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### **3. ECONOMIC PROSPERITY**

#### **3.1 Introduction**

- 3.1.1 In the past, the local economy of Malvern Hills District has relied upon both agriculture and the defence industry, both of which have declined in recent years. There is therefore a need to continue to diversify the local economy to create a wider employment base so that the district is less vulnerable to economic change.
- 3.1.2 Agriculture still remains the mainstay of the economy of the rural areas. However, the agricultural sector is facing major problems and change. Furthermore, some of the distinctions between urban and rural areas have become blurred over the years. In particular people now tend to live in rural areas and work in the towns, they also live in, or retire to, the rural areas but use facilities and services in urban areas.
- 3.1.3 The Local Plan has to ensure that there is an adequate supply of employment land and sites of the right type, size and quality to meet the needs of existing firms and inward investment. It is encouraged, through national and local planning guidance, to provide a balanced portfolio of employment sites to meet the different requirements of new and existing businesses.
- 3.1.4 Existing employment areas within the District and in particular Malvern have come under pressure to accommodate a range of non-employment uses including leisure, due to the absence of suitable sites elsewhere or the difficulties of accommodating such uses within residential, town centre and rural areas.
- 3.1.5 Changes in agriculture and the increasing need to diversify from farming into other uses are likely to result in increased demand for the conversion of farm buildings to other commercial uses. Accommodating and encouraging appropriate employment development in rural areas can also help reduce commuting to urban areas.
- 3.1.6 Malvern Hills District is well placed to benefit from tourism given its unique setting, attractive built and natural environment and its links with famous people and products. A large number of people visit the Malvern Hills. However, the District has many other fine landscape areas, such as the Teme Valley, together with many major attractions and historic sites all of which could play a greater part in effective tourism development.
- 3.1.7 Shopping patterns in the District are strongly influenced by the location of the sub-regional centres of Worcester and Cheltenham. There is a hierarchy of shopping centres within the District consisting of town, district, local and village centres. The town centres of Great Malvern, Upton and Tenbury offer a range of retail provision complemented by the presence of other services such as banks and a library. District and local centres offer a more limited range of shops and services, but they play a very important role in meeting day to day needs and therefore, reducing the need to travel, particularly by car.
- 3.1.8 Town centres have an important role in providing a focus for communities not just in terms of shopping but also in the wide range of services, employment, leisure and cultural opportunities they can offer. Government advice on town centres states that local authorities should try to protect and enhance town centres to make them attractive places for people to live, work, shop and spend their leisure time.

## Local Plan Strategy

3.1.9 In addition to several Development Strategy objectives the following Local Plan objectives which apply to the policies contained within this section of the Plan form part of 24 Local Plan objectives, listed in paragraph 1.4.4:

- Sustain and enhance the vitality and viability of the District's town centres of Malvern, Upton upon Severn and Tenbury Wells and to protect shopping facilities located in district and local centres and those in rural areas.
- Encourage greater diversification of the rural economy.
- Encourage sustainable tourist development which reconciles economic growth with the conservation of the environment.

## 3.2 Employment

3.2.1 The Development Strategy section of the Local Plan outlines core policies and proposals designed to assist economic growth and the creation of employment opportunities. It explains how the strategic employment requirement is to be met through the allocation of new employment sites and an allowance for rural windfall employment sites. It also outlines policies which will be used to assess development proposals for employment sites within defined rural settlements and those within the open countryside.

3.2.2 The following section of the Plan contains other more specific employment-related policies.

### Policy Background

3.2.3 National planning guidance on industrial and commercial development is set out in Planning Policy Guidance Note 4 (PPG4) 'Industrial, Commercial Development and Small Firms'. It emphasises that economic development which is compatible with environmental objectives should be encouraged. PPG4 indicates that development plan policies should take account of the locational needs of business and ensure sufficient land is available that is readily capable of development and well served by infrastructure, with a variety of sites to meet the different needs of businesses. It also encourages authorities to provide positive development plan policies to provide for the needs of small businesses.

3.2.4 PPG7 'The Countryside – Environmental Quality and Economic and Social Development' states that development should be focused on towns and villages to help reduce the need to travel and promote healthy rural communities. Development plans should encourage employment opportunities suitable in scale to rural centres and allow for the reasonable future expansion of rural businesses. The guidance also recognises the significant contribution farming makes to the economy of rural areas and encourages local planning authorities to support farm diversification schemes in order to support the continuing viability of farm businesses.

3.2.5 The Rural White Paper's vision for rural areas was of a working countryside with a diverse rural economy providing high and stable levels of employment. The Government wishes to see a diverse rural economy attracting new businesses with market towns acting as a focal point for economic opportunities. It also proposed that farming and related industries become more competitive, diverse, modern and sustainable and that support is provided through the planning system for farm diversification.

3.2.6 The economic development policies contained in the Regional Spatial Strategy (2004) seek to broaden the economic base, reduce over-reliance on traditional employment and provide a wider range of local job opportunities. Policy PA6 – Portfolio Of Employment Land seeks to ensure there is sufficient land available of the right type and in the right locations across the Region and suggests a range of employment sites within each District.

- 3.2.7 The economic development strategy supported in the Worcestershire County Structure Plan (WCSP) (2001) is to maximise the opportunities for growth and development by local businesses and quality inward investment to meet County rather than regional or sub-regional needs. It also aims to link the provision of land for new housing and employment uses with the aim of achieving balanced communities. Policy D20 Employment Land Portfolio reflects regional planning guidance by stating that employment land should comprise a portfolio of sites in terms of size, location and quality to meet differing requirements of new and existing businesses.
- 3.2.8 Various WCSP policies apply to employment uses in rural areas. Policy D27 – New Building For Business Uses Outside The Green Belt helps to promote economic diversification in rural areas by encouraging employment opportunities in or adjacent to sustainable rural settlements. The policy states that the level of new employment development should be appropriate to meet the local needs generated by the local population. Policy D29 – Change of Use of Buildings In Rural Areas For Employment Purposes states that priority should be given to changes of use of buildings in rural areas for employment purposes whilst Policy D30 – Farm Diversification supports farm diversification initiatives.

### **Employment in Malvern Hills District**

- 3.2.9 Despite the rural nature of the district, a variety of employment and business opportunities exist. According to the Worcestershire County Economic Assessment 2002-2003, Malvern Hills District employs 11.2% of the total workforce in Worcestershire – the smallest proportion of all six districts within the County, although research shows that the District's share of the workforce has been increasing over the past 3 years. In terms of the types of employment within Malvern Hills District, 35.0% are employed in non-marketed services such as health and educational services, public administration and defence and 25.1% are employed in distribution and transport. 16.9% are employed in manufacturing and 13.9% in business and other services.
- 3.2.10 The District contains a number of employment sites of varying sizes and locations ranging from the Malvern Hills Science Park where high-technology businesses are located in a managed workspace facility, to Malvern's main employment centre, Enigma Business Park which employs in excess of 1,000 people. A number of smaller employment sites are located in Upton and Tenbury and throughout the District's rural areas such as those at Great Witley, Hallow, Hanley Swan and Martley. More details of such sites are contained within the Employment Background Paper.

### **The Rural Regeneration Zone**

- 3.2.11 As part of the West Midlands Economic Strategy, Advantage West Midlands has designated 6 Regeneration Zones in which to concentrate the majority of its activity and funding over the next 10 years. A Rural Regeneration Zone (RRZ) has been identified which covers the rural areas in Herefordshire, Shropshire and Worcestershire. The area is characterised by agriculture, small market towns and villages, and an ageing population. Its economy over recent years has become more diverse and the growth of tourism, leisure and creative sectors has also been significant in recent years. A Prospectus has been jointly produced by the three county Partnerships and acts as a regeneration strategy for the RRZ. It includes an overall vision, key objectives and priority themes within which projects and initiatives have been identified to form an Action Plan for the zone. The Annual Action Plan identifies how resources will be brought together to deliver agreed outcomes. The RRZ approach will help to improve linkages between needs and opportunities, support actions and lead to improved co-ordination of regeneration activity across the whole of the zone.
- 3.2.12 Within Malvern Hills District, the following wards are located within the RRZ: Tenbury, Kyre Vale, Valley of the Teme, Lindridge, Bayton and Mamble, Woodbury, Martley, Baldwin, Temeside, Malvern Wells, Chase and Link.

- 3.2.13 The policies contained within this Plan aim to support the key objectives of the RRZ and any future RRZ initiatives which impact on the economic prosperity of the District.
- 3.2.14 Part of the District is also covered by the Objective 2 Programme (2000-2006) which forms part of the European Union Structural Funds programme for the West Midlands. The Programme encompasses areas seriously affected by industrial decline and assists rural areas to re-develop. The wards located within the RRZ and Objective 2 Programme are shown on Appendix 9.
- 3.2.15 A regional strategy, the Single Programming Document, has been developed to outline how these funds will be distributed and provide a clear indication of the types of projects that may be eligible. Eligible wards across the West Midlands have been identified based on levels of need, deprivation and opportunity.
- 3.2.16 The following policies aim to support the growth and expansion of indigenous firms as well as the attraction of new businesses into the District. The policies seek to safeguard existing employment sites and uses to ensure an adequate supply of land and premises which meet local employment needs and allow their appropriate redevelopment or expansion for employment use. Large-scale office developments are encouraged within town centre locations. The diversification of the rural economy through the re-use of rural buildings for employment or other commercial uses and farm diversification is also encouraged.

### Existing Employment Land and Uses

#### **Policy EP1 - The Protection of Existing Employment Land and Uses**

**The redevelopment or change of use of primarily employment sites or other land and buildings in use for employment purposes (defined as Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 2005 (or as amended) to non-employment uses will not be permitted unless all or any of the following exceptional circumstances can be demonstrated, namely that:**

- a) past and present site-specific environmental problems or adverse local impact (as generally precluded by Policy DS3) require substantial remediation which cannot be feasibly achieved without total or substantial redevelopment of the land and buildings in question; or**
- b) the physical condition of the premises is such that they are neither suitable for continued employment use nor capable of re-use for such purposes (in the same or another acceptable Use Class) without such redevelopment and that redevelopment cannot itself be achieved on an economically viable basis; or**
- c) there is a surplus of vacant employment sites within the locality such that a marketing exercise has demonstrated that there is unlikely to be sufficient interest in the premises to generate an economically viable return; and, in all such cases,**
- d) where the proposed development would provide a wider community benefit which outweighs the loss of the existing or possible future employment use of the site; and**
- e) where any successor use or development would not restrict, prevent or in any way prejudice the continued operation of adjoining or nearby established employment uses.**

#### Reasoned Justification

- 3.2.17 The supply of employment land within the District is made up of new employment land allocations and the vastly larger stock of existing employment premises and sites. The existing stock includes both large employment estates and smaller sites which provide valuable diversity with regard to employment opportunities within urban and rural areas.
- 3.2.18 In order to achieve the Plan's objective of providing a balanced portfolio of employment sites, it is essential that an appropriate range of employment sites and premises are available within the whole District. Employment sites often face competition from other land uses particularly

retail and leisure. Whilst the impact of the loss of a single employment site may be small, the cumulative impact of the loss of a series of sites can be significant in terms of job losses and reduction in economic activity. The District Council will seek to safeguard existing employment sites and uses to ensure there is an adequate supply of land and premises available to meet local employment needs and to help attract and retain investment in the local economy by providing for the differing needs of business.

- 3.2.19 Occasionally there may be circumstances which justify allowing the redevelopment or change of use of an employment site. Such circumstances may include where it is acknowledged that an employment use is inappropriately located or where it is clear the continued use of the existing buildings or their redevelopment for employment use are unlikely to be viable.

### **The Redevelopment or Expansion of Employment Sites and Buildings**

- 3.2.20 The District Council recognises that businesses have to adapt and adjust to changing economic circumstances. Policy EP2 allows businesses to do so providing there is no conflict with other Plan policies.

#### **Policy EP2 - Redevelopment or Expansion of Employment Sites and Buildings**

**The redevelopment or expansion of existing sites or buildings in employment use (defined as Use Class B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 2005 (or as amended) will be permitted providing:**

- a) the site remains in employment use;**
- b) the scale and design of the extension or redevelopment is appropriate to the location, existing buildings and the character of the area;**
- c) the development is in a location which is unobtrusive in the landscape or where appropriate landscaping measures can be taken to integrate the development into the landscape;**
- d) there would be no significant impact on the amenity of any adjoining residential properties;**
- e) the scale of development will not generate traffic levels unacceptable to the location; and**
- f) when considering proposals for the expansion of an existing site, it must first be demonstrated that there is no capacity for expansion or intensification within the existing site.**

#### Reasoned Justification

- 3.2.21 The expansion of employment uses at existing locations or onto adjoining land can help strengthen the local economy and enhance local employment opportunities. Applicants proposing the development of adjoining land should provide evidence that the intensification of the existing site via the development of under-used parts of the site has been considered. Proposals for the redevelopment of employment sites for large scale office development will need to comply with Policy EP3. The expansion of existing employment sites or buildings through the provision of small-scale ancillary office development will generally be acceptable under Policy EP3. Extensions to rural buildings will be considered under Policy EP6.

#### **Office Development (Class A2 and B1(a))**

- 3.2.22 Office development can generate a large number of trips from both employees and visitors. WCSP Policy D26 'Office Development' states that the preferred location for new office development within Classes A2 and B1(a) of the Use Classes Order is within the town centres of Malvern, Tenbury and Upton. Where a suitable site is not available within these town centres, a sequential approach should be adopted to identifying whether a more suitable alternative location exists elsewhere.

### **Policy EP3 - Office Development**

**When considering proposals for large-scale office developments within Classes A2 and B1(a) of the Use Classes Order 2005 (as amended), applicants should adopt a sequential approach. Preference will be given to town centre sites followed by edge-of-centre locations, district and only then out-of-centre locations that are accessible by a choice of means of transport. Proposals which do not demonstrate that this sequential approach has been followed will not be permitted. The location of significant Class B1 (a) development within the rural areas is likely to undermine sustainable transport objectives.**

#### Reasoned Justification

- 3.2.23 The sequential approach outlined above should be followed in determining the location of larger office developments which are likely to be major generators of travel either for staff and/or customers or clients. Office developments will be considered under Policy EP3 following consideration of the scale and location of the proposed development, in relation to the size of the settlement and the range of services and facilities it provides. Proposals will be required to demonstrate that a genuine sequential approach to site selection has been followed.
- 3.2.24 Small-scale proposals for office development such as the re-use of rural buildings or the conversion of residential units may be acceptable in appropriate locations. However such uses will not be permitted where either individually or cumulatively they would adversely affect the existing character or harm the amenity of the local area by virtue of traffic generation or car parking.
- 3.2.25 Over the past few years there has been an increased demand within the District for the conversion of rural buildings for office type uses. Given their rural locations, many such development proposals are not located on or near to regular public transport routes. The District Council will pay particular regard to the scale and type of office proposed in such locations and to issues such as local employment needs and potential traffic generation. Proposals will also be assessed using Policy EP6 - The Re-Use Of Rural Buildings.
- 3.2.26 Particular attention will be paid to the impact on the character and amenity of the surrounding area, vehicular access and parking provision along with other criteria set out in Policy DS3 – General Development Requirements. Development proposals for offices located within the District’s town centres will also be assessed using Policies EP9 – Town and District Centres.

## Design Standards for Employment Sites

- 3.2.27 In considering the development control criteria to be applied to employment development, it is appropriate to provide more detailed policy guidance to supplement the design policies of this Plan. This reflects the importance of ensuring that the environmental and amenity aspects of employment related development are properly assessed and controlled.

### Policy EP4 - Design Standards for Employment Sites

Proposals for employment purposes should provide for adequate infrastructure and the protection of the amenity of surrounding land uses by:-

- a) limiting development proposals for sites adjacent to residential areas or other noise sensitive uses to specific Class B uses or restricting hours of operation where this would protect amenity;
- b) orientating buildings and operations away from residential or other sensitive areas, and limiting door, window and loading bay openings in buildings facing such areas to a minimum;
- c) providing a buffer between buildings and land used for employment purposes and existing residential curtilages (the buffer should include landscaping, fencing, acoustic bunding, screen planting and noise attenuation measures as appropriate and exclude buildings and vehicle parking and manoeuvring);
- d) incorporating a landscaping scheme which respects or enhances existing site features, makes provision for amenity open space areas, includes perimeter screen planting, and integrates with other aspects of the development;
- e) ensuring that outdoor storage areas are kept to a minimum and where essential that they are appropriately designed and screened;
- f) providing appropriate environmental protection by ensuring satisfactory means for the disposal of trade effluent and the storage of waste by-products and waste awaiting disposal;
- g) incorporate pedestrian and cycle links to residential areas and existing footpaths, together with access for public transport vehicles where appropriate and include measures for improving access by employees by alternative means of transport including Green Transport Plans; and
- h) not permitting proposals where the traffic generated is likely to cause serious nuisance to adjacent uses, or lead to a significant increase in environmental disturbance caused by heavy goods vehicle movements on the local road network.

### Reasoned Justification

- 3.2.28 It is important that proposals for employment development are compatible with surrounding land uses. Particular emphasis will be placed on ensuring that residential amenity is protected through a variety of means including landscaping, the use of buffer zones and the siting, use and design of buildings. The depth of any buffer will be determined through a development brief or negotiation, although a guide depth of 12m will normally be sought. Elevated views from public vantage points over employment development is important, such as views from the Malvern Hills AONB. The use of screening and appropriate colour schemes for roofing should be considered in accordance with Policy DS3. Conditions may be imposed to ameliorate or reduce the impact of certain types of employment uses or processes, including restrictions on days and hours of operation, where this is justified in order to overcome potential problems or concerns for proposals adjacent to sensitive areas.

- 3.2.29 In all cases, suitable car parking and operational space for servicing and manoeuvring will be required in accordance with relevant Plan policies. The design of junctions and industrial estate access roads should be to the requirements of the highway authority. Attention will be given to the wider local road network where employment related traffic from the development, particularly heavy goods vehicles, may pass through residential areas.

## Home-Based Businesses

### Policy EP5 - Home-Based Businesses

Proposals to allow a small business to operate from home will be permitted where:

- a) the business operation will not lead to a significant adverse impact on the residential amenity or character of the area through its scale, nature of operation, access, and parking provision, noise or traffic generated by visitors, staff and deliveries; and
- b) the business can be contained within existing premises and the appearance of the dwelling is not materially altered.

#### Reasoned Justification

- 3.2.30 Developments in information technology and changes in working practices in some employment sectors has resulted in more people choosing to work from home. This can range from the use of a single room in the family dwelling to small 'one-person' businesses operating from a garage or outbuildings. Albeit at a small scale such changes contribute to the objective of reducing the need to travel for employment purposes and will therefore be permitted.
- 3.2.31 Where the overall character of the property remains residential then normally no planning permission is required. Planning permission is likely to be required where the scale or intensity of the operation results in a material change of use. This could occur where the business use has expanded to such an extent that it generates visitors, traffic, deliveries and storage, noise or fumes in excess of that normally associated with a single dwelling.
- 3.2.32 In considering applications for this type of development, regard will be paid to the scale of the business, the provision made for access and parking and the effect the operation has upon surrounding properties. Particular regard will be paid to the number of trade and other vehicles, visitors and staff likely to be visiting the site on a regular basis.
- 3.2.33 Any permission may be conditioned to a personal use for the business prescribed when it is considered that other operations within the same Use Class may or will not be appropriate in that location.

## 3.3 Agriculture

### The Re-Use of Rural Buildings

- 3.3.1 Given its rural nature, Malvern Hills District contains a considerable number of rural buildings which contribute to the District's architectural and cultural heritage. Many of these are traditional farm buildings which are a fundamental part of the character of the countryside, its settlements and local distinctiveness. Such buildings take a variety of forms including barns, granaries, stables, hop kilns, stables, dovecotes, mills and livestock units. Their age, character and quality varies but the changing structure of the rural economy and the demands of agriculture means that many rural buildings are no longer required for their original use. Whilst some of these buildings along with other types of rural buildings are listed as being of architectural or historic interest, generally traditional farm buildings are under-represented in terms of listing. Consequently, the implementation of Policy EP6 will pay particular regard to the contribution made to the District's character and local distinctiveness by all traditional farm buildings, (listed or otherwise), having specific regard to the group value of collections of such buildings.
- 3.3.2 PPG7 advised that the re-use or conversion of existing rural buildings has an important role in meeting the needs of local businesses, assisting the local economy and reducing demand for development. The District Council considers that it is important for such buildings and their

character to be retained and recognises their potential for other uses. Given the Plan's objective of encouraging greater diversification of the rural economy, priority will be given to the re-use or conversion of rural buildings for employment, tourism or recreational purposes wherever appropriate.

### **Policy EP6 - The Re-Use of Rural Buildings**

- (1) The re-use or conversion of rural buildings in the countryside will only be permitted where:**
  - a) the scale and type(s) of use proposed is suitable for the building and its location;
  - b) the building is of a permanent and substantial construction and capable of accommodating the proposed use without excessive rebuilding, extension or alteration;
  - c) the form, bulk and general design of the building is in keeping with its surroundings;
  - d) the re-use is achieved with minimum alterations to the appearance of the building, its fenestration and other openings;
  - e) proposals do not harm the character, appearance and landscape quality of the area or the setting of the building; and
  - f) the scale and type of development does not generate traffic levels unacceptable to the location and the site is reasonably accessible to a range of transport modes other than the car.
- (2) However proposals for the conversion, alteration or extension of rural buildings to residential use will only be permitted if:**
  - a) it can be demonstrated that every reasonable attempt has been made to secure a suitable employment, tourism or recreation use of the building; or
  - b) residential conversion is subordinate to a scheme for employment, tourism or recreation use or represents a live-work unit where the proportion of the building allocated for workspace/employment use should exceed the residential use; or
  - c) residential conversion is required to meet a proven need for a dwelling for an agricultural or forestry worker or an identified affordable housing need in accordance with Policies CN4 and CN3; and
- (3) Where alterations, extensions, outbuildings or storage might have a future detrimental effect on the building or the character of an area, certain permitted development rights may be withdrawn by the imposition of conditions.**
- (4) Proposed extensions to converted rural buildings will be assessed against the impact of the scheme on the character of the building as it existed immediately prior to conversion, rather than the use to which it has been converted.**

#### Reasoned Justification

- 3.3.3 Whilst this policy enables buildings of a permanent and substantial construction to be converted for re-use in the countryside it is recognised that some rural buildings will not be suitable for re-use due to their form, bulk or because, in the case of pre-fabricated buildings, they were never designed to be permanent. Buildings which require extensive rebuilding, alteration or extension will not be considered for conversion. The proposed use must also be compatible with its surroundings and not seek to alter the character or appearance of the building(s).
- 3.3.4 To ensure that the character and appearance of the countryside is preserved and protected the District Council will require evidence to demonstrate that the building is structurally sound and capable of conversion or re-use without excessive rebuilding, extension or alteration. This will usually take the form of a structural survey of the building which can be independently verified by the District Council.

- 3.3.5 The conversion of rural buildings can provide an important opportunity to maintain and retain their historic and architectural characteristics. It is important to recognise the qualities of the original character and appearance of the building and its setting and this should be respected whether the building is listed or not. This can be best achieved by accepting that the existing structure provides the basis for the proposals rather than inappropriately adapting the building to suit new accommodation requirements. Proposals for the re-use or conversion of a listed building should also have regard to Policies QL10 to QL13.
- 3.3.6 Policies for the conversion of rural buildings allow for their beneficial re-use, contributing to the landscape and to the historic environment (character) of the area. It is therefore generally inappropriate to either extend, or generally alter the appearance of a building for conversion, in the same manner as a conventional dwelling house. This principle should be taken into account not only at the point of conversion, but also subsequently. Therefore, rural buildings which have been in a new use for some time and retained their original character, should not be altered or extended, where such alterations would adversely affect the original character of the building.
- 3.3.7 The re-use of rural buildings in remote locations can require the provision of new access tracks across open fields and the creation of curtilages to the buildings. Such features can affect the setting of the building, leading to an urbanisation of open countryside and a loss of local distinctiveness.
- 3.3.8 The re-use of rural buildings may be acceptable in open countryside if the location is not unduly remote from existing settlements and public transport. In some cases however, a building may be so isolated and inaccessible by any form of transport except a car that an employment use may not be acceptable. Uses which would be likely to attract a significant number of trips such as offices, tourism and leisure uses will only be permitted where it will be accessible by public transport.
- 3.3.9 There are a large number of modern pre-fabricated agricultural buildings scattered widely throughout the District. Many of these buildings are constructed in such a manner as to facilitate their dismantling and removal from site. However such buildings whilst being clearly necessary for the purpose of agriculture, can appear incongruous in their surroundings and detract from the high visual quality of the countryside and appear alien in terms of bulk, scale or the use of materials. Allowing the re-use of such buildings which have an adverse impact on the surroundings would be inconsistent with the Plan's objective to ensure the integration of development within the landscape or protect the countryside from inappropriate development.
- 3.3.10 The policy seeks to ensure that buildings are not built ostensibly for agricultural uses but with other purposes in mind. The District Council will therefore, carefully scrutinise proposals which involve the re-use of rural buildings to ensure that there is no abuse of the planning system.
- 3.3.11 Proposals for the re-use or conversion of rural buildings to residential use should be accompanied by a statement of the efforts which the applicant has made to secure an employment, recreation or tourism re-use. The statement should include details and evidence of steps taken to market the building. The District Council considers a consecutive 12-month period of marketing to be reasonable. Applicants are advised to contact the Council's Economic Development team who can offer advice on the marketing of a rural building for employment use.
- 3.3.12 The conversion of rural buildings to residential use can give rise to design issues. Such conversions can fundamentally alter the character of the rural buildings (through the insertion of domestic features such as doors, chimneys, porches and windows) and their appearance in the landscape (through the creation of domestic gardens and garages). The emphasis in the design of any scheme for the conversion or re-use of a building should be the retention of

the architectural integrity of the building. The District Council is preparing a Supplementary Planning Document on the conversion of rural buildings.

- 3.3.13 Where rural buildings are converted, the District Council may remove permitted development rights in order to ensure that future development would not adversely affect the character of the building or the wider rural landscape.
- 3.3.14 The conversion or re-use of a rural building may harm protected species such as bats and owls. Specialist advice should be obtained on the implications of the proposed development on these species and submitted with all planning applications unless agreed beforehand by the District Council in writing in accordance with Policy QL18. The District Council will consult appropriate bodies on the advice submitted.

## Farm Diversification

### Policy EP7 - Farm Diversification Schemes

**Proposals to diversify farm businesses will be permitted where:**

- a) the primary use of the land holding remains agricultural and the new use does not detract from or prejudice the existing agricultural operation or its future operation;**
- b) the scale of activities associated with the proposed development are appropriate to the rural character of the area and do not undermine the viability of uses in the surrounding settlements;**
- c) where possible existing buildings are used to reduce the need for new built development. Where new building is proposed, it is kept to a minimum in line with the essential operational requirements of the activity, located so as to minimise its impact on the landscape, and be of a suitably functional design using materials sympathetic to the location and proposed use;**
- d) open storage of goods, containers, waste materials, finished products, vehicles or equipment is kept to a minimum and is located so as to minimise its impact on the character of the area.**

### Reasoned Justification

- 3.3.15 Government policy promotes the diversification of agriculture where it is environmentally acceptable as a way of contributing to the rural economy. Farm diversification enterprises are varied and can include adding value through the processing and packaging of local produce and specialist foods or broadening agricultural activity through recreation and education facilities, tourism, farm shops and craft workshops. Proposals relating to farm diversification will need to demonstrate that the business is ancillary to but fully integrated with, the existing farm enterprise. To be effective, diversification schemes need to be of lasting economic benefit by providing continued employment and a long-term source of income to supplement the farming business. A Farm Plan submitted in support of a planning application is generally encouraged as it can help demonstrate that the proposed development will help maintain an existing farm and has a long-term future.
- 3.3.16 Where possible existing farm buildings should be used as this helps to reduce the impact of development in the countryside. Any new buildings required should be carefully justified and where practicable, well related to existing structures within a farm complex. Open storage can have an adverse visual impact and care should be taken to minimise the level of open storage and to avoid visually prominent locations.
- 3.3.17 Applicants will be required to demonstrate that the transport implications of any proposals have been fully assessed and their impact minimised. An increase in the volume of traffic may be considered acceptable where there are economic benefits to both the farm and local economy arising from such schemes and there is no unacceptable impact on the local highway network by increasing congestion or reducing road safety. Where the scale and nature of activities is likely to generate an unacceptable level of car trips, or directly compete

with and undermine existing uses in a nearby settlement, proposals will not be permitted. Proposals for B8 uses are not considered appropriate due to the movement of heavy goods vehicles on local road networks.

- 3.3.18 The provision of overnight tourist accommodation can form a valuable source of additional income to the farm business. Proposals will be considered favourably where they are small in scale and the applicant can demonstrate that the proposal has been specifically designed for the purpose and involves the re-use of existing buildings. Proposals for substantial permanent new buildings for overnight tourist accommodation will not be permitted as this form of tourist accommodation should be accommodated within defined settlements which allow good access to services and local transport.
- 3.3.19 Farm diversification can also open up options for renewable energy production. The production of energy crops such as coppicing does not usually require planning permission unless the business requires a processing plant.
- 3.3.20 Applications for new buildings will only be granted subject to conditions or a Section 106 agreement preventing the severing of the farm diversification use from the farm holding.
- 3.3.21 Proposals beyond an appropriate scale to be considered as farm diversification will be considered against other policies for employment development in the open countryside.
- 3.3.22 The Regional Spatial Strategy for the West Midlands suggests that farm diversification in the form of innovative business schemes including tourism, environmentally sustainable farming, forest and land management, new and innovative crops, on farm processing should be encouraged. However, guidance accords with the provision of Policy EP7 in that any development should be appropriate in scale and nature to the environment and character of the locality.
- 3.3.23 The District Council considers that farm diversification schemes should be considered across the rural area as a whole. However, they will be encouraged within the Rural Regeneration Zone. Proposals close to main urban areas where there is potential for inappropriate development in the open countryside will be carefully scrutinised to ensure that they accord with the objectives of farm diversification as a means of supporting rural renaissance.

## Agricultural and Forestry Development

### Policy EP8 - Agricultural and Forestry Development

Proposals for agricultural and forestry development subject to planning applications or prior notification will be permitted where:

- a) the new building or extension of an existing building is necessary and its size is related to its functional requirements and those of the agricultural holding or forestry operation;
- b) in the case of new buildings, development is sited with existing groups of buildings where practicable, having regard to the functional relationship with other buildings and services;
- c) new buildings which cannot be located with existing buildings are sited so as to be readily assimilated into the landscape, avoiding isolated or skyline locations and taking advantage of the natural land form and/or existing tree screening; and
- d) significant adverse impacts on residential amenity and the environment are avoided.

#### Reasoned Justification

- 3.3.24 The District Council recognises there will be a continuing need for a range of agricultural buildings reflecting changing agricultural practices and restructuring in this sector of the economy. However, new agricultural buildings are often substantial structures which can have a considerable impact both individually and cumulatively, on the appearance of the landscape and on groups of existing farm buildings.
- 3.3.25 Under the Town and Country Planning (General Permitted Development) Order 1995 planning permission is granted for a wide range of developments associated with agricultural uses of land. The right to carry out such developments however cannot be exercised in most instances until the Local Planning Authority has been notified, providing it with the opportunity to determine whether prior approval will be required for the details of the proposals.
- 3.3.26 In considering whether a development proposal for agricultural units of 5 hectares or more requires prior approval, the District Council will have regard to:
- i) the impact of the siting, design and external appearance of the proposal on the landscape and its surroundings, including residential amenity;
  - ii) the effects of the proposal on ancient monuments and their setting, known archaeological sites, listed buildings and their settings and areas of nature conservation importance; and
  - iii) the operational needs of the unit, where appropriate.
- 3.3.27 These controls relate to new buildings, significant alterations or extensions, farm and forestry roads, excavation and waste deposits and fish tanks. Where it is considered that a proposal is likely to have a significant impact in terms of the above criteria the formal submission of details for approval will be required. The objective of these controls is to enable the landscape impact of the development to be considered, as well as the need to protect sites of recognised historic or nature conservation value which are protected by other Plan policies. It is necessary to balance these factors against the operational needs of agricultural and forestry industries, recognising that necessary developments are often prominent in the rural landscape.

### **3.4 Town Centres and Retailing**

#### **Introduction**

- 3.4.1 Town centres are traditionally locations where the provision of shopping and service facilities are concentrated together. Shopping is clearly a use which underpins town centres but other uses are also important to their health and vitality such as restaurants, pubs, leisure uses, educational establishments and offices. The health of town centres can be threatened by changing shopping patterns, competition from other centres or from the introduction of uses which do not enhance the appearance and attraction of the town centre.
- 3.4.2 In recent years there has been a marked trend in retailing towards large out-of-town retail stores. These benefit from economies of scale and are able to offer a wide range of competitively priced goods generally to the car borne customer. The District contains only one such retail development located at Malvern Link where the Three Counties Retail Park has recently been developed and accommodates a large foodstore and several purpose built retail warehouse units.
- 3.4.3 In rural areas village shops and other facilities serve to meet both daily shopping needs and the requirements of those who are not able to travel further afield. They are important to the vitality of rural communities addressed by policies CN15 and CN17.

#### **Local Plan Strategy**

##### **Aims**

- 3.4.4 The policies in this section of the Plan aim to meet the following Local Plan objective:

Sustain and enhance the vitality and viability of the District's town centres of Malvern, Upton and Tenbury and to protect shopping facilities located in district and local centres and those in rural areas.
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- 3.4.5 The Plan:

- places priority on meeting future retail floorspace requirements within the District's town centres which are in the interests of sustainability and enhance their vitality and viability;
- applies the sequential approach to selecting and assessing sites for all key town centre uses such as leisure and office developments; and
- supports the provision and retention of local and rural shopping facilities.

#### **Town Centres and Retailing within Malvern Hills District**

- 3.4.6 Policies in the Worcestershire County Structure Plan (2001) reflect national policy and propose a hierarchy of retail centres which serve Worcestershire. Worcester City Centre is identified as a sub-regional centre at the top of the hierarchy. Below this Major County Centres, Minor County Centres, District and Minor District Centres are identified. Malvern is identified as a centre that serves the District due to its more limited catchment area compared to other town centres within the county. Tenbury and Upton are too small to feature as town centres for retail purposes at the County or Regional levels. Structure Plan policy seeks to ensure that retail development in the County retains and reinforces this hierarchy.
- 3.4.7 It is the role of the Local Plan to develop and establish a hierarchy of centres which reflects the scale of provision within the District and addresses the needs of the District and its population. The Structure Plan defines town centres as centres which "provide a wide range of facilities and services and which fulfil a function as a focus for both the community and for public transport". Applying this definition to settlements within the District results in Malvern, Tenbury and Upton being defined as 'Town Centres' both in the Structure Plan and for the purposes of this Plan.

- 3.4.8 Malvern is the principal shopping centre within the District and is comprised of three individual shopping centres. Great Malvern for the purposes of this Plan is regarded as a Town Centre. Malvern Link and Barnards Green are both classed as District Centres and consist of groups of shops containing at least one food supermarket and services such as financial and restaurants. The District Centres complement the Town Centres and address more localised needs, as such they contain more limited opportunities for new development than the Town Centres.
- 3.4.9 Malvern is the main location for retail activity in the District as well as the focus for commercial, leisure and entertainment and administrative services. However all three of the District's town centres principally serve a localised retail function with retailing provision being more limited in comparison with that available in larger settlements beyond the District boundary. The larger shopping centres of Birmingham, Worcester and Cheltenham are accessible to a large proportion of the District's population and there is substantial 'leakage' of retail expenditure from the district to these and other competing centres.
- 3.4.10 Great Malvern and Upton are also important centres for tourism and there is therefore scope in these centres to support speciality shops that can generate a wider catchment than the immediate local population.
- 3.4.11 A range of local centres complement the Town and District Centres and comprise small groups of shops of significance to the immediate locality. Local centres usually comprise a newsagents, a general grocery store, a sub-post office and other shops and services to meet the needs of local communities. Within Malvern, local centres are located at Malvern Wells, West Malvern, Link Top, Pickersleigh Road and Moat Way.
- 3.4.12 Local and Village Shops are also located throughout the District and perform a valuable function in meeting local community needs and reducing the need to travel.

#### **Assessment of Future Retail Requirements.**

- 3.4.13 To inform the policies and proposals of the Plan the District Council commissioned a district-wide retail study in 2002. Part of the study involved undertaking a health check assessment to establish the vitality and viability of each of the District's town centres. The assessment used both quantitative factors such as commercial yields, rents, diversity of users, accessibility, retailer representation, vacancies and qualitative factors such as attractions, accessibility and amenity.
- 3.4.14 In terms of their levels of vitality and viability in relation to their size and position in the sub regional shopping hierarchy, Great Malvern displayed "medium to high" levels, Malvern Link was "reasonably healthy", Barnards Green had "high" levels, Tenbury had "reasonably high" levels, Upton had "very high" levels.
- 3.4.15 The retail study also analysed the future retail capacity in the District for the remaining plan period for convenience goods (items required on a regular basis such as food), comparison (eg clothing and footwear) and bulky goods (eg electrical goods, DIY, and furniture). The study assessed whether there is a quantitative and qualitative need for additional retail floorspace in the light of projected population and incomes changes up to 2011. The assessment also had regard to the scale and function of the centres within the District's shopping hierarchy and the effects of other key retail centres which influence retailing within the District.
- 3.4.16 The analysis concluded that the five main centres perform reasonably well as local service providers but the provision of comparison goods is limited in relation to that available in larger towns and cities in the sub-regional hierarchy. The survey also found that the District is greatly influenced by retail centres located outside of the district where there is substantial 'leakage' of retail expenditure from within the district.

- 3.4.17 The Malvern Hills District Shopping Survey (2002) concluded there was no need in quantitative and qualitative terms to allocate land for a major food retail development within the District over the plan period. A qualitative need was identified in Malvern for a small deep discount store. Such a proposal would be required to demonstrate compliance with Policy EP9. In terms of comparison goods, there is little or no national multiple retailer demand, although there is capacity for new outlets in the District's town and district centres, that should be met primarily within Malvern town centre. Similarly, despite assessed capacity, there is little operator demand for additional bulky goods retailing in Malvern and qualitative need has been substantially met through development at the Three Counties Retail Park. The study concluded that the capacity for bulky goods comparison retail could be met in out-of-centre locations within the built up area of Malvern, without harming the vitality and viability of any centre, subject to appropriate restrictions being placed on the type of goods that can be sold.
- 3.4.18 As a result of the District Council's Best Value Review of Economic Prosperity, town centre regeneration has been identified as a priority. Work has commenced on the preparation of a Great Malvern Town Centre Strategy which will be aimed at revitalising the town centre and its economy.
- 3.4.19 The District Council has appointed a town centre officer whose role is to revitalise, enhance and better manage the town centres within the district.

## **Town and District Centres**

### **Policy EP9 - Town and District Centres**

- (1) Development for retail, commercial, residential or community facilities will be permitted within the defined Town Centres of Great Malvern, Tenbury and Upton and the District Centres of Malvern Link and Barnards Green as identified on the Proposals Map where the development proposals:**
- a) maintain or enhance the character and quality of the Town or District centre environment;
  - b) contribute to the vitality and viability of the Town or District Centre by maintaining or enhancing the diversity of uses;
  - c) are of a scale appropriate to the size of the centre and its catchment; and
  - d) make adequate servicing, parking, and access provision for vehicles as well as easy, safe and convenient access for cyclists, pedestrians and disabled persons.
- (2) Outside Town and District Centres retail, financial and professional services, food and drink, commercial leisure and entertainment uses including extensions to existing development will only be permitted where:**
- a) a need for the development can be demonstrated;
  - b) it can be demonstrated that the development cannot or could not be accommodated in the foreseeable future in the Town Centre or failing that on the edge of the Town Centre or failing both a District Centre, or failing all a local centre;
  - c) there will be no significant adverse impact either individually or cumulatively on the vitality and viability of existing Town and District Centres;
  - d) the scale of the proposed development is appropriate to the size of the centre and the catchment that it seeks to serve;
  - e) the site is accessible or capable of being made as accessible by a choice of means of transport similar to that found in a town centre location; and
  - f) the proposal does not materially prejudice the development of sites identified for other uses.

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Reasoned Justification

- 3.4.20 The District Council is concerned to ensure that the Town Centres retain their important retailing role and remain the focus for retail activity during the Plan period and that the District Centres continue to complement the Town Centres and address more localised needs.
- 3.4.21 Town and District Centres have been defined on the Proposals Map. Within such areas, new shopping and other appropriate uses such as residential and leisure and community uses such as healthcare facilities will be encouraged. The purpose of these centres is to provide a focus for shopping and commercial developments and other uses attracting high numbers of journeys. The boundaries have been defined with regard to the predominant uses occurring within each centre.
- 3.4.22 The boundaries of Town and District Centres include parts of each town within Conservation Areas which means that new development should be sensitively designed and be appropriate to the character of the Conservation Area. Siting, scale, design and landscaping of new development will be of particular importance in these areas. Policy EP9 has regard to the accessibility of locations for retail development. Upton is on the navigable section of the River Severn and visitors / shoppers arrive using water based transport as well as from other more usual modes and where appropriate this should be taken into account.
- 3.4.23 The District Council wishes to direct key town centre uses including retail, financial services, food and drink uses as well as commercial leisure and entertainment to appropriate sites located within the Town and District Centres. In accordance with national and strategic planning guidance, the sequential approach will be followed for the identification and assessment of sites for all key town centre uses. The preferred location for such uses is the Town Centre, then edge-of-centre, District Centre and only then local centres which are accessible by a choice of means of transport.
- 3.4.24 The Local Plan seeks to maintain and improve the role of the District's Town and District Centres. Out-of-Centre locations are clearly separate from Town and District Centres and can draw people away from such areas. They also tend to be highly accessible by car but less accessible by alternative means of transport. Proposals which would harm the vitality and viability of Town and District Centres will therefore be resisted.
- 3.4.25 The availability of suitable Town and District Centre sites and the need for significant new retail development will be key factors in determining appropriate locations. Firstly, proposals will be required to demonstrate a need for the development. If need is proven then they will be required to demonstrate that a genuine sequential approach to site selection has been followed and that all available options have been thoroughly assessed. The sequential test will apply to large-scale extensions to existing retail and other town centre uses which may impact on vitality and viability.
- 3.4.26 With regard to defining need, in accordance with government guidance (April 2003), greatest emphasis will be placed on demonstrating quantitative need, whilst acknowledging that qualitative need can also be a material consideration. Retail need should be justified separately for both comparison and convenience goods where the proposed development includes the sale of both types of goods.
- 3.4.27 The sequential approach outlined in this policy will also be applied to all other key town centre uses that attract large numbers of people. Depending on the scale and location of the proposed development, the District Council may request that proposals are accompanied by retail impact assessments where it is considered likely that the proposal will impact on a town and district centre's vitality and viability, and will always be required for retail proposals of 2,500m<sup>2</sup> or over. In order to protect the viability and vitality of existing centres, conditions may be imposed where necessary to restrict the range of goods to be sold.
- 3.4.28 In applying the sequential test applicants may need to be flexible about the format, design and scale of the development, including the disaggregation of proposals and amount of car-

parking, tailoring these to fit potential Town Centre sites. Edge of centre locations are defined as being those locations outside the Town Centre but within easy walking distance of the primary shopping area, that is, within 200-300m of the protected Shopping Frontages. The District Council will not encourage further retail expansion in edge-of-centre locations unless there is a clear and identifiable need which cannot be accommodated in the Town or District Centre in accordance with Policy EP9.

3.4.29 For clarification, proposals for the sale of bulky goods will also be subject to this policy and will not be considered as exceptions.

3.4.30 Under Policy DS5, the former garage, Worcester Road is allocated for a mixed use scheme for retail (Class A1) and residential (Class A3). Any proposals for retail use associated with this site will be required to be in accordance with the criteria set out in Policy EP9 and any other relevant policies. Proposals for other retail development which do come forward will be assessed against this policy and other relevant policies included within the Plan.

## Primary and Secondary Shopping Frontages

### Policy EP10 Primary and Secondary Shopping Frontages

**(1) Within the defined Primary Shopping Frontages, changes of use of ground floor premises from Retail (A1) to Financial Services (A2) and Food and Drink (A3) uses will be permitted where:**

- a) the proposal would result in no more than two non-retail uses being adjacent;
- b) the proposal would result in no more than 33% of units in non-retail use within that frontage; and
- c) a window display is maintained at all times.

**(2) Within the Secondary Shopping Frontages as defined on the Proposals Map, proposals for change of use from Retail (A1) to Financial Services (A2), Food and Drink (A3) and commercial leisure and entertainment uses will be permitted except where, they would adversely affect, individually or cumulatively, the vitality and viability of these areas.**

**(3) Within the Primary and Secondary Shopping Frontages residential development will not be permitted on the ground floor.**

### Reasoned Justification

3.4.31 An important element of the attractiveness of the Town and District Centres within the District is the provision of a wide range of shops within a compact area which helps to maximise choice and foster comparison shopping and competition. The District Council expects future development proposals to maintain or enhance the retail character of the defined centres.

3.4.32 Primary and Secondary Shopping Frontages have been defined for the District's Town and District Centres and are identified on the Proposals Map. Primary Shopping Frontages are located where Class A1 (Retail) uses (such as shops, post offices, travel agents, hairdressers, funeral directors, dry cleaners etc) dominate the street scene. The Local Plan aims to ensure that a predominance of retail uses is retained in these areas at ground floor level.

3.4.33 Secondary Shopping Frontages are characterised by a mix of retail and service uses eg banks, estate agents, building societies which are also important to the overall function of the Town or District Centre.

3.4.34 In recent years there has been increased concern about the impact of non-shopping uses on the shopping function of the Town and District Centres. Changes within the financial services and leisure sectors have meant that many Class A2 and Class A3 businesses seek either

prime retail positions close to major traders or good interceptor positions on important routes into the shopping area itself. Ground floor premises with window frontages are considered essential by such businesses to promote their corporate image but a proliferation of such uses can weaken the Class A1 retail function of a town or district centre. However, non-retail activities such as cafes can contribute to the overall attractiveness of the Town Centre, particularly when the activity extends into the evening, they often form part of a linked trip, and can offer visual interest within a frontage.

- 3.4.35 In recognition of the fact that Class A2 and A3 uses help attract shoppers the Policy supports the location of such uses in the Town and District Centres but aims to give retail uses a foothold in order to help maintain retailing as the primary function of these areas.
- 3.4.36 To avoid a clustering effect of non retail uses within the Primary Shopping Frontages which can affect the predominantly retail character of the area, it will be necessary to consider the use of units located on either side of the proposed site when determining applications for change of use. Care will also be taken to prevent the fragmentation of shopping frontages which can affect the attractiveness of a centre. Proposals including a change of use of units with a plot width of 10 metres or more will be subject to particular scrutiny.
- 3.4.37 In defining the Primary Shopping Frontages, the District Council is satisfied that adequate scope exists for non-shopping uses within the existing non-A1 premises located within Primary Shopping Frontages and within the Secondary Shopping Frontages.
- 3.4.38 Primary and Secondary Shopping Frontages have been defined on the Proposals Map. For the purposes of assessing Policy EP10 (criteria a) and b)), the lengths of Primary Frontage that will be considered are:

*Great Malvern:*

Belle Vue Terrace (west side)  
Worcester Road (west side)  
Church Street (north side)  
Church Street (south side)  
Abbey Road (east side)  
Church Walk (both sides)

*Malvern Link:*

Worcester Road/Richmond Road (north side)  
Worcester Road (south side)

*Barnards Green:*

Barnards Green Road (north side)  
Barnards Green Road/Court Road (south side)

*Tenbury:*

Teme Street (west side)  
Teme Street (east side)

*Upton:*

High Street (west side)  
High Street (east side)  
New Street (south side)  
Old Street (west side)  
Old Street (east side)

- 3.4.39 Within Secondary Shopping Frontages, a more flexible approach will be taken to the type of retail uses allowed in such areas. Proposals for the sale of hot food and drink will also need to satisfy Policy EP11.

## Food and Drink

### Policy EP11 Food & Drink Establishments

**Development of a restaurant, hot food take-away, public house or other uses falling within Class A3 of the Town & Country Planning (Use Classes Order) 1987 may be permitted where:**

- a) the proposal does not have a significant adverse impact on residential amenity by virtue of giving rise to new or exacerbating existing local problems arising from traffic generation, highway safety, noise, smell or other amenity considerations and**
- b) the means of dealing with the extraction of fumes is acceptable in terms of design and impact, particularly within Conservation Areas and proposals affecting listed buildings.**

### Reasoned Justification

- 3.4.40 Outlets selling hot food and drink are often found in or adjacent to shopping areas. In some cases such uses can support the retail uses, if they trade at similar times to the shops and other services. This is particularly so for day time cafes and restaurants, which can also support tourism.
- 3.4.41 However, such uses can also create “dead frontage” if only open in the evenings, and this is particularly so with uses such as hot food take aways, and can therefore adversely affect the vitality and viability of shopping streets. Where appropriate a suitable restriction of business hours or restriction to a particular activity within Use Class A3 will be imposed in order to minimise any adverse effects on residential properties.
- 3.4.42 There can also be problems for nearby residents with late night noise and fumes from take-aways and pubs. The District Council will look carefully at such uses and assess them against the impact on the shopping function and against residential amenity. Any clustering of such uses will also affect their impact and will therefore be considered against Policy EP10-Primary and Secondary Frontages which seeks to control the extent of non-retail uses.
- 3.4.43 Details of ventilation and fume extraction should be submitted with applications for restaurants and hot food take aways. Particularly within Conservation Areas and in Listed Buildings, regard will be paid to the design and impact of the means of extraction of fumes.

### **Upper Floors in Town Centres**

#### **Policy EP12 - Upper Floors in Town Centres**

- (1) Proposals for the use of vacant upper floors for office, small businesses or residential use within the District’s town and district centres, as identified on the Proposals Map will be permitted provided:**
- a) the appearance or character of the building or street scene would not be harmed; and**
  - b) the viability of the ground floor use is not threatened.**
- (2) Development which would prevent or inhibit the use of upper floors will not be permitted.**

### Reasoned Justification

- 3.4.44 Although some upper floors of shop premises located within the District’s Town and District Centres are currently in use for office, business or residential use, many upper floors are not used or are under-used at present.
- 3.4.45 The District Council wishes to encourage the active use of upper floors of premises within Town and District Centres. The re-use of neglected upper storeys can bring economic benefits and contribute to the vitality and viability of a centre. Residential uses particularly affordable housing would assist in meeting local housing need, ensure that town centre buildings remain in a good state of repair and ensure that centres remain populated outside business hours and increase security through greater presence of people. Their residential use can also help to reduce the need for residents to travel because of their proximity to jobs, services and public transport.

3.4.46 Policy ST3 adopts maximum car-parking standards for development. Occupants of accommodation above shops may well not be car owners or users, or may make use of town centre car parks, and therefore on-site car parking may not be required. Regard will be had to this, and to the benefits for town centre vitality and viability when considering planning applications and need to provide car parking.

### **Garden Centres and Farm Shops**

3.4.47 Over recent years there has been an increase in the number and popularity of garden centres and farm shops, both providing for shopping demands. The range of goods sold particularly in garden centres has been extended to include pets, gifts, food and drink, books and clothing. They often require large areas of land to accommodate buildings, car parking and areas for the sale and display of plants and other goods.

3.4.48 Farm shops can provide a useful local facility particularly in those rural settlements without a local shop. Garden centres and farm shops can contribute to the economic diversification of rural areas although by their commercial nature they can be visually intrusive due to their signage, display areas and car parks. Planning permission is not usually required for a farm shop which is ancillary to the main agricultural use, providing it sells only produce from the farm and a minimal quantity of other goods 'brought in'. However use as a farm shop selling a significant amount of produce from elsewhere is a separate use requiring planning permission.

### **Policy EP13 - Garden Centres and Farm Shops**

**(1) Proposals for new or the expansion of existing garden centres or farm shops will only be permitted provided that:**

- a) it is demonstrated that the development either individually or cumulatively with other development does not undermine the viability or vitality of nearby town centres or local shopping facilities;**
- b) existing buildings are used wherever possible;**
- c) the development is not intrusive within the landscape and;**
- d) the site or establishment is preferably accessible by public transport or other sustainable forms of travel.**

**(2) In the case of farm shops, the range of goods to be sold is restricted to foodstuffs, plants and rural craft products, produced locally. The creation of new or an extension of existing garden centres or farm shops in the open countryside and unrelated to a settlement will only be acceptable if it is clearly ancillary to and on the site of an existing horticultural business or existing farming operation.**

#### Reasoned Justification

3.4.49 Proposals for the expansion of existing or for new garden centres and farm shops will be carefully assessed, particularly where development is proposed outside defined settlement boundaries. Where necessary the Council will limit the range of goods sold by planning condition or agreement in the interests of protecting and not undermining the vitality and viability of existing town and local centres.

3.4.50 Proposals will need to comply with other policies of the Plan including Policy EP7 - Farm Diversification Schemes, Policy EP6 - Re-Use of Rural Buildings and Policy EP9 - Town and District Centres.

### 3.5 Tourism

- 3.5.1 Malvern Hills District relies heavily on tourism and with an increasing share of visitor expenditure spent on accommodation. Most often the closure of accommodation is for economic reasons and beyond the control of the District Council. However retention of existing tourism accommodation not only maintains bed spaces and choice for the tourist but can also reduce demand for new-build accommodation and will therefore be encouraged.

#### **Policy EP14 - Visitor Accommodation**

- (1) Proposals for new, or extensions or alterations to existing, hotels and guesthouses, self catering or other serviced visitor accommodation will be permitted within settlement boundaries.**
- (2) Outside settlement boundaries new build tourist accommodation will not be permitted. However proposals for the provision of new, or extensions or alterations to permanent serviced and self catering accommodation will be permitted where the proposal:**
  - a) is an extension which is compatible in scale and character with an existing tourism accommodation facility; or**
  - b) would result in the provision of ancillary accommodation within an existing public house, restaurant, or similar establishment; or**
  - c) would result in a change of use of suitable residential properties; or**
  - d) would result in a conversion of an existing rural building(s); and**
  - e) is in a location reasonably well served by public transport, or which could be made available, providing access to a range of services and local destinations.**
- (3) Exceptionally new build tourist accommodation may be permitted where it forms part of a farm diversification scheme, or adjoining the settlement boundary for Category 1 settlements where it is of a scale appropriate to the range of services and facilities within the settlement and physically related to an existing tourist or recreation facility within the settlement.**

#### Reasoned Justification

- 3.5.2 Accommodation for tourists can take a wide variety of forms from serviced accommodation such as hotels and Bed and Breakfast establishments, self-catering rented accommodation including flats, apartments and houses and other forms of accommodation such as Youth Hostels. Provision of tourist accommodation is part of a growing tourism industry and can make an important contribution towards sources of local income and employment. It can also help to support other services provided principally for the local community.
- 3.5.3 The main focus for new visitor accommodation, particularly large scale developments, should be the urban areas of Malvern, Tenbury and Upton, enabling residents and guests to have ready access to a range of services, facilities and public transport thus reducing the need to travel by car.
- 3.5.4 PPG21 – Tourism Annex A states that in considering all proposals, careful consideration should be given to the siting, scale and design, materials and landscaping of the proposal and that it should be in harmony with the local environment (taking account of noise, traffic and parking in the vicinity). The District Council will have due regard to these factors in considering applications for visitor accommodation. Where the District Council considers that there is potential for over development it may become necessary to limit development. Particular regard will be given to proposals in the AONB to ensure that any proposed development either by itself or cumulatively will not have an adverse affect on the character of the area.
- 3.5.5 In respect of proposals outside the boundaries of settlements referred to in Policy EP14 the focus of new provision should be on making the best use of existing accommodation through

re-use, extension or alteration. They should also have regard to the availability of public transport which enables access to be gained to other tourism destinations without the need to use the car.

- 3.5.6 Policies EP7 and EP14 provide opportunities for tourism accommodation to be provided as part of a farm diversification scheme and confined to the re-use or alteration of existing buildings. Exceptionally new build accommodation may be considered but it should be small scale and form a small proportion of the total visitor accommodation to be provided within the whole farm diversification scheme.
- 3.5.7 In exceptional circumstances new build accommodation may be permitted adjoining the boundaries defined for Category1 settlements which have good access to a range of services, facilities and public transport. Proposals should physically relate to a tourist or recreation facility which is already within the settlement but on or close to the boundary and where the proposal could not be accommodated without encroaching onto land outside the boundary.
- 3.5.8 The benefits of re-using existing buildings are well documented in Government guidance (PPS7 and PPG21) and in the Worcestershire County Structure Plan (Policy RST 14 -16). PPG21 - Tourism states that many buildings “can lend themselves well to adaptation and modernisation as hotels, motels or restaurants. To convert such buildings to compatible use can bring back an otherwise wasted asset – thus conserving a useful and often attractive building, improving a neglected site and helping the local economy”. The reuse and adaptation of large country houses as visitor accommodation is one way of bringing a property back into reuse provided that it complies with the criteria outlined in the Policy and other policies of the Plan. Proposals which involve the reuse of rural buildings will also need to comply with Policy EP6 - Reuse of Rural Buildings.

### **Policy EP15 - Static and Touring Caravans, Chalets and Camping Sites**

**Proposals for new or extensions or improvement of existing static and touring caravans, chalets and camping sites will only be permitted where:**

- a) **there is a proven need for the proposal;**
- b) **the site is not within an area of high flood risk;**
- c) **the site is visually unobtrusive and well screened from important local vantage points, public footpaths and roads;**
- d) **appropriate landscaping is provided within the site and around the site boundaries;**
- e) **the development is of a design, form and scale related to its setting and does not go beyond the capacity of the area to accommodate such sites in terms of landscape and infrastructure considerations;**
- f) **any new or improved facilities are of a scale directly related to the essential requirements of visitors on-site and are designed to a high standard with their form, mass, design and materials appropriate to the proposed function and the locality; and**
- g) **in the case of proposals for 10 pitches or more the proposal is within reasonable and safe walking distance of public transport services which provide reasonable access to a range of facilities, services and tourist destinations.**

#### Reasoned Justification

- 3.5.9 Static and touring caravans, chalets and camping sites contribute to the provision of self-catering accommodation and can assist the local economy. However, the Worcestershire County Structure Plan recognises that their development should not be at the cost of the environment which attracts visitors to the area (Policy RST18). PPG21 – Tourism Annex B reinforces this view and makes particular reference to the impact of holiday caravans in the open landscape and the need for special considerations for proposals in designated areas such as the AONB.

- 3.5.10 The District Council considers that the protection of landscape character, quality and appearance is of paramount importance when dealing with static holiday caravan and chalet proposals, particularly within the AONB and the AGLV. The individual and cumulative impact of proposals on the landscape, visual amenity and on the local transport network will form important considerations in determining proposals. Careful positioning and screening can help to minimise the impact. Open countryside locations should be avoided to minimise the impact on the landscape and to avoid traffic problems associated with accessing isolated sites. Wherever possible, proposals should be located close to an existing settlement, in a location which is visually unobtrusive and does not have a significant adverse impact upon residential amenity.
- 3.5.11 The District Council recognises that some proposals for caravan, chalet and camping accommodation serve the needs of those seeking a remote location away from the services and facilities which may be available in everyday life. However the concept of sustainability underpins the Local Plan and consequently the District Council considers that proposals for 10 pitches or more should have regard to the availability of public transport in the vicinity of the site. Visitors to the site should have the opportunity to access public transport and for such access to be within a convenient walking distance (400 metres). The services available should enable trips to be made for shopping and recreational purposes on a daily basis. In certain circumstances where such services may not be immediately available but there is a prospect of them becoming available the District Council would consider a developer contribution towards the improvement of local transport services.
- 3.5.12 Traffic generation and its impact on the local road network can also have a significant effect on the character of the landscape. Static caravans provide accommodation for people who rent the van for long periods or buy their own which is permanently stationed on land leased from the site operator. Such sites need not necessarily be located near major highway routes, but need to be served by a highway network capable of coping with the initial delivery of vans, service vehicles and the cars used by the caravan occupiers. Touring caravans on the other hand, consist of a space reserved for smaller towed caravans which are generally let on a short term and used as a base for exploring the area. Proposals should ensure that any traffic generated could be safely accommodated on the road network without the need to widen lanes or lose hedgerows.
- 3.5.13 A number of the existing chalet sites in the district lie in areas identified as flood plain. PPG25 Development and Flood Risk advocates that caravan and camping sites should not be permitted in areas of high flood risk.
- 3.5.14 Static caravans which remain on site all year round can generate the need for ancillary facilities such as shops, club houses and recreation facilities. These facilities should be restricted to that which is essentially required to service visitors and their design, scale and form should be in keeping with the existing site. Where such facilities are required in association with a new caravan site, consideration should be given in the first instance to the use of high quality temporary buildings, until it is clear that the use has become viable.
- 3.5.15 Proposals which involve the re-use of farm buildings for the provision of ancillary facilities relating to either static caravan or chalet development, possible as part of a farm diversification scheme, would be supported subject to other policy considerations. Reference should be made to policies EP6 and EP7 of the Local Plan.
- 3.5.16 To prevent the establishment of permanent residential development in the open countryside other than in accordance with Policy CN3 and CN4, any planning permission granted for holiday caravans and chalets will be subject to a condition restricting the length of any individual occupancy and the nature of the use.

## Marinas and Moorings

### Policy EP16 - Marinas and Moorings

- (1) Proposals for marina, boating stations and permanent moorings including new build structures or extensions to existing structures will be permitted where they:**
- a) will meet a proven need;
  - b) are required for the proper functioning of an existing or new facility or to enhance and improve access to the waterway;
  - c) pay regard to all potential users of the waterway and will not result in conflicting uses or unacceptable environmental consequences;
  - d) are located within or adjoining a settlement boundary or, in the case of moorings, at a location where there are existing authorised uses for mooring and boating facilities;
  - e) make provision for public access through the provision of new or enhanced footpaths or cycleways; and
  - f) in the case of moorings, are for short stay moorings subject to the number and capacity of existing provision, impact on the landscape and provision for access.
- (2) Proposals for permanent bankside moorings will need to demonstrate why they cannot be accommodated in new or extended marinas or basins.**

### Reasoned Justification

- 3.5.17 The use of waterways can provide opportunities for both recreational and tourism activities which will be of benefit both to the community and economic activity within the District. However, this needs to be balanced against the need to protect the river and the surrounding areas from environmental damage. The Council will therefore, where appropriate seek advice from the Environment Agency and British Waterways on the need for a proposal and whether it is likely to create an unacceptable impact either individually or cumulatively.
- 3.5.18 Of the two rivers running through the District only the River Severn is navigable, with river-based development at Astley Burf, Shrawley, Grimley, Clerkenleap, Kempsey and Upton.
- 3.5.19 A marina is an area which can contain a large number of basin moorings with supporting facilities such as sales and repair facilities, chandlery, club house, car parking and a sewage disposal point. They may also offer a full range of boat storage and shore facilities for the boat user and are a prime focus for river traffic. New development may be required to contain similar facilities required for day-to-day operation and working of the marina. Such development can have an urban appearance and generate significant road traffic movements and is generally considered inappropriate in rural areas. Within or adjoining an existing built-up area, however, a marina can, if well designed, be a positive asset. The District presently has one marina at Upton-upon-Severn.
- 3.5.20 Boating stations consist of off-river moorings under shore surveillance with facilities concerned with running repairs and the maintenance of river craft, together with sewage disposal point and fuel and freshwater supplies.
- 3.5.21 Travelling boat users require short stay or overnight moorings for replenishing supplies, sight seeing etc., where the only facilities necessary are mooring posts and preferably public footpath access. In order to meet traveller requirements, short stay mooring will be permitted in the locations referred to above and historically used for this purpose where they can be accommodated without harm to the character of the river and the local area. Lines of permanent moorings can be visually intrusive and will not normally be permitted. Off river moorings, however, in basins and 'cuts' may have less visual impact and would aid the flow of the river and river traffic.

3.5.22 Where appropriate the District Council will seek advice from the Environment Agency, British Waterways and other agencies in order to determine the need for a proposal and on whether it is likely to create an unacceptable impact either individually or cumulatively.

3.5.23 Any proposals for associated buildings will need to comply with Policy CN14 – Recreation, Sports and Leisure Facilities.

### **3.6 Site Specific Policies**

#### **Edith Walk, Malvern**

##### **Policy EP17 Land at Edith Walk, Great Malvern**

- (1) Land at Edith Walk, Great Malvern (as shown on the Proposals Map) is proposed for redevelopment and allocated for a range of town centre related uses in order to promote the regeneration and enhancement of Great Malvern Town Centre.**
- (2) Proposals for the redevelopment of the site will be required to include an element of retail use, but may also include a mix of commercial, leisure and community uses.**
- (3) The inclusion of residential use within the redevelopment of the site will be permitted only where it is ancillary to the main use or uses and will be restricted to upper floors only.**
- (4) Proposals will be required to demonstrate that:-**
  - a) special attention has been given to the need to preserve or enhance the special qualities of the Great Malvern Conservation Area, the setting of adjacent Listed Buildings and views from the Malvern Hills (due to the site's prominent location);**
  - b) safe and efficient access and service arrangements can be provided for both the proposed development and existing premises which surround the site;**
  - c) the development will provide improved facilities for pedestrians and safe and attractive pedestrian linkages between Church Street, Belle Vue Terrace, Worcester Road and the existing Waitrose superstore;**
  - d) safe and efficient arrangements for the management of traffic which minimise potential conflict between vehicles and pedestrians;**
  - e) new development will create appropriate and attractive frontages to Edith Walk and along pedestrian links to Church Walk;**
  - f) active consideration has been given to the access requirements of those with mobility disabilities;**
  - g) provision has been made to encourage walking, cycling and public transport, and to off set any loss of town centre car parking which may arise due to the development (developer contributions for car parking in lieu of on-site provision may be acceptable depending on the nature of the scheme and the proposed uses); and**
  - h) development will not prejudice or prevent the comprehensive redevelopment of the site or the proper planning of the area.**

##### Reasoned Justification

3.6.1 The Edith Walk site was identified in the Great Malvern Town Centre Strategy published by the District Council in 1996 as an opportunity for new retail development in the town centre. Furthermore, its redevelopment accords with the current efforts of the District Council and its partners to support the regeneration and economic performance of retailing in the Town Centre.

3.6.2 The site is broadly defined as the area of land and buildings adjoining the Waitrose superstore and to the rear of The Foley Arms Hotel, extending southwards to Edith Walk, Church Walk and the rear of the retail and commercial premises in Church Street. The area

slopes steeply west to east down to the important walkway, which extends from the Waitrose car park to Church Walk and Church Street. All of the area is within the Great Malvern Conservation Area and there are a number of protected trees within the site.

- 3.6.3 A significant part of the area is currently used for both public and private car parking. To the south of Edith Walk there is a short stay public car park, owned and managed by the District Council through which access is gained to a number of small private car parks and service areas to the rear of the shops in Church Street. Other uses in this area include a small tyre depot, public conveniences and an electricity substation. Much of the area to the north of Edith Walk is used for private car parking in connection with the Foley Arms Hotel.
- 3.6.4 In planning terms the site is in a key location within the town centre being adjacent to retail, commercial and residential uses. It lends itself to redevelopment for a range of town centre uses and preferably a mixed development.
- 3.6.5 Residential development is generally encouraged by the Local Plan within the town centre. However, in this particular location ground floor uses that will increase footfall and interest in this part of the town centre are required. Consequently, residential development will only be permitted on upper floors in accordance with Policies EP10 and EP12 of the Plan.
- 3.6.6 Any scheme will need to address existing rear service arrangements and car parking, and possibly create additional servicing opportunities, which would reduce on-street servicing in Church Street.
- 3.6.7 Redevelopment proposals will be expected to address the opportunity to enhance existing pedestrian links and create additional links through to Church Street, particularly at its upper end.
- 3.6.8 In design terms, the area presents an opportunity for an innovative scheme, which promotes strong pedestrian movement and activity between the Waitrose superstore and Church Street along Church Walk. Opportunities exist for a creative scheme to take maximum advantage of the various changes in levels across the site and possibly establish additional links to the Church Street frontage. However, this does require that specific attention is given to the needs of those with mobility problems and the needs of the town's ageing population.
- 3.6.9 Opportunities may exist to establish or enhance additional links to Church Street.
- 3.6.10 Consideration will be given to establishing a strong focal point for the scheme, which may include the creation of a new public space adjacent to Church Walk which is well overlooked at all times of the day and will be associated with pedestrian routes.
- 3.6.11 The site's location within the Great Malvern Conservation Area and the proximity of Listed Buildings mean that any redevelopment will be required to preserve or enhance the character and appearance of the Conservation Area. However, this need is increased given the prominence of the site, both elevated above Graham Road and overlooked by views from the slopes of the Hills. The latter point will require particular attention to be given to creating a roofscape, which is sympathetic to surrounding buildings and of interest.
- 3.6.12 The District Council may consider developer contributions towards additional car parking in lieu of on site provision where it would assist in bringing forward an appropriate and innovative scheme, which is acceptable in all other respects.
- 3.6.13 The site is in multiple ownership and land assembly will require considerable negotiation and co-operation. The District Council will endeavour to assist in this process where appropriate and where resources and its powers permit.
- 3.6.14 Given that the site is multiple ownership there is likely to be pressure for incremental development and changes to meet the needs of existing businesses and land owners. However, in order to ensure that the development and regeneration opportunity represented

by the site is maintained the District Council will consider development proposals both within and adjoining the site against the objectives of the above policy. The District Council may therefore consider refusing planning applications, which are not in the interests of the proper planning of the area.

3.6.15 Land at Edith Walk can be found on Inset Map No. 1.1, OS reference 7755 4604. The site allocated under this policy is 0.73 hectares.

## Tenbury Cattle Market

### Policy EP18 Tenbury Cattle Market / Teme Street

- (1) Proposals for the redevelopment or alternative use of the Tenbury Cattle Market Site and premises fronting Teme Street (as shown on the Proposals Map) will be required to demonstrate that:-**
- a) development will support, complement and enhance the overall retail vitality and the continued economic viability of Tenbury Town Centre;
  - b) appropriate pedestrian links and signage will be provided to encourage pedestrian movement between the site and Tenbury Town Centre as a whole;
  - c) safe and efficient arrangements for the management of traffic which minimise potential conflict between vehicles and pedestrians (having particular regard to the provision of access arrangements for service vehicles entering the site from Teme Street);
  - d) consideration has been given to the enhancement of the site's frontages with Teme Street and the River Teme (including enhancement of the River Teme riverside walk and connections to it);
  - e) development accords with the advice of the Environment Agency and includes measures to minimise flood risk.
- (2) Redevelopment or alternative use of the site for retail, commercial, recreation, leisure and community uses, either singly or as a mixed use proposal will accord with the site's location within the boundary of Tenbury Town Centre. However, proposals for all forms of acceptable development and specifically retail development will be required to be of a scale appropriate to the needs and capacity of the location and should not undermine sustainable transport objectives.**

### Reasoned Justification

3.6.16 The Tenbury Cattle Market site is located on the north eastern edge of the Town Centre and is partly within the Tenbury Conservation Area. Access to the site is from Teme Street close to the bridge over the River Teme. The close proximity of the site to the shopping and commercial area could be of significant benefit to the vitality of the town centre through redevelopment or alternative use. The site continues to be used as a market albeit on an infrequent basis.

3.6.17 Although the current use of the site is acceptable in planning terms and is of economic benefit to the town, the Local Plan recognises that the site has potential for alternative uses, which may need to be considered during the Plan period.

3.6.18 Policy EP18 ensures that redevelopment of the site or its alternative use, together with premises fronting Teme Street has regard to the constraints and opportunities represented by the site.

3.6.19 The site's location within the Tenbury Town Centre boundary, means that, in principle, a wide range of town centre related uses are likely to be acceptable on the site. However, the District Council believes that alternative use of the site must be of a scale, which supports Town Centre regeneration as whole and is within the capacity of the location to accommodate proposed development. Furthermore, it is essential that effective links are established

between the site and the Town Centre as a whole to ensure the integration of any new development both physically and visually, utilising existing premises and frontage gaps where appropriate.

- 3.6.20 Key to this process will be the preservation and enhancement of the Tenbury Conservation Area and in particular the establishment of lively and prestigious frontages with Teme Street and the River Teme itself (along the riverside walk). At present much of the Cattle Market site is screened from Teme Street by existing buildings which do not preserve or enhance the Conservation Area. The District Council will therefore encourage proposals, which address both the Cattle Market Site and existing frontage buildings as part of a combined and innovative proposal.
- 3.6.21 Any redevelopment or alternative use of the site shown on the Proposals Map will need to pay due regard to car parking requirements associated with the proposed development and wider car parking pressures within the Town as whole.
- 3.6.22 Flooding, is a fundamental consideration since the site lies within the Flood Zone (Appendix 8) associated with the River Teme. PPG25 states that for areas within Zone 3 an 'appropriate minimum standard of defence' would be required" (see Zone 3 of Table 1 (Para 30) of PPG25). Consultations with the Environment Agency indicate that there are difficulties with achieving any new development, which would be of no detriment to flood flows or flood storage capacity on the site. Consequently, any new development proposals would need to be accompanied by a flood risk assessment in accordance with PPG25 which should determine:-
- i) The 1% Annual Probability Flood Level;
  - ii) The impact of climate change, i.e. +20% on peak flows;
  - iii) The mechanism and characteristics of flooding to the site; and
  - iv) Details of the volume of water likely to be displaced from the site following development of the site and consideration of how the displaced water will impact elsewhere.
- 3.6.23 The Environment Agency consider that the technical, financial and environmental aspects of necessary measures likely to be incorporated into acceptable design, mean that residential use of the site is unlikely to be achievable. This position however, can only be determined following a flood risk assessment. In addition to the above an assessment would need to demonstrate that a suitable dry pedestrian access route can be maintained for each unit of residential accommodation proposed on the site to an area beyond 1% Annual Probability Floodplain.
- 3.6.24 With regard to commercial or community uses, a flood risk assessment would still be necessary. However providing the proposed development is not regarded as 'essential infrastructure', there will be less stringent requirements for pedestrian access.
- 3.6.25 The District Council will encourage the provision of improved access to the river frontage from Teme Street by the inclusion of public open space as an extension of the existing amenity land to the east of the site.
- 3.6.26 Tenbury Cattle Market can be found on Inset Map No. 2.1, O.S. Reference 5964 6850. The site area shown on the Proposals Map is 0.85 hectares.

## Land off Pickersleigh Road, Malvern

### Policy EP19 Land off Pickersleigh Road, Malvern

Land off Pickersleigh Road (1.86 Hectares), as shown on the Proposals Map, is allocated for mixed use development to aid the regeneration of Pickersleigh (formerly Langland) Ward.

The following uses will be permitted as part of the redevelopment:

- Health and Community Uses: Class D.1 (a) and D.1 (b)
- Housing where a satisfactory living environment will be created :Class C.3
- Light Industry: Class B1 (c)

Proposals for the redevelopment of the site in accordance with the proposed mix use allocation will need to demonstrate that development will not prejudice or prevent the comprehensive redevelopment of the site and that proposed uses can be satisfactorily accommodated in relation to existing neighbouring buildings and land uses.

### Reasoned Justification

- 3.6.27 The allocated site currently accommodates the District Council's depot and Tavern Works (currently occupied by a Phoenix Heating Supplies). The site is located within the Pickersleigh Ward although prior to a recent review of boundaries (2003) it was within Langland Ward.
- 3.6.28 The District Council currently owns the allocated site and in June 2003 the District Council agreed to negotiate over the sale of 0.8 hectare of the Depot site with South Worcestershire Primary Care Trust for health and medical uses within Class D.1 (a). Furthermore, the District Council is currently developing options for the future use of the Depot site which will incorporate a joint surgery/health centre whilst having regard to its own operational requirements and the requirements of its Asset Management Plan. This process will inevitably include assessment of the possible relocation or rationalisation of the depot function which is currently accommodated in outworn buildings which are likely to be difficult to renovate for continued operation as a depot.
- 3.6.29 The possible redevelopment of the allocated site represents a significant redevelopment and regeneration opportunity.
- 3.6.30 Langland Ward was identified in the Malvern Hills Crime and Disorder Audit (2002 - 2005) as experiencing the highest levels of crime and disorder in the District, it also experiences some of the highest levels of deprivation in the District. The Malvern Hills Community Safety Strategy identified Langland as a "Vulnerable Community."
- 3.6.31 Planning for Real techniques were used in March 2000 to promote an inclusive approach to community consultation about the possible regeneration of the area. This process resulted in the production of the Langland Regeneration Strategy and a related Action Plan, which identified eight key themes. These were traffic and transport; the local environment; leisure, crime and safety; housing; community facilities; work, training and the local economy; and health. A multi-agency working group and a wide range of other organisations and groups support the Strategy and Action Plan.
- 3.6.32 Whilst the Langland Regeneration Strategy does not specifically address the allocated site. The District Council believes that redevelopment of the site for mixed uses which could include health, community and housing uses, along with those employment uses which can be accommodated within this primarily residential area, would assist in supporting the regeneration of the area.

- 3.6.33 The redevelopment of the depot and its continued operation either within a mixed use scheme or in isolation should be considered against Policy EP4 (Design Standards for Employment Sites) and give due regard to the effects of development upon adjacent land uses and particularly the amenity of residents (both new and existing).
- 3.6.34 The District Council is aware of the possible contamination on the allocated site as a result of past and present uses. Consequently, any planning application for the redevelopment of the site will need to be accompanied by a full investigation of potential contamination and a programme for its remediation.
- 3.6.35 There is a significant difference in levels across part of the site and likely to be a need to rationalise the number of existing access points to the site. Consequently, in the interests of highway safety, any detailed proposals for the redevelopment of the site, shall indicate how a comprehensive redevelopment of the site can be achieved.

### Land at Seaford Court (Malvern Community Hospital)

#### Policy EP20 Land at Seaford Court (Malvern Community Hospital)

- (1) Land at Seaford Court (located at the junction of Worcester Road and Osbourne Road, Malvern) is allocated for the development of a Community Hospital (within Use Class C2) and the provision of health services / other uses directly related to the proposed hospital use.**
- (2) Land at Seaford Court will be safeguarded for use as a Community Hospital indefinitely and the use of the site (either in whole or part) for alternative development or use will not be permitted unless it can be clearly demonstrated that:-**
- a) the land is genuinely surplus to requirements of the Health Authority with respect to meeting the future health care needs of the area in the longer term;
  - b) commensurate or alternative health services have been provided at another location or locations within Malvern;
  - c) the proposal represents genuine enabling development required to bring forward the provision of the Community Hospital and that it is compatible with the primary use of the site and the surrounding area. In order to be acceptable proposals will also need to demonstrate that, in addition to meeting other Local Policy requirements, they will not constrain the provision of the full range of health services which could be provided by a Community Hospital on the site in the longer term.
- (3) Development proposals for Seaford Court and the surrounding land should reflect the character of the Trinity Conservation Area, the existing building line and form of development along Worcester Road and maximise the location's potential to enable journeys to the site by means other than the private car.**
- (4) Seaford Court (the existing main building) should be retained and re-used unless it can be adequately demonstrated that the building and its setting cannot be accommodated within proposals for the comprehensive development of the site to provide a community hospital. Proposals for the demolition of Seaford Court will only be permitted if detailed proposals for the re-use of the site, including any replacement buildings, car parking and other structures have been approved.**

#### Reasoned Justification

- 3.6.36 The South Worcestershire Primary Care Trust (SWPCT) has confirmed (1<sup>st</sup> April 2003) that, notwithstanding funding requirements, it continues to plan on the basis that a new Malvern Hospital will be developed on the Seaford Court site. Consequently, the Local Plan seeks to ensure that the site is safeguarded for this intended use. The site is currently within the

ownership of the SWPCT and therefore, any proposals for the site are likely to be consistent with the stated aims of that organisation.

- 3.6.37 It is essential however, that possible incremental development of the site for alternative uses does not prejudice the ability of the site to accommodate the proposed Community Hospital within the Plan period. Doubt over proposals, either for enabling development or other health service related uses, which might ultimately constrain the development of a Community Hospital, will lead to such proposals being resisted. Particular attention will be given to proposals which significantly reduce the developable area needed for Community Hospital use or which propose establishing a use, which may be ultimately difficult to accommodate within a hospital complex. In order to judge whether land proposed for enabling development is genuinely surplus, the District Council will require the submission of a comprehensive scheme for the development of a community hospital, including proposed arrangements for vehicular and pedestrian access, parking and landscaping.
- 3.6.38 Where enabling development is proposed the District Council will seek the disclosure of financial information to provide evidence of the need for such enabling development and its direct linkage to the provision of the proposed Hospital. The requirements of the policy to maximise the sustainable transport potential of the site will also extend to any proposed alternative or enabling development.
- 3.6.39 The site includes Seaford Court and a range of other outbuildings. The existing buildings are not currently listed but they are significant buildings within the Trinity Conservation Area. The Court is typical in its form and design of the historic pattern of building along Worcester Road and therefore contributes to the qualities and characteristics of the Conservation Area.
- 3.6.40 The Court itself is in a poor state of repair. Nevertheless, if possible and practicable the District Council wishes to see the main building re-used in association with the proposed health use. However, consideration may be given to alternative or enabling development within the Seaford Court building if this secures the long-term future of the building and it can be accommodated without constraining the development of the Community Hospital. If following detailed evaluation of the condition of the building and its compatibility with the proposed use for the site, demolition can be justified the District Council may give consideration to its removal. However, redevelopment of such an important site within the Trinity Conservation Area will require a scheme of a particularly high design quality. Development will be required to reflect the character of the Conservation Area and the present buildings at Seaford Court and will result in a positive enhancement of the Conservation Area as a whole.
- 3.6.41 The site is located adjacent to Malvern Link railway station, has ready access to a bus services, which could be further enhanced, and is within easy walking distance of the Malvern Link centre, reasonable walking distance of surrounding residential areas and the edge of Malvern Town Centre. Such credentials endorse the suitability of the location for Community Hospital use. However, it is essential that the development through its design, approach to car parking and by positively encouraging access to services by means other than the private car maximises facilities and opportunities for public transport, walking and cycling. Development proposals will be expected to investigate how the development of the site can be directly integrated with enhanced public transport facilities and access at Malvern Link station.
- 3.6.42 Seaford Court can be found on the Proposals Map on Inset Map 1, OS reference E: 378119 N: 247414. The allocated site area is 1.3 hectares.

## Three Counties Showground

### Policy EP21 - The Three Counties Showground

- (1) The development and redevelopment of facilities and infrastructure directly related to the operation of the Three Counties Showground (TCS) (within the area defined on the Proposals Map) will be permitted if:
- a) it can be demonstrated that the development is directly related to and necessary for the continued economic operation in performing its intended primary role as a rural showground for displays, shows, and other activities related to agriculture, horticulture, equestrianism and other countryside pursuits, and which would not thereby encourage or require the location or relocation of activities more appropriate to a town centre, main urban area or rural settlement;
  - b) the scale, form and design of any buildings and infrastructure will not harm the natural beauty of the landscape (which will include special attention to views within and into the Malvern Hills AONB and specifically views from the Malvern Hills).
  - c) proposals demonstrate a comprehensive approach to the location, design and landscaping of new buildings and infrastructure which seeks to integrate the site as a whole within the wider landscape and rationalise the existing ad hoc arrangement of buildings and showground structures; and,
  - d) it can be demonstrated that the proposed development can be readily accommodated within the existing road infrastructure and is accompanied by measures, which will seek to reduce reliance upon the private car and encourage the use of public transport, cycling and walking by both staff and visitors to the site.
- (2) Proposals for development beyond the extent of the TCS identified on the Proposals Map will be considered in accordance with other Local Plan policies which address development within the open countryside and where appropriate the Malvern Hills AONB. Permission may be granted for small-scale development beyond the extent of the site identified on the Proposals Map providing that can be adequately demonstrated that:
- a) the development is essential to the operation of the TCS (as defined in (a) above) and cannot be accommodated within the area identified on the Proposals Map;
  - b) it will not result in pressure for additional permanent structures and development within the open countryside and that visitors and users of the new development will be able to readily and safely access and use facilities on the main TCS site;
  - c) it can be sited and designed in such as way that is informed by, and sympathetic to, the landscape character of the area.

**In general any new development approved in accordance with 2a-c above will be sited adjacent to, and as close as possible to, the boundary of the TCS shown on the Proposals Map.**

#### Reasoned Justification

3.6.43 The Three Counties Showground (TCS) was established in the 1950's as a central venue for the principal agricultural show for Worcestershire, Herefordshire and Gloucestershire. In more recent years the use of the site has expanded beyond its original agricultural based activities and accommodates a range of recreational and commercial activities and events. The site is a major attraction and facility within the District, and ensuring a sustainable and viable future for the TCS is important to the economy of Malvern Hills District and beyond.

3.6.44 However, the main thrust of planning policy relating to major commercial uses such as the TCS within the open countryside remains one of tight restriction. In the case of the TCS there have been additional policy restrictions placed upon it by the inclusion of the main operational area of the TCS within the Malvern Hills AONB which was designated in 1959. Such

designation means that major commercial development should only be considered exceptionally and will be subject to the most rigorous scrutiny.

- 3.6.45 There is need to consider carefully how the TCS can continue to perform its intended primary role without undermining established land use policies and guidance. Specifically policies and guidance seeking to protect the open countryside, the special landscape qualities of the Malvern Hills AONB and directing most forms of development which will attract high numbers of visitors towards sustainable locations. Care must be taken when assessing proposals for the expansion or redevelopment of facilities on the TCS to ensure that the proposal is directly related and necessary to support the successful operation of the TCS. If such clear links cannot be demonstrated, major proposals should be directed in accordance with other development plan policies to a main urban area or rural settlement, or specifically to a Town centre location.
- 3.6.46 Given the ad hoc expansion of activities, events and development on the TCS showground to date it is essential that any future development can be accommodated within the capacity of the site, landscape and infrastructure network to satisfactorily address such change.
- 3.6.47 The TCS is not utilised for all of the year, either fully or in part. Consequently many of the buildings and much of the showground infrastructure is clearly visible, given limited tree planting on the perimeter of the site. Any new development or redevelopment needs to address the overall landscaping of the site and include proposals, which would aid the assimilation of the site into the landscape and reduce the visual impact of the site infrastructure
- 3.6.48 Proposals that are likely to exacerbate existing problems and concerns, such as loss of amenity for residents both near, and on routes to, the TCS due to noise, dust and traffic, where no formal proposals for amelioration of such impacts are proposed, will be resisted.
- 3.6.49 The District Council has recognised for some time that the development of an agreed Management Plan for the longer term operation and development of the TCS would provide a useful mechanism for assessing development proposals as an addition to development plan policies. Public acceptance of any Management Plan is likely to be increased if the plan is subject to comprehensive public consultation and participation.
- 3.6.50 The TCS can be found on Proposals Map Inset Map No. 1, OS map reference 7866 4278. The area of the site shown on the Proposals Map is 38.62 hectares.