



Report to: Planning Committee, 21st February 2019

Report of: Deputy Director - Economic Development and Planning

Subject: APPLICATION P18J0541: VARIATION OF CONDITION 2 ON PLANNING CONSENT P17J0577 TO ALLOW ENLARGEMENT OF PLANT ROOM AND REPOSITIONING OF CYCLE STORE AT THE FORMER YMCA BUILDING, HENWICK ROAD

1. Recommendation

1.1 The Deputy Director - Economic Development and Planning recommends that the Planning Committee grant planning permission, subject to the conditions set out in the plans list.

2. Background

2.1 The application was submitted on 14th December 2018 and the target date for determination has been extended to 22nd February 2019.

2.2 The application was deferred for decision at the meeting of the Planning Committee on 24th January 2019 on grounds of concerns raised by Councillor Udall on behalf of neighbouring residents regarding notification of the application.

2.3 A review of the planning file confirmed that the requisite statutory consultation was carried out. The residents of 2, 4, 6 Westbourne Close, 30 and 32 Comer Avenue were notified of the application on 19th December 2018 as the closest properties affected by the proposals. A site notice was also posted on the same day. However, following the meeting of the Planning Committee, residents were re-consulted on 5th February 2019, in writing and were provided with a copy of relevant plans with a request for any comments to be received by 15th February 2019.

3. The Site and Surrounding Area

3.1 The overall application site comprises some 9,700 sq.m of previously developed land lying within the urban limits of Worcester City. It lies to the west of the B4206 Henwick Road, above and to the west of the River Severn.

3.2 The building is listed grade II, firstly as Henwick Road Royal Albert Orphanage on 18 November 1991; this listing being amended on 27 November 2001. There are no other listed buildings in the immediate vicinity and the application site is not within a conservation area

3.3 The former orphanage stands within its own generous grounds, which are broadly rectangular, with irregular boundaries. It lies back from Henwick Road and has open land and public allotments to the rear or west, which is a residential area beyond a number of allotments which more immediately bound the site.

- 3.4 The main building comprises a three-storey red brick frontage featuring steep gables. At either end of this, run wings heading towards the rear of the property. The rear also features a number of more recent additions and freestanding structures.
- 3.5 Vehicular access is into the south of the site from Henwick Road into a curved driveway which sweeps around the front of the building to an exit only egress to the north. Access to the car parking area at the rear of the premises runs alongside the south of the main building.
- 3.6 The structure was purpose-built for multiple occupation and has remained so used since, albeit with smaller rooms within the wings and upper floors.
- 3.7 There is housing to the side, both north and south, and to the east on Henwick Road, where it faces directly onto Nos.60 to 72; the opposite side of which lies a linear residential development, beyond and below which is an area of mixed commercial, industrial and leisure activities.
- 3.8 To the south there is Nos.1-9 Wheeler Close, whose rear gardens abut the application site boundary, which is formed by a mature hedgerow; beyond the housing there is also a school. To the north there is Westbourne Close, the backs of Nos.2-22 of which face the north elevation of the former YMCA hostel, plus other housing on Comer Avenue. Westbourne Close was a redevelopment of the former Asylum Lane, which had a terrace of cottages for staff working at the former orphanage at its east end. Beyond this are a larger residential area, and then the University of Worcester.
- 3.9 Overall, the grain of built development in the immediate area is generally of a domestic scale, however large scale buildings are scattered throughout, including on the application site.
- 3.10 The site is in a highly sustainable location within the urban area of Worcester City. The nearest bus stops lies to the north on the Henwick Road, 76m distance for northbound services and 98m distance for south bound services. These run between Worcester City Centre and Kidderminster every two hours and hourly between Clifton-on-Teme, Martley and Worcester City Centre. Routes to the broader City and County are available from the City Centre Bus Station.
- 3.11 The University Campus is within easy walking distance of the site some 500m to the north. Foregate Street Railway Station lies less than 1km to the east of the site with regular services between Hereford, London and Birmingham and stations in between. There are two convenience stores in the locality; Co-Operative Food is some 300m to the north, whilst Aldi lies some 500m to the south. St John's District Centre lies some 400m to the south. St John's contains a number of shops and services including supermarkets, pharmacies, convenience and comparison shops, banks and restaurants and takeaways.

4. The proposal

- 4.1 Consent for a change of use from hostel to student accommodation, including demolitions, and the erection of new accommodation block, access and car park improvements, at the former YMCA building in Henwick Road was granted by Planning Committee under P17J0577 on 28th June 2018.

- 4.2 The application is to expand the remit of Condition 2 on consent P17J0577 to incorporate new drawings and updated approved drawings.
- 4.3 The proposal is to enlarge a consented plant room and reposition a consented cycle store, as shown on the submitted plans: 022(B), 024(C), 060(A) & 061(-)
- 4.4 Detailed investigation of the site has revealed that the existing boilers housed within the rear of the listed YMCA building are life-expired and need replacing. These were built into the building and cannot be removed and replaced without extensive demolition of part of the listed building.
- 4.5 A single-storey Plant Room – termed a ‘Water Booster’ (with an associated walled Bin Store) was consented in the North West corner of the application site under P17J0577. By marginally enlarging this building it could accommodate the new boilers referred to above, thereby obviating the need for any demolition works to the main listed building.
- 4.6 The proposed enlarged building: -
- does not come any closer to the backs of the properties in Westbourne Close or Comer Avenue than the consented building would have;
 - extends away from Westbourne Close or Comer Avenue) by only 1.02m (or 3ft 4in); and its width (visible from Westbourne Close or Comer Avenue) is increased by a mere 0.2m (20cm or 8 inches); and its height to the eaves is increased by only 0.23m (23cm or 9 inches);
 - is increased in height by 1.72m (or 5ft 8in), but this is only because the roof proposed for the slightly enlarged building is sloping rather than flat (as consented). This will allow it to be covered with slate and thereby to blend in better with the listed buildings adjacent;
 - will be 6sq m greater in size (expanding from 38.5sq m to 44.5sq m) between the consented Water Booster and Bin Store and the Plant Room proposed in the current application;
 - will remove the consented Bin Store immediately behind the properties on Westbourne Close or Comer Avenue, and;
 - will be ‘blind’ – i.e. will not contain any windows, therefore there is no opportunity for overlooking in any direction.
- 4.7 The Cycle Store included in the current application was consented under P17J0577; here it is simply being repositioned.
- 4.8 This application only relates to 0.4% of the overall site area and does not otherwise affect or alter the scale or nature of the scheme consented under P17J0577.
- 4.9 Condition 2 of planning application P17J0577 states:

The development hereby approved shall be carried out in complete accordance with the submitted plans, except where otherwise stipulated by conditions attached to this permission.

For the following reason:

For the avoidance of doubt and to secure a satisfactory form of development in accordance with policies SWDP 1, 3, 6, 14, 21, 24, 25 and 27 of the South

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

As proposed, it would be amended accordingly as follows:

Condition 2:

"The development hereby approved shall be carried out in complete accordance with the submitted plans and supporting documentation (including any recommendations), except where otherwise stipulated by conditions attached to this permission or amended by the following plans:

001(-), 005(-), 020(A), 021(-), 022(B), 024(C), 025(A), 026(-), 027(-), 028(-), 030(A), 031(A), 032(-), 033(-), 034(-), 035(-), 036(-), 037(-), 052(A), 053(A), 055(A), 058(A), 059(A), 60(A), 061(-), 20185-01, BA25031017_01, BA25031017_02, BA25031017_03A, BA25031017_04A, BA25031017_05A, BA25031017_06A & BA25031017_07A.

4.10 The advantage of this proposal is that it will provide a modern and efficient heating system to the consented converted YMCA building and proposed new accommodation block, without the need for any alterations being made to the listed structure.

4.11 The application is submitted under Section 73 of the Town and Country Planning Act 1990 that provides that application may be made for planning permission without complying with conditions applied to a previous permission or to vary conditions associated with a planning permission. Section 73 of the Town and Country Planning Act 1990 provides as follows:-

"(1) This section applies, subject to subsection (4), to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.

(2) On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

(3) [Repealed]

(4) This section does not apply if the previous planning permission was granted subject to a condition as to the time within which the development to which it related was to be begun and that time has expired without the development having been begun.

(5) ..."

4.12 Thus, it is possible to apply for conditions to be struck out, or for their modification or relaxation. A successful application to amend conditions results in the issue of what is in effect a new planning permission, but does not cancel the old permission.

- 4.13 The issues to be considered upon an application under section 73 of the Act are:
- a) whether the condition/s proposed in the application could lawfully have been imposed upon the original planning permission, and;
 - b) whether the imposition of the proposed condition/s would bring about a fundamental alteration of the original proposal for which permission was granted.
- 4.14 In this respect, section 96A of the Act provides:-
- "(1) A local planning authority ... may make a change to any planning permission or any permission in principle (granted following an application to the authority) relating to land in their area if they are satisfied that the change is not material.
- (2) In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission or permission in principle as originally granted.
 - (3) The power conferred by subsection (1) includes power to make a change to a planning permission —
 - (a) to impose new conditions;
 - (b) to remove or alter existing conditions.
 - (4) The power conferred by subsection (1) may be exercised only on an application made by or on behalf of a person with an interest in the land to which the planning permission or permission in principle relates."

4.15 Guidance for determining s73 applications is set out in the NPPG which states that a minor material amendment is one "whose scale and nature results in a development which is not substantially different from the one which has been approved". It is further stated that the development which the application under s.73 seeks to amend will by definition have been judged to be acceptable in principle at an earlier date. Consequently, the extent of the material planning considerations are somewhat restricted and only the amendments being applied for should be considered at this stage in light of current policy. In terms of decision making a local planning authority therefore has to make a decision on the amendments being applied for with regard to relevant national or local policies which may have changed significantly since the original grant of planning permission as well as the merits of the changes sought.

4.16 Notwithstanding the above, a Section 73 application cannot be used to extend the lifespan of a planning permission. Condition 1 attached to the extant permission provides that the development must be begun not later than the expiration of three years from its date of issue. A new permission granted via this Section 73 application should therefore change this condition such that it instead specifies development must be begun before 29th October 2021.

4.17 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.

5. Planning policy

- 5.1 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.
- 5.2 These provisions also apply to applications made under Section 73 of the Town and Country Planning Act. However, in making their decisions Local Planning Authorities are required to focus their attention on national and development plan policies, conditions attached to the existing permission and other material considerations which may have changed significantly since the original grant of permission.
- 5.3 The Development Plan for Worcester now comprises: -
- The South Worcestershire Development Plan (SWDP) which was adopted February 2016
 - The Worcestershire Waste Core Strategy, which was adopted in December 2012

South Worcestershire Development Plan (SWDP)

- 5.4 The following policies of the SWDP are considered to be relevant to the application proposals: -

SWDP 1 Overarching Sustainability Principles

SWDP 3 Employment, Housing and Retail Provision Requirement and Delivery

SWDP 6 Historic environment

SWDP 14 Housing Mix

SWDP 21 Design

SWDP 24 Management of the Historic Environment

SWDP 25 Landscape Character

SWDP27 Renewable and low carbon energy

- 5.5 There have been no changes to the South Worcestershire Development Plan since the original grant of permission.

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

- 5.6 The Waste Local Plan was adopted 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)
 - WCS17 (Making provision for waste in new development)
- 5.7 There have been no changes to the Waste Core Strategy for Worcestershire - Adopted Waste Local Plan 2012-2027 since the original grant of permission.

Material Considerations

1. National Planning Policy Framework (NPPF)

- 5.8 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It constitutes guidance for local planning authorities and decision takers and is a material planning consideration in determining planning applications.
- 5.9 Following the meeting of the Planning Committee on 28th June 2018 the updated version of the National Planning Policy Framework (NPPF) was published and came into effect on 24th July 2018. Whilst this represents a material change in policy circumstances, nevertheless the provisions of the recently published revised NPPF version are largely consistent with, and transferred directly from, the original 2012 version of the NPPF. The terminology and paragraph numbers may differ somewhat but the broad objectives of the revised NPPF is consistent with that of the previous original NPPF. As such, the Local Planning Authority's decision to grant planning permission for the development remains based on a decision rooted in valid planning material considerations, rigorously assessed and justified.
- 5.10 All the policies in the NPPF constitute Government's view of what sustainable development in England means in practice: an economic role, contributing to a strong, responsive, competitive economy; a social role, supporting vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations and by creating a high quality built environment with accessible local services that reflect the community's needs; and an environmental role, protecting and enhancing our natural, built and historic environment. Economic, social and environmental improvement should be sought jointly and simultaneously.
- 5.11 Paragraph 38 of the NPPF encourages Local Planning Authorities to approach decision taking in a positive way and to foster the delivery of sustainable development. Local Planning Authorities are advised to approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

2. National Planning Practice Guidance (NPPG)

- 5.12 On 6th March 2014 the Government also published National Planning Practice Guidance (NPPG) to compliment the NPPF that 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.
- 5.13 With regard Section 73 applications, pertinent advice is given at paragraphs 13 – 18 of NPPG: Flexible Options for Planning Permissions under the heading: 'Amending the conditions attached to a permission including seeking minor material amendments (application under Section 73 TCPA 1990)'.

- 5.14 Further guidance is contained in NPPG: Use of Planning Conditions. Paragraph 31 advises that in deciding an application under section 73 of the Town and Country Planning Act 1990, the local planning authority must only consider the conditions that are the subject of the application – it is not a complete re-consideration of the application. A local planning authority decision to refuse an application under section 73 can be appealed to the Secretary of State, who will also only consider the condition/s in question.
- 5.15 Furthermore, it advises that the original planning permission will continue to exist, whatever the outcome of the application under section 73. To assist with clarity, decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. In granting permission under section 73 the local planning authority may also impose new conditions – provided the conditions do not materially alter the development that was subject to the original permission and are conditions which could have been imposed on the earlier planning permission. (Any pre-commencement conditions may not be imposed without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018)).
- 5.16 There have been no significant changes to the National Planning Practice Guidance since the original grant of permission.

3. Supplementary Planning Documents

- 5.17 The following Supplementary Planning Documents are relevant to the application proposals:-
- Design Quality SPD
 - Planning for Health in South Worcestershire SPD
 - Developer Contributions SPD
- 5.18 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. There have been no other changes to Supplementary Planning Documents since the original grant of permission.

6. Planning history

- 6.1 The former orphanage has a long planning history. Since 1950 there have been 26 planning applications against the property. These are listed below. They have been divided into ones granted consent before and after the building was listed grade II on 18 November 1991 because, post listing, greater control and discretion would have been shown over what alterations were permitted.
- 6.2 Pre-listing applications granted consent:
- 16 June 1950 – 9451 – Porch and projection room
 - 17 June 1955 – 12111 – Change of use class XIV to class XI
 - 17 August 1956 – 12915 – Erection of a sports pavilion

- 07 December 1956 – 12872B – Erection of chimney
- 05 January 1962 – 16303 – Erection of a detached garage
- 21 June 1968 – 68/0464 – Use of part of the building for pre-school playgroup purposes
- 21 September 1979 – 79/1183 – The erection of a brick building to accommodate gas meter

6.3 Post-listing applications granted consent:

- P96B0098 – Change of use of land to site temporary building for use as changing rooms for all weather pitch. Approval (Temporary)
- L97B0037 – Alterations to the inner entrance hall to improve the visual and physical control, at the recommendation of the West Mercia Constabulary. Approval (LBC)
- P97B0210 – Renewal of temporary change of use of land to site temporary building. Approval (Temporary)
- P99B0163 – Extension to form new entrance lobby to new foyer training unit, removal of two redundant dormer windows. Approval (Planning)
- L99B0027 – Alterations to the Wheeler wing to form new foyer training and residential unit including removal of internal partitions, lean-to corridor and redundant dormers. Extension to form new entrance and reinstatement of blocked openings. Approval (LBC)
- P99B0298 & L99B0050 – New canopy to form new weather protected and disabled entrance. New music studios and football changing facilities to replace those lost in foyer conversion scheme. Approval (Planning & LBC)
- L02B0088 – Repair and alteration of flat roof by introduction of insulation and ventilated roof lights. Approval (LBC)
- L04J0045 – Alterations to the inner entrance hall to improve visual and physical control at the recommendation of the West Mercia Constabulary. Approval (LBC)
- L04J0070 – Re-positioning of brick pier to widen site entrance. Approval (LBC)
- L06J0021 – proposed alterations to north wing of YMCA including improvements to east door and west courtyard – Approval (LBC)
- L06J0023 – Proposed creation of new openings into existing walls to form integrated open plan offices. Approval (LBC)
- P07J0164 – Widening of existing drive for safer car park access. Approval (Planning)
- L08J0104 – Internal alterations to form new shower rooms and common rooms. Approval (LBC)
- L09J0078 – Refurbishment of existing music rooms to form new common room and kitchen. Approval (LBC)
- P09J0177 & L09J0034 – Portakabin on site for 9 months for temporary office space. Approval (Planning)
- L11J0117 – Proposed alteration to the interior of outbuildings and re-open bricked up windows and doors. Approval (LBC)
- L13J0014 – Take down and rebuild a stud partition at first floor level, and to line 2 first floor walls with Gyproc FireLine plasterboard to both faces. Approval (LBC)
- L13J0069 – Up-dating electrics. Approval (LBC)
- L13J0109 – Retrospective application for extension of existing chimney stack and provision of new flue and capping. Approval (LBC)
- D13J0116 – Discharge of conditions – L13J0069
- P17J0577 & L17J0086: Change of use hostel to student accommodation; demolitions and erection of new accommodation block; access and car park improvements. Approval (Planning & LBC)

7. Consultations

- 7.1 Formal consultation has been undertaken in respect of the application. The following comments from statutory and non-statutory consultees have been received in relation to the proposals:-

Worcester City Council Archaeological Officer: There is no anticipated change to archaeological impact from this amendment as compared with the approved scheme for this site.

Worcester City Council Landscape & Biodiversity Adviser: "As the new plant room and cycle store are larger/taller the planted area should wrap around this whole corner and contain several 12-14cm native trees such as Field Maple and Rowan. Otherwise I have no objections. The existing landscaping conditions are proposed to be included as part of this application accordingly."

Conservation Advisory Panel: This was considered at the Panel meeting on 9th January 2019. No objections were raised to the proposals.

Local residents & other interested parties: A comment was received from 1 of the neighbours notified of the application, however, these related mostly to the nature of the consultation, which were responded to. However, at the time of writing this report no further comments have been received to date following re-consultation with neighbouring residents on 5th February 2019.

- 7.2 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.
- 7.3 In assessing the proposal due regard has been given to local residents and other interested parties 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.

8. Comments of Deputy Director - Economic Development and Planning

- 8.1 Details of the current proposals are set out in Section 4 of this report at paragraphs 4.1 – 4.10. In this respect, I consider the main issues raised by the proposal are the potential adverse impact (in planning terms) of the application under section 73 as compared with the original proposal and whether the proposed variation of condition 2 would create a fundamental alteration to the original proposal in terms of:

- Impact on historic assets;
- Amenity of adjoining land users;
- Standards of amenity proposed for future occupants;
- Highway safety and access; and
- Landscaping.

These issues will now each be considered in turn.

Impact on Heritage Assets

- 8.2 The site is listed grade II but is not situated within a conservation area. There are no other listed buildings within the surrounding area, but there is potential for below ground assets as such the site has designated and non-designated historic assets.
- 8.3 The proposals should be considered against Policies SWDP 6 and SWDP 24 which are consistent with the NPPF (paragraphs 189, 190 and 192 to 197) in that they seek to protect and enhance designated and non-designated heritage assets and guide against development that would cause substantial harm to the significance of any heritage asset. In accordance with the NPPF at Para 194, great weight must be given to the conservation of designated heritage assets and in accordance with s66 of the Planning Listed Building and Conservation Areas Act 1990, special regard is to be had to the desirability of preserving listed buildings or their settings.
- 8.4 The main driver for the current application has been to minimise the need for any demolition works to the rear of the listed former YMCA building. In addition, the design change for the proposed Plant Room now to feature a slated sloping roof, should ensure that it will blend in better with existing buildings on site.
- 8.5 In terms of the paragraph 196 of the NPPF, I consider that the proposals would have less than substantial harm in respect of the impact on the fabric, character, appearance and setting of the host listed building.
- 8.6 In terms of the effect on below ground deposits, the development will have a minimal impact on buried archaeological remains. The City Council Archaeological Officer has commented that there is no anticipated change to archaeological impact from this amendment as compared with the approved scheme for this site.

Amenity of adjoining land users

- 8.7 At paragraph 17 (bullet point 4) the Framework states that as one of its core principles planning should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings". Similarly, Policy SWDP 21 requires amongst other matters that new development should provide an adequate level of privacy, outlook, sunlight and daylight, and should not be unduly overbearing. Pertinent advice is also contained in the South Worcestershire Design Guide SPD (SWDG SPD), which was adopted by the City Council on 6th March 2018.
- 8.8 The site is adjacent to a number of residential properties and in accordance with the expectations of policy SWDP 21, it is necessary to ensure that the scheme would not result in harm to the amenities enjoyed by neighbouring residents. I have considered the site and surrounding area and conclude that the proposed conversion and amended site layout, in context with the surrounding street patterns and also in relation to the proximity of adjacent uses, will not have a detrimental impact which warrants concerns.
- 8.9 It is proposed marginally to enlarge the size of a consented Plant Room to accommodate new heating boilers. The proposed building will be in the same position as the consented one with regard to neighbouring properties and will not have any windows.

- 8.10 In terms of size, extending away from Westbourne Close or Comer Avenue, the length is only increased by 1.02m (or 3ft 4in); the width (visible from Westbourne Close or Comer Avenue) by a 0.2m (20cm or 8 inches); and the height to the eaves by 0.23m (23cm or 9 inches). The roof apex is increased in height by 1.72m (or 5ft 8in), because the roof profile for the proposed building is sloping rather than flat (as consented). This will allow it to be covered with slate and thereby to blend in better with the listed buildings adjacent. In area, the proposed building will be 6sq m greater in size (an increase from 38.5sq m to 44.5sq m) between the consented Water Booster and Bin Store and the Plant Room proposed in the current application.
- 8.11 A comment was received with regard to the position and height of the replacement plant room building, however, the former is identical to that consented and the increase in size marginal. In addition, under this revised scheme, a consented bin store will no longer be located close to neighbouring properties.
- 8.12 I therefore conclude that to withhold planning permission on impact on amenity of adjoining land users would have limited justification.

Highway safety and access

- 8.13 In accordance with the expectations of SWDP 21 it is necessary to ensure that the proposed development contributes to the interests of highway safety. This is also reflected in the general objectives of the NPPF which has sustainable development at its core, including the promotion of sustainable transport.
- 8.14 This small change to the scheme consented under P17J0577 will not make any changes with regard to the relationship between the application site and the highway or in terms of car parking provision. As such, the Highway Authority has not been consulted.
- 8.15 The proposed replacement plant room will not require or need public access. Entry for those requiring access will be on the level.
- 8.16 On this basis I must conclude that there are no cogent reasons to raise objection on grounds of access or highway safety.

Landscaping

- 8.17 A hard and soft landscaping plan has been produced.
- 8.18 The Landscape and Biodiversity Adviser has commented upon the scheme and made additional recommendations which have been embodied within existing conditions which will be repeated in this permission in accordance with clause 5.15 of this report.

Conclusion

- 8.19 In my opinion, the application would cause no additional planning harm when compared with the original proposal notwithstanding the increase in the size and height of the plant room. In reaching this conclusion I have had regard to whether the variation to the condition sought would create a fundamental alteration to the original proposal and I am satisfied that in the wider context of the scheme it would not do so. As proposed, I consider the proposal is acceptable and would accord with the aims and interests that the Development Plan, emerging SWDP and the National Planning Policy Framework seek to protect and promote in this regard.

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Background Papers: Application P17J0577