

Application Number	23/00018/FUL
Site Address	The Myriad Centre, St Georges Walk, Worcester, WR1 1QY
Description of Development	Redevelopment of the Myriad Centre site involving the demolition of the existing building and replacement with a part one storey, part two storey new development.
Expiry Date	29 February 2024
Applicant	The Myriad Centre
Agent	Associated Architects LLP
Case Officer	Dale Jones
	dale.jones@worcester.gov.uk
Ward	St. Stephen Ward
Reason for Referral to Committee	Councillor "Call In" request.
Web link to application	https://plan.worcester.gov.uk/Planning/Display/23/00611/FUL
Recommendation	The Corporate Director - Planning and Governance recommends that the Planning Committee grants planning permission subject to the conditions set out in section 9 of this report.

1. Background

- 1.1 The application was registered on 20 January 2023 and was due for a decision on 28 April 2023. An extension of time for the determination of the application has been granted until 29 February 2024 to allow consideration by the Planning Committee.
- 1.2 The application has been referred to the Planning Committee following a "call in" request from Councillor Bissett (correspondence dated 2 February 2023) highlighting the issues of **parking** and **overdevelopment**.

2 The site, surrounding area and relevant planning constraints

- 2.1 The application site relates to the Myriad Centre, a two-storey building which is located on a plot sited between Henry St. and St. George's Walk, in the Barbourne district of Worcester. The plot is situated in a predominantly residential area and sits just south of the Barbourne Brook, which is adjacent to the neighbouring house to the North.

There is pedestrian and vehicular access to the building from both Henry St. and St. George's Walk, and there is designated on-road parking provided for 3 minibuses on St. George's Walk.

- 2.2 The Myriad Centre is a charitable organisation providing specialist respite day care for people with profound mental and learning disabilities (PMLD) and their families. This is done through a range of care, therapies and activities, delivered in a safe and stimulating environment and tailored to the individual needs of their clients. They currently support up to 16 young adults, all of whom have severe physical disabilities and complex health needs. These adults are among the most disadvantaged and disabled in the local community.
- 2.3 The existing site benefits from two in-curtilage parking spaces with dropped kerb access (1 x minibus and 1 x car, as stated on the submitted Application Form) plus there is a disabled parking bay on St. George's Walk which can accommodate 2 minibuses.
- 2.4 The existing building is a two-storey brick constructed building with pitched roof and slate roof tiles. The larger wing of the existing building that runs from East to West was originally used as a Church Hall associated with St. George's Church. Historic mapping indicates that the Church Hall was constructed in the early part of the 20th Century, between 1902 and 1926. The site does not sit within a conservation area and is not a listed building.
- 2.5 The application site is situated within Flood Risk Zone 3. Land within Flood Zone 3 has a high probability of flooding from rivers, the site is also at high risk from surface water flooding.
- 2.6 **Site Constraints:**
 - Archaeological Sensitive Area (ASA)
 - Green Space
 - Flood Zone 3 (high risk)
 - Air Quality Management Area: Worcester City (AQMA)

3. The proposals

- 3.1 The proposed development is for a replacement building on the Myriad Centre site. In this respect, the proposal is for a new purpose-built facility for The Myriad Centre; a charity who specialise in working with adults with PMLD. The applicants have stated that this development (if permitted) would enable the charity to continue their important work in a more effective manner as well as increase their capacity of care. The replacement centre being proposed in this case would result in an increase of 163sqm in Gross Internal Area (GIA).
- 3.2 The proposals include the provision of on-street parking spaces for minibuses. The addition of one electric vehicle charging point is proposed together with 10no. secure covered cycle parking spaces which would be provided by the proposals. The existing floor area of the building is 359sqm (GIA). The proposed floor area of the building would be 522sqm (GIA). The proposed street scene elevations are hereby illustrated in the below images:



HENRY STREET - PROPOSED ELEVATION



ST. GEORGE'S WALK - PROPOSED ELEVATION

- 3.3 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.
- 3.4 As such, Members will have had the opportunity to review the submitted plans and documents to familiarise themselves with the proposals prior to consideration and determination of the application accordingly.

4. Planning Policy

- 4.1 The Town and Country Planning Act 1990 ('the Act') establishes the legislative framework for consideration of this application. Section 70(2) of the Act requires the decision-maker in determining planning applications/appeals to have regard to the Development Plan, insofar as it is material to the application/appeal, and to any other material consideration. Where the Development Plan is material to the development proposal it must therefore be considered. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application/appeal to be determined in accordance with the Plan unless material considerations indicate otherwise.
- 4.2 The National Planning Policy Framework (NPPF - 2023) is also a significant material consideration. At paragraph 12 the NPPF confirms that:
- 'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.'*
- 4.3 Paragraph 96 of the NPPF 2023 is relevant on the matter of 'Promoting Healthy and Safe Communities' where it notes (inter alia) that:

Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed use developments, strong neighbourhood centres, street layouts that allow for easy

pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high-quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling

4.4 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.

4.5 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.

4.6 The Development Plan comprises:

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

South Worcestershire Development Plan

4.7 The following policies of the SWDP are relevant to the proposal:

SWDP 4: Moving Around South Worcestershire

SWDP 6: Historic Environment

SWDP 7: Infrastructure

SWDP 13: Effective Use of Land

SWDP 21: Design

SWDP 22: Biodiversity and Geodiversity

SWDP 28: Management of the Historic Environment

SWDP 27: Renewable and Low Carbon Energy

SWDP 28: Management of Flood Risk

SWDP 29: Sustainable Drainage Systems

SWDP 30: Water Resources, Efficiency and Treatment

SWDP 31: Pollution and Land Instability

SWDP 38: Green Space

SWDP 39: Provision for Green Space and Outdoor Community Uses in New Development

Supplementary Planning Documents

4.8 The following Supplementary Planning Documents are relevant to the application proposals:

- **Design Quality SPD**

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

Other Material Considerations

- 4.9 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 (July 2022)

Relevant Legislation

- 4.10 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

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.

The National Planning Policy Framework (2023) (NPPF):

- 4.11 The latest revision of the NPPF (the Framework) was published by the Government in December 2023. For the purposes of this application the revisions do not alter the key considerations or references, many of which are identical to the previous version. Where paragraph numbers are referred to within the report, they are taken from the latest revision. Any relevant changes that are directly relevant to this application will be highlighted within the main body of the report.
- 4.12 The NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development. This is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 4.13 On 6 March 2014 the Government published National Planning Practice Guidance (NPPG) to compliment the NPPF. It has been revised and updated in the meantime and comprises, amongst other matters, Air quality, Design, Housing and economic land availability assessment, Noise, Travel plans, Transport assessments and statements in decision-taking, Flood risk and coastal change, Use of planning conditions, Flexible options for planning permissions, and Planning obligations. Similarly in October 2019 the Government published the National Design Guide.

5. Planning History

- 5.1 The property has an extensive planning history, with relevant planning records including the following:

78/1364 - The use of the premises as furniture sales room with storage. (historic)

79/0071 - Change of use from Church Hall to office. Approved.

79/0129 - Change of use to storage of plant material required by the applicant to carry on business as heating and electrical contractors. Approved.

79/0152 - Change of use to photographic studio. Approved.

79/1144 - The conversion of existing church hall into offices. Approved.

84/0679 - Change of use from its present industrial use to be used for educational purposes e.g., playschool, Sunday school, general education of children in Christian context. Approved.

P01E0238 - Erection of single storey extension to provide office and reception area. Approved.

P06M0535 - Proposed conversion of first floor to 3no one bed flats and use of ground floor to a centre for people with profound learning difficulties. Approved.

P10M0159 - Proposed erection of extension to north elevation. Approved.

P14D0373 - Single storey extension. Approved.

P16M0021 - Amendments to elevations showing revised positions of doors & windows. Approved.

20/00354/PA – Pre-application for the proposed removal of an existing single-storey side wing, and its replacement with a new two-storey wing

22/00855/PA – Pre-application: The proposal is for a part two-storey, part single storey building for the Myriad Centre charity. Officer Response (in summary below):

- 5.2 The principle of an improved community facility is generally considered favourable. The key issues that are likely to be determinative matters for this site are flood risk, highways and neighbour impacts, as highlighted above. I would therefore strongly encourage you to seek advice on the first two of these (flood risk and highways) before progressing the proposal further. We would be glad to provide further detailed advice as the scheme progresses after these matters are fully investigated.

6. Consultations

6.1 Formal public consultation has been undertaken in respect of the application.

6.2 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

6.3 A total of 11 representations were received in response to the council's public consultation exercise, raising the following concerns and objections (in summary):

- The care and support Myriad provide is of significant community value.
- Overdevelopment / overcrowding of the site. The proposed new building completely fills the available space, taking away existing parking and outdoor spaces.

- The proposed building is overbearing and out of character with the surrounding, predominantly residential area.
- The proposed works would encroach on the limited available parking that currently exists. (Almost 50% of the west side of the street parking is prohibited parking due to the school yellow Zigzags). The proposals would make a bad situation worse.
- Concerns that any increased parking would impede emergency vehicle access.
- Highways safety concerns and trip hazards from any electric vehicle charging cables.
- Insufficient/inadequate electric vehicle infrastructure for minibuses.
- The existing parking spaces for two vehicles is to be reduced to zero. Additionally, there is no provision for staff (currently 20 full time) to park other than the limited spaces available in St Georges walk, or Henry Street.
- The outside space for clients seems minimal and inadequate.
- This day centre is not suitable in a residential area.
- The renderings show a good amount of sun, however that is during the summer, and there is no view, or green space. None of these can be addressed by the current plot and its limited size.
- Agree that the site currently doesn't work well for its intended purpose and is unsuitable in its current location.
- An alternative location would better serve this development.
- Relocating Myriad would also perhaps provide an improved experience to clients; allowing for better outdoor space, and future expansion opportunities beyond the four additional clients per day it seeks to serve.
- Expanding this facility in a high-density residential area doesn't make sense.
- The photos provided in the application do not fully portray the extent of the parking restrictions along Henry Street, St Georges Lane, and St Georges walk.
- Parking concerns: On Henry Street specifically there is no off-street parking, and the pavements are narrow, cars must park across the pavement so as to not block the street. There is not enough space to get a wheelchair down the street without being pushed in the middle of the road, such is the proximity of the cars to the buildings and wheelie bins.
- Disruption during the proposed construction works if approved.
- Party wall concerns (Officer note: this is a non-planning issue that cannot be considered).
- Impact on migrating Swifts. They have been roosting/nesting at this building under the eaves for many decades. This would be a big loss to them if removed, especially as they are on the red list of endangered species.
- Irrespective of the changed plans and the travel plan I continue to strongly object to this application in belief it will make little to no difference to the current situation. Equally, the use of the disabled bay on the public highway should not be used exclusively for round the clock parking of vehicles belonging to the Centre.

- 6.4 The following **statutory and non-statutory responses** have been received:
- 6.5 **Archaeological Adviser:** No objections subject to the use of a planning condition to secure a programme of archaeological works, noting (inter alia) that: Given the scale of the development, and the possible archaeological potential, the likely impact on the historic environment caused by this development may be offset by the implementation of a conditional programme of archaeological works. This will comprise the archaeological monitoring and recording (watching brief) of all groundworks likely to expose, damage or destroy any archaeological remains that may be present, principally the demolition of slab/ foundation/ hardstanding/ reduction of ground levels/ topsoil stripping/ drainage and service channels.
- 6.6 **WCC Landscape Officer (initial comments dated 07.02.2023):** The bat assessment is welcomed and found no issues for bats. however, the recommendations in the report for bat and bird boxes to be provided should be conditioned. Secondly however the site coverage (near 100%) by the building is much too great. There is no external space/amenity/garden area at all, and this should certainly be expected for the use, with the rear aspect being a good one for afternoon sun and allowing a better streetscape setting. Amenity space should be a feature of the sustainable design of the site rather than absolute maximum floor space.
- 6.7 **WCC Landscape Officer (updated comments dated 22.08.2023):** The small planting areas and tree details are a good addition and should be conditioned. It should be confirmed that swifts do not use the building, however if they are in the area perhaps swift boxes could be added (by condition).
- 6.8 **Worcestershire Regulatory Services (Nuisance):** To minimise any nuisance from noise, vibration and dust emissions during the demolition and construction phases, the applicant should refer to the WRS Best Practice Guidance (attached) and ensure its recommendations are complied with.
- 6.9 **South Worcestershire Land Drainage Partnership:** The site is located within EA (fluvial) Flood Zones 3 & 2 generated by Barbourne Brook, which is designated as Main River. It should be borne in mind that these maps do not include allowance for climate change. Reference should be made to LPA Process Note: Development in Flood Zone 3 - where the flood zone is generated by a Main River. A Flood Risk Assessment in accordance with EA FRA Guidance Note 3 is required. The Applicant has provided a FRA which in general is acceptable except for the proposed minimum finished floor level.

The EA 100yr river flood level for the hydraulic model node stated is 16.92m AOD. The nominal climate change allowance of +0.3m gives a design flood level of 17.22m AOD. Adding the freeboard at +0.6m results in a proposed minimum FFL 17.82m AOD. With respect to the proposed means of disposal for surface water, the Applicant proposes an attenuated discharge to an existing public surface water sewer in the highway. The permissible discharge rate and volume from the site shall be, as a minimum, the existing brownfield rates less 20%.

- 6.10 **Worcestershire Regulatory Services (Air Quality):** No relevant concerns have been identified in respect of the proposal and therefore WRS have no adverse comments to raise in this regard.

- 6.11 **Environment Agency (response dated 7 February 2023) (in full):**

Flood Risk: The proposed development is for the demolition of an existing building and replacement with a new part one-story, part two-storey building, for use as a non-residential social care facility. The site is at risk of flooding from the Barbourne Brook, which is designated as a 'main river'.

There are no flood defences in the area. The Environment Agency does not have records of any historic flooding at the development site, although this does not mean flooding has not occurred. The FRA correctly identifies that the Flood Map for Planning (Rivers and Sea) shows the development site to be located wholly within Flood Zone 3 as defined within the National Planning Policy Guidance (NPPG).

Sequential Test: The NPPF details the requirement for a risk-based ST in determining planning applications. See paragraphs 161–162 of the NPPF and paragraphs 018, 019 and 033 within the Flood Risk and Coastal Change Section of the NPPG. Paragraph 162 of the NPPF requires decision-makers to steer new development to areas at the lowest probability of flooding by applying a ST. It states that 'Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding'.

Further detail is provided in the NPPG (paragraph 019) which states that "Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test (ET) if required." We would not make any bespoke comments on the ST, in this instance. The fact that we are not providing comments does not mean that there are no ST issues, but we leave this for your Council to consider. Notwithstanding the above we note that the proposals involve the redevelopment of the site with the existing and proposed use remaining the same. It should also be noted, as detailed below, that the FRA has demonstrated that the site lies on land in Flood Zone 1, the low-risk Zone.

Flood Risk Assessment: We have reviewed the Drainage Strategy Report and Flood Risk Assessment (FRA) by Barnsley Marshall Ltd (document reference MYC-BML-XXXX-RP-C-0501 dated 22 December 2022). Although the site is shown as being in Flood Zone 3, we have been able to determine that the Flood Map for Planning (Rivers and Sea) is based on generalised J-Flow modelling, which is unsuitable for site-specific flood risk assessments where detailed hydraulic modelling (the Barbourne Brook model in this instance) is available as discussed below.

Hydraulic modelling: The FRA presents outputs of detailed hydraulic modelling for the Barbourne Brook, provided by the Environment Agency, in support of the planning application. The modelled flood levels provided in the FRA state that the maximum flood depth is 17.16mAOD. We have reviewed the outputs of the hydraulic model and can confirm that this refers to the level for a flood event with a 0.1% annual exceedance probability (AEP) and would not be the correct figure when considering the proposed development.

Climate Change interpolation: In line with our area climate change guidance, for 'major' development (as defined within The Town and Country Planning Development Management Procedure (England) Order 2015, we would expect a detailed FRA to provide an appropriate assessment (hydraulic model) of the 1% with relevant climate change ranges. For Non-Major Development (as proposed) we would advise that a hydraulic flood model is produced, or existing model is re-run. This would give a greater degree of certainty on the design flood extent to inform a safe development. However, for 'non major' development only, in the absence of modelled climate change information, it may be reasonable to utilise an alternative approach. To inform a 1% plus climate change flood level the applicant could interpolate such using modelled flood data (as available in this instance) or where the 1% level is available from an existing model add on the relevant 'nominal climate change allowances provided in our 'Table of nominal allowances'. Our review of the modelled data indicates that the flood level for the 1% AEP event is 16.92mAOD.

To ascertain the 1 in 100 years plus climate change (30%) level the nominal figure of 300mm should be added to the 1% AEP which would mean a design flood level of 17.22m AOD. The FRA should demonstrate safe development in relation to access and finished floor level considerations.

Topographic Levels: We note from the FRA that the ground level of the development site is 17,32m AOD. This is supported by a topographic survey submitted with the FRA (Appendix B). We have corroborated this without our own 1m LIDAR data. Therefore, when compared with modelled floor levels, the design flood would not result in any flooding at the site.

Finished Floor Levels: We would normally expect finished floor levels to be set no lower than the design flood level plus a further 600mm freeboard allowance as set out in our climate change guidance. On this basis we would recommend that FFLs would be set no lower than 17.82m AOD.

A condition is suggested:

Floor levels to be set at 17.82m AOD. This figure allows for climate change.

- 6.12 **WCC Highways (initial response dated 27th January 2023) (in summary):** recommended that the application is refused. Based on the submitted details, the replacement centre will result in an increase of 163sqm in GFA and the existing parking will be replaced by garden area which is not acceptable. Spaces are at a premium on the side roads in the vicinity of the site where the majority of dwellings don't benefit from in-curtilage parking. The displacement of further vehicles (to include minibuses) onto the carriageway therefore will exacerbate the existing parking pressures with an increase in the risk of conflict with other road users including pedestrians. There will also be an increase in traffic generation associated with the site and it is also likely that in practice, additional staff will be required to meet the increase in demand for care.
- 6.13 **WCC Highways (second response dated 9th March 2023) (in summary):** Further to the previous Highways recommendation of refusal, the applicant has submitted a Transport Note in rebuttal nonetheless, the recommendation of refusal due to displacement parking stands. There is an existing, extensive reliance on on-street parking associated with the site and because of the proposed development, there will be an increase in parking demand as well as the displacement of existing parking which overall will have a detrimental impact on the local transport network and will exacerbate the existing parking issues. As before, the proposal cannot be said to meet with local and national policy and the resulting displacement parking represents a highway safety hazard, the implications of which are unacceptable and contrary to Paragraph 111 NPPF. The Highway Authority recommends that the application is refused.
- 6.14 **WCC Highways (final response dated 31st August 2023) (in summary):** No objection subject to conditions, noting (inter alia):
- Further to the previous Highways Comments, the Applicant has submitted additional information to support their proposal to include measures to mitigate for the loss of parking and whilst the proposed development will result in an element of displacement parking on the highway, this cannot be said to represent a severe impact on the transport network. Together with the lack of personal injury accident data in this location, the Highway Authority is not able to maintain a position of refusal in relation to Paragraph 111 of the NPPF.
- 6.15 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.

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 NPPF. The various impacts of the development have to be assessed and the benefits and adverse impacts considered, to establish whether what is proposed is sustainable development. It is considered that the main issues raised by the proposal relate to the principle of development and whether the development would be sustainable, having regard to the three dimensions of sustainability set out in the NPPF.

The Principle of Development

- 7.2 In relation to economic growth, paragraph 85 of the NPPF (2023) states (inter alia) that: "Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider opportunities for development."
- 7.3 Policies SWDP1, SWDP2 and SWDP3 support the reuse of previously developed land for development and promoting development in locations where there is access to public transport, services, shops and other facilities. SWDP8 – Providing the Right Land and Buildings for Jobs. Part E states that "the conversion of existing buildings to support job creation throughout south Worcestershire will be supported providing the development supports an existing business or new enterprise of a scale appropriate to the location." The proposed redevelopment of the site together with the continued use for respite care would provide job opportunities in the educational sector on a site that has sat next to its residential neighbours for a number of years.
- 7.4 In support of the application, the applicants have advised (inter alia) that the proposal presented is for a new purpose-built facility for The Myriad Centre; a charity who specialise in working with adults with severe physical and mental learning difficulties. This development would therefore enable the charity to continue their important work in the community in a more effective manner as well as increase their capacity of care.
- 7.5 As such, by constructing a purpose-built facility, the Myriad Centre (would if permitted) be able to:
- Improve the configuration of internal spaces, making them better suited to the specialist needs of the Myriad Centre's clients and staff, and to increase their capacity of care. This will enable them to achieve a financially sustainable care model.
 - Improve street presence and appearance to better suit the site context as well as provide the Myriad Centre with a bold, new identity.
 - Provide full disabled access to all areas of the building.
 - Improve safety and security to the building including providing a secure outdoor enrichment area for the Myriad Centre's clients.
 - Improve the energy performance of the building and include opportunities for renewable energy generation (PV).
- 7.6 The application site is in a sustainable location within Worcester where local and national policy encourages the use or re-use of vacant or under-utilised urban sites, to secure the optimum viable use of a site. The site has been operational in this part of the community for a number of years. In addition, the proposal would facilitate employment opportunities for education and respite staff, drivers and other external employment opportunities in the maintenance and use of the facility. Accordingly,

there is no objection to the principle of the proposed development on the site, whilst considering the existing vacancy and re-use of the site for continued respite day care.

Design and visual impact

- 7.7 The NPPF confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 7.8 Paragraph 131 of the NPPF highlights that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development, creating better places in which to live and work and helping make development acceptable to communities.
- 7.9 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially, where it fails to reflect local design policies and government guidance on design considering any local design guidance and supplementary planning documents such as design guides and codes.
- 7.10 Weight should be given to development which reflects local design policies and guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area so long as they fit in with the overall form and layout of their surroundings. Policy SWDP 21 – ‘Design’ is relevant and requires all new development to be of a high-quality design which integrates effectively with its surroundings, in terms of form and function, whilst also reinforcing local distinctiveness.

Scale, Bulk and massing

Existing site context

- 7.11 In terms of the existing site context, the Myriad Centre is located on a plot between Henry St. and St. George’s Walk, in the Barbourne district of Worcester. The plot is situated in a predominantly residential area and sits just south of the Barbourne Brook, which is adjacent to the neighbouring house to the north. There is pedestrian and vehicular access to the building from both Henry St. and St. George’s Walk, and there is designated on-road parking provided for 3 minibuses on St. George’s Walk.
- 7.12 The surrounding area is made up predominantly of two-storey housing with depths spanning between 8 – 9.5m. The existing building can be read as ‘two elements’ comprised of a two-storey brick constructed building with pitched roof and slate roof tiles. The smaller wing that now sits in the middle of the larger wing and runs from North to South was built as an extension in 2010. The conventionally built brick extension, with a slate roof, provided extensions to the existing ground floor rooms and provided the building with ramped access to a new entrance door. It is also noted that in 2014 there was a single storey timber clad element added to the west face of the new wing that allowed for the addition of an office and the installation of a power assisted entrance door to aid building users and associated carers. Furthermore, minor alterations have also been made to the existing main wing to update it alongside the two new extensions.

The proposals

- 7.13 The proposed massing of the replacement building has been broken down into two elements and would be comprised of a single storey element and a two-storey element, to help reduce the building mass and allow the development to sit comfortably within the surrounding context. The pitched roofs of both elements would reflect the existing pitched-roof gable end. In terms of the height, the ridge height of the proposals would rise slightly higher than the nearby terraced housing, however, the margin of increase is moderate with the proposed ridge of the development measuring 9.8m (max) against the neighbouring 9.4m ridge height and would therefore not appear overbearing due to the limited increase in height and given the separation distances to the neighbouring sites. With the proposal contributing to the subtle variety in roof lines already found in the area. Overall, it is considered that the two elements of the development would help reduce the perception of massing in visual terms, whilst the use of the roof pitches would help assimilate the development into the surrounding built environment.
- 7.14 The garden area would be enclosed with a low brick wall with taller brick piers and horizontal metal bar fence panel infills. Gates to access the garden and side walkway would be constructed in the same language of horizontal metal bars. Photovoltaic panels are proposed to the south facing roofs, while rooflights are proposed to the north facing roofs, allowing daylight and natural ventilation.

Detailed Design

- 7.15 In terms of the detailed design, the proposed replacement building would be expressed as two volumes, comprising a single storey and a two-storey element, to break down the massing and to respect the residential grain of the surrounding area.
- 7.16 The main (east facing) building elevation onto St Georges Walk would have double-height glazing and a metal canopy with signage, to provide a welcoming arrival to the building and shelter for visitors and users from the elements. In terms of materials, the ground floor brickwork would use a horizontal recessed brick detail on alternating courses to add interest and detailed expression to the elevation. The first floor would be constructed in red brickwork, with a simple bond pattern. The first floor would have a greater proportion of glazed openings, reflecting the nature of the internal uses, allowing maximum daylight into the internal spaces for the respite users. Behind the front boundary wall to the eastern façade would be the external amenity space for users of the respite centre.
- 7.17 The other materials proposed would comprise slate roofing, and metal windows and door openings for a simple and functional aesthetic. The proposed use of brickwork would be varied, with recessed brick detailing proposed to help articulate certain parts of the brickwork elevation, which references the detail of the existing brick quoins of the existing building, therefore adding visual interest to the facades (as illustrated in the images below):



7.18 The proposed use of the recessed brickwork detailing would add definition and a horizontal emphasis to the facades and help enrich the elevations, with the use of metal openings also offering robust materiality and a simple external finish. It should be noted that Officers had initially had some concern regarding the solid-to-void relationship of the elevations in terms of the extent of the glazing proposed and the recessed nature of the openings to the eastern façade. However, it is considered that the design can be justified due to the existing site context with the existing building also broken into two elements (albeit of a different design) including full height windows found within the existing eastern façade (as illustrated below):



Existing building – principal (east) elevation to St Georges Walk

7.19 The existing site context has also been carefully considered, given the varied designs evident in the immediate locality, which includes the two-to-three storey flatted development on the opposite side of St Georges Walk, and the two storey terraces properties nearby, including along Henry Street, some of which backing onto St Georges Walk with low-level garages. The existing development has also been extended to the front (St Georges Walk) with the access ramp and timber entrance lobby as evidence in the site image above, with these elements having weathered poorly, with the site having a poor external visual appearance to that frontage. The proposed development would continue to be read as two volumes (as illustrated below), albeit the stepped down approach would help break the massing and ensure that there would be a more “domestic” scale with the smaller single-storey massing on part of the site. This would ensure that the proposed replacement building would sit comfortably with the neighbouring residential sites.



Proposed East (to St Georges Walk) and West (to Henry Street) Elevations

7.20 In terms of the building and site layout, the existing and proposed ground floor site layouts are illustrated below. The proposal would rationalise the building lines, developing into the existing void areas, thereby resulting in more formal development that makes best use of the site. The proposals would result in a noticeable improvement above the existing 'baseline' situation, which is a 'piecemeal' layout on the site compared to the current layout (as illustrated on the left-hand-side image below). The infilling of the plot would meet the objectives of paragraph 123 of the NPPF which states that:

"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land".

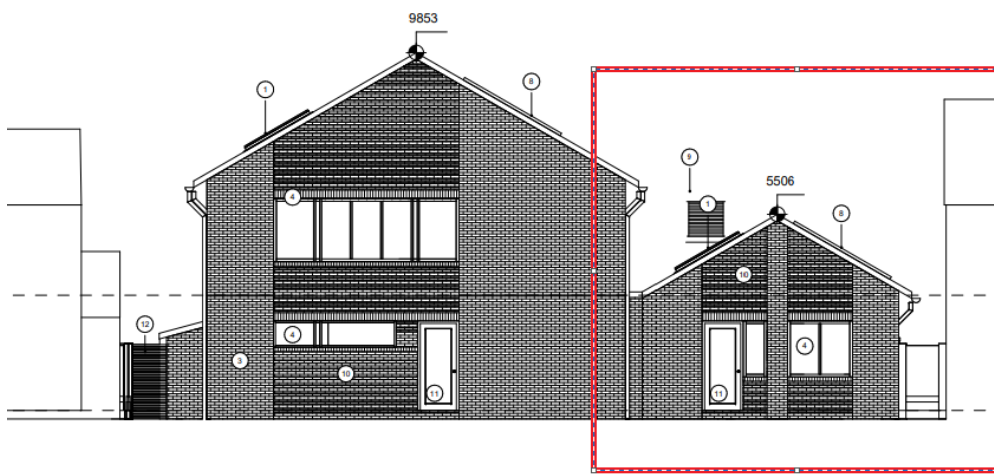


- 7.21 The internal layout would be simplified and brought up to standard to meet the needs of all users. At ground level, the main entrance would continue to be located on St. George's Walk (as existing) and would be provided with an entrance canopy and automatic sliding doors, to assist with access for wheelchairs arriving and departing.
- 7.22 To the rear elevation, doors from Henry Street would provide secondary access for staff and fire escape egress routes. A central circulation spine would provide two points of access to the flexible client space on the left-hand side of the plan and the personal care suite on the right-hand side. A staff office is located central to the plan, offering surveillance of all areas of the ground floor. A central kitchen serves the main client room, with access to a utility room, which provides storage and washing facilities for the personal care suite. Additional client rooms would be provided at the front of the building, including a sensory room and quiet room, offering a calm environment for clients to use, away from the main client room. The garden (amenity) space at ground floor would be accessed from the client room via bi-folding doors, and this would be set behind the front boundary treatment to St Georges Walk.
- 7.23 At first floor level, the main staircase and lift would provide access to an additional multipurpose client room for 2-3 clients, which can also be used as a staff training and meeting facility. A staff room and staff WCs would also be provided in this area, within proximity to the stair. To the western part of the first floor plan a number of administrative offices and meeting rooms are proposed. The main habitable rooms are positioned to the south, west and east of the plan, allowing the rooms to be provided with windows. Rooms located along the north elevation serve as meeting rooms and a staff room. These rooms are provided with roof lights for ventilation and daylight, but do not have windows, to ensure that no looking of neighbouring sites would occur.
- 7.24 The existing outdoor amenity space is sited at the rear (west) of the existing Myriad Centre building, adjacent to Henry Street. The applicants have advised that the amenity area has limited opportunities for surveillance, with the area also constrained by the access ramp and by the shed/bin store. The existing external amenity space is also noted to not receive adequate natural light due to its western position, overshadowed by the existing building form.
- 7.25 The applicants have advised (inter alia) that although the proposed outdoor amenity space would be slightly smaller than the existing, the usable area would be similar to the existing space (where accounting for the ramp, bike/bin storage), whilst the proposed re-siting of the external amenity space to the east, would ensure that the area would be less overshadowed than existing and more accessible and allow for greater surveillance.
- 7.26 Accordingly, the minor deficiency in quantum of the space, is compensated by the improved quality of the space because of these redevelopment proposals. It is therefore considered that the proposed building would not result in a detrimental impact on the character or appearance of the surrounding area. In summary, the proposals would adhere with the provisions of policies SWDP 21 and 25, and with the NPPF (2023).

Impact on neighbouring amenity and amenity of future occupiers

- 7.27 Regarding the policy context, policy SWDP 21 requires that new development does not have a significant adverse effect on neighbouring amenity. This is consistent with paragraph 135 of the NPPF that requires planning policies and decisions, amongst other matters, to ensure a high standard of amenity for existing and future users of land and buildings.

- 7.28 The surrounding area (on either side of the application site) is made up of two storey housing with a plan depth of between 8 – 9.5m. In the first instance, no impacts have been identified to the east of the site (i.e., on the eastern side of St Georges Walk) due to the 20-25m separation gap between the application site and the flatted development to the east.
- 7.29 The main neighbouring sites to be considered include No. 4 St Georges Walk (sited to the north) and No. 20 Henry Street (sited to the south). Consideration has also been given to the impacts on the two storey residential dwellings that are sited opposite to the application site on the western side of Henry Street.
- 7.30 In terms of overlooking and privacy, no concerns have been identified to the west of the site given that the new openings at first floor level would be set within the same building line as that of the existing at first floor level, whilst the single storey extension element would be set at low-level, thereby ensuring that the residential sites adjacent would not be compromised in terms of loss of privacy or increased overlooking (as expressed in the below image):



- 7.31 In relation to the site to the immediate north and south of the application site, no privacy concerns have been identified given that no side facing windows are proposed, and the rooflights to the south would be set at an angle within the roof pitch to ensure that the neighbouring amenity is not compromised.
- 7.32 In terms of daylight and sunlight, given the sun path, and the fact that there are no habitable room windows within the neighbouring properties flank elevations (to the north and south), it is considered that the proposed development would not result in any demonstrable harm on the amenities of the surrounding residential properties. In addition, no impacts have been identified on the sites to the west (i.e., on the western side of Henry Street) owing to the separation gaps and the fact that the proposed massing of the proposed development would drop down to a single storey adjacent to the Henry Street properties adjacent.
- 7.33 In relation to noise and disturbance, given the existing use of the application site as a respite centre and the existing associated comings and goings and site usage, it is considered that the additional floor space provided by these proposals would not result in any discernible impact on noise sensitive receptors. Furthermore, any noise and disturbance during the proposed construction period is likely to be for a minimal period and can be controlled by planning condition and through existing environmental health legislation. As such, no objections are raised against the provisions of policy SWDP 21 and paragraph 135 of the NPPF (2023).

Access and Highway Safety

7.34 Paragraph 115 of the NPPF (December 2023) states that *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.* Paragraph 117 states that: *All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.*

7.35 Policy SWDP 1: Overarching Sustainable Development Principles states (inter alia):

"A. When considering development proposals, the Local Authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work jointly and proactively with applicants to find solutions that mean proposals can be approved wherever possible and to secure development that improves economic, social and environmental conditions in south Worcestershire."

7.35 SWDP 4: Moving Around South Worcestershire (Part A) states:

"Proposals must demonstrate that: the layout of development will minimise demand for travel, they offer genuinely sustainable travel choices, they address road safety, and they are consistent with the delivery of the Worcestershire Transport Plan objectives."

The Existing Context

7.36 The Myriad Centre is a registered charity and specialist day care provider supporting young adults with PMLD, and their families and carers with respite care. St George's Walk is a single lane one-way road (southbound). Footways and street lighting are located along both sides of the carriageway. Local roads are subject to a mandatory 30mph limit.

7.37 Worcester Foregate Street rail station is located within an approximate walking distance of 1.4km. The nearest bus stops to the site are located within approximately 100m walking distance along St George's Lane North. The bus stops are incorporated by the 39 service which travels between Lower Wick and Astwood via Worcester city centre. Further bus stops are located within approximately 350m walking distance along Barbourne Road. The bus stops are incorporated by the 32s, 36, 39, 144, 303 and 355 services.

7.38 The centre's hours of operation were, when operational, from 8:30am-4:30pm, with clients arriving and departing around these times. At present there is one off-street parking space for a minibus and two spaces within the designated on-street parking bays for all users. The applicants have clarified that several clients arrive at the Centre in their own transport, being dropped off and picked up by their carers. This takes place in the designated on-street parking bays. This arrangement will remain unchanged by the proposed new development. The proposed development would increase the number of clients from 16 to 20 on a typical day. The applicants have also clarified that there is no parking provided for staff members, who use publicly available car parking facilities or public transport.

The Proposals

7.39 It is proposed to demolish the existing building and replace it with a part one storey, part two storey new building, for continued use as a centre for respite. Direct pedestrian access to the centre would be provided along St George's Walk. It has been clarified that the rear door onto Henry Street would be for emergency use only.

- 7.40 It is noted that a number of objections have been received, which include reference to potential highway impacts including on car parking stress and associated impacts upon the adjacent network. The applicant's Framework Travel Plan and Access and Parking Management Strategy document, clarifies that the proposed re-development of the Myriad Centre site would (if permitted) result in an increase in capacity to between 16-20 clients on a typical day (with maximum of 25 clients) with an additional 3 members of staff, with the parking requirement for which is 3 spaces. However, for the purpose of clarity, the existing onsite parking would be removed to create a smaller, garden "amenity" space with the loss of at least 2 spaces (1 car and 1 minibus) which equates to a potential resultant shortfall of 5 / 6 parking spaces.
- 7.41 To justify the shortfall, the Local Highways Authority (LHA) have advised (inter alia) that the application site is sustainably located, being easily accessible on foot or by cycle and less than 1.0km from the city centre. Also, there are public transport links nearby and the 'travel to work' survey data previously undertaken by the Applicant, indicates that only 50% of staff drive to work. Therefore, the LHA have confirmed in their comments dated August 2023, the actual demand for parking for the additional staff can be revised to 2 spaces, which can be accommodated on street, along with the 2 spaces to be removed. Furthermore, the LHA have also advised that it is reasonable to accept that, as stated in the Strategy document, based on the arrival and departure times of the majority of the staff, that a high proportion of the parking demand would not conflict with residential associated parking demand.
- 7.42 Furthermore, the LHA have also stated that the Myriad Centre plans to replace their current 3 x 6 passenger minibuses to 2 x 8 passenger minibuses for the transportation of clients and whilst it is accepted that this would lead to an increase in private vehicle use to drop-off and collect clients, these movements can be coordinated to take place within the disabled parking bay on St. George's Walk at times when the minibuses are in use, with minimal impact on the highway. In this respect, a Travel Plan Coordinator would be appointed to implement and monitor the measures to promote sustainable travel options, which can be secured by planning condition. In this respect, a planning condition would be added to ensure that the applicant would be required to register and submit the details on the Modeshift STARS website.
- 7.43 In terms of cycle parking, it is noted that accessible, covered and secure cycle parking for 10 cycles would be provided on-site, and further details are required to ensure compliance with policy. This can be secured by planning condition.
- 7.44 In summary, the Local Highway Authority (LHA) have advised that they are now satisfied that the Applicant has taken all reasonable steps to manage the impact of the proposed development on the highway network and there is no further objection subject to the imposition of conditions, with their initial concerns and objections raised in their first response letter (dated March 2023) now having been addressed by the Applicants. As such, the proposals are in accordance with Policy SWDP 4 of the Development Plan and there would be no severe impact on highway safety arising from the proposals, in accordance with paragraph 115 of the NPPF (2023).

Biodiversity and landscaping

- 7.45 Part F of Policy SWDP 22: Biodiversity and Geodiversity is relevant, which states that: "Development should, wherever practicable, be designed to enhance biodiversity and geodiversity (including soils) conservation interests as well as conserve on-site biodiversity corridors / networks. Developments should also take opportunities, where practicable, to enhance biodiversity corridors / networks beyond the site boundary."

- 7.46 Paragraph 180 d) of the NPPF states: Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 7.47 Paragraph 186 states that when determining planning applications, local planning authorities (LPAs) should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 7.48 Soft landscaping and biodiversity enhancements have also been incorporated into the scheme in a manner that maximises gains to achieve the optimal outcome. In landscaping terms, it has been confirmed that the proposed scheme has limited amounts of new external landscaping due to the building footprint and site constraints. The proposed landscaping comprises the following elements:

- Concrete flag paving to main entrance
- Paved courtyard
- Paved service walkway
- New boundary treatments
- Integrated brick planters with low level shrub planting
- Alterations to line markings for disabled parking bays (subject to separate Highways agreement)
- Installation of EV charging gulley (subject to separate Highways agreement)



Concrete flag paving



Permeable paving

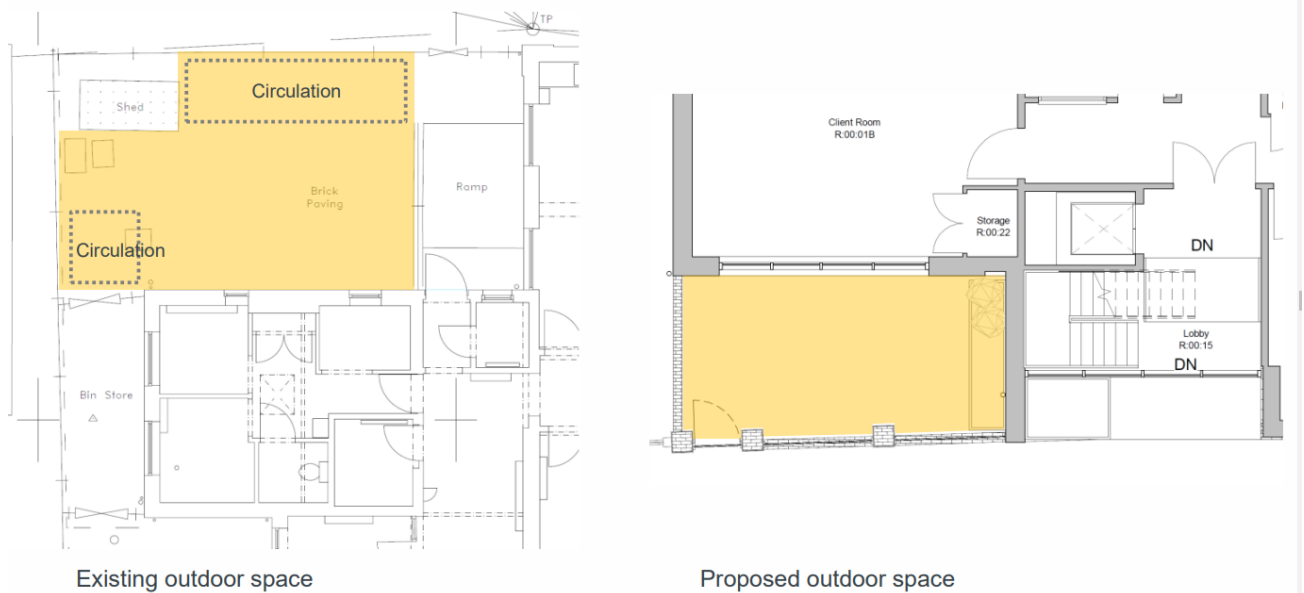


Brick planter



- 7.49 An area of outdoor space is proposed for outdoor activities such as gardening and BBQs. This would be located to the east of the site connected with the main client room with large bi-folding doors accessing the proposed amenity space. The area is 26.0sqm and would feature a raised planter to allow clients to participate in gardening (such as that example illustrated above), as well as a small tree to provide some greenery and dappled shade. The proposed brick wall with metal infill panels facing St Georges Walk would provide privacy and security and paved flooring would be suitable for wheelchair users.

- 7.50 The applicants have advised that although the proposed outdoor space would be slightly smaller than the existing, the usability of the space would be improved with direct connection and level access to the main client space, compared with the ramped access from the internal corridor with the existing space. The shed and storage areas would be relocated to avoid compromising the amenity of the space and it will not be a circulation route to the bin store. A comparison (in visual terms) is illustrated below in relation to the existing and proposed amenity areas:



- 7.51 The applicants have illustrated that during summer months the proposed outdoor space would receive sunlight for the majority of the Myriad Centre's opening hours (between 8:30am – 4:30pm), with the space being partially in shade during the afternoon.
- 7.52 The submitted landscaping details are considered acceptable at this stage. In line with the policy considerations above, in the interests of promoting ecological enhancements, a condition requiring that details are submitted detailing bird/bat boxes has therefore been recommended within section 9 of this report.

Renewable Energy and Sustainability

- 7.53 SWDP 27 'Renewable and Low Carbon Energy' requires that all new developments over 100 square metres gross or one or more dwellings should incorporate the generation of energy from renewable or low carbon sources equivalent to at least 10% of predicted energy requirements, unless it has been demonstrated that this would make the development unviable.
- 7.54 The applicants have provided a Sustainability and Energy report which outlines the sustainable & energy strategies to accompany the planning application proposing the construction of a new Special Needs Day-care Facility known as The Myriad Centre.
- 7.55 In terms of sustainability, the proposed design minimises energy demand through the design of the envelope before the deployment of efficient mechanical and electrical services. A 'fabric first approach' has been adopted, with a specific emphasis upon the prevention of heat loss and unwanted heat gains, through passive design measures. The new envelope construction would be well insulated, with a high air-tightness performance achieved through a continuous sealed sheathing line and membranes sealing around any openings.
- 7.56 In addition, openings in the envelope would be detailed to reduce thermal bridging. The applicants have clarified that the new envelope would achieve a performance above Building Regulations minimum requirements in terms of U-values. All new

controlled fittings and glazed elements would also be of a high specification, with low U-values to minimise heat loss.

- 7.57 It has been clarified that on-site renewable energy would also be produced with the installation of PV Panels to the south facing roofs. In addition, low energy LED light fittings will be used throughout the building. Lighting Controls would be provided via occupancy control sensors to all circulation and communal areas.
- 7.58 The energy strategy has demonstrated that through the implementation of passive design measures, efficient building services and LZC technologies that the development is estimated to achieve a 23% reduction in CO2 emissions over the TER of Building Regulations Part L 2021. The position of the solar panels is considered acceptable and provide a suitable approach to providing sustainable energy for the proposed development.

Flood Risk and Drainage

- 7.59 Section 14 of the NPPF (2023) covers the issue of meeting the challenge of climate change, flooding, and coastal change. Paragraph 173 of which states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 7.60 The application site comprises a brownfield site (two-storey building and hard landscaped throughout). This site is situated in a predominantly residential area and sits just south of the Barbourne Brook, which is adjacent to the neighbouring house to the north. The application site is situated within Flood Risk Zone 3. Land within flood zone 3 has a high probability of flooding from rivers. The site is also at high risk from surface water flooding.
- 7.61 Regarding flood risk, the proposed development is for the demolition of an existing building and replacement with a new part one-storey, part two-storey building, for use as a non-residential social care facility. The site is at risk of flooding from the Barbourne Brook, which is designated as a 'main river'. There are no flood defences in the area. The Environment Agency have been consulted and note (inter alia) that they do not have records of any historic flooding at the development site, although this does not mean flooding has not occurred. The Flood Risk Assessment (herein referred to as the 'FRA') identifies that the Flood Map for Planning (Rivers and Sea) shows the development site to be located wholly within Flood Zone 3 as defined within the National Planning Policy Guidance (NPPG).
- 7.62 The NPPF details the requirement for a risk-based "Sequential Test" in determining planning applications, to steer new development to areas at the lowest probability of flooding. It states that 'Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding'.
- 7.63 Further detail is provided in the NPPG (paragraph 019) which states that:
- "Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test (ET) if required."*

"Sequential Test"

- 7.64 The applicants have also carried out the "Sequential Test".

The submitted Flood Risk Assessment notes (inter alia) that the Myriad Centre conducted an extensive search for alternative premises for more than two years, which was conducted between 2019 and 2021. Worcestershire County Council and Worcester City Council were engaged to assist with the search and were unable to provide any suitable options.

7.65 The Myriad Centre also engaged commercial agents and approached University of Worcester, Worcester College, Acorns Children's Hospice, St Richard's Hospice, Sanctuary Housing and Place Partnership, none of which yielded any suitable options. In addition, 'shared space' options or 'sub-tenancy agreements' were also explored, but a reasonable conclusion could not be reached. The applicants have confirmed that the decision was therefore taken to acquire the freehold of the existing site at St George's Walk as this was the only viable option that could fulfil their criteria.

7.66 A further 'online search' of other available commercial properties was also undertaken in July 2023 to ensure that any additional properties that may have come available since the initial search were assessed for suitability. Although sites that were reviewed were within Flood Zone 1, the applicants have advised that they did not meet their required criteria or did not offer a long-term solution for the Centre.

7.67 The applicants have advised that in order to operate effectively and meet its clients' care needs, The Centre had specific search criteria, which included:

- Catchment – the site must be within Worcester City limits or 1 – 2 miles outside due to the transportation of clients.
- Accessibility for staff – many care staff require access by public transport or walk / cycle to work.
- Proximity to other activities – e. g. rebound trampoline therapy; parks and amenities within wheelchair walking distance.
- Inclusivity - People with complex needs and PMLD should be part of the community. The location must be an inclusive part of local life. This cohort of people have been marginalised their whole lives. The Myriad service must be inclusive.
- Minibus / carer access, including minibus parking location.
- Wheelchair access - A building with full wheelchair accessibility and ease of movement.
- Accommodation needs – the required accommodation needs to include a range of large open client rooms and therapy facilities, space for sufficient catering facilities, personal care spaces and administrative facilities.
- Cost – as a charity there was a fixed budget for the site acquisition and associated development works – it is a grant funded project.

7.68 The submitted FRA notes that the searches undertaken between 2019 – 2021 assessed a range of sites (eight in total), all of which were in Flood Zone 1 which included:

The Bradbury Centre, Sansome Walk, Worcester, WR1 1LH - Discounted because of: parking constraints and physical constraints.

Lindisfarne House, Barbourne Terrace, Worcester, WR1 3JS - Discounted because of: Would include the purchase of an unwanted asset and would be financially unviable.

Pershore Short Stays, 48 Station Road, Pershore, WR10 1PD - Discounted because of: Insufficient and inadequate internal space to meet the needs of the clients.

Evesham Day Centre Davies Rd, Aston Somerville, Evesham WR11 1DW - Discounted because of: distance from the city centre for clients and staff is restrictive.

Westwood Residential Home, 284 Bath Rd, Cherry Orchard, Worcester, WR5 3ET - Discounted because of: Insufficient staff and visitor car parking and not suitable for client drop-off / pick up arrangements.

Worcester Arts Workshop, 21 Sansome St, Worcester, WR1 1UH - Discounted because of: Physical constraints and insufficient staff and visitor car parking; double yellow lines to surrounding roads.

Worcester Wheels, Unit 13 Checketts Lane Industrial Estate, Checketts Lane, Worcester, WR3 7JW - Discounted because of: Industrial location, not suitable for Myriad Centre clients.

Greenhill Lodge, 4 Goodrest Cl, Worcester, WR3 8AE - Discounted because of: site not available on a permanent basis.

- 7.69 The applicants further online search of available commercial properties (undertaken July 2023) identified 45 commercial properties / sites advertised for sale within the Worcester search area. In response:
- 6 were discounted on the grounds of being large investment sites / buildings, or student residential investment properties.
 - 32 were discounted on the grounds of being high street retail premises in nature.
 - 1 was discounted as it was a single office as part of a larger commercial building.

- 7.70 The remaining 6 properties were assessed in terms of suitability. These are set out below:

Whitehall Inn, Bransford Rd, Worcester WR2 5TA - Discounted because of: Conversion of historic pub not suitable for Myriad Centre requirements, with poor accessibility to public transport.

Cromwells Restaurant, 6 Malvern Rd, Powick, Worcester WR2 4QP - Discounted because of: Identified flood risk implications.

Workshop Space Orchard Street, Worcester, WR5 3DW - Discounted because of: industrial location not suitable for respite care.

Office building 16 Sansome Walk, Worcester, Worcestershire, WR1 1LN - Discounted because of: practical constraints such as the small and convoluted layout and lack of space for mini-bus parking.

Charlie's Cafe Bar, 57 Sidbury, Worcester, United Kingdom, WR1 2HU - Discounted because of: Identified flood risk implications.

Unit 2B, Everoak Industrial Estate, 2B Bromyard Road, Worcester, Worcestershire, WR2 5HP - Discounted because of: industrial location not suitable for respite care.

- 7.71 The applicants "Sequential Test" exercise is considered to be transparent, logical and robust. The discounting of the sites is also considered to be well-evidenced and reasonable for the purpose of the Sequential Test exercise.

It therefore follows to consider the Exception Test

“Exception Test”

- 7.72 The proposals involve the redevelopment of the site with the existing and proposed use remaining the same (as a respite centre).
- 7.73 It is also noted that the Environment Agency (EA) has reviewed the Drainage Strategy Report and Flood Risk Assessment (FRA) by Barnsley Marshall Ltd (document reference MYC-BML-XXXX-RP-C-0501 dated 22 December 2022). The EA have clarified that although the application site is in Flood Zone 3, they have been able to determine that the Flood Map for Planning (Rivers and Sea) is based on generalised J-Flow modelling, which is unsuitable for site-specific flood risk assessments where detailed hydraulic modelling is required (the Barbourne Brook model in this instance).
- 7.74 The submitted FRA presents outputs of detailed hydraulic modelling for the Barbourne Brook, provided by the Environment Agency, in support of the planning application. The modelled flood levels provided in the FRA state that the maximum flood depth is 17.16m AOD. The EA has reviewed the outputs of the hydraulic model and can confirm that this refers to the level for a flood event with a 0.1% annual exceedance probability (AEP) and would not be the correct figure when considering the proposed development.
- 7.75 The Environment Agency (EA) has also advised (inter alia) that for 'non major' development only, in the absence of modelled climate change information, it may be reasonable to utilise an alternative approach. To inform a 1% plus climate change flood level the applicant could interpolate such using modelled flood data (as available in this instance) or where the 1% level is available from an existing model add on the relevant 'nominal climate change allowances provided in our 'Table of nominal allowances'. Our review of the modelled data indicates that the flood level for the 1% AEP event is 16.92mAOD. To ascertain the 1 in 100 years plus climate change (30%) level the nominal figure of 300mm should be added to the 1% AEP which would mean a design flood level of 17.22m AOD.
- 7.76 The EA have noted that from the FRA, the ground level of the development site is 17.32m AOD. This is supported by a topographic survey submitted with the FRA (Appendix B). Therefore, when compared with modelled floor levels, the design flood would not result in any flooding at the site.
- 7.77 The EA has also advised that they would normally expect finished floor levels to be set no lower than the design flood level plus a further 600mm freeboard allowance as set out in the EA climate change guidance. On this basis the EA has recommended that FFLs would be set no lower than 17.82m AOD. A planning condition is therefore suggested regarding the finished floor levels.
- 7.78 The main two tools in assessing flood risk in development applications are site specific Flood Risk Assessments (FRAs) and Sequential / Exception Testing. The sequential approach to flood risk and the use of the 'Sequential Test' and the 'Exception Test' in planning applications is one of the key aspects of national guidance on development and flood risk. The general approach is designed to ensure that areas at little or no risk of flooding are developed in preference to areas at higher risk. The aim at both the plan making and decision-making stage should be, where possible, to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and areas affected by other sources of flooding.
- 7.79 Paragraph 173 of the NPPF (2023) is relevant on this matter, and states that:

"When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;

c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;

d) any residual risk can be safely managed; and

e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”

7.80 The applicants have stated that as the site is situated within EA Flood Zone 3, the Exception Test is required, and met under section 2 of the exception test – as the site is located above the maximum flood depth, and thus moves the development out of Flood Zone 3, there is no additional flood risk added by developing the site.

7.81 The EA have advised (inter alia) that a condition is suggested to ensure that the floor levels should be set at 17.82m AOD, to allow for climate change. As such, it is considered that the flood risk resilience would be built into the design and that in accordance with paragraph 170 of the NPPF) it is considered that:

1. the proposed development would provide wider sustainability benefits to the community that outweigh the flood risk; this is through the efficient use of the site and the sustainable design proposals that would be integrated above the existing 'baseline' position, whilst also facilitating an enhanced care and respite facility for those in need,

And;

2. the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. On this point, the proposals would be subject to the use of a planning condition to ensure that the proposed floor levels should be set at 17.82m AOD, to allow for climate change.

7.82 It is also considered that in accordance with paragraph 171 of the NPPF, both elements of the exception test have been satisfied for development to be acceptable in flood risk terms.

8. Conclusion and planning balance

8.1 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 considered. 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.

- 8.2 The NPPF is also a significant material consideration. At paragraph 12 it confirms that *'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.'*
- 8.3 The proposed development would result in some economic benefits; employment during construction and thereafter upon the operation of the development (e.g., jobs) would contribute towards maintaining the vitality of local services and facilities. For this role of sustainable development, the balance would significantly be in favour of granting planning permission and weigh positively in the planning balance.
- 8.4 With regard to the social role, there would also be benefits in the continued support to respite day care, learning and supporting diversity and care in the community that would arise from the development. ****add the weight to be afforded to this benefit****
- 8.5 In respect of the environmental role, the proposed building would be a well-designed building, with integrated renewables that would also enhance the character of the area and support the carbon reduction aims of local and national planning policy. This is a positive element in the balance.
- 8.6 In respect of potential adverse impacts, the proposal has generated a number of objections relating to the impact of the development proposals on a variety of matters inclusive of highways impacts and flood risk. Whilst the LHA have raised no objection to the proposal on the former issue (subject to conditions with regards Travel Plans, cycle parking etc), on the matter of the latter, a planning condition is required to secure the finished floor levels to the requisite datum level to manage flood risk and should be considered in the planning balance as a neutral consideration given the fact that the proposed building would be flood resilient with a condition added to secure adequate finished floor levels, and no identified flood risk elsewhere as a result of these development proposals. .
- 8.7 When assessed against the Development Plan and all material considerations, the proposal is considered to be acceptable, with its benefits outweighing the negative aspects, as illustrated above.
- 8.8 All comments received as part of the consultation process have been considered, along with all relevant material planning considerations. Having regard to the totality of the policies in the Development Plan and the NPPF, it is considered that the proposed development is sustainable when assessed in light of social, economic and environmental objectives. The adverse impacts of the development do not significantly and demonstrably outweigh the proposed benefits.
- 8.9 As such, overall, it is considered that the proposals constitute an environmentally, socially and economically sustainable form of development that accords with the Development Plan, when taken as a whole and the requirements of the NPPF.

9 Recommendation

- 9.1 It is recommended that planning permission is granted, subject to the following conditions: -
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Plans:

AAR-P1-ZZ-DR-A-9001 (Location Plan); AAR-P1-ZZ-DR-A-9002 (Site Plan); AAR-P1-ZZ-DR-A-9003 (Rev P02) (Proposed Landscape Plan); AAR-P1-02-DR-A-001 Rev P01; AAR-P1-00-DR-A-0001 Rev P05 (GA Plan – First Floor); AAR-P1-ZZ-DR-A-0210 Rev P02 (North and South Elevations); AAR-P1-ZZ-DR-A-0211 Rev P03 (East and West Elevations); AAR-P1-ZZ-DR-A-0221 (Proposed Street Scene Elevations) and MYC-BML-XX-XX-DR-C-0500 Rev P02.

Documents:

Letter dated 1 August 2023; Preliminary Bat Roost Assessment (dated November 2022); Sustainability and Energy Report (unnumbered); Design and Access Statement (dated January 2023); Framework Travel Plan and Access and Parking Management Strategy (dated June 2023), Drainage Strategy Report (ADD DATE) and Flood Risk Assessment (dated 1 August 2023).

Reason: To ensure compliance with the approved scheme.

3. The development hereby approved shall not commence until a Construction Environmental Management Plan (CEMP) 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 as required;
 - The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring;
 - Traffic management measures for construction vehicles on St Georges' Walk to include temporary signage by agreement with Highways and the use of a banksman to oversee all vehicular manoeuvres, if necessary, avoiding peak pedestrian times such as the beginning and end of the school day;
 - Measures to demonstrate that those immediately affected by the construction works will be kept informed and due consideration and courtesy will be shown to the local community. The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety, in accordance with Policy SWDP 4 of the South Worcestershire Development Plan.

4. The development hereby approved shall not commence until a scheme of surface water drainage, which shall include proposals for sustainable drainage, (SuDS), has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is first brought into use, or in accordance with a timetable to be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory drainage of the site and to prevent the increased risk of flooding by ensuring a satisfactory means of surface water disposal, in accordance with Policies SWDP30 of the South Worcestershire Development Plan 2016.

5. No superstructure works shall take place until samples and full particulars of all external facing materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason: To ensure a satisfactory external appearance of the development and that high quality materials and finishes are used, in accordance with Policy SWDP 21 of the South Worcestershire Development Plan (2016).

6. (A) No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing.

The scheme shall include an assessment of significance and research questions; and:
1) The programme and methodology of site investigation and recording. 2) The programme for post investigation assessment. 3) Provision to be made for analysis of the site investigation and recording. 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation. 5) Provision to be made for archive deposition of the analysis and records of the site investigation. 6) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

(B) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraphs 194 and 205 of the National Planning Policy Framework 2012 (as amended) and SWDP 6 & 24 of the South Worcestershire Development Plan 2016.

7. Prior to occupation of the development hereby approved a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:

a) a schedule of proposed planting - indicating species, sizes at time of planting and numbers/densities of plants.

b) a written specification outlining cultivation and other operations associated with plant and grass establishment.

c) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.

All planting and seeding/turfing shall be carried out in accordance with the approved details in the first planting and seeding/turfing seasons following the completion or first occupation/use of the development, whichever is the sooner, and thereafter retained and /or replaced.

If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable.

Reason: To ensure the proposed development would provide high quality landscaping, integrate into its surroundings and provide an appropriate external amenity area for future occupants of the approved development, in accordance with policies SWDP21 and SWDP25 of South Worcestershire Development Plan and the requirements of the of National Planning Policy Framework 2021.

8. Prior to the first use of the development hereby permitted bird and bat boxes (in accordance with the recommendations of the Preliminary Bat Roost Assessment dated November 2022) shall be provided within the application site, and in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure that the development enhances green infrastructure secured habitat enhancement in accordance with Policy SWDP22 and SWDP25 of the South Worcestershire Development Plan and the aims and objectives of the National Planning Policy Framework 2023.

9. The development hereby approved shall not be brought into use until a Travel Plan, using Modeshift STARS Business, has been submitted to and approved in writing by the Local Planning Authority. Green level accreditation must be achieved before first use of the building and bronze level accreditation within 12 months of first use of the building. The measures set out in the Travel Plan must be monitored and implemented and any changes must be by written agreement with the Local Planning Authority.

Reason: To reduce vehicle movements and promote sustainable access, in accordance with Policy SWDP 4 of the South Worcestershire Development Plan.

10. The development hereby approved shall not be brought into first use until the cycle parking shown on the submitted GA Plan – Ground Floor (Drg. No. AAR-P1-00-DRA-0001 P05) has been provided, in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the provision shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards, in accordance with Policy SWDP 4 of the South Worcestershire Development Plan.

11. No demolition, construction or engineering works, (including land reclamation, stabilisation, preparation, remediation or investigation), shall take place on any Sunday, Bank Holiday or Public Holiday, and such works shall only take place between the hours of 08.00 to 18.00 weekdays and 08.00 to 14.00 Saturdays. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside of these permitted hours.

Reason: To mitigate the impact of construction to neighbouring residents in accordance with Policy SWDP 21 of the South Worcestershire Development Plan and the aims and objectives of the National Planning Policy Framework.

12. The development hereby approved shall not be brought into use until details have been submitted of the floor levels, which should be set at 17.82m AOD. Thereafter, the development shall be carried out in accordance with the details, fully implemented prior to occupation and/or first use of the development permitted and retained thereafter.

Reason: To prevent the increased risk of flooding by ensuring a satisfactory floor level above the ordnance datum, in accordance with Policies SWDP28 and SWDP 29 of the South Worcestershire Development Plan (20216)