

Application Number	21/01108/FUL
Site Address	Perdiswell Park, John Comyn Drive, WORCESTER, WR3 7NS
Description of Development	A new build 3 storey office building.
Expiry Date	17 February 2022
Applicant	Misters Brothers
Agent	Zebra Architects
Case Officer	Steven Hoang
	steven.hoang@worcester.gov.uk
Ward	Claines Ward
Reason for Referral to Committee	Departure from development plan
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/21/01108/FUL
Recommendation	The Corporate Director - Planning and Governance recommends that the Planning Committee refuses planning permission for the reasons set out in section 9 of this report.

1. Background

- 1.1 The application was registered on 23 December 2021 and was due for a decision on 17 February 2022.
- 1.2 The application has been referred to the Planning Committee as it is outside the scope of the adopted Scheme of Delegation.

2. The site and surrounding area

- 2.1 The application site forms part the Perdiswell Park office development along John Comyn Drive. The proposal site concerns landscaped land by the north-western part of the application site and also towards the southern section of Perdiswell Park adjacent to the Coach House. The site of the proposal also includes an access road along the eastern boundary of the site, connecting the north western and southern landscaped land as mentioned above.

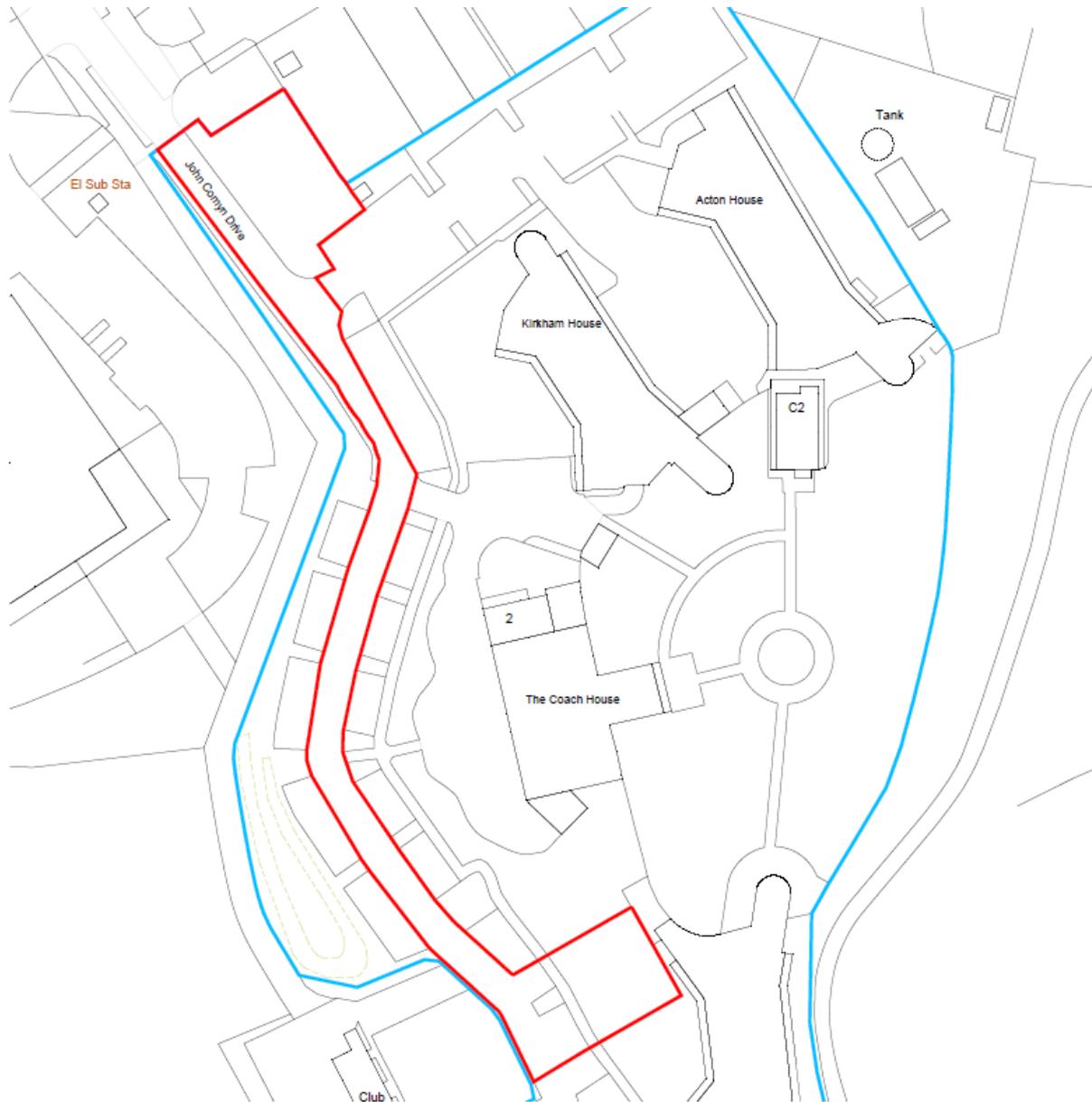


Figure 1: Location Plan

- 2.2 Perdiswell Park is mainly characterised by modern office blocks ranging from 2-3 storeys in height, however a grade II listed Coach House lies towards the centre of the site. Buildings within the site are framed by areas of soft landscaping and are also surrounded by areas of hardstanding mainly used for car parking. The wider surrounding area mainly consists of open land, with the exception of a few low-rise buildings to the west and south west of the site. The site is accessed from Droitwich Road located to the north-west.
- 2.3 The north-western part of the proposal site is designated as part of the Green Belt, however the other parts of the proposal site are not. Nevertheless, the entire site is

designated as Green Space, Archaeological Sensitive Areas (ASA) and Air Quality Management Area (AQMA).



Figure 2: Photograph of north-western part (above)



Figure 3: Photograph of Grade II listed Coach House

3. The proposals

- 3.1 The application seeks planning permission for the erection of a three storey office building to the north-western part of the application site, by the entrance of Perdiswell Park. The proposed office building measures approximately 20.6m by 8.2m and 11.6m in height. The building design features a flat roof and rectangular in shape, finished in red facing-brick and powder coated aluminium cladding with grey aluminium windows. Nine car parking spaces are proposed immediately adjacent to and parallel with the office building along John Comyn Drive.



Figure 4: Proposed elevations of 3 storey office building

3.2 The proposal also involves work to towards the southern section of Perdiswell Park, permission is sought to replace a landscaped area adjacent to the listed Coach House with the provision of 15 car parking spaces.

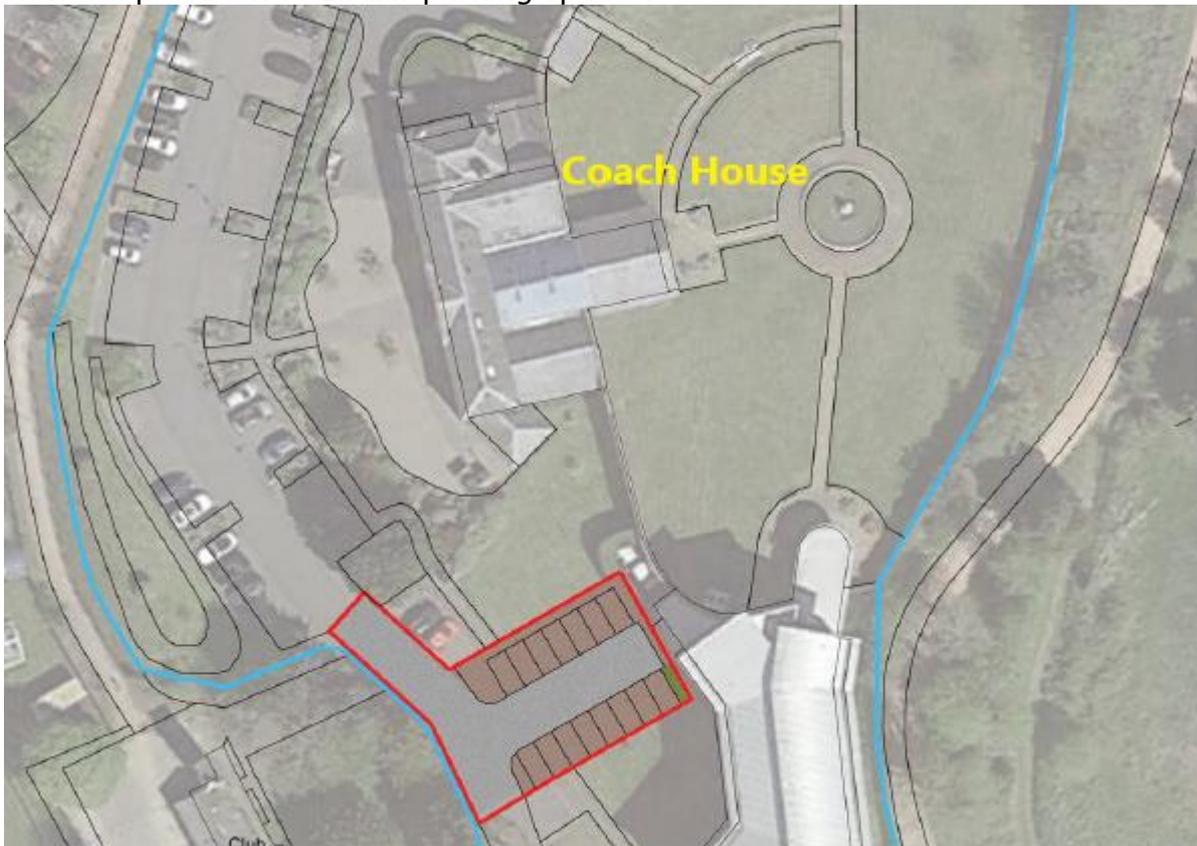


Figure 5: Proposed car parking to south of Grade II Listed Coach House

3.3 The application is accompanied by a full set of plans together with a supporting document which include:

- Site Location Plan
- Existing Site Plan
- Proposed Site Plan
- Proposed Plans and Elevations
- Proposed Street Scenes
- Water Management Statement

3.4 In accordance with Article 15 (7) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), full details of the application have been published on the Council's website. As such, Members will have had the opportunity to review the submitted plans and documents in order to familiarise themselves with the proposals prior to consideration and determination of the application accordingly.

4. Planning Policy

4.1 The Town and Country Planning Act 1990 ('the Act') establishes the legislative framework for consideration of this application. Section 70(2) of the Act requires the decision-maker in determining planning applications/appeals to have regard to the Development Plan, insofar as it is material to the application/appeal, and to any other material consideration. Where the Development Plan is material to the development proposal it must therefore be taken into account. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application/appeal to be determined in accordance with the Plan, unless material considerations indicate otherwise.

4.2 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. Policy SWDP 21 requires that all development will be expected to be of a high design quality and integrate effectively with its surroundings and that development proposals must complement the character of the area. Furthermore, proposals should respond to surrounding buildings and the distinctive features or qualities that contribute to the visual and heritage interest of the townscape, frontages, streets and landscape quality of the local area and states that the scale, height and massing of development must be appropriate to the setting of the site and the surrounding landscape character and townscape, including existing urban grain and density.

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 on December 2012.
- The Worcestershire Minerals Local Plan which was adopted in July 2022.

South Worcestershire Development Plan (SWDP)

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

SWDP 2 Green Belt
 SWDP 4 Moving Around South Worcestershire
 SWDP 6: Historic Environment
 SWDP 8: Providing the Right Land and Buildings for Jobs
 SWDP 21 Design
 SWDP 22: Biodiversity and Geodiversity
 SWDP 24 Management of the Historic Environment
 SWDP 25: Landscape Character
 SWDP 27 Renewable and Low Carbon Energy
 SWDP 29 Sustainable Drainage Systems
 SWDP 30: Water Resources, Efficiency and Treatment
 SWDP 31: Pollution and Land Instability
 SWDP 33: Waste
 SWDP 38: Green Space

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

2. 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
- Renewable and Low Carbon Energy SPD

4. Other material considerations are;

4.8 The following documents are relevant to the application proposals. Due to their status as evidence or guidance they cannot be given full weight.

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

Worcestershire County Council Streetscape Design Guide (2020)

5. Relevant Legislation

4.9 The following legislation is also relevant and has been taken into account when considering this application:-

Town and Country Planning Act 1990 (as amended)
Planning Act 2008
Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)
Localism Act 2011 - Section 143 (amending S70 of the Town and Country Planning Act 1990) regarding local finance considerations.
Accessibility and Equalities Act 2010
The Human Rights Act 1998.

5. Planning History

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

- L98E0011 – Refurbishment of coach house to form offices and erection of new buildings affecting walled garden. Approved. Date (22 October 1998).
- L99E0071 - Amendment to listed building consent reference L98E0011 to carry out works to create an additional dwelling unit, extension, re-fenestration and internal alterations to form revised staircases, toilets and other related changes. Approved. Date (9 December 1999).
- P98E0092 - Refurbishment of coach house to form offices and erection of new buildings for office use, formation of new vehicular access roads and car parks. Approved. Date (11 August 1999)
- P02E0037 - Revised office development. Approved. Date (25 April 2002)
- P05E0416 - Erection of aerial pole and 4no aerials. Approved. Date (2 September 2005)

Pre-application Engagement

21/01098/PA - The proposals are for two separate single storey pavilion office buildings set within the existing communal gardens at Perdiswell Business Park. Advice given on 19 August 2022. In summary, officers outlined issues concerning the impact upon the adjacent Green Belt, designated heritage assets (Grade II Listed Coach House), impact upon the layout of wider setting of the site and principle of proposed land use.

Public Consultation by Applicant

None

6. Consultations

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

Neighbours and other third party comments: No representations have been received from local residents.

Worcester City Council Archaeological Officer: No objection subject to condition(s).

Worcester City Council Landscape Officer: "The building is rather out of scale with those behind and should not have a car dominated frontage. Other office blocks here are planned to have landscaped frontages and settings rather than occupying entire small blocks of land. Also, the extra parking to the south cuts through the landscaped frontage of another large office block, at that time required to be set back and away from car parking to give an appropriate setting.

Worcestershire County Council (Highway Authority): Recommends that the application is deferred due to insufficient details of existing parking, proposals impact on footpath link and insufficient information on dimensions of proposed parking and turning aisle.

Worcestershire Regulatory Services (Air Quality): No objection subject to condition(s).

South Worcestershire Land Drainage Partnership: "The Applicant has stated main sewer on the application form as the proposed means of disposal for surface water. In the accompanying Water Management Statement, the Applicant proposes discharge to existing drainage, but there is no public surface water sewer shown on the Severn Trent Water Limited Sewer Map in the vicinity. Reference to a soils map reveals that ground conditions are likely to be suitable for soakaway but there is no space within the proposed site layout to accommodate a soakaway. 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 restricted to greenfield run-off rates. It is unclear how the Applicant proposes to control the surface water run-off that will be generated by the proposed development - other than permeable paving for the car parking area - and provide a satisfactory point of discharge for surface water off-site. I recommend that this application be deferred or refused pending the submission of satisfactory proposals for the disposal of surface water from the development."

- 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 SWDP 1 of the South Worcestershire Development Plan sets out overarching sustainable development principles and these are consistent with the NPPF. The various impacts of the development have to be assessed and the beneficial and adverse impacts considered.

The Principle of Development – Land Use

Green Belt

- 7.2 Clause (E) of Policy SWDP 2 of the SWDP explains that “the West Midlands Green Belt will be maintained and development proposed within the Green Belt will be considered in accordance with national policy as set out in the Framework”. Policy SWDP 2 (E) also refers to a list of Major Developed Sites within the Green Belt, however it must be noted that the application site is not listed as a Major Developed Site under the SWDP.
- 7.3 Paragraph 137 of the NPPF states: “The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Furthermore, paragraph 148 states:
- “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”
- 7.4 Paragraph 149 explains that the construction of new buildings within the Green Belt is inappropriate with exceptions to this listed within paragraphs 149(a) to 149(g).
- 7.5 The proposed development site is not considered to constitute previously developed land and would not fall within any of the closed paragraph exceptions listed within paragraph 149. As such the proposal is inappropriate development in the Green Belt.
- 7.6 In respect of openness the Supreme Court judgement in R(on the application of Samuel Smith Old Brewery (Tadcaster) and others) v North Yorkshire County Council [2020] provided a summary on key judgements on the concept of openness. Lord Carnwath stated with regards to the definition of openness that openness is the counterpart of urban sprawl and is linked to the purposes served by the Green Belt. It is not always a statement about visual qualities of the land and nor does it imply freedom from any form of development.
- 7.7 The proposed 3 storey office building would introduce a rectangular block measuring approximately 1959.4m³ to an open area of land within the Green Belt. There are no buildings or structures which are proposed to be demolished. The applicant has not provided or submitted a Landscape Visual Impact Assessment to support the application.
- 7.8 The hardstanding (car parking) proposed adjacent to the 3 storey office building does not impact on the openness of the site in the way that the proposed building would, the volume, height and scale of the proposed office building would create an incongruous form of development and fails to accord with the purposes of the Green Belt designation which seeks to prevent urban sprawl.



site section CC

Figure 5: South elevation of proposed office building

- 7.9 It is therefore considered that the scale, mass and height of the proposed office building would have a significant impact on the openness of the site which adds additional harm to the Green Belt.
- 7.10 Paragraphs 147 and 148 of the NPPF states that "inappropriate development is, by definition, harmful to the Green Belt" and "when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations." The applicant has not provided any justification with regards to Very Special Circumstances. Therefore, the application is considered to result in inappropriate development within the Green Belt to which Very Special Circumstances do not exist.

Green Space

- 7.11 The application site for the proposed office building and the adjacent nine parking spaces comprises an area of Green Space within the site. Policy SWDP38 of the Development Plan states;
- A. Green Space, as identified on the Policies Map, includes a range of private and public open spaces and associated community facilities.*
- B. Development of Green Space will not be permitted unless the following exceptional circumstances are demonstrated:*
- i. The proposal is for a community / recreational use that does not compromise the essential quality and character of the Green Space; or*
- ii. An assessment of community and technical need (using recognised national methodology where appropriate) clearly demonstrates that the Green Space is surplus to requirements; or*
- iii. Alternative / replacement Green Space of at least equivalent value to the community has been secured in a suitable location.*

- 7.12 No justification for the loss of the Green Space has been provided with the application. The proposal is not for a communal or recreational use, it has not been demonstrated that the parcel of Green Space land is surplus to requirements and no alternative or replacement Green Space of at least equivalent value to the community has been secured in a suitable location. In the opinion of the Local Planning Authority, exceptional circumstances which would justify the loss of this area of Green Space have not been demonstrated and the development of the area of the site currently designated as Green Space would be harmful to its visual qualities. Accordingly, the proposed development is contrary to Policy SWDP38 of the South Worcestershire Development Plan (SWDP).

Out of Centre Location

- 7.13 Policy SWDP 8 of the SWDP explains that except where they are proposed on sites allocated in the SWDP for office use, major office developments will be directed in the first instance to Worcester city centre and then to locations within the town centres of Droitwich Spa, Evesham and Malvern, subject to the requirement of SWDP 2 that the scale of development should be appropriate to the size of the settlement.

7.14 Although the proposed office use is out of centre, the proposal is not a major application and therefore Policy SWDP 8 does not apply. However, paragraph 87 of the NPPF requires that "Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered." There are a number of sites within the City Masterplan and sites are identified in Policy SWDP 43 for office and business development. The recent completion of the Arches Development and business space available is also a material consideration. It is therefore considered that there are more suitable connected and sustainable sites within the Town Centre, resulting in the proposal being not sequentially preferable.

Impact on neighbouring amenity

7.15 Paragraph 130(f) of the NPPF requires planning policies and decisions to, amongst other matters, "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users" and Policy SWDP 21 of the SWDP requires that new development does not have a significant adverse effect on neighbouring amenity.

7.16 To the west of the proposed office building lies a care home, however there is a significant separation distance (also separated by John Comyn Drive) between the buildings and thereby officers do not consider the impacts upon the residents of the care home to be significant. A cemetery lies to the north and east of the proposed office building, whilst there are non-residential buildings to the south. Given these circumstances, the proposal would not adversely impact upon neighbouring amenity.

Design, Scale and Layout

7.17 Policy SWDP 21 of the SWDP expects development to be of a high quality design by ensuring matters such as siting and layout, relationship to surroundings and other development, scale, height and massing are addressed.

7.18 The application site is characterised by a two storey grade II listed building and three modern office blocks, two to the north of the listed building and one to its south. The existing office blocks all feature a similar design consisting of curved roofs and finished in a mixture of brick and large panels including glazing.

7.19 The proposed office building is sited towards the entrance of the Perdiswell Park site (north-western edge of the site). The proposed 3 storey office building is of a rectangular shape, a simple 'box-like' structure featuring a flat roof design and facing materials including red brick, grey aluminium windows and powder coated aluminium cladding. It should be noted that the proposed office building would replace an area of soft landscaping by the entrance to the Perdiswell Park site. The height (20.6m approx.) of the proposed office is considered to appear over-dominant and incongruous at this location by the entrance of Perdiswell Park. In addition, the design of the 3 storey rectangular office block is considered to introduce a building typology which is unsympathetic to the character of the site, the existing office buildings and listed Coach House provide an architectural interest to the site, the proposed building does not.

7.20 With regards to the proposed car parking towards, the south of the site, adjacent to the listed Coach House, it is considered that the loss of this landscaped area would detract from not only the character of the area, but also harm the setting of the listed Coach House which is discussed further in the 'Heritage Impacts' section of this report.

- 7.21 In light of the above, the proposal would appear incongruous and detract from the prevailing character of Perdiswell Park, contrary to Policy SWDP 21 of the SWDP which expects all development to be of a high quality design.

Heritage Impacts

- 7.22 Policy SWDP 6 of the SWDP states that "development proposals should conserve and enhance heritage assets, including assets of potential archaeological interest, subject to the provisions of SWDP 24". SWDP 24 of the SWDP states that "development proposals affecting heritage assets will be considered in accordance with the Framework, relevant legislation and published national and local guidance" and that "where there is potential for heritage assets with Page 78 archaeological interest to be affected, this description should be informed by available evidence, desk-based assessment and, where appropriate, field evaluation to establish the significance of known or potential heritage assets".
- 7.23 With regard to the NPPF, paragraphs 199 – 208 of the NPPF deal with the impact of development on heritage assets. Of particular note in this instance is paragraph 199, which states that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)"; paragraph 200, which states that "any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification"; and paragraph 202, which states that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".
- 7.24 As stated above, also relevant are Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, which state that in considering whether to grant consent for a development that affects a listed building or its setting, local planning authorities shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses (S66); and that in determining applications affecting conservation areas, local planning authorities shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area (S72).
- 7.25 The site is designated with an Archaeological Sensitive Area (ASA). Council's Archaeology and Planning Advisor has identified the proposal site to have possible archaeological potential. However, it is considered that a condition requiring a programme of archaeological work is imposed in order to safeguard the possibility of archaeological remains being from being unduly affected. There is greater concern regarding the impact of the development upon the Grade II listed Coach House which is discussed below.
- 7.26 The listing description of the Coach House also includes the associated walls and outbuildings. The proposed car parking spaces to the south of the Coach House appear to affect the walls. In addition, the loss of the landscaped area would detract from the setting of the listed building. In all, the proposed car parking spaces would harm the historic fabric and setting of the grade II listed building, contrary to Policies SWDP 6 and SWDP 24 of the SWDP.

Access, Parking and Highway Safety

- 7.27 The Highways Authority have examined the application, it was identified that 24 car parking spaces are proposed, however details of existing parking have not been clarified.

It was also noted that access to parking bays intersect the existing footpath link, which is unacceptable. There are also insufficient details concerning turning aisles and dimensions of parking spaces. No details of cycle parking have been provided, however if had the application been supported, the imposition of a condition could have been used to request cycle parking details.

- 7.28 In light of the above, the proposal would cause a risk to pedestrians due to car parking access intersecting an existing footpath link, and due to lack of clarification it is uncertain if the proposal would provide adequate access and car parking provision, contrary to Policy SWDP 4 of the SWDP.

Energy, Sustainability and Drainage

- 7.29 Paragraph 153 of the NPPF requires new development proposals to help towards tackling the climate change crisis by taking account of long-term implications such as water supply, biodiversity and landscapes. Furthermore paragraphs 154 and 155 of the NPPF generally require new developments to reduce greenhouse gas emissions and help to increase the use and supply of renewable and low carbon energy.
- 7.30 The above aims and objectives of the NPPF are echoed by Policy SWDP which requires new developments over 100sqm to provide at least 10% of predicted energy requirements through renewable and low carbon energy sources. In addition, Policy SWDP 30 requires new developments to ensure the water consumption is efficient and resourceful, clause C of Policy SWDP requires housing proposals to demonstrate that the daily non-recycled water use per person does not exceed 110 litres per day.
- 7.31 No details regarding energy or low carbon initiatives have been submitted. In addition, the submitted Water Management Statement fails to outline specific targets or information and contains insufficient information.
- 7.32 With regards to drainage, the applicant has proposed to dispose surface water to existing drainage, however it has been identified by Severn Trent Water Ltd (STWL) that there are no public surface water sewers in the vicinity. STWL have also advised that there is no space within the site layout to accommodate a soakaway.
- 7.33 For the reasons outlined above, the proposal is contrary to Policies SWDP 27, SWDP 29 and SWDP 30 of the SWDP.

Human Rights Issues

- 7.34 Article 8 of the Human Rights Act 1998 (as amended) states that everyone has the right to respect for his private and family life. A public authority cannot interfere with the exercise of this right except where it is in accordance with the law and is necessary (amongst other reasons) for the protection of the rights and freedoms of others. Article 1 of Protocol 1 of the Act entitles every natural and legal person to the peaceful enjoyment of his possessions.
- 7.35 The law provides a right to deny planning permission where the reason for doing so is related to the public interest. Alternatively, having given due consideration to the rights of others, the local planning authority can grant planning permission in accordance with adopted policies in the development plan.
- 7.36 As part of the consideration of this application, human rights issues have been considered in so far as they are relevant. It is considered that an appropriate balance between the interests and rights of the applicants (to enjoy their land subject only to reasonable and proportionate controls by a public authority in the public interest) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties) has been

achieved with conditions controlling the development where necessary.

Public Sector Equality Duty

- 7.37 In making this decision, the council has had due regard to the requirements of Section 149 of the Public Sector Equality Act 2010, which introduced a public sector equality duty that public bodies must, in the exercise of their functions, have due regard to the need to (a) eliminate discrimination, harassment, victimisation; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.38 These considerations are relevant to the duties that decision makers have under s149(1) of the Equality Act 2010.

8. Conclusion and planning balance

- 8.1 The proposal would comprise inappropriate development in the Green Belt, and also compromise the designated Green Space, resulting in a harmful impact on the openness and essential quality of the site. The design, scale and layout of the proposed office building would introduce an incongruous form of development which detracts from the character of Perdiswell Park, also the loss of landscaping adjacent the Coach House would harm the setting of this Grade II listed building and compromise the historic fabric of the designated heritage asset.
- 8.2 The proposed office use is unacceptable due to the out of town centre location of the application site, office developments should be strategically directed to Worcester city centre and then to locations within the town centres of Droitwich Spa, Evesham and Malvern.
- 8.3 Due to insufficient information, it is uncertain if adequate access and car parking will be provided, there are also pedestrian safety concerns as a result of the proposed car parking access. There is also insufficient and lack of information to demonstrate how the development will reduce carbon emissions in line with Planning Policies and provide adequate surface water drainage at this site.
- 8.4 The proposed development would result in some economic benefits; employment during and after construction, however it is considered that the identified harm arising from the proposal would significantly and demonstrably outweigh the benefits of the development.
- 8.5 I acknowledge all comments received as part of the consultation process and consider all material planning issues have been considered in the determination of this application. Having regard to the totality of the policies in the Framework, I consider that the proposed development is not sustainable when looking at its social, economic and environmental credentials in the round. The adverse impacts of the development (taking into account the considerable importance and weight to be given to the less than substantial harm to the significance of the heritage assets) do not outweigh the benefits. Overall it is considered that the proposals fail to accord with the Framework and the Development Plan as a whole.

9. Recommended reasons for refusal

- 9.1 In the event that Members are minded to refuse the application the following reasons are recommended:

1. The proposal would constitute inappropriate development which, by reason of its scale, siting and location, would result in detrimental impact on the essential characteristics of the Green Belt, being its openness and permanence and preventing urban sprawl by keeping land permanently open. No very special circumstances are considered to have been demonstrated that would outweigh this harm to the Green Belt and the other harm identified in the following reasons. The proposal is therefore contrary to Policy SWDP 2 of the South Worcester Development Plan (2016) and Chapter 13 of the National Planning Policy Framework (2021).
2. The proposal fails to demonstrate exceptional circumstances for development of the Green Space and would also compromise the essential quality and character of the Green Space, contrary to Policy SWDP 38 of the South Worcester Development Plan (2016).
3. The proposed office building, by reason of its design, scale, layout, siting and height, would introduce an incongruous form of development which detracts from character of Perdiswell Park, harmful to the visual amenities of the area and therefore contrary to Policy SWDP 21 of the South Worcester Development Plan (2016).
4. The proposed car parking to the south of the Grade II Listed Building would compromise the historic fabric and harm the setting of the designated heritage asset, and also detract from the landscaped character of Perdiswell Park, contrary to Policies SWDP 6, SWDP 21 and SWDP 24 of the South Worcester Development Plan (2016).
5. Due to insufficient information concerning existing car parking and proposed parking space dimensions (including turning aisles), and also proposed car parking access intersecting with existing pedestrian footpath link, the proposal is contrary to Policy SWDP 4 of the South Worcester Development Plan (2016).
6. The proposal, due to the lack of information to demonstrate the incorporation of renewable and low carbon energy into new development and also inadequate details of surface water drainage, would be contrary to Policies SWDP 27, SWDP 29 and SWDP 30 of the South Worcester Development Plan (2016).
7. The proposed office development would be unacceptable at this out of town centre location, when there are more suitable accessible and well connected sites within or on the edge of the City Centre, which is contrary to Paragraph 87 and 88 of the National Planning Policy Framework (2021) and Policy SWDP 2 of the South Worcester Development Plan (2016).