

# Public Document Pack



Chairman and Members of the  
Development Management  
Committee

Your contact: Peter Mannings  
Extn: 2174  
Date: 9 January 2017

cc. All other recipients of the  
Development Management  
Committee agenda

Dear Councillor,

## **DEVELOPMENT MANAGEMENT COMMITTEE – 11 JANUARY 2017**

Please find attached the following reports which were marked “to follow” on the agenda for the above meeting:

5. Planning Applications and Unauthorised Development for Consideration by the Committee
  - (B) 3/16/1335/FUL – Erection of a 66 bed, 3 storey care home for the elderly with associated landscaping, parking and access at Land at former Sainsbury's Depot site, London Road, Buntingford, SG9 9JR for LNT Care Developments\_(Pages 3 – 22)

Recommended for Approval.

7. Items for Reporting and Noting (Pages 23 – 24)

(D) Planning Statistics

Please bring these papers with you to the meeting next Wednesday.

Yours faithfully,

Peter Mannings  
Democratic Services Officer  
East Herts Council

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**MEETING** : DEVELOPMENT MANAGEMENT COMMITTEE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : WEDNESDAY 11 JANUARY 2017  
**TIME** : 7.00 PM

## DEVELOPMENT MANAGEMENT COMMITTEE – 11 JANUARY 2017

<b>Application Number</b>	3/16/1335/FUL
<b>Proposal</b>	Erection of a 66 bedroomed 3 storey care home for the elderly with associated landscaping, parking and access
<b>Location</b>	Former Sainsbury's Depot, London Road, Buntingford, SG9 9JR
<b>Applicant</b>	LNT Care developments
<b>Parish</b>	Buntingford
<b>Ward</b>	Buntingford

<b>Date of Registration of Application</b>	8 June 2016
<b>Target Determination Date</b>	7 September 2016
<b>Reason for Committee Report</b>	Major Planning Application
<b>Case Officer</b>	Liz Aston

### **RECOMMENDATION**

That planning permission be **GRANTED** subject to a legal agreement and conditions set out at the end of this report.

#### **1.0 Summary**

- 1.1 The proposal seeks planning permission for the erection of a 66 bed care home (use class C2). The site is currently allocated in the adopted Local Plan as an employment site and specifically for use class B8 purposes. Planning permission has been granted (as part of the redevelopment of the wider Depot site) for the use of the site for use class B1 and D1 development (ref. 3/15/0300/OUT), and the site is allocated in the emerging District Plan for use classes B1(a), B1(c) and/or D1 uses. The proposal would therefore be contrary to these policies.
- 1.2 However, the proposal would create around 50 full time equivalent jobs, which is broadly the same number of jobs as a B1(c) development. The development would also create a wide range of jobs (management and administration, nursing staff, carers, catering, cleaning and laundry services). Furthermore, a need for elderly care home beds has been identified, and emerging policy HOU6 of the District Plan encourages the provision of specialist housing for older and vulnerable people.
- 1.3 The proposed development is considered to be of an appropriate design and appearance and by reason of its set back from London Road and the existing landscaping along this boundary, would not

result in significant harm to the character and appearance of the street scene and its surroundings.

- 1.4 The proposal will result in a change to the outlook currently afforded from the existing dwellings to the north and those currently under construction to the east. However, having regard to the distance retained to these dwellings (over 20 metres), it is not considered that the proposal will result in a significant harmful impact in terms of overlooking, loss of privacy or overbearing impact.
- 1.5 The proposal is also considered to be acceptable from a highways context.

## **2.0 Site Description**

- 2.1 The application site lies towards the southern boundary of Buntingford. The site was previously occupied by a distribution depot, but following the grant of permission in 3/15/0300/OUT for the redevelopment of the site, it has been cleared and construction of residential development has commenced on land to the north and east of the application site.
- 2.2 The site which is the subject of this application is currently vacant. It is bounded to the north and east by the residential development which is currently under construction. The site is bounded to the west by London Road and to the south by an existing access to the site from the A10. There is existing mature landscaping along the western boundary of the site.

## **3.0 Background to Proposal**

- 3.1 The application seeks permission for a 66 bed care home with communal lounge areas on each floor. Communal landscaped areas are proposed, along with the provision of 21 car parking spaces.
- 3.2 Planning permission has been granted for the redevelopment of the wider Sainsbury's Depot site (ref. 3/15/0300/OUT). This application granted permission for the site, which is the subject of this application, to be used for commercial purposes (use classes B1 and D1).

## **4.0 Key Policy Issues**

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the pre-submission East Herts District Plan 2016, the adopted East Herts Local Plan 2007 and the emerging Buntingford Community Area Neighbourhood Plan (BCANP):

<b>Key Issue</b>	<b>NPPF</b>	<b>Local Plan policy</b>	<b>Pre-submission District Plan policy</b>	<b>Buntingford Community Area NP</b>
Principle of development and loss of land for B1 and D1 purposes	Section 6	SD2, EDE1, BUN5	ED1 BUNT3	BE1, BE6, HD1
Provision of housing to meet specific care home need	Section 6		HOU1, HOU6	HD7
Visual Impact	Section 7	ENV1	DES3	HD2, HD4
Neighbour Impact	Para. 17	ENV1	DES3	HD2
Highways and Parking	Section 4	TR7	TRA1, TRA2, TRA3	T6

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

- 4.2 The independent examiner's report of the Buntingford Community Area Neighbourhood Plan was published on 8<sup>th</sup> November 2016, and the report recommends that, subject to modifications, the Neighbourhood Plan should proceed to a referendum. The Council is in the process of considering the examiner's report and will issue a decision notice shortly regarding what modifications should be made to the plan and whether it is agreed that the plan should proceed to referendum. Having regard to the stage of preparation of the plan, some weight can now be attached to the policies within it

## **5.0 Emerging District Plan**

- 5.1 The Council resolved to proceed to the publication of its pre-submission version of the District Plan at the meeting of Council of 22 Sept 2016. Consultation on the Plan has recently been completed and the detail of the responses is now being considered by Officers. The view of the Council is that the Plan has been positively prepared, seeking to ensure significantly increased housing development during the plan period. The weight that can be assigned to the policies in the emerging plan can now be increased, given it has reached a further stage in preparation. There does remain a need to qualify that weight somewhat, given that the detail of the responses to the consultation is yet to be considered.

5.2 It may be possible, at the meeting, for Officers to be in a position to provide further advice to Members with regard to the policies in the emerging plan that have not been subject to comment during the consultation period. Officers are also undertaking a further assessment of housing land supply, through the annual Authority Monitoring Report, the outcome of which will be reported to Members at the meeting if it is available.

## **6.0 Summary of Consultee Responses**

6.1 HCC Highway Authority has commented that it does not wish to restrict the grant of permission subject to conditions relating to provision of all on site vehicular areas prior to the commencement of the development and the provision of a construction traffic management plan.

6.2 Lead Local Flood Authority originally objected to the application, but following the submission of additional information has commented that the applicant has now provided a suitable surface water drainage scheme and recommends a condition requiring the development should be carried out in accordance with the Foul and Surface Water Drainage Strategy Revision A (August 2016).

6.3 Environment Agency has no comments to make on the application.

6.4 EHDC Engineering Advisor commented originally that additional information was required in respect of the proposed surface water drainage scheme. Following the receipt of additional information the advisor has commented that sufficient information has now been provided and that the attenuation pond is considered as Green Infrastructure Sustainable Drainage Systems as it provides flood storage, water quality improvements and amenity/biodiversity areas as part of the drainage solution.

6.5 Thames Water has commented that it is the responsibility of the developer to make proper provision for surface water drainage, and it is recommended that storm flows are attenuated or regulated into the receiving public network through on or off site storage. It comments that no piling shall take place until a piling method statement has been submitted and approved by the Local Planning Authority. In respect of sewerage infrastructure capacity Thames Water comments that it does not have any objections.

6.6 EHDC Conservation and Heritage Advisor commented that amendments should be sought to the plans as originally submitted to ensure that a high quality contemporary building was achieved, and

following receipt of amendments to the appearance of the building the advisor has commented that a more contemporary approach has been achieved and improvements to the appearance of the building in longer views. It is recommended that conditions are attached relating to boundary treatments, landscaping, materials and hardsurfacing.

- 6.7 EHDC Landscape Advisor originally recommended refusal of the application, but following amendments to the proposal commented that the layout of the development allows for reasonable separation of the proposed building from London Road and the new housing development to the north and sufficient soft landscaping is proposed. The advisor comments that the care home is now more in keeping with the context of its immediate surroundings and approval can therefore be recommend approval.
- 6.8 HCC Minerals and Waste comment that regard should be had to the relevant policies of the Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012.
- 6.9 EHDC Environmental Health Advisor recommends that any permission granted should be subject to conditions relating to a scheme for protecting the development from noise from road traffic; details of sound emitted from any fixed plant and/or machinery and details of air extraction/odour control measures from cooking operations.
- 6.10 EHDC Environmental Services has commented that sufficient space should be made available for refuse bins and access to them for collection.
- 6.11 CPRE has commented that the proposal conflicts with the provisions of the development plan and the NPPF and that the site is not a sustainable location for a care home due to its location away from the town centre. They have also commented that the proposal will result in the loss of nearly half of the employment land approved as part of the redevelopment of the former depot site
- 6.12 NHS England has commented that it seeks a financial contribution of £17,077.50 towards general medical services provision and £13,035.66 towards mental health and community costs.

## **7.0 Town Council Representations**

- 7.1 Buntingford Town Council has made the following comments on the proposal:

- that the vehicular access to the site should be amended to reflect the permission previously granted which approved access to this site from the A10 roundabout junction;
- seek assurances that the tree planting on the south side of the site will minimise the visual impact of the building;
- three storey buildings are out of keeping in the Town, and a two and a half storey structure would be preferable;
- Insufficient parking is provided;
- The loss of employment land should be taken into account when considering any future applications for other areas within the town that results in a further loss of employment sites.

7.2 Following receipt of amendments to the number of parking spaces proposed, the Town Council has commented that whilst it would have liked to see a larger increase in parking provision, it accepts that the provision is in line with policy and is unlikely to increase further. The Town Council were consulted on the amendments to the appearance of the building, and commented that they are still concerned with the proposal for a three storey building in such a prominent position, and would prefer a two and a half storey structure. They consider that the design is too urban for a rural town.

## **8.0 Summary of Other Representations**

8.1 A representation from residents of two dwellings to the north of the application site have been received which raises the following comments:

- Loss of light to gardens;
- It is too urban in its design;
- Three storeys is out of keeping with the houses in the vicinity;
- A screen of trees should be provided along the northern boundary of the site;
- Query whether any trees bordering London Road are to be removed.

## **9.0 Planning History**

9.1 The following planning history is of relevance to this proposal:

Ref	Proposal	Decision	Date
3/15/0300/OUT	Hybrid planning application comprising	Approved with	8 March 2016



	demolition of former depot and development of Phases 1 - 4 of a mixed use scheme comprising 316 dwellings of mixed size and tenure with ancillary parking, public open space and landscaping including new access from London Road [Detailed Application] and 2ha. of land for employment purposes including development within B1(c)(light industry), B1 (a) (offices) and/or D1 (non-residential institution) [outline application with all matters reserved] and retention of club house and sports pitches.	conditions	
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## **10.0 Consideration of Relevant Issues**

### Principle of development

- 10.1 The application site lies within the built up area of Buntingford, wherein there is no objection in principle to development. However, the site is allocated in the adopted Local Plan as an employment site (policy EDE1), which are reserved for industry comprising use classes B1 (business), B2 (general industrial) and, where well related to the transport network, B8 (storage and distribution). Policy BUN5 of the Local Plan specifically relates to the former Sainsbury's Depot site and states that the site is primarily reserved for B8 storage and distribution uses, and that proposal for the alternative use and/or development of the site will be considered against the recommendations of the latest Employment Land Study for East Herts.
- 10.2 Planning permission was granted most recently in 2016 for the redevelopment of the site for the construction of 316 dwellings and 2 ha of land reserved for use class B1(c) (light industry) and B1(a) (offices) and D1 commercial development. The land which is the subject of this current application forms part of the area of land which was reserved for

the specified use class B1 and D1 commercial development. To reflect this permission, the land is allocated in the emerging District Plan as an employment area (policies BUNT3 and ED1), and the site is reserved for use classes B1(a), B1(c) and/or D1 uses.

- 10.3 The NPPF sets out that the government is committed to securing economic growth in order to create jobs and prosperity. It adds however that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.
- 10.4 In determining the application for the redevelopment of the Depot site, Officers had regard to the Buntingford Employment Study (2014) which identified the need for additional land for employment use in Buntingford, and in particular a need for B1 and D1 uses. It commented that the former Sainsbury's Depot site is the best location for further development of employment space in Buntingford in terms of location, existing access arrangements and the availability of essential infrastructure.
- 10.5 This current application, which seeks permission for the erection of a care home (use class C2), would be contrary to the permission granted in 2016, and the relevant policies in the adopted Local Plan and emerging District Plan. Whilst the current application would generate approximately 50 full time equivalent jobs, these would not be predominantly within the use class B1 and D1 uses which were approved by the previous application. The policy approach of the NPPF is noted and, whilst the need to avoid long term protection of sites is noted, that is not considered to be the case here as a marketing strategy, to be formulated following the earlier permission has not yet been agreed for the site.
- 10.6 However, further advice in relation to the impact of these proposals on employment requirements for the town has been sought from Wessex Economics (the author of the Buntingford Employment Study 2014). That advice sets out that the proposed care home would create broadly the same number of jobs as a B1(c) development and would also create a wide range of jobs (management and administration, nursing staff, carers, catering, cleaning and laundry services).
- 10.7 The advice also comments that the remainder of the 2ha site (1.38 hectares of the site would remain) for which permission was granted for commercial development would still be sufficiently large enough to accommodate a use class B1(a)/B1(c) or D1 development.

- 10.8 Whilst the proposal would result in the loss of land previously reserved for B1 and D1 uses (31% of the whole site granted permission for commercial use), the proposal will still result in the generation of around 50 full time equivalent jobs. Some limited positive weight should be attached to this in the balance of considerations relevant to this application.

#### Provision of housing to meet care needs

- 10.9 The NPPF supports the provision of a wide choice of high quality homes. In the emerging District Plan, policies HOU1 and HOU6 support the provision, where appropriate, of specialist housing for older people and vulnerable groups.
- 10.10 The application is accompanied by a need assessment which comments that within the applicants market catchment area there is a shortfall of between 79-139 market standard bedspaces (dependent on whether all planned beds are developed) and within East Herts there is a shortfall of between 153-349 market standard bedspaces (dependent on whether all planned beds are developed). The assessment therefore concludes that there is a significant unmet need for elderly care home beds within both catchment areas. The Councils Strategic Housing Market Assessment also identifies need for this provision, across the housing market area.
- 10.11 This identified need is a material planning consideration to which some positive weight should be attached.

#### Visual Impact

- 10.12 The application site is located at the edge of the settlement of Buntingford, at the entrance to the town from the A10. The site is prominent in longer views from the south along the A10, but views into the site are somewhat obscured from London Road by existing mature landscaping. The application seeks permission for a three storey building to accommodate the required floorspace (including the number of beds). The size and scale of the proposed building is considered to be out of keeping with the predominant scale of buildings which are situated adjacent to London Road, which are mainly two storeys in height. This concern has also been raised by the Town Council and third parties.
- 10.13 Amendments have been made to the design and appearance of the building during the consideration of the application. The Council's Conservation and Urban Design Team and Landscape Officer have

both been consulted on the application and have commented that the scale of building proposed is appropriate in this location. Permission has been granted for three storey development within the residential site to the north and east (and the proposed building would be of a similar height to these buildings), and the anticipated two storey employment development (which has been approved in outline) to the south will lessen the impact that three storeys would have on the open land beyond to the south.

- 10.14 The building would be set back between 16 and 50 metres from London Road, and as set out above, would be partially screened from London Road by existing landscaping along the boundary. The amendments made to the appearance of the building have provided a contemporary air to the building and have assisted in breaking up the long horizontal roofline of the building, which is particularly important in longer views.
- 10.15 Whilst it is acknowledged that the proposed building is of a scale which is greater than existing buildings which front London Road, having regard to the above considerations and comments from the Council's Conservation and Urban Design Team and Landscape Officer, it is not considered that the proposal would result in significant harm to the character and appearance of the streetscene and its surroundings. The building is of an appropriate design and appearance and would be set back from London Road and partially obscured by existing landscaping along the western boundary of the site. Furthermore, the scale of the proposed building would be appropriate to the site and sufficient space is retained around the building and to the site's boundaries. It is considered that the proposal would be of good design as required by section 7 of the NPPF and would accord with policy ENV1 of the Local Plan.

#### Neighbour impact

- 10.16 The application site is bounded to the north and east by residential development which is currently under construction. The proposal will retain over 20 metres from its north and east facing elevations to the adjacent dwellings. No windows to habitable rooms are proposed in the north facing elevation (only windows to a stairwell are proposed in the north facing elevation). Whilst it is acknowledged that the dwellings currently under construction to the east will be overlooked by a number of windows which serve bedrooms within the care home, a minimum distance of 22 metres will be retained to the flank elevation of the closest dwelling to the east.

- 10.17 It is acknowledged that the proposed building will be three storeys in height and those adjacent dwellings are two storeys, and that the development will result in some overlooking of dwellings to the east. However, having regard to the distance between the proposed building and those adjacent dwellings, it is not considered that the proposal will result in a significant harmful impact in terms of overlooking or overbearing impact. Sufficient space is available to provide landscaping along the boundaries of the site with these adjacent dwellings, which will assist in screening the development to some extent. Some limited harm is assigned in relation to this matter.
- 10.18 Representations have been received from the occupiers of two of the recently constructed dwellings to the north of the site, which raise concerns in respect of loss of light to their gardens. Whilst it is acknowledged that the proposed building is located to the south of these properties, having regard to the set back from the boundary with these properties and the siting and height of the building, it is not considered that the proposal would result in significant harm to the amenities of the occupiers of those dwellings.
- 10.19 It is considered that the proposal would result in an acceptable living environment for future residents of the proposed building. The EHDC Environmental Health Advisor has recommended that if permission is granted, a condition is attached requiring a scheme for protecting the proposed development from noise from road traffic. The site is located close to the roundabout with the A10 and the proposed building would, at its closest, be approximately 60 metres from this junction. Noise from road traffic using this junction and traffic using London Road is likely to be audible from the site and may result in some disturbance to future residents.
- 10.20 However, Officers are satisfied that a scheme for the protection of the development from such noise can be achieved such that any disturbance from road traffic noise would not result in significant harm to the amenities of the residents of the building. Furthermore, sufficient outdoor amenity space is also provided within the site.

#### Highways and Parking

- 10.21 The Highway Authority has commented on the proposal and recommends that it does not wish to restrict the grant of planning permission. It comments that the application site forms part of the comprehensive transport assessment for the wider redevelopment of the former depot site, on which its comments are based. It does not

raise any concerns in respect of the proposed access to the site, traffic generation or parking provision.

- 10.22 The comments of the Town Council are noted in respect of the access to the site. The development is proposed to be accessed from a recently constructed road from London Road (which is also used to access the residential development to the north and east). In light of the comments from County Highways, it is considered that the access to the site from London Road is acceptable in a highways context.
- 10.23 A total of 21 parking spaces are proposed. The Council's adopted and emerging parking standards require the provision of a total of 16.5 parking spaces. The application proposes a total of 21 parking spaces and the proposal is therefore considered to accord with the adopted and emerging standards.

#### Other Matters

- 10.24 NHS England has requested financial contributions towards general medical services, mental health and community care. Justification has been provided by NHS England for the requested contributions which are considered to be necessary to mitigate the impact of the development and additional residents on general medical services, community, mental and acute healthcare. The obligation is therefore considered to meet the tests set out in Section 122 of The Community Infrastructure Levy Regulations (CIL) 2010. The applicant has submitted a unilateral undertaking to provide for the requested contribution.
- 10.25 During the consideration of the application a request has been made for a contribution of £131,192 towards the Buntingford Community Transport Scheme. The submitted business plan for the scheme indicated that the requested contribution was based on the provision of 316 dwellings. The requested contribution is not therefore related to the development for which permission is being sought - a care home.
- 10.26 Having regard to the nature of the proposed development, it is considered unlikely that many of the occupiers of the development would utilise the service provided by the Community Transport Scheme. It is therefore considered that the requested contribution would not meet the tests in the CIL Regulations and cannot therefore be justified. Further comments from the organisers of the scheme have been requested on this matter, no further correspondence has been received to date.

10.27 Appropriate provision has been made within the site for surface water drainage, and both the Lead Local Flood Authority and EHDC Engineering Advisor has raised no objections to the development in this respect.

## **11.0 Conclusion**

- 11.1 The proposal would be contrary to policies EDE1 and BUN5 of the adopted Local Plan and policy BUNT3 of the emerging District Plan. However, the proposal would result in the provision of elderly care home beds for which a need had been identified (and policy HOU6 of the emerging District Plan encourages) and the creation of 50 full time equivalent jobs. Positive weight should be given to these considerations.
- 11.2 The proposal would result in some impact on the amenities of the occupiers of neighbouring properties. Although that impact is not considered to result in significant harm to their amenities, some limited negative weight should be attached to this consideration.
- 11.3 Having regard to the above considerations and the comments from statutory consultees, all other relevant matters are considered to be neutral in the balance of considerations. Having regard therefore to the positive weight identified in relation to the provision of elderly care home beds and employment, it is considered that these matters outweigh any other harm identified and it is accordingly recommended that planning permission is granted.

## **Legal Agreement**

- A contribution of £17,077.50 towards general medical services provision and £13,035.66 towards mental health and community costs.

## **Conditions**

1. Three Year Time Limit (1T12)
2. Levels (2E05)
3. Approved plans (2E10)
4. Materials of construction (2E11)
5. Prior to commencement of development, details of the method of piling for the construction works, including a method statement (detailing the

depth and type of piling to be undertaken and measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure) and noise emissions, shall be submitted to and approved in writing by the Local Planning Authority. All piling works shall be carried out in accordance with the agreed details.

Reason: In the interests of the protection of underground sewerage utility infrastructure and the amenities of residents of neighbouring properties and in accordance with policies ENV1 and ENV24 of the East Herts Local Plan Second Review April 2007.

6. Tree/hedge retention and protection (4P05)
7. Landscape design proposals (4P12) delete (a), (g) and (h)
8. Landscape works implementation (4P13)
9. Construction hours of working – plant and machinery (6N07)
10. Prior to commencement of the development hereby approved, a Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The Construction Management Plan must set out:
  - the phasing of construction and construction programme;
  - the hours of operation and delivery and storage of materials within the site including: proposed hours in which vehicles will arrive and depart; numbers of daily construction vehicles; vehicle sizes, routing, access and parking arrangements for all construction related vehicles within the site;
  - details of any highway works necessary to enable construction to take place;
  - parking and loading arrangements;
  - details of any hoardings;
  - details of how pedestrian and cyclist safety will be maintained;
  - management of traffic to reduce congestion;
  - control of dirt and dust on the public highway;
  - provision for addressing any abnormal wear and tear to the highway;
  - details of consultation with local businesses or neighbours;
  - details of any other Construction Sites in the local area;
  - waste management proposals.

Thereafter, the development shall accord with the approved Construction Management Plan.



Reason: In the interests of neighbour amenity and highway safety in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

11. Prior to the first occupation of the development hereby approved, all on-site vehicular areas, including internal access roads and parking spaces shall be accessible, surfaced, marked out and fully completed in accordance with drawing no. SG9 9HZ-A-03.1B, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

12. Prior to the commencement of the development hereby approved, a scheme for protecting the proposed development from noise from road traffic has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall accord with the approved details.

Reason: In the interests of the amenities of future residents of the development in accordance with policies ENV1 and ENV25 of the East Herts Local Plan Second Review April 2007.

13. Prior to the first occupation of the development hereby approved, a scheme to demonstrate that the rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed a level 5dB(A) below the existing background sound levels at any sound sensitive premises shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall accord with the approved details.

Reason: In the interests of the amenities of nearby residential properties in accordance with policies ENV1 and ENV24 of the East Herts Local Plan Second Review April 2007.

14. Prior to the first occupation of the development hereby approved, a scheme containing full details of arrangements for internal air extraction, odour control and discharge to atmosphere from cooking operations, including any external ducting and flues, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall accord with the approved details.

Reason: In the interests of the amenities of nearby residential properties in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

15. The development hereby approved shall be carried out in accordance with the Foul and Surface Water Drainage Strategy Revision A (Infrastructure Design Ltd, dated August 2016) and the following mitigation measures:
- Providing attenuation storage volume to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% for climate change event, by implementing a permeable car park construction and a balancing pond, as shown on drawing no. IDL/829/05/01;
  - Allowing a discharge rate of 5L/s controlled by a Hydrobrake flow control chamber to ensure that the outflow from the care home will be accepted by the overall site water drainage system.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with policy ENV21 of the East Herts Local Plan Second Review April 2007

### **Informative**

1. A groundwater risk management permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 0203 5779483 or by e-mailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk).

### **Summary of Reasons for Decision**

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.

**KEY DATA****Non-Residential Development**

<b>Use Type</b>	<b>Floorspace (sqm)</b>
C2 Residential Institution	2,988

**Non-residential Vehicle Parking Provision**

Current Parking Policy Maximum Standards (EHDC 2007 Local Plan)

Use type	Standard	Spaces required
C2 Residential institutions (elderly persons residential and nursing homes)	0.25 spaces per resident bed space	16.5
Total required		16.5
Proposed provision		21

Emerging parking standards (endorsed at District Plan Panel 19 March 2015)

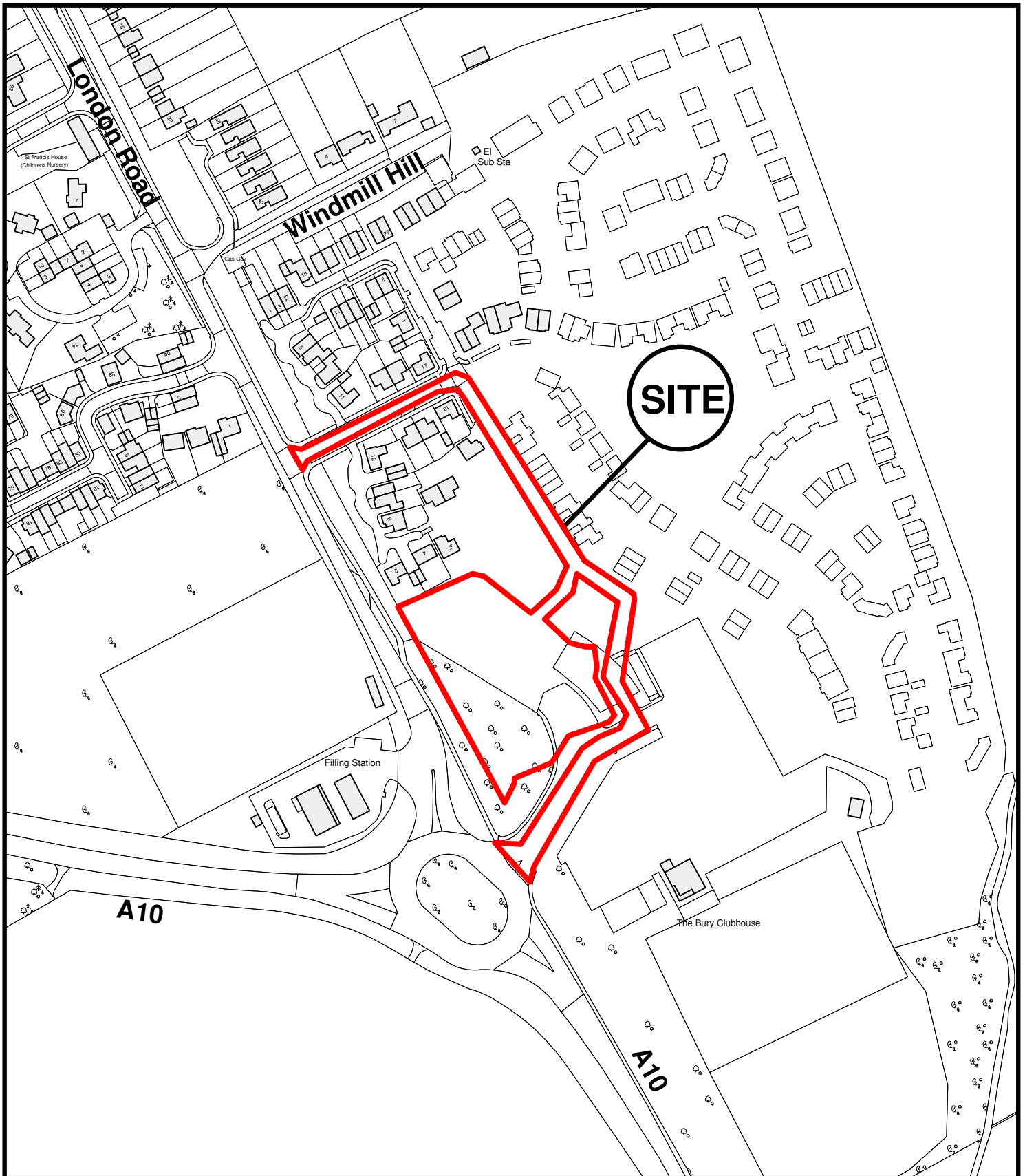
Use type	Standard	Spaces required
C2 Residential institutions	0.25 spaces per resident bed space	16.5
Total required		16.5
Accessibility reduction	75-100%	
Resulting requirement		12-16.5
Proposed provision		21

**Legal Agreement – financial obligations**

This table sets out the financial obligations that could potentially be sought from the proposed development in accordance with the East Herts Planning Obligations SPD 2008; sets out what financial obligations have actually been recommended in this case, and explains the reasons for any deviation from the SPD standard.

<b>Obligation</b>	<b>Amount sought by EH Planning obligations SPD</b>	<b>Amount recommended in this case</b>	<b>Reason for difference (if any)</b>
Affordable Housing	N/A	N/A	N/A
Parks and Public Gardens	N/A	N/A	N/A
Outdoor Sports	N/A	N/A	N/A

facilities			
Amenity Green Space	N/A	N/A	N/A
Provision for children and young people	N/A	N/A	N/A
Maintenance contribution - Parks and public gardens	N/A	N/A	N/A
Maintenance contribution - Outdoor Sports facilities	N/A	N/A	N/A
Maintenance contribution - Amenity Green Space	N/A	N/A	N/A
Maintenance contribution - Provision for children and young people	N/A	N/A	N/A
Community Centres and Village Halls	N/A	N/A	N/A
Recycling			



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## DEVELOPMENT CONTROL

### Major, Minor and Other Planning Applications

**Cumulative Performance for  
December 2016**  
(calculated from April 2016)

	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17
<i>Total Applications Received</i>	214	456	692	917	1148	1377	1565	1788	1955			

	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	<b>Targets for Local Performance (set by East Herts)</b>	<b>National Targets (set by Government)</b>	
<i>Percentage achieved against Local and National Targets</i>															
<b>Major %</b>	100%	100%	100%	92%	94%	88%	89%	89%	88%				<b>Major %</b>	<b>60%</b>	<b>60%</b>
<b>Minor %</b>	95%	94%	92%	93%	93%	93%	94%	94%	94%				<b>Minor %</b>	<b>80%</b>	<b>65%</b>
<b>Other %</b>	96%	96%	96%	97%	95%	95%	94%	94%	94%				<b>Other %</b>	<b>90%</b>	<b>80%</b>

	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17
<b>Appeals</b>												
Total number of appeal decisions (Monthly)	8	14	9	13	10	14	7	10	9			
Number Allowed against our refusal (Monthly)	3	4	2	4	5	4	3	4	1			

Total number of appeal decisions (Cumulative)	8	22	31	44	54	68	73	80	89			
Number Allowed against our refusal (Cumulative)	3	7	9	13	18	22	20	27	28			

**AGENDA ITEM NO. 7D**

**Agenda Item 7**

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