformation.service.gov.uk/long-term-flood-risk> indicates 1000yr ('low') flood risk to the rear part of the site. Other layers on the EA maps indicate the depth and velocity of such event flows. I have no objection in principle to the proposals with respect to flood risk, but applications that involve an intensification of use with additional residential units should consider safe access as a risk and ensure that appropriate measures are in place, such as setting adequate minimum finished floor levels, in the detailed design. The Applicant has stated soakaway on the application form and in the accompanying Water Management Statement, the Applicant includes water butts at rainwater downpipe positions and permeable paving. The use of soakaways is acceptable in principle subject to site and ground conditions being suitable. Reference to a soils map reveals that ground conditions at this location are likely to be suitable for infiltration drainage methods and there seems to be sufficient space in the site layout to accommodate soakaways. The Applicant should follow a sustainable approach to surface water management (SuDS) and the recommended drainage hierarchy: source control-watercourse-sewer, to control additional surface water generated by roof and paved areas, so that the proposed total rate and volume of run-off from the site is no greater than present run-off rates and volume. Refer to the former EA Surface Water Management Advice Note for Worcestershire and the latest EA advice on climate change allowances, (+40% added to peak rainfall intensities). I have no objection to these proposals in principle, nor requirement for surface water drainage conditions to be applied to any planning permission granted for this application.

West Mercia Constabulary Crime Risk Manager: – 17 June 2021: - I have no concerns or objections.

Conservation Advisory Panel: – 07 July 2021: - No objection and welcomed the scheme positively. The Panel discussed this scheme in detail and considered that it was a well thought out scheme that would bring about considerable improvements to the original building and its grounds.

- 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 local residents' comments as material planning considerations. Nevertheless, I am also mindful that decisions should not be made solely on the basis of 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 have to be assessed and the benefit and adverse impacts considered, to establish whether what is proposed is sustainable development.

- 7.2 Taking the above matters into account 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.

The Principle of Development

- 7.3 Paragraph 74 of the Framework states that 'local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies or against the local housing need where the strategic policies are more than five years old'.
- 7.4 In terms of the Council's Housing Land Supply, in recent appeal decisions relating to Malvern Hills District and Wychavon District Inspectors determined that a five-year housing land supply had not been demonstrated. This resulted from the requirement to implement the standard methodology for calculating the five year supply figure, as the South Worcestershire Development Plan (SWDP) is now more than 5 years old. The Annual Position Statement setting out the supply figure is anticipated to be updated at the end of August 2022 and could be at least 5 years. On this basis, at the current time and for the purpose of the determination of this application policies relating to the supply of housing should be regarded as being out of date.
- 7.5 Paragraph 11d) of the NPPF highlights that where the policies which are most important for determining the application are out-of-date, Local Planning Authorities should grant planning permission unless:
- i. the application of policies in this Framework that protect areas or assets (e.g. designated heritage assets) of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 7.6 In terms of the Council's Development Plan and the consideration of this application, the key policies for determining the application do not specifically relate to the supply of housing. However under NPPF Paragraph 11(d), the tilted balance, is still engaged. This is reflected in the assessment of the application as set out in this report.
- 7.7 The application site is located just off one of the main routes into the City Centre from the north, comprising a mixture of residential, educational, leisure, office and retail uses. The restoration of the host listed building and the proposed new dwellings 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 site has the potential to reduce the dependency on the motor vehicle and as such this is welcomed. Accordingly, there is no objection to the principle of the proposed uses on the site. Furthermore, it is considered 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.

7.8 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 when considered against the Development Plan as a whole.

Design

7.9 Policy SWDP 21 of the Development Plan states that the siting and layout of a development should reflect the given characteristics of the site in terms of its appearance and function. Further the policy advises that development proposals must complement the character of the area. In particular, development 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. On scale, height and massing, Policy SWDP 21 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.

7.10 The application would involve the demolition of the existing single storey extension which is more modern than the original dwelling and the reuse and realignment of the frontage parking area to create parking for the new dwellings as well as parking for the existing City Church and servicing and manoeuvring provision.

7.11 The proposed new buildings would be positioned on the site of the extension to be demolished and would be a similar depth to the existing and neighbouring properties and would therefore be interpreted as a similar grain to the properties on Barbourne Terrace.



Figure 2 – Proposed Block Plan

- 7.12 The applicant submits that the proposed building is not a copy but a modern expression of Georgian architecture. This is achieved by reinforcing the proportions of the golden rectangle on the front and back of the building in the fenestration.



Figure 3 – Proposed Front Elevations

- 7.13 Notwithstanding the comments of the local resident, the proposals would be an appropriate response to the large villa/townhouse style of the area and would be a modern interpretation of Georgian architecture. The proportions, scale and design features would be appropriate to the street scene and character of the area.
- 7.14 Therefore the proposals are considered to be appropriate and in accordance with Policy SWDP 21 of the Development Plan and the aims and objectives of the National Planning Policy Framework.

Impact on neighbouring amenity

- 7.15 Policy SWDP 21 requires amongst other matters that new development should provide an adequate level of privacy, outlook, sunlight and daylight, and should not be unduly overbearing. This is consistent with paragraph 130 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. Pertinent advice is also contained in the South Worcestershire Design Guide SPD (SWDG SPD).
- 7.16 The site lies adjacent to residential properties located within Barbourne Terrace. Policy SWDP 21 requires that new development does not have a significant adverse effect on neighbouring amenity. This is consistent with paragraph 130(f) 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. The comments received as to the impact of the proposals from local residents have been carefully considered in the determination of the application.
- 7.17 The introduction of the proposed development could give rise to potential noise and disturbance for the occupiers of the surrounding properties as a result of demolition works, the movement of construction and related traffic, construction works, and from

the operation of the site on completion from activities on site and movements to and from the site. Wherever possible mitigation through construction management will reduce the impact of development.

- 7.18 The proposals follow existing building lines and would be of a similar relationship to existing properties of a similar scale. Whilst the proposals would introduce a mass in a visual gap between properties, due to the separation distance and relationship to the neighbours to the rear there would be no material impact on the amenities of neighbours. The proposed garden depth for the new properties is approximately 16.4m which is appropriate for a new property and the character of the area. There would also be no conflict with the 45degree code or other assessments of amenity.
- 7.19 Overall the proposals would not materially impact on the amenities of neighbours and would be considered to be appropriate and in accordance with the requirements of Policy SWDP 21 of the Development Plan.

Landscape Character and Visual Impact

- 7.20 Policies SWDP 21 and SWDP 22 guide on the importance of landscape provision and supporting biodiversity. The proposals include a range of new planting and this is shown on the submitted plans and further amplified within the Design and Access Statement. The comments of the Council's Landscape and Biodiversity Advisor have been given careful consideration and the comments of the local residents have also been given full and careful consideration.
- 7.21 A small magnolia tree is proposed to be lost and the need for compensatory planting to replace this has been conditioned. Other conditions cover the protection of the trees on site.

Historic Environment

- 7.22 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". Policy SWDP 6 is the relevant policy of the Development Plan and the requirements of Paragraph 200-204 of the NPPF are also relevant. The application is supported by Historic and Archaeological Assessment. The comments of local residents are noted in respect of the historic nature of Lindisfarne House and the nearby listed structures and have been given full consideration.

Listed Buildings and Conservation Area

- 7.23 In addition to Lindisfarne House, the nearest listed structures in the vicinity are all on the northern side of Barbourne Terrace, where Nos.1-3; 5-6A, and 9-12 are also listed grade II.
- 7.24 Other listed structures and buildings in the vicinity (identified in the site description above) are significant in terms of their historic significance but due to the distance from the application site and intervening buildings there would be limited impact on these neighbouring buildings or their setting.
- 7.25 In terms of the Lindisfarne House, the loss of the single storey extension, which is a later addition would not be a significant impact on the heritage and whilst the new build

properties would be alongside the existing house, there would only be limited harm to the interpretation of the listed building and its setting as the new proposals would be viewed alongside buildings of similar bulk and mass.

- 7.26 For similar reasons to those highlighted above there would be less than substantial harm to the character and setting of the Conservation Area.

Archaeology

- 7.27 The application site is not located in an area of known archaeological sensitivity and the comments of the Council's Archaeological Advisor are noted. As such there are no concerns raised in terms of archaeology.
- 7.28 As such, there would be less than substantial harm on designated heritage assets and the proposals are considered to be consistent and appropriate in the context of Policies SWDP 6 and SWDP 24, the overarching legislation and the NPPF.

Access and Highway Safety

- 7.29 Policies SWDP4 and SWDP21 of the South Worcestershire Development Plan (2016) state that satisfactory access and provision for the parking, servicing and manoeuvring of vehicles should be provided in accordance with the recognised standards. SWDP4 also seeks to manage the level of car parking to an appropriate level and reduce the need to travel or use alternative modes of transport. The comments of highways officers are noted and the concerns of residents are also noted.
- 7.30 Caselaw requires decisions should be made in accordance with the Development Plan unless material circumstances indicate otherwise. The NPPF and on site observations are a material consideration.
- 7.31 For completeness Paras 107 and 108 of the NPPF state:
107. If setting local parking standards for residential and non-residential development, policies should take into account:
a) the accessibility of the development;
b) the type, mix and use of development;
c) the availability of and opportunities for public transport;
d) local car ownership levels; and
e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.
108. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of the Framework).
- 7.32 The NPPF and caselaw requires that the decisions should be made in accordance with the Development Plan unless material circumstances indicate otherwise. The NPPF and on site observations are a material consideration.
- 7.33 The application of the Streetscape Design Guide 2020 as an other material consideration carries moderate weight as amendments since its original adoption have not been through formal consultation and it does not therefore carry the same weight as an SPD. It is important to consider flexibility and have regard to individual site circumstances when applying Policy SWDP 4 of the Development Plan and related guidance.

- 7.34 In accordance with Para 111 of the NPPF states Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.35 The proposals would provide, through the re-alignment of the existing driveway area, improvement in the parking and manoeuvring capability. The proposed parking is appropriate to the location, the type of the accommodation provided and ensuring that parking does not dominate or harm the setting of the heritage assets and important landscape features.
- 7.36 The site is in an established residential location, accessible to alternative modes of transport and cycle storage is included in the proposals.

Biodiversity

- 7.37 Policy SWDP 22 guides on the importance of supporting biodiversity. The comments of the Council's Landscape and Biodiversity Advisor have been given careful consideration alongside the comments of local residents.
- 7.38 The proposals are supported by an Ecological Survey and Assessment which concludes that there are no roosting bats, no nesting birds, and no potential for other creatures such as Badger, Hedgehog, Reptiles, Amphibians. No time restrictions are considered necessary on this work. The existing building contains no gaps or features that would support bat roosting or nesting opportunities.
- 7.39 The survey advises that an advisable precaution is to inspect any deep foundations excavated, each morning, in case a wandering hedgehog does stray into the area and become trapped. Trenches should be checked each morning before work commences and any trapped creatures lifted to a place of safety.
- 7.40 It may also be advisable to check the vegetation before removal for the presence of nesting birds, although this is considered by the applicant to be unlikely.
- 7.41 Overall considering the submission by the applicant and the information provided, there would be no objection to the application and the proposals would be in accordance with Policy SWDP 22 of the Development Plan subject to appropriate conditions.

Flooding and Drainage

- 7.42 The site is located within Environment Agency (EA) (fluvial) Flood Zone 1.
- 7.43 Matters relating to Surface water flooding, Foul drainage, Sustainable drainage proposals, and Water Management Statement follow the recommendations of the South Worcestershire Land Drainage Partnership cited above and, where relevant, have been set by condition.

8. Conclusion and planning balance

- 8.1 This development would assist in delivering the objectively assessed housing need for South Worcestershire over the plan period to 2030 ensuring that there is an adequate supply of land for housing. It would also make a meaningful contribution towards affordable housing need. These are factors in support of the development to which substantial weight should be attached.

- 8.2 Turning to the overall planning balance, although some limited conflict has been found with Policy SWDP6 of the development plan in relation to matters of heritage and some weight has been given to this in the planning balance, no conflict with the development plan has been found in terms of Policies SWDP 4 or SWDP 21, for example.
- 8.3 The proposed development would result in some economic benefits; employment during construction and thereafter upon the occupation of the dwellings 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 clearly be in favour of granting planning permission.
- 8.4 With regard to the social role, the delivery of market homes in this location would contribute to the continued economic and social sustainability of the City. This is a factor to which significant positive weight is also attached.
- 8.5 In respect of potential adverse impacts, the proposal has received objections focusing around heritage, impact on amenity biodiversity and parking provision. These concerns have been given full consideration and have been given appropriate weighting in the determination of this application.
- 8.6 There has been no objection to the proposal from the South Worcestershire Land Drainage Partnership and the development is not contrary to the guidance set down at national or local level.
- 8.7 Taking all of the benefits into consideration, when balanced with the limited harm that would arise from the proposed development, it is considered that the harm would be significantly and demonstrably outweighed by the benefits in this instance. Accordingly, whether the council can or cannot demonstrate a five-year housing land supply, does not alter the overall conclusion that the conflict with the SWDP identified above and as such, the Development Plan as a whole, are outweighed by the benefits and accordingly the proposals are considered to be sustainable development and would be acceptable. Overall the proposal is considered to accord with the SWDP, when taken as a whole.
- 8.8 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, it is considered that the proposed development is sustainable when looking at its social, economic and environmental credentials in the round.

9. Recommended Conditions

- 9.1 In the event that Members are minded to grant planning permission the following planning 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

Proposed Plans

Proposed Elevations

Lindisfarne Design And Access Statement

Lindisfarne House Hs 3

Tree Protection Plan

revision: 1 Ecology report - Lindisfarne House, Worcester.pdf

revision: 1 Arboricultural Impact Assessment

Tree Constraints Plan

Lindisfarne - Design and Access Statement A .pdf

2030 - P - 02 E Lindisfarne - Block Plan.pdf

Reason: - To ensure compliance with the approved scheme

3. No above ground building operations hereby permitted shall commence until details of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. The details to be submitted shall include:-
- type, colour, texture, size, coursing, finish, jointing and pointing of brickwork;
 - type, colour, texture, size and design of roofing materials;
 - type of mortar;
 - 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);
 - window sections; and
 - 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.

4. Prior to any demolition works hereby approved, details of making good or repairs to any building to be retained and affected by the demolition works shall be submitted to and approved in writing by the local planning authority. In particular these details shall include proposals for the careful removal, storage and reuse of the three windows in the single-storey side extension consented for demolition, to be reinstated in the re-exposed side elevation. The details to be submitted shall include an implementation timetable and schedule of works.

The development and making good/repair works shall be carried out in accordance with the approved details/schedule/timetable.

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.

5. Demolition, clearance or construction work and deliveries to and from the site in connection with the development hereby approved shall only take place between the hours of 08.00 and 18.00 hrs Monday to Friday and 08.00 and 13.00 hrs on a Saturday. There shall be no demolition, clearance or construction work or deliveries to and from the site on Sundays or Bank Holidays.

Reason: - To preserve the amenities of the locality in accord with Policy SWDP 21 of the South Worcestershire Development Plan.

6. The Development hereby approved shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following: -
- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway.
 - Details of site operative parking areas, material storage areas and the location of site operatives' facilities (offices, toilets etc).
 - The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
 - A highway condition survey, timescale for re-inspections, and details of any reinstatement.

The measures set out in the approved Plan shall be carried out and complied with in full during the demolition and the construction of the development hereby approved.

REASON: - To ensure the provision of adequate on-site facilities and in the interests of highway safety.

7. Any works involving or taking place around trees on the site should follow the guidance given on the submitted Tree Protection Plan (dated 25 October 2021) plus Sections 4.1 to 4.3 of the submitted Arboricultural Impact Assessment, prepared by Chris Garner of Eden Arboriculture Ltd referenced as EA-2021-094 (AIA) and dated 25 October 2021.

Reason: - To maintain the environmental quality of the site and surrounding area in accordance with policy SWDP 25 and SWDP 5 of the South Worcestershire Development Plan and aims and objectives of the National Planning Policy Framework.

8. 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;
 - at least two bat boxes should be installed within the landownership of Lindisfarne House. 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.

9. Before the commencement of construction works on the development hereby permitted, details of bat roosting features and bird nesting boxes on trees shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include an implementation timetable. The features shall be provided in accordance with the approved details and in accordance with the approved timetable.

Reason: - To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area in accordance with policy SWDP 22 of the South Worcestershire Development Plan.

10. The Development hereby approved shall not be occupied until the widened access and parking and turning for both uses on this site, as shown on Drawing No. 2107/P/02E have been provided and marked out on the ground. These areas shall thereafter be retained and kept available for their respective approved uses at all times.

REASON: - In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

11. The Development hereby approved shall not be occupied until the first 5 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

REASON: In the interests of highway safety.

12. The Development hereby permitted shall not be occupied until the sheltered, secure and accessible cycle parking shown on the submitted plan has been provided. Thereafter the provision shall be retained for the purposes of cycle parking only at all times.

REASON: - To promote sustainable modes of transport in accordance with Policy SWDP 4 of the South Worcestershire Development Plan.

13. The Development hereby permitted shall not be first occupied until electric vehicle charging facilities have been provided for the residential use, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: - To encourage sustainable travel and healthy communities in accordance with Policy SWDP 4 of the South Worcestershire Development Plan.

14. Prior to the above ground works being commenced details to incorporate the generation of energy from renewable or low carbon sources equivalent to at least 10% of predicted energy requirements shall be submitted to and agreed in writing by the Local Planning Authority. The approved details for each dwellinghouse shall be implemented and operational prior to the first occupation of each dwellinghouse.

Reason: To ensure the development meets the requirements of Policy SWDP 27 and associated guidance in the Renewable and Low Carbon Supplementary Planning Document and the aims and objectives of the National Planning Policy Framework to mitigate the impact of climate change.

NOTES TO APPLICANT

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email: -worcestershirevehicle.crossing@ringway.co.uk Tel: - 01905 751651. The applicant is solely responsible for all costs associated with construction of the access.