

MALVERN HILLS DISTRICT COUNCIL

Concept Statement

Malvern Community Hospital Site – Lansdowne Crescent

Supplementary Planning Document (SPD)

Consultation Statement

April 2006

Malvern Hills District Council
Planning Services
The Council House
Avenue Road
Malvern
Worcestershire



1. Introduction

- 1.1 Under the provisions of the Planning and Compulsory Purchase Act 2004 and The Town and Country Planning (Local Development) (England) Regulations 2004 the District Council is required to undertake consultation and public participation regarding the preparation of any Supplementary Planning Document (SPD). The District Council is also required to prepare a statement setting out the fact that documents have been made available for inspection and the places and times that they can be inspected.
- 1.2 This document sets out the consultation and public participation processes associated with the Concept Statement undertaken by the District Council in accordance with Regulation 17 of the above regulations.

2.0 Preparation

- 2.1 A report introducing the Draft Concept statement was presented to Planning Committee on 4th October 2005. Members of the committee voted unanimously at that meeting to approve the draft document for consultation purposes.

3.0 Public Consultation and Participation

- 3.1 The District Council undertook public participation on the Draft SPD for a period of 6 weeks between Friday 21st October 2005 and 5:30pm Friday 2nd December 2005.
- 3.2 The consultation period was advertised through the publication of a public notice for one week in local newspapers for the district including the Malvern Gazette / Ledbury Reporter, Berrows Worcester Journal, the Tenbury Wells Advertiser / Ludlow Advertiser and Gloucester Echo. The public notice clearly states the duration of the public participation period and appeared on 20th and 21st October (depending upon newspaper circulation days).
- 3.3 The Public Consultation on this SPD accords with the provisions of the Council's Adopted Statement of Community Involvement. A wide variety of organisations and individuals were informed of the public participation period and provided with copies of the Draft SPD, public notice, and response form. The Council recognised that because of the specific nature of the Concept statement, it was not likely to be of interest to the normal list of consultees. Therefore the Council also sent copies of the guidance to representative of the local architectural profession and to agents who regularly submit applications to the Council (at least 10 applications per year). **Table 1** provides details of the consultees for public participation purposes.

3.4 The Draft Concept Statement SPD, public notice, response form, the Sustainability Appraisal and statement of consultation were available on the District Council's web site www.malvern hills.gov.uk on the 21st October 2005. The Draft SPD clearly indicated how and where other key documents referred to in the SPD could be inspected on-line where this is possible. 3.5 Copies of the Draft SPD and supporting documentation were placed on formal deposit at the locations referred to in the public notice.

4.0 Additional public participation

4.1 Press Release

A press release was issued for distribution to local media (week commencing 17th October 2005 to enable coverage during that week.

4.2 Availability

The draft SPD was available for inspection from the 21st October 2005 (via the Customer Service Centre, Tenbury Area Office, and Upton Upon Severn Library – see public notice). Copies could also be downloaded at no cost from the District Council's web site www.malvern hills.gov.uk.

4.3 Advice and Assistance

In addition to a copy of the Concept Statement and Comments Form, all consultees received a Frequently Asked Questions sheet which provides answers to those questions anticipated during the consultation period. Arrangements were also made to ensure that officers at the Customer Service Centre were briefed regarding the Draft SPD and public participation requirements to enable questions to be answered in person or by telephone. In addition, to the lead project officer, a duty planning officer was also on call at the Customer Service Centre to answer specific questions if necessary.

4.4 For further information regarding this document please contact: Malvern Hills District Council Simon Jones Customer Services Centre Planning Services The Library Concept Statement Consultation Graham Road Malvern Hills District Council Malvern, The Council House Worcestershire Avenue Road Malvern Tel: 01684 862151 Worcestershire Tel: 01684 862132

5.0 Dealing with Responses

5.1 All comments received as a result of the consultation process were presented to Planning Committee on 4th April 2006 together with an Officer response and proposed changes to the document. These are outlined in Appendix 1.

- 5.2 The Concept Statement was adopted at this meeting. However, due to a technical oversight, the Council did not comply with Regulation 16 and 19 of the Town and Country Planning (Local Development) England Regulations 2004. Planning Committee resolved on the 1st August 2006 to re-adopt the Concept Statement with effect from the 4th August 2006.
- 5.3 Details of this decision and a copy of the Adoption Notice (see Appendix 2) were sent to the Concept Statement consultees and respondents on 2nd August 2006.

6.0 For further information regarding this document please contact:

Malvern Hills District Council
Customer Services Centre
The Library
Graham Road
Malvern,
Worcestershire

Tel: 01684 862151

Simon Jones
Planning Services
Concept Statement
Malvern Hills District Council
The Council House
Avenue Road
Malvern
Worcestershire

Tel: 01684 862439

www.malvernhills.gov.uk

TABLE 1
Public Participation Consultees

Local Residents

1 Lansdowne Crescent Malvern WR14 2AW Garden Flat 1a Lansdowne Crescent	1 Tibberton Road Malvern WR14 3AN The Old Vicarage 2 Tibberton Road Malvern WR14 3AN
2 Lansdowne Crescent Malvern WR14 2AW 2a Lansdowne Crescent Malvern WR14 2AW	2 Tibberton Road Malvern WR14 3AN 4 Tibberton Road Malvern WR14 3AN
3 Lansdowne Crescent Malvern WR14 2AW	1 Madresfield Road Malvern WR14 2AP
4 Lansdowne Crescent Malvern WR14 2AW	2 Madresfield Road Malvern WR14 3LL
5a Lansdowne Crescent Malvern WR14 2AW	3 Madresfield Road Malvern WR14 2AP
5b Lansdowne Crescent Malvern WR14 2AW	1 Barnards Green Road Malvern WR14 3LN
5c Lansdowne Crescent Malvern WR14 2AW	3A Barnards Green Road Malvern WR14 3LN
6a Lansdowne Crescent Malvern WR14 2AW	2 Lansdowne Terrace WR14 2AR
6b Lansdowne Crescent Malvern WR14 2AW	3 Lansdowne Terrace WR14 2AR
6c Lansdowne Crescent Malvern WR14 2AW	4 Lansdowne Terrace WR14 2AR
7 Lansdowne Crescent Malvern WR14 2AW	5 Lansdowne Terrace WR14 2AR
8 Lansdowne Crescent Malvern WR14 2AW	6 Lansdowne Terrace WR14 2AR
Basement Flat 8a Lansdowne Crescent	7 Lansdowne Terrace WR14 2AR
Flat 3, 9 Lansdowne Crescent Malvern WR14 2AW	8 Lansdowne Terrace WR14 2AR
Flat 2, 9 Lansdowne Crescent Malvern WR14 2AW	9 Lansdowne Terrace WR14 2AR
9A Lansdowne Crescent Malvern WR14 2AW	10 Lansdowne Terrace WR14 2AR
10 Lansdowne Crescent Malvern WR14 2AW	11 Lansdowne Terrace WR14 2AR
11 Lansdowne Crescent Malvern WR14 2AW	12 Lansdowne Terrace WR14 2AR
12 Lansdowne Crescent Malvern WR14 2AW	13 Lansdowne Terrace WR14 2AR
13 Lansdowne Crescent Malvern WR14 2AW	14 Lansdowne Terrace WR14 2AR
14 Lansdowne Crescent Malvern WR14 2AW	15 Lansdowne Terrace WR14 2AR
15 Lansdowne Crescent Malvern WR14 2AW	
16 Lansdowne Crescent Malvern WR14 2AW	Rev Catherine Campbell Hyde 39 Victoria park Rd Malvern WR14 2JX
17 Lansdowne Crescent Malvern WR14 2AW	
18 Lansdowne Crescent Malvern WR14 2AW	

Interest Groups

Specific Consultees identified in Accordance with PPS12

Council for the Protection of Rural England	West Midlands Regional Assembly
Department of Culture, Media and Sport	Forest of Dean DC
Elgar Housing Association/Festival	Herefordshire Council
English Heritage (West Midlands Region)	South Shropshire DC
Georgian Group	Tewkesbury Borough Council
The House Builders Federation	Worcester City Council
Malvern Hills AONB	Worcestershire County Council
Malvern Civic Society	Wychavon District Council
Malvern Hills Conservators	Wyre Forest District Council
Malvern Town Council	The Countryside Agency
Malvern & County Indoor Tennis Centre	The Environment Agency
Bursar of Malvern Hills College	Highways Agency
League of Friends of Malvern Community Hospital	The Historic Buildings and Monuments Commission for England
Malvern Spa Association	English Nature
Secretary to Manor Park Bowls Club	Severn Trent Water
Chief Executive Worcestershire NHS PCT	GPU Power Engineering
Head of Facilities Worcestershire NHS PCT	British Gas Transco
	Network Rail
	Office of Rail Regulation
	Advantage West Midlands

Agents

A H Roper	MA Brown
Adrian Hope Tree Services	Marcus Cleaver
Adrian Hutt Architects	Mark Gent
Barnett Taylor Associates	Meredith Architectural Design
C J Didlick	Michael Latchem & Associates
Colin C Davies	Mr K A Boulton
David Wall Architects	Mr M A King
Dean-Walker Bateman Architects	N J Teale
Elrick Smith Surveyors	Nick Carroll
Engineering & Building Design	Nick Joyce Architects
G C Smith	Peterson Jones Architects Ltd
G Coombey Jones	PM Brooks – Hallow
G W Butler	PM Brooks - Broadwas
HAG	S J Davis
Ian Guest & Associates	Stainburn Taylor & Michael Reardon
J Christopher Ashton	TJ Preece & Associates
J W Taplin	Taylor & Co
Linton Design	Wall James & Davies

APPENDICES

Appendix 1- Lansdowne Crescent – Malvern Community Hospital Site

Ref No.	Name	Summary of Representation	Councils Response	Recommendation
01 Support	Festival Housing	1] Support the proposal that 50% of the dwellings will need to be affordable. Additional affordable housing will help to meet the high need for such houses in the District and Malvern Town in particular.	1] Development Principle 4 section actually states that "Up to 50% of the dwellings will need to be affordable" and not that 50% of the dwellings will be affordable. This is in accordance with the Malvern Hills District Local Plan (Second Deposit) (MHDLP) Policy CN2 (Affordable Housing) The form in which this requirement is ultimately met will be a matter for negotiation at the application stage.	1] No change
02 N/A	Herefordshire Council	1] No comment	1] Response noted	1] No change
03 Objection	Marcus Cleaver	1] There is scope for sensitive modern development if the existing building is not retained.	<p>1] The issue of what replaces the existing building in the event that it is allowed to be demolished is a concern raised by a number of respondents to the consultation.</p> <p>Mindful of the reasoned justification in the MHDLP and guidance in PPG15, should ultimately the Council agree the building can be demolished, new development should not be simply restricted to proposals which seek to emulate what existed before. A revision of Development Principle 3 is proposed to emphasise the fact that any new development must positively enhance the character and appearance of the Conservation Area. This approach is supported in both the MHDLP and PPG15.</p> <p>Paragraph 4.3.8 of the MHDLP states that: "poorly executed 'pastiche' styles which simply mimic features of adjacent buildings can.....devalue the architectural quality of the area".</p> <p>Paragraph 4.17 of PPG15 states that: "What is important is not that new buildings should directly imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own". Accordingly officers recommend that the last</p>	<p>1] Amend last sentence of Development Principle 3 to read:</p> <p>"...proposals must positively enhance the character and appearance of the Conservation Area, have regard to the relevant policies of the Development Plan and the advice set out in PPG15."</p>

<i>Ref No.</i>	<i>Name</i>	<i>Summary of Representation</i>	<i>Councils Response</i>	<i>Recommendation</i>
04 Objection	Patricia Merrick	1] The wall mounted basin should be preserved for incorporation into the entrance of the new Community Hospital. Also, there may be some health and safety concerns regarding the retention of the glazed tiles at the entrance.	1] The Concept statement states the Original External and Internal features "should" be retained, not that they "must" be retained. The use of the word "should" sets out a presumption that the features be retained insitu but does not preclude consideration of an alternative, reasoned solution which the Local Planning Authority may consider	1] Add sentence to the end of Development Principle 5: "Removal of any original features will require detailed justification as part of a design statement for the site"
05 Objection	B F Bowcutt	1] The building should continue to be used for health care provision.	1] The provision of health care facilities is a matter for the South Worcestershire Primary Care Trust (SWPCT). The site has been allocated for housing in the MHDLP under Policy DS.5, which is subject to the implementation of SWPCT's proposed relocation to the alternative site at Seaford Court. The Concept Statement has been produced to deal with an anticipated scenario where the building becomes available for re-	1] No Change
06 Objection	Environment Agency	1] Prior to approval of planning permission a desk study and conceptual model needs to be submitted to ascertain any possible contamination of site in accordance with PPS23.	1] Although the SPD already contains a section on land contamination, it is agreed that the advice to potential developers in respect of Land Contamination could be clearer and amendments to this paragraph are	1] Amend paragraph on Land Contamination to read: "Historic activity on the site may have resulted in contamination of the soils and controlled waters by a variety of substances associated with the land use. In accordance with the requirements from PPS23, a Desk Study and Conceptual Model should be submitted for consideration with any planning application. The Environment Agency can provide further advice and be contacted on 01684 864320 with regard to this issue."
07 Support	Highways Agency	1] The Highways Agency wishes to offer no objection to the principle elements outlined in the Concept Statement.	1] Comments noted	1] No change

<i>Ref No.</i>	<i>Name</i>	<i>Summary of Representation</i>	<i>Councils Response</i>	<i>Recommendation</i>
08 Objection	Stanley Keyworth	<p>1] The existing building should be demolished and replaced by block of flats to compliment the existing development in the Crescent and to enable efficient use of the land and space for off-road parking.</p> <p>2] The boundary walls and hedges should be retained especially the hedge on the northern boundary.</p>	<p>1] The existing building is considered to make a positive contribution to the character and appearance of the conservation area, as well as being of historic interest. (see response to objection 1] made by respondent No.03)</p> <p>2] The Concept Statement already proposes the retention of the hedge on the northern boundary and the boundary wall (under the respective sub headings Northern Boundary Hedge and Boundary Wall), consequently no change is required in this regard.</p>	<p>1] (see recommended change relating to objection 1] made by respondent No.03)</p> <p>2] No change</p>
09 Support	Carly Tinkler	<p>1] The Concept statement is well thought out.</p> <p>2] There is an important spout in the entrance lobby which must be protected against damage. It should be retained in its present position and the spring water supply reconnected. If this is not possible the Malvern Spa Association must be consulted.</p> <p>3] If the buildings opposite the Hospital are listed regard should be had to the impact of</p>	<p>1] Support noted</p> <p>2] The Comments concerning the water spout are consistent with the text of the Concept Statement. Development Principle 5 specifically mentions the water spout which should be preserved.</p> <p>3] The Victorian Terraced houses opposite are not listed, however the impact of any redevelopment upon the character and appearance of the Conservation Area is addressed under Development Principle 3.</p>	<p>1-3] No change</p>

<i>Ref No.</i>	<i>Name</i>	<i>Summary of Representation</i>	<i>Councils Response</i>	<i>Recommendation</i>
10	Stephen Druce	<p>1] Obtaining the best value for site has not been taken into account.</p> <p>2] Requirements too onerous, restrictions make it unattractive to prospective occupants with modern ideas about décor.</p> <p>3] The frontage on to the Crescent is of no real architectural value. If demolition is the only option, the new building should harmonise with the Crescent and be seen as an opportunity for a new development in a contemporary design.</p> <p>4] The allocation of the site for 15 units appears to have been proposed in order to achieve 50% affordable housing rather than with regard to the feasibility in terms of development.</p> <p>5] 15 dwellings underestimate of the need. Parking provision may be underestimated.</p> <p>6] The site is not flat.</p> <p>7] Foul and surface drainage should not</p>	<p>1] The identification of this site in the MHDLP, seeks to ensure the most appropriate use and development form are achieved from any redevelopment. The value of the site will need to reflect such land use issues.</p> <p>2] The Concept Statement states the original external and internal features should be retained, not that they must be retained. The use of the word 'should' sets out a presumption that the features be retained, but does not preclude consideration of an alternative.</p> <p>3] The advantage of adopting a document which sets out a presumption in favour of retaining the building, rather than accepting its removal from the outset is that it will ensure that potential developers do not make offers which exceed the realistic development potential of the site having regard to the land use issues which exist.</p> <p>(see response to objection 1] made by respondent No.03)</p> <p>4] The FAQ sheet enclosed in the consultation letter explained that it is not the function of the Concept Statement to be prescriptive about the number of units. Policy DS5 of the MHDLP only identifies an indicative target of 15 units. This figure has not been made on the basis of affordable housing policy, rather it reflects the scale and form of the building and a likely capacity which may be achieved. Until a preliminary scheme has been produced by a developer it will not be possible to ascertain how many units the building can comfortably accommodate whilst satisfying other material considerations, such as off road parking. The number of units which can be accommodated also depends on the number of bedrooms they have - a fact that cannot be determined at this stage.</p> <p>PPG3 (Housing) states, that proposals should make more efficient use of land without compromising environmental quality. There is a greater risk of a new building compromising environmental quality than the conversion of the existing, given that the existing building acts</p>	<p>1] No change</p> <p>2] No change</p> <p>3] (see recommended change relating to objection 1] made by respondent No.03)</p> <p>4] No change</p> <p>5] No change</p> <p>6] Delete reference to topography of site.</p> <p>7] Amend paragraph headed 'Drainage' to read:</p> <p>Separate foul and surface water gravity sewers run beneath the highway adjacent to the site.</p>

<i>Ref No.</i>	<i>Name</i>	<i>Summary of Representation</i>	<i>Councils Response</i>	<i>Recommendation</i>
		share the same drain.	<p>as a physical check on the scale of development which can be achieved.</p> <p>5] The FAQ sheet included in the consultation mailshot on the Concept Statement stated : "The provision of 1 space per dwelling assuming a development of 15 one and two bedroom flats is consistent with Worcestershire County Council's Highway Partnership adopted parking standards. The area of hard-standing to the front and rear of the building is capable of accommodating 15 parking spaces. The precise configuration of these spaces is a matter for a detailed planning application."</p> <p>6] Agreed. Reference to the topography of the site has been removed.</p> <p>7] Agreed. There are in fact two separate sewers, one for foul waste and another for surface water. It is recommended that the</p>	
11	CPRE - Malvern	<p>1] Include the point that the hospital was a gift from Dyson Perrins.</p> <p>2] All apartments should be affordable in recognition of Dyson Perrins original benefaction.</p>	<p>1] Whilst there is a value in emphasising the historic interest of the building, the Concept Statement is not intended to be a vehicle to convey the detailed history of the site.</p> <p>2] Development Principle 4 states that "Up to 50% of the dwellings will need to be affordable". As clearly stated in the Concept Statement, the requirement to provide "Up to 50%" is based on policy CN2 of the Local Plan.</p>	1-2] No change
	Objection			

<i>Ref No.</i>	<i>Name</i>	<i>Summary of Representation</i>	<i>Councils Response</i>	<i>Recommendation</i>
12	Roger Hall Jones	<p>1] Object to the premise on which the document is founded – that there is no alternative to converting the existing hospital buildings. Two options should have been proposed:</p> <p>a. Convert the building b. Demolish and rebuild in Victorian style.</p> <p>An evaluation of the 2 options should have formed the basis for public consultation. This approach would facilitate a considered judgement on which was the better choice.</p> <p>Any requirement for a financial contribution for Education provision should be deleted: it forces up the cost of housing, especially that which could be regarded as affordable.</p>	<p>1] The presumption in favour of retaining and converting the building set out in the statement is consistent with the statement in Appendix 1 of the MHDLP which states:</p> <p>"Whilst the building is not listed, it is built in traditional Malvern stone and has some architectural merit."</p> <p>The allocation of the site envisages that the building is capable of being converted into 15 dwellings, subject to implementation of the South Worcestershire Primary Care Trust's proposed relocation of the hospital to an alternative site at Seaford Court, Worcester Road, Malvern (See policy EP20)."</p> <p>The Concept Statement is therefore consistent with the MHDLP.</p> <p>MHDLP Policy QL8 reflects the guidance set out at paragraph 4.27 of PPG15 which states that :</p> <p>"The general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area. The Secretary of State expects that proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings. In less clear-cut cases - for instance, where a building makes little or no such contribution - the local planning authority will need to have full information about what is proposed for the site after demolition. Consent for demolition should not be given unless there are acceptable and detailed plans for any redevelopment. It has been held that the decision-maker is entitled to consider the merits of any proposed development in determining whether consent should be given for the demolition of an unlisted building in a conservation area."</p> <p>The draft Concept Statement has not unreasonably dismissed the possibility of restoration of the Crescent through rebuilding the terraces which existed on site prior to the erection of the hospital, but takes the view that the existing building makes a positive</p>	<p>1] No change</p> <p>2] Insert the word "usually" between the words will and be under the sub-heading Education contributions.</p>

<i>Ref No.</i>	<i>Name</i>	<i>Summary of Representation</i>	<i>Councils Response</i>	<i>Recommendation</i>
			<p>contribution to the character and appearance of the conservation area. Accordingly, the requirements of MHDLP Policy QL8 and current guidance in PPG15 would apply.</p> <p>MHDC can not pre-determine the form of what is submitted by developers. It can only seek to direct or shape proposals through the provision of guidance. No other respondents advocated the reinstatement of the development which occupied the site prior to the erection of the current hospital building.</p> <p>(see council's response and recommended change in response to objection 1] made by respondent No.03)</p> <p>2] Officers acknowledge there may be a number of competing priorities for securing planning objectives through the development of the site. In such instances the District Council will have to take all of the circumstances into account before making a decision about whether to set any requirements (such as a financial contribution towards local education provision) aside. These comments do not in any way presuppose that it will be necessary or appropriate to dispense with the requirement for such contributions in this case, however since the Council has the discretion to set aside requirements, a less prescriptive wording is considered appropriate and has therefore been recommended as a change.</p>	
13 Support	Advantage West Midlands	1] The Concept Statement is a positive approach towards informing proposals for the future redevelopment of the Community Hospital site.	1] Support noted	No Change

<i>Ref No.</i>	<i>Name</i>	<i>Summary of Representation</i>	<i>Councils Response</i>	<i>Recommendation</i>
14	Frida Moores	<p>1] The description of Lansdowne Crescent as a pleasant and peaceful environment is inaccurate. Traffic noise from the main road and noise generated within the Crescent amplify noise</p> <p>2] The building is visually robust and would benefit from tree planting in front of the building to soften this, rather than opening up views of the building.</p> <p>3] 15 dwellings represents too high a density and would detract from the character and appearance of this sensitive site. It would result in too many vehicles.</p> <p>4] There are more suitable sites on which affordable housing can be provided. The local needs and environment should be considered before importing people into the area.</p> <p>5] Any significant additions to the building would have an adverse impact upon the character and appearance of the Crescent.</p> <p>6] A more relaxed approach should be taken to the insertion of new windows, particularly on the rear elevation.</p> <p>7] If original features were required to be removed in order to modernise the interior</p>	<p>1] Officer's acknowledge that the description of Lansdowne Crescent as a pleasant and peaceful environment is a subjective judgement. However the sentence already accepts it is close to a busy main road and no further change is considered necessary</p> <p>2] The unfortunate demise of the Beech tree to the left of the main vehicular entrance provides an opportunity to open up views of the building and to provide future occupiers with increased light. Whilst it is usually desirable to replace trees in Conservation Areas which die or are removed, it is not always appropriate to do so.</p> <p>Nevertheless it is recommended that an additional sentence is added to the section on Trees requiring compensatory planting.(see recommendation 2)</p> <p>3] (see response to objection 4] raised by respondent No.10)</p> <p>4] There is no conflict in principle between the objective of preserving the building and local environment and providing affordable housing, both of which are in accordance with policies contained within the MHDLP.</p> <p>5] The Concept Statement does not advocate the extension of the existing building, but can not reasonably veto the possibility of extensions at this stage. All future proposals would have to have regard to policies in the MHDLP, in particular Policy DS3 (Development Principles)</p> <p>6] Development Principle 6, states that "Any conversion scheme should seek to utilise original door and window openings for their intended purpose. The Local Planning Authority expects any new openings to be kept to an absolute minimum. Where such openings are required these must respect the architectural character of the building, be appropriately detailed and fully justified in the Design Brief accompanying such a proposal." Since this statement does not preclude the possibility of inserting new window or door openings, officers consider that no change is</p>	<p>1] No change</p> <p>2] Add following sentence to the end of Environmental Asset 1: "The Council will require new trees and soft landscaping to be planted to compensate for any lost as a consequence of the development and to augment and enhance areas of the site where appropriate."</p> <p>3-7] No change</p>

Ref No. Name

Summary of Representation

for re-use, it seems justifiable to do so.

Councils Response

required.

Recommendation

7] The Concept Statement states the Original External and Internal features 'should' be retained, but not that they 'must' be retained. The use of the word 'should' sets out a presumption that the features be retained but does not preclude an alternative outcome. It would be for the developer to justify through the submission of a design statement why any features should be removed in order to facilitate a conversion. Were the Council to state that features of historic interest should be retained where practical, this would instantaneously place them in jeopardy as it fails to recognise their value and would invite the claim that it was not practical to retain them without any further justification.

<i>Ref No.</i>	<i>Name</i>	<i>Summary of Representation</i>	<i>Councils Response</i>	<i>Recommendation</i>
15 Objection	Malvern Civic Society	<p>1] The Concept Statement is premature. The site should not be sold before plans are made for the replacement of this facility.</p> <p>2] Concern about the amount of parking provision within the site, given the level of</p>	<p>1] Producing the document now means that the Council's position is set out in advance of receipt of any application rather than waiting to formulate a position after an application is submitted.</p> <p>The fact that the proposals for a new hospital have not been agreed does not inhibit the Council from preparing a document in anticipation of, and in readiness for, the site becoming redundant.</p> <p>One of the key advantages of preparing Concept Statements is that they allow sites to be marketed at a realistic price that reflects the principal land use requirements.</p> <p>The Concept Statement states that the site should only be developed after the existing hospital is relocated to a new site and is operational. Whether or not the site is sold in advance of planning permission being granted for its re-use is a matter for the SWPCT. In their written response to the consultation on the Concept Statement, the SWPCT state that the new hospital development will precede the disposal of the existing site. Nevertheless, it is likely that any application for the re-development of the site without the provision of an alternate hospital facility would be refused on the loss of a community facility (MHDLP Policy CN17 - Retention of Local Facilities) and it is recommended that a statement to this effect be added to the Concept Statement.</p>	<p>1] Amend Development Principle 1 by adding the sentence:</p> <p>"It is likely that any application for the redevelopment of the site without the provision of an alternate hospital facility would be refused".</p> <p>2] No change</p>
16 Objection	J Roberts	<p>1] Support principle of document but, consideration should be given to a lower density of development.</p>	<p>1] (see response to objection 4] raised by respondent No.10)</p>	<p>1] No Change</p>

Ref No.	Name	Summary of Representation	Councils Response	Recommendation
17	Dr Alan Stebbens	<p>1] Under 'context' there should be a brief description of Lansdowne Crescent itself and its status within the larger Conservation Area. (Alternative wording suggested)</p> <p>2] Errors in 'Site Character' bullet points : Lansdowne Terrace is the next road off Madresfield Road, not the name of the Victorian terraces. The site is far from flat. Excavation has resulted in almost a third of the area of the building being basement, extending even under the forecourt leading to the main entrance</p> <p>3] 15 dwellings is not feasible if the existing building and all its features are to be retained. A lower density, reflecting that of surrounding development should be specified.</p> <p>4] Constructing new buildings to reflect the character of the original will result in a pastiche form of development.</p> <p>5] The SWPCT's desire to obtain the highest possible return for the site will be</p>	<p>1] Given the importance of the site in relation to the Conservation Area, it is agreed that Site Character and Context should include a brief description of Lansdowne Crescent itself. (see recommendation 1)</p> <p>2] Errors noted. This has been addressed through recommended changes in responses to point 1] which proposes a re-write of the section on Site Character and Context.</p> <p>3] (see response to objection 4] raised by respondent No.10)</p> <p>4] (see response to objection 1] made by respondent No.03)</p> <p>5] The identification of this site in the MHDLP, seeks to ensure the most appropriate use and development form are achieved from any redevelopment. The value of the site will need to reflect such land use issues.</p>	<p>1-2] Replace existing text under heading Site Character and Context with the following:</p> <p>"Lansdowne Crescent was planned and laid out by J. W. Lea and W. Perrins in 1856 following the introduction of the 'Water Cure'. It was to consist of blocks of 3-storey terraced houses, arranged around a central garden, with the main entrance off Barnards Green Road. This plan was modified after 5 blocks had been built to include the large Methodist Church (1865) and the substantial detached 2 storey houses (circa 1880) which exist today. In 1911, C. Dyson Perrins demolished two terrace blocks (nos.34-41) to provide a site for the new Malvern General Hospital which was then built in the Victorian style.</p> <p>The hospital is the largest building in the Crescent and looks out across a landscaped amenity space towards the terraced houses opposite.</p> <p>The site covers approximately 0.3 hectares and is enclosed by a stone wall and contains various mature trees and a garden.</p> <p>The land beyond the north west boundary falls away sharply to manor Park Sports Club, which the building overlooks.</p> <p>Views of the site can be gained from the landscaped amenity space in the centre of the Crescent and from the footway on Barnards Green Road.</p> <p>Although close to a busy main road, the buildings surrounding the Crescent face inward to create a pleasant and peaceful environment for local residents."</p> <p>3] No change</p> <p>4] (see recommended change relating to objection 1] made by respondent No.03)</p>

<i>Ref No.</i>	<i>Name</i>	<i>Summary of Representation</i>	<i>Councils Response</i>	<i>Recommendation</i>
18	Mr & Mrs Hannah	1] A development of 15 units is excessive.	1] (see response to objection 4] raised by respondent No.10)	1-3] No change
Objection		2] The provision of affordable housing on this site is inappropriate.	2] The respondent has not qualified why they consider the provision of affordable housing to be inappropriate in this context, however, 'Development Principle 4' actually states that "Up to 50% of the dwellings will need to be affordable" and not that 50% of the dwellings will be affordable. The form in which this requirement it is ultimately met will be a matter for negotiation at the application stage.	4] Amend the sentence under heading 'Drainage' to read: "The Council understands that separate foul and surface water gravity sewers run beneath the highway adjacent to the site."
		3] The parking standard underestimates the need arising from a residential conversion.	3] Since the number and size of units cannot be established at this stage, it is not possible to determine the number of parking spaces that would be required. The site is one of the most sustainable of those allocated for residential development in the MHDLP, given its proximity to the District Centres of Great Malvern and Barnards Green, a main bus route and bus stop and Great Malvern rail station. The proximity of such features must reasonably be reflected in the number of off road parking spaces which are required to be provided by the developer and having regard to the Government's emphasis on imposing maximum rather than minimum parking standards.	5] References to Lansdowne Terrace deleted.
		4] There is a need to check the accuracy of drainage statements.	4] Agreed. There are in fact two separate sewers, one for foul waste and another for surface water. It is recommended that the sentence is amended to make this clear.	6] No change
		5] References to Lansdowne Terrace are confusing.	5] References to Lansdowne Terrace were made in error and were intended to be references to Lansdowne Crescent or specifically the row of terraced properties fronting Lansdowne Crescent opposite the hospital. This has been addressed as a consequence of changes recommended to the section on Site Character and Context in response to other objections.	
		6] Why hasn't the Methodist church been included as a consultee.	6] The Methodist Church was missed from the Consultation list contained in the Preliminary Consultation Statement. However the church was consulted. No comments were received.	

<i>Ref No.</i>	<i>Name</i>	<i>Summary of Representation</i>	<i>Councils Response</i>	<i>Recommendation</i>
19 Objection	Mr & Mrs Wolff	<p>1] The building should be retained and not replaced with a pastiche form of development.</p> <p>2] Not enough parking.</p> <p>3] The developer should make a financial contribution to the enhancement of the adjacent public open space.</p> <p>4] The Concept Statement should address the issue of noise and disturbance during construction/conversion.</p> <p>5] There is an error in the Sustainability Matrix relating to the Rate of CO2 fixing. The removal of trees represents a net loss and the 'impact' can only be 'positive' if new plants and trees are introduced. This is misleading.</p> <p>6] The trees should be inspected by a qualified arboriculturalist to ascertain their condition and appropriate action taken.</p> <p>7] The plan does not state why the conifers</p>	<p>1] (see response to objection 1] made by respondent No.03)</p> <p>2] (see response to objection 5] raised by respondent No.10)</p> <p>3] A financial contribution toward the enhancement of adjacent public open space may be appropriate. MHDLP Policy CN12 requires that provision for public open space be made on proposals for new residential development of 5 dwellings or more and that such provision will usually be made on site. However where this is inappropriate provision should be made off site, appropriately located to serve the new development, or a financial contribution will be sought to enable new provision or to improve existing provision elsewhere in the locality.</p> <p>4] Building work inevitably results in some noise and disruption while such operations are in progress and represents a consequence of any development, particularly in a residential area. Obstruction of the highway and noise disturbance fall within the remit of other legislative powers and action can be taken where activity results in unreasonable disturbance / disruption regularly over a long period. In addition the use of appropriate conditions can be considered in the determination of any application, relating to the control of hours of working etc.</p> <p>5] There is an inconsistency between the Sustainability Matrix (in the Sustainability Appraisal accompanying the Concept Statement) in terms of the stated impact in respect of carbon dioxide fixing and the statement under the sub heading "Trees" in the Concept Statement. The removal of trees would have a 'Negative' rather than 'Positive' impact unless they are replaced. Whilst the Concept Statement suggests that certain trees should be removed to open up views of the building, this does not mean that new trees should not be planted elsewhere on the site. An indication that new trees should be planted to compensate for any removed as a consequence of the development is recommended allied to a change to the</p>	<p>1] (see recommended change relating to objection 1] made by respondent No.03)</p> <p>2] No change</p> <p>3] Add following paragraph to end of section of Sustainability Considerations and Development Practicalities: Public Open Space Contributions MHDLP Policy CN12 requires that proposals for new residential development of 5 dwellings or more provide public open space. In this case a financial contribution will be sought to enable new provision or to improve existing provision elsewhere in the locality.</p> <p>4] No change</p> <p>5] The Sustainability Appraisal be amended so the Sustainability Impact for the rate of CO2 fixing reads 'neutral' and the accompanying 'Comment' and the paragraph in the SPD under the sub heading "Trees" be amended to read: "The Council will expect new trees and soft landscaping to be planted to compensate for any lost as a consequence of the development and to augment and enhance areas of the site where appropriate"</p> <p>6] No change</p>

<i>Ref No.</i>	<i>Name</i>	<i>Summary of Representation</i>	<i>Councils Response</i>	<i>Recommendation</i>
		will be removed, except to open up the view.	<p>Sustainability Appraisal to state that the impact on CO2 fixing would be a 'neutral' one.</p> <p>6] The attention of the South Worcestershire Primary Care Trust was drawn towards the condition of the Beech tree by the Council's Landscape Officer's letter of 3rd January 2006. In addition, the requirements of the MHDLP Policy QL21 (Landscaping) would need to be met when a planning application has been considered for the site. This policy requires a full landscaping scheme to be submitted with a detailed planning application.</p> <p>7] The conifers were not considered to make an important contribution to the character and appearance of the conservation area. Their removal would provide an opportunity to open up views of the building, which following removal of the modern additions to the frontage would enhance the character and appearance</p>	7] No change

<i>Ref No.</i>	<i>Name</i>	<i>Summary of Representation</i>	<i>Councils Response</i>	<i>Recommendation</i>
20	Margaret Taylor	<p>1] Lansdowne Crescent is not the name of the Victorian terraces.</p> <p>2] Development should respect the character and appearance of the immediate area.</p> <p>3] 15 dwellings represents too high a density.</p> <p>4] The parking standard underestimates the need arising from a residential conversion.</p> <p>5] The Concept Statement should address</p>	<p>1] Agreed. Changes recommended to the section on Site Character and Context in response to other objections would address these errors.</p> <p>2] A revision of Development Principle 3 is proposed to emphasise the fact that any new development must positively enhance the character and appearance of the Conservation Area. This approach is supported in both the MHDLP and PPG15.</p> <p>Paragraph 4.3.8 of the MHDLP states that: "poorly executed 'pastiche' styles which simply mimic features of adjacent buildings can.....devalue the architectural quality of the area".</p> <p>Paragraph 4.17 of PPG15 states that: "What is important is not that new buildings should directly imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own".</p> <p>Accordingly officers recommend that the last sentence of Development Principle which presently reads - "...consideration should first be given to a development which emulates the form and external appearance of the former terraced dwellings which occupied the site prior to the erection of the hospital in 1911." should be replaced. (see recommendation)</p> <p>3] (see response to objection 4] raised by respondent No.10)</p> <p>4] Since the number and size of units cannot be established at this stage, it is not possible to determine the number of parking spaces that would be required. The site is one of the most sustainable of those allocated for residential development in the MHDLP, given its proximity to the District Centres of Great Malvern and Barnards Green, a main bus route and bus stop and Great Malvern rail station. The proximity of such features must reasonably be reflected in the number of off road parking spaces which are required to be provided by the developer and having regard to</p>	<p>1] (see recommended change in response to objection 1-2] made by respondent No.17)</p> <p>2] Amend BP3 Development Principle to read:</p> <p>"...proposals must positively enhance the character and appearance of the Conservation Area, have regard to the relevant policies of the Development Plan and the advice set out in PPG15."</p> <p>3-5] No change</p>

Ref No. Name

Summary of Representation

the issue of noise and disturbance during construction/conversion work.

Councils Response

the Government's emphasis on imposing maximum rather than minimum parking standards.

Recommendation

5] Building work inevitably results in some noise and disruption while such operations are in progress and represents a consequence of any development, particularly in a residential area. Obstruction of the highway and noise disturbance fall within the remit of other legislative powers and action can be taken where activity results in unreasonable disturbance / disruption regularly over a long period. In addition the use of appropriate conditions can be considered in the determination of any application, relating to the

<i>Ref No.</i>	<i>Name</i>	<i>Summary of Representation</i>	<i>Councils Response</i>	<i>Recommendation</i>
21	Fiona Wiggins	The following errors [1,2,3] should be corrected:	[1-3] Agreed. The errors referred to as points 1, 2 and 3 are noted and amendments to correct these are proposed.	[1-3 & 7] (see recommended change in response to objections 1-2] made by respondent No.17)
Objection		<p>1] The white rendered Victorian terraces of the Crescent are referred to as Lansdowne Terrace, which is the next left turn from Madresfield Road.</p> <p>2] Views into the site can be gained from Barnards Green Road rather than Worcester Road</p> <p>3] The site, like the Crescent itself slopes away to the north-east, with part of the existing building on the site being at basement level.</p> <p>4] The proposed density of development is too high and does not reflect that of the existing Crescent.</p> <p>5] If building demolished, the preference that the site should be developed with a similar style to the dwellings which preceded the hospital building is contrary to the draft local plan.</p> <p>6] Capacity of existing sewers should be investigated and confirmed viable prior to development.</p> <p>7] Expand section on site character and context.</p> <p>8] The document should make reference to the relevant policies of the development plan.</p>	<p>4] (see response to objection 4] raised by respondent No.10)</p> <p>5] (see response to objection 1] made by respondent No.03)</p> <p>6] Any developer will have to satisfy the Council that the means of disposal of surface and foul water are adequate. Severn Trent Water Authority are a consultee on applications of this scale.</p> <p>7] Additional text is proposed for the section on site character and context.(see response & recommendation in respect of point 1)</p> <p>8] It is not the function of the document to repeat the provisions of the Local Plan as it is not intended to be a substitute for it, however several references to policies of the MHDLP are provided in the SPD. The Concept Statement already states that "it should be noted that this is not intended to be an exhaustive list of issues / constraints relating to this site and should consequently be read in conjunction with other policies and guidance."</p>	<p>4] No change</p> <p>5] (see recommended change relating to objection 1] made by respondent No.03)</p> <p>6] No change</p> <p>7] See recommendation in respect of points 1-2 above.</p> <p>8] No change.</p>

Ref No.	Name	Summary of Representation	Councils Response	Recommendation
22	SWPCT	<p>1] The PCT is obliged to maximise the value for the building/site in order to contribute to the cost of the new hospital development.</p> <p>2] Building does not necessarily have to be retained. Large element of affordable housing will make this difficult. Also such a large proportion of affordable housing would be unattractive to the general market as a physical separation of the building internally and externally would be difficult to achieve.</p> <p>3] The cost of converting the building would not be compatible with the affordable concept. High quality apartments at the higher end of the market would be more suitable.</p> <p>4] Alternatively the PCT would seek the demolition of the building and the construction of a mixed scheme with a maximum of 25% affordable housing to ensure that the remaining properties are attractive to other buyers.</p> <p>5] Other matters such as retention of features, new openings and parking standards for example, are detailed</p>	<p>1] As stated at the beginning of this SPD, this document provided supplementary information relating to the sites allocation in the MHDLP. No objection was received to the principle of this site as a housing allocation by the objector (and owner) during either of the two statutory deposit periods on the MHDLP. In addition, the identification of this site in the MHDLP, seeks to ensure the most appropriate use and development form are achieved from any redevelopment. The value of the site will need to reflect such land use issues.</p> <p>2] Proposals to demolish the building will be assessed against MHDLP Policy QL8 which states that:</p> <p>Proposals for the demolition of a building or structure in a Conservation Area will not be permitted unless it is clearly demonstrated that:</p> <p>a) the building or structure is of no recognised interest by itself or by association and has no value to, or has a character or appearance inappropriate to, the Conservation Area;</p> <p>b) its demolition or replacement would enhance the character or appearance of the Conservation Area;</p> <p>c) in the case of buildings which are considered to make a positive contribution to the character or appearance of the Conservation Area, it is clearly demonstrated to be redundant and wholly beyond repair and there are detailed and appropriate proposals for redevelopment, together with clear evidence that such redevelopment will proceed; and</p> <p>d) there are overriding safety or other reasons.</p> <p>The SPD makes it clear that there is a presumption in favour of converting the building. As the building is considered to make a positive contribution to the character and appearance of the Conservation Area, any proposal seeking its demolition and redevelopment will have to demonstrate that there are detailed and appropriate proposals for redevelopment, together with clear evidence that such redevelopment will proceed. The</p>	<p>2] Amend last sentence of Development Principle 3 to read:</p> <p>“proposals must positively enhance the character and appearance of the Conservation Area, have regard to the relevant policies of the Development Plan and the advice set out in PPG15.”</p> <p>3-5] No change</p>

<i>Ref No.</i>	<i>Name</i>	<i>Summary of Representation</i>	<i>Councils Response</i>	<i>Recommendation</i>
		matters to be considered at a later stage.	<p>quality of the replacement is a material consideration in the assessment of proposals for demolition. The Council will not approve an application for demolition in advance of approval of a replacement.</p> <p>Any replacement will have to positively enhance the character and appearance of the conservation area.</p> <p>3] This is an unqualified statement of opinion with no supporting evidence.</p> <p>4] The Council would not be prepared to accept 25% affordable housing in a new development on the basis that a greater percentage would make the remaining properties unattractive to other buyers. Any proposed reduction in the percentage of affordable housing on the site would have to be fully justified having regard to the requirements of national policy, the MHDLP and Supplementary Planning Guidance on Affordable Housing.</p> <p>5] One of the key functions of the Concept</p>	
23	MTC	1] Premature to restrict possibilities for site which will affect value & impact on new hospital.	<p>The comments of Malvern Town Council were received outside the Consultation period and therefore the Council is not obliged to accept them. The regulations set down by Central Government are quite clear on this point. Nevertheless, the issue made by the respondent have been raised by others and therefore the same response is provided as follows:</p> <p>The identification of this site in the MHDLP, seeks to ensure the most appropriate use and development form are achieved from any redevelopment. The value of the site will need to reflect such land use issues.</p>	1] No change
	Objection			

APPENDIX 2

Malvern Hills District Council Local Development Framework

Planning and Compulsory Purchase Act 2004

Town and Country Planning (Local Development) (England) Regulations 2004

**Concept Statement Malvern Community Hospital Site – Lansdowne Crescent
Supplementary Planning Document (SPD)
ADOPTION STATEMENT**

This adoption statement is written in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 (Statutory Instrument No: 2204).

Malvern Hills District Council first adopted the Concept Statement, Malvern Community Hospital Site – Lansdowne Crescent Supplementary Planning Document (SPD) on 4th April 2006. However, a decision was made to delay publication until the receipt of the Inspector's Binding Report in to the Malvern Hills Local Plan May 2006 to ensure conformity with the Inspector's Binding Decisions. No changes were necessary and Planning Committee on 1st August 2006 resolved to adopt the Concept Statement SPD on 4th August 2006.

Any person aggrieved by the Concept Statement may make an application to the High Court for permission to apply for judicial review of the decision to adopt the SPD. Any such application for leave must be made promptly and in any event no later than 3 months from 4th August 2006.

Subject Matter: The SPD expands on Malvern Hills District Local Plan Adopted Plan - July 2006, principally Policy DS5 (10). It sets out the Environmental Assets and Development Principles for the Malvern Community Hospital Site – Lansdowne Crescent.

Area covered by the Document: Malvern Community Hospital Site – Lansdowne Crescent.

Availability of Documents: The SPD, Sustainability Appraisal, Consultation Statement and Adoption Notice can be viewed at:

- **Malvern Customer Service Centre, The Library, Graham Road, Malvern**
Monday – Friday, 9.00am – 5.30pm;
- **Tenbury Area Office, Pump Rooms, Teme Street, Tenbury**
Monday – Friday, 9.00am – 1.00pm
- **Upton Library, School Lane, Upton**
Monday 1:30pm – 5:00pm, 5:30pm to 7:00pm, Wednesday & Friday 9:30am – 12:30pm, 1:30pm – 5:00pm, Saturday 9:30am 12:30pm. The library is closed on Tuesdays and Thursdays
- On the Council's website at www.malvernhills.gov.uk

For further information, please contact a Customer Service Officer on (01684) 862151.

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