

3/14/2301/FP – Demolition of the existing hotel buildings and redevelopment to provide a new care home with associated access, car parking, landscaping and related works at The Roebuck Hotel, Wadesmill Road, Ware, SG12 9DR for AKA Planning

Date of Receipt: 23.12.2014

Type: Full – Major

Parish: WARE

Ward: WARE – CHRISTCHURCH

RECOMMENDATION:

That planning permission be **GRANTED** subject to the following conditions:

1. Three year time limit (IT12)
2. Approved plans (2E10) – LP01, PL01, PL02, PL03, PL04, PL05, LP02, LP03, PL06, PL07, PL08, PL09, PL10, Visual 1 and Visual 2
3. Sample of Materials (2E12)
3. Levels (2E05)
4. Boundary Walls and Fences (2E07)
5. Refuse disposal facilities (2E24)
6. Contaminated land survey and remediation (2E33)
7. Construction hours of working – plant and machinery (6N07)
8. Prior to the commencement of any works, a ‘Construction Traffic Management Plan’ shall be submitted to and approved in writing by the Local Planning Authority and thereafter be implemented in accordance with these details. The ‘Construction Traffic Management Plan’ shall identify details of: i) the phasing for the development of the site including all highway works, ii) methods for accessing the site, including construction vehicle numbers and routing, iii) location and details of wheel washing facilities, iv) parking areas and materials storage areas clear of the public highway.

Reason: To ensure that satisfactory management of construction traffic in the interests of highway safety.

9. Prior to the first occupation of the development hereby permitted, all access, junction and manoeuvring arrangements shall be completed in

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accordance with the approved plans.

Reason: In the interests of highway safety.

10. Provision and retention of parking spaces (3V23)
11. Prior to the first occupation of the development hereby permitted, the footway fronting the development onto Wadesmill Road shall be widened to 3.0metres in accordance with plans that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory access appropriate to the development in the interests of public safety and convenience and to enable enhanced pedestrian/cycleway connections within the town in accordance with the National Planning Policy Framework.

12. Tree/hedge retention and protection (4P05) add 'unless otherwise agreed in writing by the Local Planning Authority'
13. Landscape design proposals (4P12) a), b), e), f), h), i), j), k) and l)
14. Landscape Works implementation (4P13)
15. Programme of archaeological work (2E02)
16. Sustainable drainage (2E43)
17. The clearance of the site shall only be undertaken during the period of October–February, unless a search area is first made by a suitably experienced Ecologist who determines that no active nests are found.

Reason: To protect breeding birds, their nests, eggs and young and in accordance with Policy ENV16 of the East Herts Local Plan Second Review April 2007.

Directives:

1. Other legislation (010L)
2. Street Naming and Numbering (19SN)
3. Groundwater Protection Zone (Musley Lane) (28GP)
4. Bats (32BA)

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5. Planning Obligation (08P0)

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 (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2012 (as amended). The balance of the considerations having regard to those policies, the pre-application advice given and the previous application 3/13/0333/FP is that permission should be granted.

_____ (230114FP.LP)

1.0 Background

- 1.1 The application site is shown on the attached OS extract and comprises an irregular shaped parcel of land approximately 0.35ha in size and located on the edge of Ware Town Centre and within the Ware Conservation Area. On the site is the vacant Roebuck Hotel, comprising a 2½ storey Victorian building centrally positioned with a 1970s 3 storey extension projecting towards the northern boundary. Vehicular access is currently located to the northern end of the site onto Wadesmill Road with car parking located to south and west sides.
- 1.2 The site is elevated from its immediate surrounds, which mainly consist of residential dwellings, and is visible on the northern and southern approaches along Wadesmill Road/Baldock Street. It is bounded to the north by three storey perimeter blocks of dwellings whilst two storey terraces principally comprise those dwellings to the west. To the east and running along Baldock Street is a red brick listed wall that sits in the foreground of the grade II listed Thunder Hall. The southern side of the site is considerably more open and contains the majority of the site's trees.
- 1.3 The proposed development follows on from a pre application enquiry and comprises the demolition of the hotel and its replacement with a modern purpose built care home with 70 single bedrooms arranged over 2 and 3 storeys, plus part basement. It is estimated that the proposed care home would employ 80 people.
- 1.4 23 vehicular parking spaces are provided on site (including 1 ambulance bay and 4 disabled spaces). A cycle store and motorbike

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bay is also provided. Vehicular access remains from Wadesmill Road and a pedestrian access off Wadesmill Road is also proposed to allow staff, visitors and occupier to walk to and from the town centre.

2.0 Site History

- 2.1 Application 3/13/0333/FP and 3/13/0334/LC proposed the demolition of the hotel and erection of 2no 3 bed houses and 12no 4 bed houses. These applications were dismissed on appeal on grounds of the loss of the employment use/land and due to unacceptable flood risk.
- 2.2 The Council's planning records indicate that prior to those 2013 applications the site was used as a hotel for a significant period of time. Planning application records indicate applications for small scale extensions, signage and improved accessibility arrangements between the years of 1987 and 1999.

3.0 Consultation Responses

- 3.1 County Highways do not wish to restrict the grant of permission subject to conditions to secure a construction management plan to include any phasing of the development, methods for accessing the site, locations for wheel washing facilities and associated parking and storage areas. Other conditions recommended relate to hard surfacing and the widening of the footway on Wadesmill Road as part of a programmed pedestrian / cycleway scheme. The Highways Officer considers that the application is not considered to have a material impact on the highway network and is acceptable subject to the above conditions.
- 3.2 The County Historic Environment Unit advise that the development is likely to have an impact upon heritage assets of archaeological and historic interest and recommend that a condition is included to secure the implementation of a programme of archaeological work.
- 3.3 The Conservation Officer has recommended that permission be granted, commenting that the development is consistent with pre-application advice given.
- 3.4 The Council's Environmental Health unit has advised that any permission granted should include conditions relating to hours of working, soil decontamination, air extraction/filtration and piling works.
- 3.5 The Council's Landscape Officer comments that the development is borderline at the maximum landscape capacity of the site to accommodate the building. The proposed building is close to Baldock

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Road at one point leaving limited scope for trees and there is a noticeable pinch point at the south western corner of the site, although the proposed amenity space provision is reasonably well laid out making good use of the land available.

- 3.6 The Environment Agency have commented that the site lies within Flood Zone 1 and the only constraint at the site is in relation to surface water run off management.
- 3.7 The Crime Prevention Design Advisor advises that the proposed development is well laid out with adequate fences and access control. They raise some comments on the acceptability of bollard lighting but comment that they do not oppose the application.
- 3.8 The Minerals and Waste Team at Herts County Council have recommended that the re-use of unavoidable waste and the use of recycled materials is encouraged where appropriate.
- 3.9 Hertfordshire Ecology have advised the imposition of directives to protect against harm to bats and birds.
- 3.10 No comments have been received from Affinity Water or the Council's Engineers.

4.0 Town Council Representations

4.1 Ware Town Council *'agreed to support but note that:*

- *There is a problem with health care, particularly GP provision in Ware*
- *Footpath width should be increased*
- *Parking restrictions should be introduced to prevent on-street parking on a dangerous bend'.*

5.0 Other Representations

5.1 The application was advertised by way of site notice, newspaper and neighbour notification.

5.2 1 letter has been received in support raising the following comments:-

- The new building will improve the visual appearance of the area
- Will bring positive service to the community
- Will remove the antisocial behaviour issues that exist – will

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enhance the quality of the environment for nearby occupiers

5.3 3 letters of objection has been received raising the following comments:

- Concern that the building is higher than existing. Roof line maintained so the building will dominate Baldock Street, houses in The Bourne and surrounding area
- Unimaginative exterior
- Impact from noise and dust/dirt during demolition and construction
- Concern regarding loss of trees and walls around the site and neighbour at No. 35 Gladstone Road (shown as No.20 on the plans)

6.0 Policy

6.1 The relevant 'saved' Local Plan policies in this application include the following:

SD2	Settlement Hierarchy
TR2	Access to New Developments
TR7	Car Parking Standards
TR12	Cycle Route – New Developments
TR13	Cycling - Facilities Provision (Non-Residential)
EDE2	Loss of Employment Sites
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV3	Planning Out Crime – New Development
ENV11	Protection of Existing Trees and Hedgerows
ENV21	Surface Water Drainage
BH1	Archaeology and New Development
BH2	Archaeology Evaluations and Assessments
BH3	Archaeological Conditions and Agreements
BH6	New Developments in Conservation Areas
IMP1	Planning Conditions and Obligations

6.2 In addition, the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are of relevance in the determination of the application.

7.0 Considerations

7.1 The main considerations in the determination of the planning application relate to:

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- The loss of the hotel;
- Layout, scale and design having regard to the character and appearance of the Conservation Area;
- Amenity for future occupiers and neighbour properties;
- Parking and Access;
- Landscaping;
- Flood Risk;
- Ecology;
- Other matters.

The loss of the hotel

- 7.2 The site is located within the built up area of Ware wherein new development is acceptable in principle. The application site is previously developed land and is considered by Officers to represent a sustainable site.
- 7.3 As noted above, the previous scheme for demolition of the hotel and replacement with residential development was dismissed at appeal on grounds of the loss of employment use contrary to Policy EDE2. In applying Policy EDE2 to the loss of the existing hotel (Use Class C1), it is clear that non Class B employment generating uses also fall within the remit of the policy and can contribute to economic development objectives.
- 7.4 The proposed care home would create approximately 80 jobs overall (or approximately 60 full time equivalent jobs), ranging from management, technical, administration, care, nursing, catering and housekeeping. The job creation is more substantial than when the hotel was last operating – it is believed that the hotel last employed around 33 staff.
- 7.5 Given that the employment use will not be lost but in fact enhanced, the proposals are fully compliant with Policy EDE2.
- 7.6 In further support of the re-development for the care home is the fact that the National Planning Practice Guidance (NPPG), makes it clear that ‘local planning authorities should count housing provided for older people, including residential institutions in Use Class C2, against their housing requirement. The proposal as well as retaining an employment use on site has the double benefit of providing 70 bedrooms, which would contribute towards the shortfall in the Councils housing target.

Layout, scale and design and impact on the Conservation Area

- 7.7 The hotel is located on Baldock Street within Ware's Conservation Area. The Roebuck is elevated above the street due to the topography of the land and presents an exposed brick hotel with a staggered 3-storey wing extension projecting to the north which also addresses the street. The two elements of the building do not integrate particularly well in terms of their respective design, style or choice of materials. A modern conservatory, also fronting onto Baldock Street, appears dated and adds to the contrast between the old and new sections of the building.
- 7.8 Due to its mass, scale, orientation and design, The Roebuck is not considered to enhance the character and appearance of the Conservation Area. The Inspector at the last appeal considered it to have a neutral effect. The removal of the building would allow the opportunity to provide a quality development that reflects the prominence of this gateway site on the edge of the Ware Town Centre. As such, Officers have no objection to the removal of the building, subject to a replacement development being of high quality to reflect the character of the area.
- 7.9 I turn now to the acceptability of the proposed replacement building. Local Plan policies relating to environment, design and conservation issues can be found within policies ENV1 and BH6 of the Local Plan. A high standard of design is expected from all development proposals (policy ENV1), and this approach is reflected in the NPPF which places great importance on the quality of design. Policy ENV1 requires that development be compatible with the structure and layout of the surrounding area, complement the existing pattern of street blocks and relate well to the massing and height of adjacent buildings and the surrounding townscape.
- 7.10 As already stated, the site is within the Ware Conservation Area. Policy BH6 requires new developments in Conservation Areas to be sympathetic in terms of scale, height, proportion, form, materials and siting in relation to the general character of the area. Those open spaces, trees and other landscape features materially contributing to the character or appearance of the area should not be significantly affected to their detriment, historically significant features should be retained wherever possible and important views should be respected.
- 7.11 The proposed development would introduce a single building, which is sited centrally to maximise distances to the site boundaries and to adjoining residential properties. In Officers view, the layout would not result in an overdevelopment of the site, which can comfortably

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accommodate the size of building and associated parking, and which would sit within a secure and well landscaped garden.

- 7.12 The alignment of the building with the access fronting Wadesmill Road creates an active and positive relationship with the street scene. The site is highly visible sitting in an elevated position. However the introduction of 3-storey building is considered appropriate given that the hotel building is partly 3-storeys in height, and that the bulk and mass of the building has been broken up in its design and by its use of materials. Overall the building is not considered to appear unduly prominent from outside of the site.
- 7.13 In terms of the detailed design, the building incorporates a series of set-backs and projections with a varied roof and eaves line which is broken up with dormers and gable features. Furthermore, a high quality material palette is proposed including a variety of brickwork and render – to be secured via condition with any grant of planning permission.
- 7.14 Overall, the development is considered to be sympathetic to the character of the Conservation Area and the removal of the hotel and its replacement with the proposed development would enhance the overall appearance of the area. Accordingly, the proposal is considered to comply with Local Plan policies ENV1 and BH6 and guidance contained within the NPPF.

Amenity for future occupiers and neighbour properties

- 7.15 Policy ENV1 of the Local Plan requires development proposals to respect the amenity of occupiers of neighboring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.
- 7.16 In terms of future occupiers, Officers are satisfied that the layout of the development is such that individual bedrooms and shared communal spaces would be well appointed, spacious and provide a good standard of accommodation and amenity. Outdoor amenity space is also of an acceptable standard of size and quality.
- 7.17 In terms of nearby occupiers, the most affected neighbours are located on Gladstone Road to the west, with the closest affected dwellings being located at No.35 (shown as No.20 on the site plan) and No.37 Gladstone Road. Officers note that there is a height difference between the application site and the dwellings on Gladstone Road. In terms of No.37 Gladstone Road, there is a separation of 9.0m between this

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dwelling and the care home building. There is a side facing window in this dwelling, which is understood to be a habitable bedroom. However, due to the distance involved, it is not considered to result in a harmful overbearing impact, and indeed is only marginally closer than the existing hotel building. No harm is anticipated to the rear of the property which would run alongside the parking and cycle store area. Whilst there may be some views of the front of No.37 from the windows of the care home and the first floor roof terrace, these would be an oblique view and at a distance of 15metres and would not result in a significant overlooking impact.

- 7.18 With regard to No.35 Gladstone Road, it is noted that the proposed building would be sited at a distance of 15 metres from the closest point at No.35. The part of the building nearest to No.35 is 2 storey in height which reduces the impact on their outlook. Furthermore, the internal layout of the building has been designed so that bedroom windows are not facing into No.35 and would not allow for direct views into the rear garden areas or habitable windows at this dwelling.
- 7.19 Overall, the relationship between the proposed care home and other neighbouring occupiers is also considered to be acceptable and accordingly, Officers are content that the development complies with Policy ENV1 of the Local Plan with regard to neighbour amenity.

Parking and Access

- 7.20 Policy TR2 states that highway proposals will be assessed against standards set out in Hertfordshire County Council's Roads in Hertfordshire Design Guide, 2001 and Policy TR7 states that car parking provision will be assessed in accordance with the District Council's car parking standards. Policy TR12 supports the provision of improved pedestrian and cyclist routes as part of new developments.
- 7.21 The application is supported by a Transport Statement that identifies existing and expected vehicle movements and considers movements and manoeuvring within the site. It is anticipated that vehicle movements would be reduced in comparison with the existing hotel use, and County Highways conclude that there would be no material impact on the highway network. Furthermore, adequate turning space is provided within the site to cater for emergency and refuse vehicles.
- 7.22 The Transport Statement indicates that junction visibility splays appropriate to a major road are achievable in both directions from the access point. It is noted, that to improve visibility and accessibility and in accordance with the objectives of Hertfordshire County Councils local

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transport plan, it is proposed that the footway is widened. This would also enable improved cycleway links as part of a broader programme in the area being planned. Policy TR12 supports including safe, convenient and attractive routes for pedestrian and cyclists where practicable opportunities exist.

- 7.23 Bearing in mind this is a principal road and widening the footway will provide a pedestrian safety benefit, Officers have included this as a recommended condition.
- 7.24 Appendix II of the Local Plan states that a maximum parking provision of 29 spaces can be provided. The scheme provides 23 off street spaces. The Planning Statement details that no residents will own cars and that, at any one time, a maximum of 30 staff will be on site. The site is on the north-west fringe of the town centre, within walking distance of local services including shops and schools. It is also accessible by bus with stops located a short distance from the site on Baldock Street and Wadesmill Road. Ware Station is an approximate 15 minute walk. In Officers view, and having regard to the site's sustainable location, 23 spaces is considered an appropriate number, given that it would be expected that many staff and visitors will access the site by alternative means of transport to the car. Cycle parking facilities are provided on site.
- 7.25 In summary, County Highways do not consider that there is any justification to object to the application on highway safety or capacity grounds, subject to the footway widening as discussed above. Officers are content that the proposal is acceptable in terms of highway safety, capacity and parking provision.

Landscaping

- 7.26 Policy ENV2 of the Local Plan expects development proposals to retain and enhance existing landscape features and provide compensatory planting where losses are unavoidable. Policy ENV11 endeavours to ensure maximum retention of existing hedgerows and trees. Policy BH6 states that new developments in Conservation Area will be permitted where those open spaces, trees and other landscape features are retained wherever possible.
- 7.27 The site contains four trees protected by Tree Preservation Orders, including 3 lime trees to the rear/west of the site and a single lime tree which fronts onto Baldock Street. A detailed Arboricultural Report has been submitted, which details that the proposal (without the footway widening) would retain 11 individual trees and 1 group of trees, and would result in the loss of 6 trees and 1 group of trees with a further 2

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needing to be removed for health/viability reasons. Officers assess that the excavation to widen the footway is likely to result in the loss of a further 2 to 3 trees to the Wadesmill Road boundary (as well as the removal of the boundary wall that adds to the character of this area). Overall, whilst the loss of any established trees is regrettable, it is considered that the visual improvements to the site, opportunities for soft landscape strengthening with appropriate replacement planting and the long term benefits of the footway widening, do outweigh the harm caused by the loss of such planting. To ensure that suitable replanting is provided and an appropriate hard and soft landscaping scheme is agreed Officers recommend the imposition of a condition.

Flood Risk

- 7.28 The site has been re-designated by the Environment Agency since the last planning application, and is now classified to lie within Flood Zone 1, being an area of 'low probability of flooding'. Therefore subject to an appropriate drainage strategy, to be secured via condition, there is no flood risk constraint.

Ecology

- 7.29 In terms of ecology, a bat Survey was submitted with the previous application which did not identify the presence or likely presence of bats within the hotel building. It is not considered necessary to require any further surveys given the previous results and as the site is not located within close proximity to any designated wildlife site and is of limited ecological value. It is considered appropriate to add a condition regarding site clearance, in order to protect birds. Subject to such a condition, Officers are content that the development is compliant with Policy ENV16 of the Local Plan.

Other matters

- 7.30 The site is subject to a restriction on the property title from 1971 whereby the Council will only allow a hotel use on the site. As demonstrated within this report, there is no planning objection to the site being redeveloped for a care home. This matter is being pursued separately with the Legal and Councils Asset Management Sections.
- 7.31 The comments from the Town Council regarding GP provision are noted. In regards to any impact to primary care, it is the applicants experience that the large majority of new residents will already live in the area and therefore be registered with local GP surgeries. Furthermore, all day to day treatments and general care will be

administered in the new home by registered nurses and carers. In addition medication, drugs, dressing and other regularly prescribed drugs will be delivered to the home direct which would reduce the impact to GP services. Officers are satisfied that the proposed development would not result in a significant impact on local health services such that would warrant a refusal of planning permission on those grounds.

8.0 Conclusion

- 8.1 In summary the proposal will result in the demolition of an existing hotel within the Ware Conservation Area and its replacement with a 70 bed care home. The hotel has limited historic or architectural merit and its removal is not considered to cause harm to the character of the Conservation Area. The proposal is still an employment use, in compliance with Policy EDE2 and would make a valuable contribution to much needed housing.
- 8.2 The proposed development is of an appropriate layout, scale and design so as to enhance the character and appearance of the Conservation Area. Furthermore, the overall scheme would protect the amenities of nearby occupiers and future occupiers. Highway safety would not be compromised and a wider planning benefit is the widening of the footway along Wadesmill Road. Subject to appropriate protection measures for existing trees and a hard and soft landscaping scheme being agreed, the proposal would be acceptable with regard to landscape character.
- 8.3 Having taken all matters into consideration, Officers recommend that planning permission be granted subject to the conditions as suggested at the head of this report.