

**PLANNING AND REGULATORY COMMITTEE
22 MARCH 2016****PROPOSED CONSTRUCTION OF A TWO-STOREY
SCIENCE PARK BUILDING TOGETHER WITH ASSOCIATED
CAR PARKING AND LANDSCAPING TO REPLACE THE
EXISTING DYTECNA BUILDINGS TO FORM PHASE 5 OF
THE MALVERN HILLS SCIENCE PARK, GERALDINE ROAD,
MALVERN, WORCESTERSHIRE.**

Applicant

Worcestershire County Council

Local Member(s)

Mrs L C Hodgson

Purpose of Report

1. To consider an application under Regulation 3 of the Town and County Planning General Regulations 1992 for planning permission for the proposed construction of a two-storey science park building together with associated car parking and landscaping to replace the existing Dyteca buildings at Malvern Hills Science Park, Geraldine Road, Malvern, Worcestershire.

Background

2. Worcestershire County Council have received a grant from Worcestershire Local Enterprise Partnership (LEP) that would enable the existing outdated building known as Aspen House/Dytecna building to be demolished and replaced with a newer modern facility as Phase 5 of the Malvern Hills Science Park.

3. The existing Dyteca building is located on the Malvern Hills Science Park site, which has been used by a number of companies who specialise in the field of science and technology. The proposed new building would be an expansion of the adjacent Malvern Hills Science Park buildings, which follows on from the construction of the Phase 4 building, which is located at the north-eastern side of the Science Park site. The proposed building would be available to new and existing companies to develop and expand their businesses. It is anticipated that the new accommodation would bring further investment and employment to the County. The building would be managed by Malvern Hills Science Park.

4. An application was submitted to the County Planning Authority in October 2015 seeking to demolish the existing Aspen House/Dytecna building through the prior notification process. The County Planning Authority determined that prior approval of the Council was not required and that the demolition could be carried out.

The Proposal

5. The application comprises of the proposed construction of a two-storey science park building together with associated car parking and landscaping to replace the existing Dyteca buildings at Malvern Hills Science Park, Geraldine Road, Malvern, Worcestershire.
6. The application site measures approximately 0.81 hectares.
7. The proposed building would accommodate office and research and development (B1 (a) and (b) use classes). The proposed building would provide flexible 'grow-on' space to retain established tenants and allow for future growth within the existing Science Park. This would reduce the need for existing tenants to look elsewhere for appropriately sized business premises.
8. The applicant states that the proposed building would accommodate a maximum occupancy of 112 people based on the *Employment Densities Guide*, published on the Government website, which gives a guide figure of 10 square metres per person for Business Park accommodation. The office area for Phase 5 is approximately 1102 square metres.
9. The proposed built development would be located on the footprint of the existing Dyteca buildings. The proposed built development would measure approximately 48 metres by 16 metres by 9 metres in height. The proposed development would be sited approximately 60 metres from the rear boundaries of the neighbouring residential properties along Geraldine Road. The proposed built development sits perpendicular to the existing Phase 1 Malvern Hills Science Park building.
10. The applicant states that the internal layout of the building has been designed to provide the maximum flexibility and efficiency. This provides the option for tenants to occupy different amounts of floor space, enabling a greater mix of tenants and adaptability as tenant businesses develop and grow.
11. The proposed building would have a curved roof which is similar to the roof style of the existing buildings within the Science Park. The roof would be constructed from 'Evalon' roofing membrane in a dark slate grey colour. The applicant states that the proposed membrane may have a slight sheen when new but this would quickly disappear when the material has been installed. The applicant states that the roof covering would not be visible from the ground and when viewed from the top of the Malvern Hills, it would be very unlikely that the surface finish would be discernible.
12. The external walls would comprise of Polyester Powder Coating (PPC) aluminium curtain walling with opening lights to provide natural ventilation; Polyester Powder Coating (PPC) rainscreen cladding; facing brickwork in blue engineering brick, laid in stretcher bond, with sawtooth bricks used as a feature plinth and metal louvres to the plant area at the southern end of the proposed building.
13. There are two external escape stairs made of galvanized steel, with powder coat finish to strings and balustrades.

14. The applicant states that the proposed building design would target energy efficiency through air tightness and thermal insulation to the external envelope.
15. The orientation of the proposed building, facing east/west, together with the incorporation of 'brise soleil', which is an architectural feature of a building that reduces heat gain within the building by deflecting sunlight; overhanging roofs and light shelves, take maximum advantage of the available daylight, whilst providing passive solar gain in the winter and passive solar shading in the summer. The building is designed to be naturally ventilated.
16. The proposal comprises of 56 new car-parking spaces, including 3 new disabled spaces, together with the relocation of 13 standard and 2 disabled spaces from elsewhere on the Science Park site, following the reorganisation of the circulation routes, are proposed to the east and west of the proposed built development. 35 existing car parking spaces would be retained at the front of the existing main Dyteca building. In addition, 10 new cycle storage bays are proposed.
17. Vehicular and pedestrian access is proposed via the existing access into the site from Thirlstane Road East. As part of the proposals, the existing main access into the site would be improved by widening to allow the manoeuvring of large services vehicles easier into the Science Park.
18. The Science Park need to maintain a secure boundary around the site, therefore, it is proposed to retain the existing perimeter fence at the site.
19. The proposed boundary fencing at the south-eastern corner of the site would be low level timber fencing together with timber clad metal gates to match the existing.
20. The applicant considers that the demolition of the existing building and the construction of the new development comprising of a high quality landscaped area, which would include a new plaza connecting the new building with the existing Phase 1 building, would reinforce the approach to the main Phase 1 and 2 buildings in the heart of the Science Park and open up the site, to allow views on to the site from the surrounding area and adjacent roads.
21. A Transport Assessment accompanies the planning application. Analysis of the latest three year collision history was undertaken for the Geraldine Road route close to the site. Based on the analysis of the collision history, the transport assessment concludes that there is not a significant road safety issue associated with Geraldine Road.
22. It concludes further that there are not anticipated to be any additional negative transport implications associated with the proposed development when compared with the existing use.
23. A Travel Plan accompanies the planning application. The applicant states that the implementation of this new Travel Plan would help promote sustainable travel methods to employees and visitors to the Science Park site.

24. The Travel Plan refers to the locations of the bus stops in the immediate vicinity of the Malvern Hills Science Park. Bus services 44, 44D and 365 call at the stops along Geraldine Road. Alternatively, bus service number 42 stops along Poolbrook Road, which is a 10 minute walk from the application site. Furthermore, bus services 362 and 364 stop along Court Road, which is accessed via Public Right of Way (reference number 880(A)) that runs along the southern boundary of the Science Park.

25. A Flood Risk Assessment accompanies the planning application and concludes that the site is located in Flood Zone 1 and has (little or no risk) of flooding. It acknowledges that the proposed building is planned to replicate existing ground level and have no significant impact in terms of flood storage. It recommends that a suitable surface water drainage strategy would mitigate any increased run-off that may result from the proposed building and associated works.

26. Storm and foul drainage would be connected to the existing drains on site.

27. An Ecological Appraisal and Bat Survey accompanies the planning application and concludes that the western section of the existing main Dytecna building (including the tower and rooms at the base of the tower) and the south-eastern gas meter block are considered to have low suitability for roosting bats even though there are a significant number of potential ingress points and roosting opportunities. However, no bats were found to be roosting in these buildings during a single bat emergence survey. Therefore, there appear to be no obvious and immediate issues with regard to bats under the Wildlife and Countryside Act 1981 (as amended) or the Conservation of Habitats and Species Regulations 2010. The report recommends that any destructive works to these buildings should only be undertaken between late September and early April in any given year when any bats are highly unlikely to be roosting within the buildings and that vegetation clearance should be undertaken outside the bird breeding season.

28. A landscaping plan accompanies the planning application, which shows that 14 trees are proposed to be removed. These trees comprise of 9 conifers and 3 cherry trees along the southern boundary, together with 2 trees at the northern side of the site to allow improvements to be made to the existing access. It is proposed to retain 7 cherry trees along the southern boundary.

29. The applicant included an Archaeological Assessment as part of their submission following advice from their Historic Environment Advisor who states that although Prehistoric and Romano-British archaeological remains have been found to the south of the Dytecna Building, on the south side of the access road in the area of The Malvern Technology Centre and The Chase School, fieldwork has shown that these remains do not appear to extend north of this and it is not considered that the Dytecna site would contain significant archaeological remains. Therefore, they consider that no form of archaeological assessment of the site is required.

30. The core business hours for the existing Malvern Hills Science Park buildings are 08:30am to 17:30pm Mondays to Fridays. Individual tenants can work beyond these hours, including Saturdays. The applicant states that the number of employees who are based in the existing Malvern Hills Science Park buildings and currently work outside of the core hours is small. The proposed business hours for the proposed development would be similar to the existing tenants at Malvern Hills Science Park.

31. The contractor's access would be located through the existing main Dyteca gates accessed via Thirlstane Road East. The site compound will be located within the fenced site area and the applicant has confirmed that details would be provided by the contractor following the tender process.

The Site

32. The application site is located approximately 2 kilometres south-east of Malvern town centre and measures approximately 1.2 hectares.

33. The application site is bound by Malvern Hills Science Park to the north; Poolbrook playing fields to the west; residential dwellings located along Geraldine Road to the east and Thirlstane Road East to the south, which leads to Malvern Technology Centre. Beyond this road is 'The Chase School'.

34. The nearest residential properties are no. 58 – 72 Geraldine Road. The rear boundary of no. 72 Geraldine Road abuts the application site boundary to the east. The rear boundaries of no's 66 - 70 Geraldine Road are sited approximately 9 metres east of the application site at their closest point. 58 – 64 are sited approximately 45 metres east of the application site boundary.

35. There are existing intermittent tall mature hedgerows along the western, southern and eastern boundaries.

36. The existing Malvern Hills Science Park site comprises of Phases 1-4, which includes one to four storey offices, which comprise of B1 and laboratory uses. Most recently, Phase 4 has been constructed on the north-east corner of the site.

37. The location for the new proposed building is currently occupied by the Dyteca buildings, which were constructed in the mid 1960's. The existing main Dyteca building measures approximately 108 metres by 73 metres by 13 metres in height at its highest point.

38. The Malvern Hills Area of Outstanding Natural Beauty (AONB) and Site of Special Scientific Interest (SSSI) are sited approximately 540 metres to the west of the application site. The Malvern Hills can be viewed from the application site. As the Malvern Hills are a raised vantage point, the application site is, therefore, visible from views looking down from the Hills.

39. Great Malvern Conservation Area is sited approximately 365 metres west of the application site.

40. The application site is located approximately 375 metres west of Guarford Green & Rhydd Green Local Wildlife Site (LWS) and 355 metres west of Malvern & Lower Wyche Commons LWS.

41. The application site is located with Flood Zone 1, which is an area not at risk of flooding.

42. Public Right of Way (reference number 880 (A)) runs adjacent to the application site to the south, together with National Route 46 of the National cycle Network, which will connect Bromsgrove to Neath once complete. This Public Right of Way provides access to Court Road, which accommodates stopping points for bus services 362 and 364.

Summary of Issues

43. The main issues in the determination of this application are:

- Local Economy
- Landscape Character and Appearance of the Area
- Residential Amenity
- Water Environment
- Traffic and Highways Safety, and
- Ecology and Biodiversity.

Planning Policy

National Planning Policy Framework (NPPF)

44. The National Planning Policy Framework (NPPF) was published and came into effect on 27 March 2012. 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. Annex 3 of the NPPF lists the documents revoked and replaced by the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through plan-making and decision-taking.

45. Sustainable Development is defined by five principles set out in the UK Sustainable Development Strategy:

- "living within the planet's environmental limits;
- ensuring a strong, healthy and just society;
- achieving a sustainable economy;
- promoting good governance; and
- using sound science responsibly".

46. The Government believes that sustainable development can play three critical roles in England:

- an economic role, contributing to a strong, responsive, competitive economy
- a social role, supporting vibrant and healthy communities and
- an environmental role, protecting and enhancing our natural, built and historic environment.

47. The following guidance contained in the NPPF, is considered to be of specific relevance to the determination of this planning application:-

- Section 1: Building a strong, competitive economy
- Section 4: Promoting sustainable transport
- Section 7: Requiring good design

- Section 8: Promoting healthy communities
- Section 10: Meeting the challenge of climate change, flooding and coastal change
- Section 11: Conserving and enhancing the natural environment

The Development Plan

48. The Development Plan is the strategic framework that guides land use planning for the area. In this respect the current Development Plan consists of the South Worcestershire Development Plan.

49. Planning applications should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

50. Annex 1 of the NPPF states that for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. However, the policies contained within the NPPF are material considerations. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the NPPF. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

Adopted South Worcestershire Development Plan

51. The South Worcestershire Development Plan (SWDP) covers the administrative areas of Worcester City Council, Wychavon District Council and Malvern Hills District Council. The SWDP is a Development Plan Document which sets out strategic planning policies and detailed development management policies. The SWDP also allocates sites for particular types of development and sets out policies on site specific requirements. It covers the period 2006-2030. The SWDP was adopted on 25 February 2016 and is subject to a six week High Court challenge period. Notwithstanding this, full weight should be given to the SWDP in the determination of this application.

52. The SWDP policies that are relevant to the proposal are listed below:

Policy SWDP 1 Overarching Sustainable Development Principles
 Policy SWDP 2 Development Strategy and Settlement Hierarchy
 Policy SWDP 3: Employment, Housing and Retail Provision Requirement and Delivery
 Policy SWDP 4 Moving Around South Worcestershire
 Policy SWDP 5 Green Infrastructure
 Policy SWDP 7 Infrastructure
 Policy SWDP 8: Providing the Right Land and Buildings for Jobs
 Policy SWDP 21 Design
 Policy SWDP 22 Biodiversity and Geodiversity
 Policy SWDP 23: Areas of Outstanding Natural Beauty
 Policy SWDP 25 Landscape Character
 Policy SWDP 28 Management of Flood Risk
 Policy SWDP 29 Sustainable Drainage Systems
 Policy SWDP 31: Pollution
 Policy SWDP 38: Local Green Network
 Policy SWDP 52: Malvern Allocations
 Policy SWDP 53: Malvern Technology Centre (QinetiQ)

Other Material Planning Considerations

Worcestershire Local Enterprise Partnership (LEP) Business Plan 2012

53. This sets out the LEP vision, which is to "create the right economic environment to inspire businesses, encourage investment and to create lasting and sustainable employment in Worcestershire by 2017 and beyond". It also sets their key measures of success; their role; funding sources; and strategic objectives, which includes 'Objective 4: Planning, Development and Infrastructure'.

54. Objective 4 states that "*the LEP will work with key partners to deliver Worcestershire's strategic employment sites as a priority for inward investment as well as indigenous business expansion*". The list of key projects includes the Malvern Hills Science Park.

Worcestershire Local Enterprise Partnership's World Class Worcestershire Our Strategic Economic Plan (SEP)

55. The Strategic Economic Plan's (SEP) vision and strategic framework is to ensure that Worcestershire's economy grows even more rapidly and makes an increasingly important contribution to the national economy. The SEP aims to grow the local economy by 2025 by generating over 250,000 jobs and to increase GVA by £2.9 billion.

56. The SEP sets three objectives:

- Create a World Class business location
- Provide individuals with World Class Skills, and
- Develop World Class competitive and innovative business.

57. For each objective the SEP sets opportunities and challenges, for the 'Create a World Class business location' objective, 'Economic Game Changer sites' are identified as an opportunity. Four initial 'Game Changer' sites were selected; this includes the Malvern Hills Science Park. The plan promotes further investment and expansion of the Malvern Hills Science Park, which is successful and fully occupied, to develop the key factors of cyber security, defence and IT. It states that "the WLEP working with the County Council and Districts has developed the Worcestershire 'Game Changer Programme' to identify key development opportunities, coordinate public sector activity and work with private sector partners to deliver schemes with a significant sustainable economic impact... This Programme will focus on the delivery of sites of regional significance, which occupy strategic locations within their markets and provide major opportunities to lever market-led investment and deliver growth and jobs".

Consultations

58. Malvern Hills District Council has assessed the proposal against the following relevant policies of the Adopted South Worcestershire Development Plan:

- SWDP1 – Overarching Sustainable Development Principles
- SWDP2 – Development Strategy and Settlement Hierarchy
- SWDP8 – Providing the Right Land and Buildings for Jobs

- SWDP21 – Design
- SWDP22 – Biodiversity and Geodiversity
- SWDP23 – Areas of Outstanding Natural Beauty
- SWDP25 – Landscape Character
- SWDP28 – Management of Flood Risk, and
- SWDP29 – Sustainable Drainage Systems.

59. The District Council's comments have been endorsed by Councillor J O'Donnell. They state that the application site lies in Malvern Town and is, therefore, considered a sustainable location with good access to the site and nearby services and facilities without the need for the private car. The proposal would replace an existing much larger employment unit known as Dytechna. Whilst the demolition of Aspen House could result in a loss of overall employment floor space, the proposed building has been designed to meet the more modern requirements of 'office and research development' uses in the current market. Therefore, the proposal would still deliver the provision of employment in line with Policy SWDP 8 and the National Planning Policy Framework. The application site and wider Science Park is also an established employment site, which has benefited from a number of planning permissions for new employment buildings. With that in mind and on the basis of the above policies and guidance, it is considered that the principle for the development is acceptable, subject to the details relating to materials; landscaping; hardscaping; access, turning and parking; planting; sustainable drainage; biodiversity enhancement and archaeology.

60. Malvern Town Council supports the proposed development but have expressed concerns about sun reflecting off the roof of the building.

61. The County Highways Officer recommends that on any planning permission granted, the County Planning Authority may wish to impose conditions relating to access, turning area, cycle and vehicle parking; the submitted travel plan and electric vehicle charging points.

62. They state that whilst this is a significant redevelopment project, the proposed building is smaller than the buildings that already occupy the site; consequently the application would result in a reduction of vehicle movements from that which could be experienced today which results in a net benefit to the highway network. Notwithstanding this, they state that the applicant should look to exploit sustainable transport opportunities where they exist.

63. South Worcestershire Land Drainage Partnership states that the flood risk information provided includes an assessment of flood risk from surface water as requested. The FRA recommends three mitigating measures to deal with the residual surface water flood risk: setting appropriate minimum proposed ground floor levels; incorporating flood proofing measures; implementing an effective Flood Evacuation Management Plan (FEMP) to ensure safe access and egress from the site. The Officer acknowledges that no details are included in the FRA and, therefore, recommends that these matters can be covered by conditions. The Officer advises that consultation regarding FEMP requirements should take place with the County Planning Authority's Emergency Planning Officer.

64. The Lead Local Flood Authority is generally supportive in principle of the scheme set out for surface drainage on this site. However they would like to make the following comments.

65. They state that the Flood Risk Assessment suggests that no on site ground testing has been completed for this site and, therefore, the levels of infiltration available are unknown. Whilst a desk based study shows that it is likely that there will be no infiltration on site, ground conditions should be tested, and if any infiltration is possible then full use should be made of this option.

66. They state that no information has been given on the detailed design of the Sustainable Urban Drainage scheme (SuDS) on site. The LLFA would like to see what other SuDS, if any, would be used on site to manage the surface water. The LLFA would like to see opportunities should be sought on site to improve water quality with a minimum of two treatment stages.

67. The LLFA preference is for at-surface level SuDS features that should form part of an integrated and multifunctional green infrastructure network and which provide opportunities for biodiversity, open space and place making opportunities. The SuDS on site and the attenuation used are underground. The LLFA would like consideration to be given to the use of above ground features.

68. Given the issues of water stress affecting the County, they would welcome proposals for rainwater harvesting and grey water recycling.

69. Following the decision from Government on the non-commencement of Schedule 3 of the Flood and Water Management Act 2010, Worcestershire County Council (WCC) did not become a SuDS Approving Body (SAB). WCC's current policy is to not adopt SuDS on new developments. It is, therefore, recommended that suitable and adequate private arrangements are put in place for the maintenance of all SuDS on the site for the lifetime of the development.

70. Based on the above they recommend the imposition of a condition relating to the provision of a SuDS Management Plan to ensure compliance with the National Planning Policy Framework and National Planning Practice Guidance.

71. Severn Trent Water Limited has no objections to the proposals subject to the inclusion of a condition relating to the disposal of foul and surface water flows.

72. Worcestershire Regulatory Services (Air Quality) has no adverse comments to make on the application in relation to air quality.

73. Worcestershire Regulatory Services (Noise) – has no comments to make on the application in relation to noise but directs the applicant to Worcestershire Regulatory Services “Code of Best Practice for Demolition and Construction Sites” for best practice during demolition and construction.

74. Worcestershire Regulatory Services (Contaminated land) have no objections, however, they state that a detailed site investigation would be required and they recommend a contaminated land condition to ensure that this takes place so that any potential contamination at the site is appropriately assessed and addressed if necessary.

75. The County Landscape Officer has no objection from a landscape perspective. The proposal to remove mature conifers and site the building to open views to the

Malvern Hills is welcomed together with the proposal to plant broadleaf trees to boost the site's green infrastructure and create a filtered view.

76. The County Ecologist has no objections to the proposal subject to conditions relating to the protection of breeding birds; trees and hedgerows and protected species; submission of a lighting plan and a plan showing the proposed locations for bat and bird boxes.

77. Worcestershire Wildlife Trust does not wish to object to the proposed development and are content to defer to the County Ecologists for consideration of all on-site ecological issues.

78. Malvern Hills AONB Partnership states that much of the colour of built development in Malvern is dominated by red brick elevations and dark grey roofs. They state that if the current proposal fits that then it is unlikely to be controversial.

79. Emergency Planning Manager has commented based on the Revised Flood Risk Assessment statement Sequential Test that the building has a 1:1000 potential to experience flooding. They are content with the statements made for emergency vehicle access and for staff access and egress; however, in relation to the Flood Evacuation Management Plan they state that this should be covered by generic Business Continuity arrangements for the facility and through the tenant's own Business Continuity arrangements. If required this can be specified in a Planning Condition.

80. The County Archaeologist was consulted by the applicant at the pre-application stage and advised that although Prehistoric and Romano-British archaeological remains have been found to the south of the Dyteca Building, on the south side of the access road in the area of The Malvern Technology Centre and The Chase School, fieldwork has shown that these remains do not appear to extend north of this and, therefore, it is not considered that the Dyteca site would contain significant archaeological remain. On this basis they advised that they would not require any form of archaeological assessment of the site. Consequently, they have no comments to make regarding the current application.

81. Public Right of Way Manager – No comments received.

Other Representations

82. In accordance with the Development Management Procedure Order 2010, the application has been advertised on site, in the press and through neighbour notification letters. Six letters of representation have been received from members of the public commenting on the proposal to date. Two of the letters object to the proposal. The remainder comment on the proposal. The letters of representation are available in the Members Support Unit.

83. The concerns raised include:

Proposed parking provision

- Concerns that the proposed provision of 56 parking spaces for 235 staff is inadequate and that as a result, parking will overspill onto Geraldine Close contributing to the existing overflow parking from the Chase School the existing

Science Park units and the new Science Park unit nearing completion, causing more congestion

- Requests the consideration of resident-only schemes along Geraldine Road to prevent overspill
- Concern that increased parking along Geraldine Road will increase the number of bumps and scrapes
- Where will visitors to the building park?
- Would like to see a more comprehensive travel plan including contingency plans should the number of vehicles attempting to park at the site be higher than the data suggests.

Increased traffic

- Increased traffic along Geraldine Road and the safety of road users
- Request traffic calming measures
- Request for improvement to the access.

Lighting

- Lighting of the building and wider site during the night. Local residents appreciate the need for security lighting; however they ask that the location of lighting be considered so that it does not shine in the direction of residential properties. Suggestions include; putting the lighting on a timer and low level/orange lighting.

Scale

- The height of the building would reduce view of the hills from properties
- Overlooking into properties from second floor. They suggest solutions such as, smart glass, which is opaque in different lighting conditions; external window "dressing" to break up the views towards overlooked buildings and gardens and tree and vegetation planting to screen overlooked buildings and gardens.

Design

- The colour of the building material – request that the building is constructed in natural materials and not coloured light grey like the recent phase currently under construction
- Concerns that building the development using "blue engineering brick" would not be in keeping with the adjacent buildings in varying forms of grey and green.

Noise

- Noise from air conditioning. They suggest that measures are put in place to direct the noise away from residential properties and it should be ensured that outlets are large enough to prevent forced air from creating noise.

Adjacent bridleway

- Suggestion that the present bridleway could be rerouted to use the access road rather than the footway.

Construction works

- Due to the close proximity of the proposed development to residential properties, request that the following condition be imposed: "*no demolition, ground work or construction work on the site outside the hours of 07:30 – 18:00 Mondays to Fridays and 08:00- 13:00 on Saturdays with no workings on Sundays and public holidays*".

84. Comments were also submitted supporting the principal of the application. Local residents welcome the improvement of the site and the whole frontage of QinetiQ access road especially if it involves removal of the barbed wire fencing at the front of the site.

The Planning Development Control Manager's Comments

85. As with any planning application, this application should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The relevant policies and key issues have been set out earlier.

Local Economy

86. The applicant states that the proposed development would allow the Science Park to expand and create new specialist employment opportunities in the Malvern area. The building would provide greater flexibility and opportunities to retain and attract businesses to the Science Park. The proposed building would accommodate a maximum of 112 employees.

87. Policy SWDP 8 of the South Worcestershire Development Plan, which relates to providing the right land and buildings for jobs, states that in order to support the aims of the Worcestershire Economic Strategy, land at the Malvern Hills Science Park will only be released for new B1(b) use class floor space. This is to ensure the provision of additional incubator and research facilities within acceptably close proximity to the established research and development facilities already concentrated at Malvern and to maintain capacity within south Worcestershire for future research-based employment.

88. The proposed building would accommodate office and research and development. The proposed building would provide flexible 'grow-on' space to retain established tenants and allow for future growth within the existing Science Park. This would reduce the need for existing tenants to look elsewhere for appropriately sized business premises.

89. Furthermore, Worcestershire's Strategic Economic Plan identifies the Science Park as an Economic Game Changer site. As such, the plan promotes the expansion of the successful and fully occupied Science Park to develop the key sectors of cyber security, defence and IT.

90. In view of the above, the Planning Development Control Manager is satisfied that the proposal is in accordance with Policy SWDP 8 and Policy SWDP 52 of the South Worcestershire Development Plan and is, therefore, acceptable.

Landscape Character and Appearance of the Area

91. A Landscape and Visual Impact Assessment accompanies the planning application. The Assessment concludes that the proposed building would complement the existing Science Park buildings and unify the site in an interesting and open arrangement retaining space and open views from ground level around and between the buildings. The glass and columns on the building frontage provide an inside and outside connection in keeping with the rest of the site. The removal of overlarge conifers would improve visual connectivity with views, filtered through proposed trees, possible between the site and the immediate surroundings, including cycle route 46 and more distant views to the Malvern Hills. Furthermore, the assessment concludes that views from adjacent properties and the school would not be significantly affected. There would be a moderate improvement in visual amenity in the area as a result of the scheme and a slight improvement in the quality of the area which would benefit the local landscape character.

92. The Malvern Hills Area of Outstanding Natural Beauty (AONB) and Site of Special Scientific Interest (SSSI) is sited approximately 540 metres to the west of the application site. The Malvern Hills can be viewed from the application site. As the Malvern Hills are a raised vantage point, the application site is, therefore, visible from views looking down from the Hills.

93. The proposed building would have a curved roof which is similar to the roof style of the existing buildings within the Science Park. The roof would be constructed from 'Evalon' roofing membrane in a dark slate grey colour. The applicant states that the proposed membrane may have a slight sheen when new but this would quickly disappear when the material has been installed. The applicant states that the roof covering would not be visible from the ground and when viewed from the top of the Malvern Hills, it would be very unlikely that the surface finish would be discernible.

94. The external walls would comprise of Polyester Powder Coating (PPC) aluminium curtain walling with opening lights to provide natural ventilation; Polyester Powder Coating (PPC) rainscreen cladding; facing brickwork in blue engineering brick, laid in stretcher bond, with sawtooth bricks used as a feature plinth and metal louvres to the plant area at the southern end of the proposed building.

95. There are two external escape stairs made of galvanized steel, with powder coat finish to strings and balustrades.

96. The applicant considers that the size and location of the Dyteca building at the present, dominates the site and obscures the entrance to the Science Park, which has been developed over the last 15 years on land to the north and east of the building.

97. The applicant considers that the demolition of the existing building and the construction of the new development comprising of a high quality landscaped area, which would include a new plaza connecting the new building with the existing Phase 1 building, would reinforce the approach to the main Phase 1 and 2 buildings in the heart of the Science Park and open up the site, to allow views on to the site from the surrounding area and adjacent roads.

98. A landscaping plan accompanies the planning application, which proposes to improve the landscaping along the boundary with Thirlstane Road East and to extend the grass and tree planting closer to the entrance.

99. The County Landscape Officer has no objection from a landscape perspective. They welcome the proposal to remove mature conifers and site the building to open views to the Malvern Hills, together with the proposal to plant broadleaf trees to boost the site's green infrastructure and create a filtered view.

100. The AONB Partnership states that much of the colour of built development in Malvern is dominated by red brick elevations and dark grey roofs. They states that if the current proposal fits that then it is unlikely to be controversial

101. Based on the information above, the Planning Development Control Manager considers that the design of the scheme is in keeping with the existing buildings within the Malvern Hills Science Park complex; is satisfied that the scale of the proposed building would not dominate the site and is assured that the proposed development, particularly the non-shiny roofing material proposed would not have a significant adverse visual impact on the views from the Malvern Hills AONB and on the immediate character and appearance of the area in

accordance with Policy SWDP 21 and SWDP 23 of the South Worcestershire Development Plan.

Residential Amenity

102. The nearest residential properties are no. 58 – 72 Geraldine Road. The rear boundary of no. 72 Geraldine Road abuts the application site boundary to the east. The rear boundaries of no's 66 - 70 Geraldine Road are sited approximately 9 metres east of the application site at their closest point, which is the proposed car park. The closest residential boundary, 70 Geraldine Road is sited approximately 53 metres east of the proposed building. No's 58 – 64 are sited approximately 45 metres east of the application site boundary.

103. Concerns were raised by local residents about the inadequacy of the proposed parking provision, which would contribute to existing overflow car-parking along Geraldine Road causing increased traffic, further congestion and a higher risk of bumps and scrapes.

104. The applicant has responded to these concerns and states that over 200 people were employed in the existing Dytecna buildings when they were fully occupied, but the Phase 5 building is very significantly smaller than the Dytecna building and the occupancy will also be much lower; there would be a maximum occupancy of 112 people employed.

105. The applicant states that the parking standards for the proposed new building are the same as those provided for the recently completed Phase 4 building, and include spaces for disabled parking and cyclists.

106. The proposal comprises of 56 new car-parking spaces, including 3 new disabled spaces, together with the relocation of 13 standard and 2 disabled spaces from elsewhere on the Science Park site following the reorganisation of the circulation routes, are proposed to the east and west of the proposed built development. 35 existing car parking spaces would be retained at the front of the existing main Dytecna building. In addition, 10 new cycle storage bays are proposed.

107. The applicant states that vehicle movements in and out of the Science Park currently include Dytecna and Science Park staff, and also construction traffic associated with Phase 4. Following the completion of Phase 4 and the demolition of the Dytecna building, the volume of traffic will decrease. At present, the Dytecna site is not part of the Science Park, and the parking spaces within the Dytecna site are for use by their staff and visitors only.

108. The applicant states that the above should resolve the current issues with Science Park staff parking in Geraldine Road. The size of the Dytecna site should also ensure that construction traffic associated with Phase 5 will be able to park within the site, whereas this was not always possible while Phase 4 was being constructed.

109. The County Highways Officer has seen the letters of representation and the concerns raised by local residents. He states that having regard to the previous use of the site the trip generation by all modes would be reduced; in short there will be less traffic as a result of this proposal.

110. The Highways Officer acknowledges the concerns raised about car parking levels, however paragraph 39 of the National Planning Policy Framework and the ministerial statement of 25th March 2015 means that the applicant is best placed to know the demands on the site, the interim parking standards of the Highway Authority supports this view. The Highways Officer, therefore, considers that the parking standards are appropriate and the site

is accessible by rail, bus walking and cycling with a travel plan provided to ensure that site users are encouraged to travel sustainably.

111. Malvern Hills District Council states that the proposed design, size and scale of the building appear to promote a high quality development, which would preserve the surrounding built; natural and historic environment. The development does not appear to have an adverse impact upon the surrounding highway network and provides a safe access for all.

Lighting

112. Lighting of the building and wider site during the night. Local residents appreciate the need for security lighting; however they ask that the location of lighting be considered so that it does not shine in the direction of residential properties. In response to the concerns raised, the applicant states that the existing car park between the proposed Phase 5 building and the residents will remain and an extra row of parking will also be provided. The lighting for the new spaces will have no upward light dispersal and will be designed to minimise any inconvenience to the residents. The applicant also states that lighting on the new building will also be designed to minimise inconvenience to the residents.

113. Worcestershire Regulatory Services were consulted on the planning application and have no objections to the proposal.

114. In view of these comments, the Planning Development Control Manager would recommend the imposition of a condition requiring the submission of lighting details for written approval.

Scale

115. Local residents have raised concerns about the scale of the building. Particularly, the height of the proposed building obstructing their views towards the Malvern Hills and overlooking from the proposed offices into their properties.

116. In response to these concerns, the applicant states that the proposed new building is located on the footprint of the existing main Dyteca building and would have a significantly smaller footprint and would be shorter than the existing building by approximately 4 metres. The applicant states that the visual impact of the new building should, therefore, be significantly less than the existing building.

117. There are windows proposed on the eastern elevation of the proposed building, which would face towards the rear of the residential properties along Geraldine Road, however, the Planning Development Control Manager considers that the closest distance between the proposed building and the rear boundary of the residential properties is 53 metres and is satisfied that this is sufficient separation. The Planning Development Control Manager considers that the form and mass is acceptable in this location as the next phase of the Science Park.

Design

118. Local residents have raised concerns about the proposed colour of the building material. They request that the building is constructed in natural materials and not coloured light grey like the recent phase currently under construction. Concerns were raised about using "blue engineering brick" because this would not be in keeping with the adjacent buildings in varying forms of grey and green.

119. The applicant has responded to concerns raised by local residents in relation to the

design. The applicant states that it is proposed that the service cores and the ends of the building will be constructed in blue engineering brick. The external wall between these elements will consist of glazing and white cladding panels, to contrast with the brickwork.

120. The Planning Development Control Manager considers that the design of the scheme is in keeping with and complements the existing buildings within the Malvern Hills Science Park complex

Noise

121. Local residents have raised concerns about potential noise arising from air conditioning. Worcestershire Regulatory Services were consulted on the planning application and have no objections to the proposal.

122. Given the separation from the neighbouring residential properties to the proposed building, the Planning Development Control Manager is satisfied that the proposal would not have any adverse noise impacts.

Adjacent bridleway

123. A local resident has requested that the present bridleway is rerouted to use the access road rather than the footway.

124. The applicant has stated that the perimeter fence and the route of the bridleway are not included with the planning application and so there are no proposals to alter these.

Construction works

125. Worcestershire Regulatory Services were consulted on the planning application and have no objections to the proposal.

126. Although the proposals open up the site, allowing views on to the site from neighbouring properties and adjacent roads, the Planning Development Control Manager does not consider that the proposal would have a significant adverse impact on the residential neighbouring properties. There would be a separation distance of 53 metres from the boundary of the closest residential property to the proposed building. The distance from the southern boundary of the closest residential property, no. 70 Geraldine Road, to the existing main Dytecna building is approximately 51 metres. There is an existing building associated with Dytecna (also to be demolished) located approximately 20 metres from the closest residential property.

127. The proposed building would be 9 metres high compared with the existing main Dytecna building, which is approximately 13 metres high at its highest point.

128. The scale of the proposed building is smaller than the existing main Dytecna building which is to be replaced. In view of this, the Planning Development Control Manager does not consider that the proposal would have a significant impact on the residential amenity of any of the neighbouring residential properties.

129. In view of the above, the Planning Development Control Manager does not consider that the proposal would have a significant impact on the residential amenity of any of the neighbouring residential properties, in accordance with Policy SWDP 21 of the South Worcestershire Development Plan.

Water Environment

130. It is proposed that foul sewage would be disposed of by a mains sewer and that surface water would be disposed of by a sustainable drainage system.

131. The Lead Local Flood Authority is generally supportive in principle of the scheme set out for surface drainage on this site but recommend the imposition of a condition relating to the provision of a SuDS Management Plan to ensure compliance with the National Planning Policy Framework and National Planning Practice Guidance.

132. Subject to the imposition of conditions relating to drainage, the Planning Development Control Manager is satisfied that the proposal would not have any adverse impact on the water environment in accordance with Policies SWDP 28 and SWDP 29 of the South Worcestershire Development Plan.

Traffic and Highways Safety

133. The proposal comprises of 56 new car-parking spaces, including 3 new disabled spaces, together with the relocation of 13 standard and 2 disabled spaces from elsewhere on the Science Park site following the reorganisation of the circulation routes, are proposed to the east and west of the proposed built development. 35 existing car parking spaces would be retained at the front of the existing main Dyteca building. In addition, 10 new cycle storage bays are proposed.

134. Vehicular and pedestrian access is via the existing access into the site from Thirlstane Road East. As part of the proposals, the existing main access into the site is being improved by widening to allow the manoeuvring of large services vehicles easier into the Science Park.

135. A Transport Assessment accompanies the planning application. Analysis of the latest three year collision history was undertaken for the Geraldine Road route close to the site. Based on the analysis of the collision history, the transport assessment concludes that there is not a significant road safety issue associated with Geraldine Road.

136. It concludes further that there are not anticipated to be any additional negative transport implications associated with the proposed development when compared with the existing use. The applicant states that the implementation of a new Travel Plan will also help promote sustainable travel methods to new staff members and visitors to the site.

137. The County Council's Highways Officer recommends that on any planning permission granted, the County Planning Authority may wish to impose conditions relating to access, turning area, cycle and vehicle parking and the submitted travel plan.

138. In view of the above, the Planning Development Control Manager is satisfied that there would be no adverse impact on highways safety and that the proposal offers genuinely sustainable travel choices, in accordance with Policy SWDP 4 of the South Worcestershire Development Plan.

Ecology and Biodiversity

139. An Ecological Appraisal and Bat Survey accompanies the planning application and concludes that the western section of the existing main building(including the tower and rooms at the base of the tower) and the south-eastern gas meter block are considered to have low

suitability for roosting bats due to a significant number of potential ingress points and roosting opportunities. However, no bats were found to be roosting in these buildings during a single bat emergence survey. Therefore, there appear to be no obvious and immediate issues with regard to bats under the Wildlife and Countryside Act 1981 (as amended) or the Conservation of Habitats and Species Regulations 2010. The report recommends that any destructive works to these buildings should only be undertaken between late September and early April in any given year when any bats are highly unlikely to be roosting within the buildings and that vegetation clearance should be undertaken outside the bird breeding season.

140. 14 trees are proposed to be removed. These trees comprise of 9 conifers and 3 cherry trees along the southern boundary, together with 2 un-surveyed trees at the northern side of the site to allow improvements to be made to the existing access. It is proposed to retain 7 cherry trees along the southern boundary.

141. A landscaping plan accompanies the planning application, which proposes to improve the landscaping along the boundary with Thirlstane Road East and to extend the grass and tree planting closer to the entrance.

142. The County Ecologist has no objections to the proposal subject to conditions relating to the protection of breeding birds; trees and hedgerows and protected species; submission of a lighting plan and a plan showing the proposed locations for bat and bird boxes.

143. In view of the above, the Planning Development Control Manager is satisfied that the proposal would not have an adverse impact on ecology and biodiversity, subject to conditions as recommended by the County Ecologist, in accordance with Policy SWDP 22 of the South Worcestershire Development Plan.

Other Matters

The Malvern Hills AONB & SSSI

144. The Malvern Hills AONB and SSSI are sited approximately 540 metres to the west of the application site. The Planning Development Control Manager considers that the design of the proposed development would not have a significant adverse impact on the view to and from the Malvern Hills AONB or on the SSSI, in accordance with Policy SWDP 23 of the South Worcestershire Development Plan.

Conclusion

145. The proposed building would accommodate office and research and development. The proposed building would provide flexible 'grow-on' space to retain established tenants and allow for future growth within the existing Science Park. The Planning Development Control Manager is satisfied that the proposal is in accordance with Policy SWDP 8 and Policy SWDP 52 of the Draft South Worcestershire Development Plan and is, therefore, acceptable.

146. Based on the information above, the Planning Development Control Manager considers that the design of the scheme is in keeping with and would complement the existing buildings within the Malvern Hills Science Park complex; is satisfied that the scale of the proposed building would not dominate the site and considers that the proposed development, particularly the non-shiny roofing materials used would not have a significant adverse visual impact on the views from the Malvern Hills AONB and on the

immediate character and appearance of the area in accordance with Policy SWDP 21 and SWDP 23 of the South Worcestershire Development Plan.

147. The Planning Development Control Manager does not consider that the proposal would have a significant impact on the residential amenity of any of the neighbouring residential properties, in accordance with Policy SWDP 21 of the South Worcestershire Development Plan.

148. Subject to the imposition of conditions relating to drainage, the Planning Development Control Manager is satisfied that the proposal would not have any adverse impact on the water environment, in accordance with Policy SWDP 28 and SWDP 29 of the South Worcestershire Development Plan.

149. The Planning Development Control Manager is satisfied that there would be no adverse impact on highways safety and that the proposal offers genuinely sustainable travel choices in accordance with Policy SWDP 4 of the South Worcestershire Development Plan and is, therefore, acceptable.

150. The Planning Development Control Manager is satisfied that the proposal would not have an adverse impact on ecology and biodiversity, subject to conditions as recommended by the County Ecologist, in accordance with Policy SWDP 22 of the South Worcestershire Development Plan.

151. The Planning Development Control Manager considers that the design of the proposed development would not have a significant adverse impact on the views to and from the Malvern Hills AONB or on the SSSI, in accordance with Policy SWDP 23 of the South Worcestershire Development Plan.

152. Taking into account the provisions of the Development Plan and in particular Policies SWDP 1; SWDP 2; SWDP 3; SWDP 4; SWDP 5; SWDP 7; SWDP 8; SWDP 21; SWDP 22; SWDP 23; SWDP 25; SWDP 28; SWDP 29; SWDP 31; SWDP 38; SWDP 52 and SWDP 53 of the South Worcestershire Development Plan, it is considered the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

Recommendation

153. The Planning Development Control Manager recommends that planning permission be granted for the proposed construction of a two-storey science park building together with associated car parking and landscaping to replace the existing Dyteca buildings at Malvern Hills Science Park, Geraldine Road, Malvern, Worcestershire, subject to the following conditions:

- a) The development enures for the benefit of Worcestershire County Council only;**
- b) The development must be begun not later than the expiration of three years beginning with the date of this permission;**
- c) The development hereby permitted shall be carried out in accordance with the details shown on submitted Drawing Numbers: BW10115L/A050.002 Rev 0; BW10115L/A/050.001 Rev 0; BW10115L /A120.005 Rev 0; BW10115L A/120.010**

Rev 0; BW10115L/A/100.010 Rev 0; BW10115L A/140.005 Rev A; BW10115L A/100.030 Rev 0; BW10115L/A/90.005 Rev 0; BW10115L/LS/01 Rev 0 and BW10115L/LS/02 Rev 0, except where otherwise stipulated by conditions attached to this permission;

- d) Notwithstanding any indication of the materials, which may have been given in this application, prior to the construction of the development hereby approved, a schedule and/or samples of the materials and finishes for the development, including those for the roof shall be submitted to and agreed in writing by the County Planning Authority. Thereafter the development shall not be carried out other than in accordance with the approved details;**
- e) No development shall take place until details of all boundary fences and other means of enclosure have been submitted to and approved in writing by the County Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**
- f) No demolition, ground work or construction work on the site outside the hours of 07:30 – 18:00 Mondays to Fridays and 08:00- 13:00 on Saturdays with no construction work on Sundays, or public and bank holidays;**

Ecology and biodiversity

- g) The removal or destruction of suitable breeding habitat should occur outside the bird breeding season. Should any area of hedgerow, shrub or trees be removed during early April to late September then a suitably qualified ecologist must be engaged prior to commencement in order to check for nesting birds. Where active nests are discovered they should be protected by a stand-off zone of no less than 5 meters until the young have fledged;**
- h) Trees and hedgerows to be retained throughout the scheme should be given adequate protection as per BS5837:2012;**
- i) In the unlikely event that any protected species are found on the site during the works then all works must cease immediately and the advice of a suitably qualified ecologist must be sought prior to works re-commencing;**
- j) Prior to the commencement of development, a lighting plan should be submitted to and approved in writing by the County Planning Authority. The plan should demonstrate compliance with the recommendations set out in Section 3.4 of the Preliminary Ecological Appraisal & Bat Survey undertaken by Worcestershire Wildlife Consultancy, referenced 2015/157(A)v1, dated 7 September 2015;**
- k) Within 6 months of the date of planning permission, the specification and location of bat and bird boxes shall be submitted to and approved by the County Planning Authority in writing. The specifications should meet the recommendations as set out in Section 3.4 of the Preliminary Ecological Appraisal & Bat Survey undertaken by Worcestershire Wildlife Consultancy, referenced 2015/157(A)v1, dated 7 September 2015. The bat and bird boxes shall be installed on site in accordance with the approved details;**

Highways

- l) The development hereby permitted shall not be brought into use until the access, turning area, cycle parking and vehicle parking facilities shown on the approved drawings have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted and approved in writing to the Planning Authority and these areas shall thereafter be retained and kept available for those users at all times;**
- m) The development hereby permitted shall be brought into use in accordance with the submitted travel plan which promotes sustainable forms of access to the site. This plan shall be implemented and updated in agreement with Worcestershire County Council's Travel Plan Co-ordinator;**
- n) Prior to the development being brought into use, 2 car parking spaces shall be provided on the site which are equipped to charge electric vehicles. Details of their locations shall be submitted to and approved in writing by the County Planning Authority. The approved spaces shall be identified and reserved solely for that purpose and shall be made available prior to the developments occupation;**

Drainage

- o) Prior to the commencement of development, details of the three mitigation measures in the Flood Risk Assessment should be submitted to and approved in writing by the County Planning Authority. The mitigation measures shall deal with the residual surface water flood risk, setting appropriate minimum proposed ground floor levels, incorporate flood proofing measures and include an effective Flood Evacuation Management Plan (FEMP) to ensure safe access and egress from the site. The mitigation measures shall be carried out in accordance with the approved scheme;**
- p) Prior to the commencement of development, a SuDS management plan which will include details on future management responsibilities, along with maintenance schedules for all SuDS features and associated pipework should be submitted to and approved in writing by the County Planning Authority. This plan shall detail the strategy that will be followed to facilitate the optimal functionality and performance of the SuDS scheme throughout its lifetime. The approved SuDS management plan shall be implemented in full in accordance with the approved details;**
- q) Prior to the commencement of development, drainage plans for the disposal of foul and surface water flows should be submitted to and approved in writing by the County Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use;**

Landscaping

- r) Notwithstanding the submitted details, prior to the commencement of the development hereby approved a landscaping scheme, which shall include the retention of any existing trees and hedgerows and details of all new trees, shrubs and other planting, and details of the proposed planting species, sizes, spacing, densities, locations, planting methods and details of the provision of adequate growing medium and drainage shall be submitted to and approved**

in writing by the County Planning Authority. The scheme shall be implemented in accordance with the approved details within 6 months of the completion of the development. Any new trees or shrubs, which within a period of five years from the completion of the planting die, are removed, or become damaged or diseased, shall be replaced in the next planting season with others of a similar size and species; and

Contaminated Land

- s) No development shall commence until the following components of a scheme to deal with the risks associated with contamination of the site are submitted to and approved, in writing, by the County Planning Authority:**
- i) A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report submitted to the County Planning Authority. The risk assessment must be approved in writing by the County Planning Authority before any development takes place;**
 - ii) Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the County Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11";**
 - iii) Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the County Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11";**
 - iv) Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and submitted to the County Planning Authority for approval in writing. The approved remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation;**

- v) **The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation;**
- vi) **Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to the County Planning Authority for approval in writing prior to the occupation of any buildings; and**
- vii) **In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the County Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the County Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared and submitted to the County Planning Authority for approval in writing prior to the occupation of any buildings.**

Contact Points

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Background Papers

In the opinion of the proper officer (in this case the Head of Strategic Infrastructure and Economy) the following are the background papers relating to the subject matter of this report:

The application, plans and consultation replies in file reference 15/000042/REG3.

