

<u>Location:</u>	Guysfield Residential Home Willian Road Letchworth Garden City Hertfordshire SG6 2AB
<u>Applicant:</u>	Ms Ginny Clarke
<u>Proposal:</u>	Redevelopment of existing care home and erection of detached 3 to 4 storey 70-bed residential nursing home (Class C2 use) with associated parking, landscaping, amenities and works, following demolition of extensions to existing care home.
<u>Ref. No:</u>	24/02758/FP
<u>Officer:</u>	Paul Chaston

Date of expiry of statutory period

Tuesday 4 March 2025

Extension of statutory period

Tuesday 30 September 2025

Reason for Delay

Discussions and negotiations on various technical aspects, further information received and additional consultation exercises that was undertaken as a result.

Reason for Referral to Committee

The site area for this application exceeds 0.5 hectares and proposes residential development. Under the Council's scheme of delegation, the application must be determined by the Council's Planning Control Committee.

1.0 Site History

- 1.1 20/02219/FP – Full planning application for redevelopment to form a new 60-bed care home submitted in October 2020. The application was moved to Part 2 of the Planning Register on 25 July 2022 and recorded as 'not proceeded with' to ensure no formal decision would be issued on it.
- 1.2 19/00504/PRE – Pre application for the erection of a 60-bed care home following the demolition of existing 51-bed care home. Response issued in October 2019.

- 1.3 13/01575/1 – Replacement roof to existing conservatory, part pitch/part flat with roof lantern and insertion of double doors to rear. Conditional permission granted on 28 October 2013.
- 1.4 91/00561/1 – Erection of part two, part three storey wide extension and glazed conservatory link to existing residential home, rearrangement of existing parking area to create a total of 16 spaces and ancillary works. Conditional permission granted in November 1991.
- 1.5 86/01078/1 – Erection of two storey extension together with change of use of dwelling to Elderly Persons home following demolition of existing buildings. Conditional permission granted in September 1986.

2.0 Policies

2.1 North Hertfordshire District Council Local Plan 2011-2031

Adopted 8 November 2022.

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP5: Countryside and Green Belt

Policy SP6: Sustainable transport

Policy SP8: Housing

Policy SP9: Design and Sustainability

Policy SP13: Historic Environment

Policy T1: Assessment of transport matters

Policy T2: Parking

Policy HS2: Affordable Housing

Policy HS3: Housing mix

Policy HS4: Supported, sheltered and older persons housing

Policy HS5: Accessible and adaptable housing

Policy D1: Sustainable design

Policy D3: Protecting living conditions

Policy NE2: Landscape

Policy NE4: Biodiversity and geological sites

Policy NE7: Reducing flood risk

Policy NE8: Sustainable drainage systems

Policy NE9: Water quality and environment

Policy NE10: Water conservation and wastewater infrastructure

Policy NE11: Contaminated land

Policy HE1: Designated heritage assets

Policy HE3: Non-designated heritage assets

2.2 National Planning Policy Framework (NPPF)

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places
Section 13: Protecting Green Belt land
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment

2.3 Supplementary Planning Documents

Design SPD (2011)
Planning Obligations SPD (2023)
Vehicle Parking Provision at New Development SPD (2011)

2.4 Hertfordshire County Council

Local Transport Plan (LTP4 – adopted May 2018)
Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012)

2.5 National Planning Practice Guidance

Provides a range of guidance on planning matters including flood risk, viability, design and planning obligations.

3.0 Representations

Consultees

- 3.1 **NHDC Environmental Health (Contaminated Land)** – No objection subject to conditions.
- 3.2 **NHDC Environmental Health (Noise)** – No objection (subject to two conditions including a condition requiring full details of a construction management plan for the development to be submitted to the LPA prior to the commencement of works).
- 3.3 **NHDC Environmental Health (Air Quality)** – No objection.
- 3.4 **NHDC Waste and Recycling** – Objects on the grounds that submitted swept path analysis shows the track width is too narrow for waste lorries to enter and exit the development, and the bin store is located too far from the place where lorries would be stopping, making bins dragging distance above the requirement, which is a maximum of 10 metres.
- 3.5 **NHDC Conservation Officer** – On balance, finds the proposal objectionable. This is on the basis that it fails to satisfy the provisions of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the aims of Section 16 of the NPPF and the aims of Policy HE1 of the North Hertfordshire Local Plan 2011-2031.

As the harm would be confined to a relatively small section of the CA and setting of a non-designated heritage asset, the harm would be 'less than substantial' but moderate on the continuum, nevertheless, of great weight. Under such circumstances, the NPPF advises that this harm should be weighed against the public benefits of the proposal. In this regard, even if a lower level of less than substantial harm exists as intimated in the submitted

Heritage Statement, this should not be equated with a lesser planning objection and is still of considerable importance and weight.

- 3.6 **NHDC Ecologist** – No objection subject to conditions.
- 3.7 **NHDC Housing Supply Officer** – No objection. In addition, as the proposal is for the redevelopment and enlargement of an existing care home (Use Class C2), this does not trigger a requirement for affordable housing.
- 3.8 **HCC Highways** – No objection subject to conditions.
- 3.9 **HCC Growth and Infrastructure** – No objection subject to financial contributions via a S106 legal agreement towards Primary Education, Secondary Education, Childcare Services, SEND Services (Special Educational Needs and Disabilities), Library Services, Youth Services and Waste Services.
- 3.10 **HCC Lead Local Flood Authority (LLFA)** – Objects as further evidence and information is required to support the discharge location hierarchy and the proposed surface water drainage system (four pillars of SUDs).
- 3.11 **HCC Historic Environment (Archaeology)** – No objection, subject to conditions requiring submission of a Written Scheme of Investigation incorporating a programme of archaeological works. involving a further programme of strip, map and sample excavation. This is required as the proposal is likely to have impacts on heritage assets of archaeological interest.
- 3.12 **HCC Fire and Rescue Services** – Concerns raised regarding access to the building and manoeuvring for fire service vehicles and associated equipment. Lack of information provided in relation to proposed fire suppression systems, which includes sprinkler systems. Further details should be provided by way of a Fire Strategy for the building.
- 3.13 **HCC Water Officer** – No objection subject to condition.
- 3.14 **Letchworth Garden City Heritage Foundation** – No objection. Overall, the Heritage Foundation are supportive of the proposals in their current form. On 21 August 2025, the Heritage Foundation granted first stage approval for the scheme in a parallel application for the proposed development.
- 3.15 **Anglian Water** – Objects to the application as connection to the public sewerage network is proposed without full and complete hierarchy evidence. Infiltration is proposed as well as connection to a public sewer.

Neighbour and Local Resident Representations

- 3.16 The application has been advertised via neighbour notification letters, the display of site notices and a press notice. At the time of finalising this report, a total of 16 comments have been received including 9 objections, 2 submissions in support and 5 neutral comments.

3.17 Objections and concerns are summarised as follows:

- Traffic and Congestion
- Poor design out of keeping with Willian Conservation Area
- Size and scale of the development
- Will add more traffic on surrounding roads in Willian village
- Concerns around the existing capacity of local utilities infrastructure
- Harmful to residential amenity
- Flooding and drainage concerns
- Increased noise, pollution and crime
- Impact of vehicles, tools and machinery associated with the construction phase
- Impact of noise and disturbance during the construction phase
- Inappropriate development in the Green Belt

3.18 Comments in support are summarised as follows:

- Well-designed proposal
- Care home expansion will help to support local population
- Integration of swift bricks into the development

4.0 Planning Considerations

4.1 Site and Surroundings

- 4.1.1 The site currently accommodates an 'L' shaped two storey building set in its own well-established grounds with a number of large mature trees. The site originally hosted a dwelling which was subsequently extended and converted into a Care Home in 1986 with further extensions added after this. The on-site buildings continue to be operated as a residential care home facility which falls under the planning use class C2.
- 4.1.2 The site slopes away from the northern boundary where it abuts a residential area. Open green space lies to the east and the remaining side is confined by the adjacent highway. A parking area is located to the front of the building.
- 4.1.3 The site is located within the western part of the Willian Conservation Area and the original part of Guys House is identified in the Council's Conservation Area Character Statement as a 'building that contributes towards the character of the conservation area'.
- 4.1.4 The site is situated within the Green Belt and includes Archaeological Area AA99.

4.2 Proposal

- 4.2.1 Full planning permission is sought for the redevelopment of an existing care home and erection of a detached 3 to 4 storey 70-bed residential nursing home (Class C2 use) with associated parking, landscaping, amenities and works, following demolition of extensions to existing care home.

4.2.2 It is noted from the submitted plans that the care home would accommodate 70 bedrooms. Each bedroom would consist of a bedroom area, bathroom and small sitting area. The proposed accommodation would not be self-contained and would be reliant on the communal facilities that are proposed throughout the building which include the kitchen, dining/day space rooms, roof terraces and the external gardens.

4.2.3 The application is accompanied by the following plans and documents:

- Site location plan
- Existing and proposed site layout plans
- Existing floor plans and elevations drawings
- Proposed floor plans and elevations drawings
- Roof plans
- Proposed massing elevations drawings
- Rendered external perspectives plans
- Existing and proposed comparative typical bedroom drawings
- Existing and proposed winter and summer view plans
- Design and Access Statement
- Planning Statement
- Planning Need Assessment
- Suitability and Viability Report
- Flood Risk Assessment and Drainage Strategy
- Design and Access Statement
- Acoustic Design Statement
- Arboricultural Planning Report
- Ecological Impact Assessment Report
- Biodiversity Net Gain Assessment Report
- Biodiversity Net Gain Metric
- Planting Plans
- Additional Planting Plans
- Tree Planting Plans
- Planting Schedule
- Landscape Supplementary Letter
- Landscape and Visual Appraisal
- Transport Assessment
- Heritage Statement
- Archaeological Desk Based Assessment
- Energy Strategy Report

5.0 Key Issues

5.1 The key issues for consideration for this planning application are as follows:

- Heritage and archaeological impacts
- Impact upon the Green Belt
- Principle of development
- Impact upon the character and appearance of the area
- Design and Layout

- Impact upon residential amenity
- Highway, access and car parking
- Ecology and biodiversity matters
- Tree impacts
- Flood risk and drainage
- Environmental impacts (noise, land contamination and air quality)
- Other matters
 - Care home supply and need
 - Sustainability
 - Fire risk
 - Waste and recycling
 - Very special circumstances (Green Belt)
- Planning balance and conclusion

5.2 Heritage and archaeological impacts

Heritage

- 5.2.1 Section 66 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 stipulates that when considering whether to grant planning permission for development which affects a listed building, or its setting, special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses. Effect upon listed buildings therefore should be given considerable importance and weight. Relevant factors include the extent of assessed harm and the heritage value of the heritage asset in question.
- 5.2.2 Paragraph 207 sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.
- 5.2.3 Paragraph 208 requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal, including by development affecting the setting of a heritage asset.
- 5.2.4 Paragraph 210 sets out that local planning authorities should take account of 'the desirability of new development making a positive contribution to local character and distinctiveness'.
- 5.2.5 Paragraph 212 of the NPPF sets out that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'
- 5.2.6 Paragraph 213 sets out that 'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'.

- 5.2.7 Paragraph 215 of the NPPF states ‘where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal’.
- 5.2.8 Local Plan Policy SP13 confirms that the Council will balance the need for growth with the proper protection and enhancement of the historic environment. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset’s conservation and the management of its setting.
- 5.2.9 Local Plan Policy HE1 stipulates that planning permission for development proposals affecting designated heritage assets or their setting will be granted where they will, amongst other things, lead to less than substantial harm to the significance of the designated heritage asset and this harm will be outweighed by the public benefits of the development, including securing the asset’s optimum viable use. This policy reflects paragraph 215 of the NPPF, which confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.2.10 The application site is located within the Willian Conservation Area and the original part of Guysfield House is identified in the Council’s Conservation Area Character Statement as a ‘building that contributes towards the character of the conservation area’. In addition, the tree belt adjacent to the eastern boundary of the site is classed as a ‘significant area of trees’.
- 5.2.11 The application is accompanied by a Heritage Statement produced by Purcell (dated July 2024). The report confirms there are no listed buildings within the application site. The Heritage Assessment has undertaken a review of designated heritage assets within Willian Conservation Area and identified the following:
- Listed Buildings – 4 Grade II and 3 Grade II*
 - Variety of other non-designated heritage assets
- 5.2.12 Letchworth Garden City Heritage Foundation have commented on the current application and state, *“The proposed scheme has been the subject of pre-application discussions with the Heritage Foundation following the withdrawal of an earlier scheme in 2020. The previous proposals saw the demolition of the original Victorian house alongside the later extensions, and the erection of a new nursing home with a more traditional appearance. The Foundation insisted on the original house being retained within the scheme but appreciated that the existing later buildings were no longer fit for purpose in terms of the demands for quality well designed residential care. After much discussion, it was agreed that the scale and mass of the proposed extension did not lend itself to a traditional domestic architectural design and as such a contemporary design has been put forward, which is considered to better deal with the scale and massing of a 70-bed nursing home than would, for example, a pastiche design. The Architects have utilised the change in levels to reduce the height of the building and respected the material pallet of Guys House. The proposal also retains the original house as a separate building with ancillary use, thus ensuring its continued repair and retention”*. Overall, the Heritage Foundation have confirmed they are supportive of the proposals in their current form. On 21 August 2025, the Heritage Foundation granted first stage approval for the scheme in a parallel application for the proposed development.

- 5.2.13 North Herts Council's Conservation Officer has commented on the current application and states, *"I note several recent allowed appeal decisions at Annex 1 of the submitted Planning Statement including significant weight given to the contribution made to housing land supply, coupled with freeing up market housing, providing a significant quantity of high-quality specialist nursing care accommodation and facilitating use of a heritage asset. I have attached moderate weight to i) securing a long-term optimal viable use of the non-designated heritage asset, ii) enhancement to the setting of Guysfield House through re-establishing its original detached form, iii) enhanced planting to filter views of the replacement care home, and iv) continued use of Guysfield House to sustain its upkeep and condition. Even if removing built form of no significance and revealing the house more fully, the amount of new build is substantial. Counter to the moderate weight given above, by reason of the amount of development sought (bulk/mass), particularly the 4th floor element of the forward projection at the southern end of the build, the scheme will have an overbearing and assertive impact upon the host building (Guysfield) and its setting eroding its positive contribution to the character and appearance of the Willian Conservation Area. Whilst I am supportive of a redevelopment here, the built form will not be sympathetic to (135c, NPPF) or make a positive contribution (210, NPPF) to local character. The proposal therefore fails to satisfy the provisions of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the aims of Section 16 of the NPPF and the aims of Policy HE1 of the North Hertfordshire Local Plan 2011-2031"*.
- 5.2.14 The Conservation Officer then goes on to confirm that as the identified harm would be confined to a relatively small section of the Conservation Area and setting of a non-designated heritage asset and would be considered 'less than substantial', but moderate on the continuum.
- 5.2.15 As set out in paragraph 212 of the NPPF, great weight should be given to an assets conservation irrespective of the harm identified. Paragraph 215, as set out in the report above, sets out that where a development will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.
- 5.2.16 The harm identified above is a moderate level of 'less than substantial' harm. The benefits of the scheme would include, but are not limited to, the provision of replacement care home accommodation incorporating up-to-date facilities for which there is an identified need. It is considered that this would amount to a significant public benefit that would outweigh the less than substantial harm to the conservation area and non-designated heritage asset.

Archaeology

- 5.2.17 North Herts Local Plan Policy HE4 on Archaeology states that permission for development proposals affecting heritage assets with archaeological interest will be granted provided that: a. developers submit an appropriate desk-based assessment and, where justified, an archaeological field evaluation. Policy HE4 as modified also states that *'Areas of as yet, unknown archaeology may be identified during research, or through the planning or plan making process. These sites or areas should be treated in the same way as archaeology areas and areas of archaeological significance'*. The NPPF paragraph 212 sets out the same approach to sites of archaeological significance as other heritage assets, in that *'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)'*. Paragraph 216 also requires *'in weighing applications that directly or indirectly affect non-designated heritage assets, a*

balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

- 5.2.18 The site has been subject of a desk-based assessment prepared by RPS Group (dated June 2024) which identifies a 1km wide study area. It confirms that the eastern half of the study area is located within an Area of Archaeological Significance (AAS) 99, which defines the Medieval Settlement of Willian and the whole of the study site is located within the Willan Conservation Area. The report also confirms that the Hertfordshire Historic Environment Record (HER) does not record any previous archaeological work having previously taken place within the study site.
- 5.2.19 Notwithstanding the above, the report states, *"The study site is considered to have a moderate potential for the Medieval period, a low-moderate potential for the Bronze Age and Roman periods with a low potential for all remaining past phases of human activity. The study site is currently occupied by Guysfield Care Home. This was originally a private residence constructed in 1884 before being converted into a care home 1986. Prior to the construction of the 1884 residence the study site lay within an area of open land to the west of the village of Willian. It is likely to have formed part of the Medieval village of Willian."*
- 5.2.20 HCC Historic Environment have confirmed the proposal has potential for archaeological remains. However, they do not object to the proposal and consider the impact of the proposed development can be adequately addressed by planning conditions.
- 5.2.21 In conclusion, the proposal has the potential for archaeological remains. An Archaeological Written Scheme of Investigation would address this matter. Subject to conditions, there are no objections to the proposals on archaeological grounds. This matter weights neutral in the planning balance.

5.3 Impact upon the Green Belt

- 5.3.1 The application site is in the open countryside within the Green Belt. National Policy on Green Belt is set out in Section 13 of the National Planning Policy Framework (NPPF). Paragraph 142 of the NPPF confirms that the Government attaches great importance to Green Belts, where the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
- 5.3.2 Paragraph 143 of the NPPF sets out that the Green Belt serves five purposes, which are as follows:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns;
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.3.3 Paragraph 153 of the NPPF sets out that *"when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition,*

harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

5.3.4 Paragraph 154 of the NPPF offers several exceptions to inappropriate development within the Green Belt. The proposed redevelopment of the care home would not meet any of the exceptions offered under Paragraph 154.

5.3.5 Paragraph 155 of the NPPF sets out that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate development where all the following apply:

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b) There is a demonstrable unmet need for the type of development proposed;
- c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework;
- d) Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.

5.3.6 Paragraphs 156 and 157 of the NPPF are not relevant in this case. As discussed previously, the proposal is for the redevelopment of an existing care home facility. As is the case with the current situation, the new facility does NOT propose any self-contained accommodation with residents relying on an element of care. The care home facility falls under planning use class C2 which covers residential institutions, including residential care homes.

5.3.7 The application has been accompanied by ‘Grey Belt Statement’ prepared by Woolf Bond Planning (dated June 2025). The document addresses the updated NPPF of December 2024. This technical note puts forward the argument that the proposal meets the criteria for the recently introduced ‘Grey Belt’ land classification. Should the application meet the criteria for being ‘Grey Belt’, the proposed development should not be considered inappropriate development and there would be no resulting harm arising from the proposal.

5.3.8 The NPPF Glossary defines Grey Belt land as follows:

“Grey belt: For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

5.3.9 In determining whether the application site should be defined as Grey Belt, the contribution the site makes to purposes (a), (b), and (d) set out in paragraph 143 should be considered.

- 5.3.10 Grey Belt also excludes land where the policies relating to areas set out in footnote 7 of the NPPF would provide a strong reason for refusal. Footnote 7 refers to the policies that protect areas or assets of particular importance including habitat sites, Sites of Special Scientific Interest, Green Belt, Local Green Space, a National Landscape, a National Park, Heritage Coast, irreplaceable habitats, designated heritage assets, and areas at risk of flooding or coastal change.
- 5.3.11 The National Planning Policy Guidance (PPG) sets out guidance on how authorities should consider evidence in the absence of Grey Belt allocations within the Local Plan. This includes:
1. Whether the site strongly contributes to the Green Belt purposes a, b, or d (as above).
 2. Whether the application of policies to areas and assets of particular importance identified in footnote 7 of the NPPF (other than Green Belt) provide a strong reason to restrict development.
 3. Whether development of the site would fundamentally undermine the purposes of the remaining Green Belt across the Local Plan area (North Hertfordshire in this case), as set out in national policy and this guidance.
- 5.3.12 It should be noted that the North Hertfordshire District Council Green Belt Review (2016) identifies the application site falling within sub parcel 14e. The Green Belt Review is intended to assess the 'performance' of strategic land parcels, sub parcels, and sites being considered for development in the Local Plan.
- 5.3.13 The Green Belt Review has assessed sub-parcel 14e as having a 'significant' contribution to purpose (a) of paragraph 143, a 'significant' contribution to purpose (b) of paragraph 143, and a 'significant' contribution to purpose (d) of paragraph 143.
- 5.3.14 Whilst the Green Belt Review is noted, the PPG, as set out in paragraph 5.3.11 of this report, requires that an assessment should be made as to whether the "site" strongly contributes to the Green Belt purposes rather than the wider area (sub-parcel 14e) as found within the North Herts Green Belt Review. In addition, the Green Belt Review was undertaken before the publication of guidance on assessing these specific purposes of the Green Belt within the PPG, and thus the methodology of assessment are not aligned.

Contribution of the site to the Green Belt purposes (a), (b), and (d)

- 5.3.15 Purpose (a) of paragraph 143 intends to check the unrestricted sprawl of large built-up areas. The PPG states that villages should not be considered large built-up area.
- 5.3.16 The application site is adjacent to the southern settlement boundary of Letchworth and around one mile from the eastern settlement boundary of Hitchin, the two closest large built-up areas. The village centre of Willian is closer in proximity to the site compared to Hitchin. However, Willian is not considered to be a large built-up area as set out within the PPG. Given that the site itself contains existing development and has physical features in reasonable proximity that could restrict and contain development, it is considered that the site has a 'moderate' contribution to purpose (a) of paragraph 143.

- 5.3.17 Purpose (b) of paragraph 143 is intended to prevent neighbouring towns merging into one another. The PPG states that 'this purpose relates to the merging of towns, not villages.'
- 5.3.18 The application site sits between the towns of Letchworth and Hitchin. Based on the PPG, the site is not considered to form a substantial part of a gap between the towns of Letchworth and Hitchin and would not result in a loss of visual separation between the two towns. The gap between Letchworth and Hitchin is approximately 1.6km with Hitchin set to the south-west of Letchworth. The site is previously developed land containing an existing building which has been extended over time. In addition, the site is contained on all sides with a combination of structures and natural landscaping. Therefore, it has been demonstrated that the site has been developed without the loss of visual separation between towns due to the presence and the close proximity of structures, and natural landscape elements or topography that preserve visual separation. The site therefore has a 'moderate' contribution to purpose (b) of paragraph 143.
- 5.3.19 Purpose (d) of paragraph 143 intends to preserve the setting and special character of historic towns. The site is not considered to form part of the setting of a historic town given its location, and has no visual, physical, or experiential connection to any historic aspects of a historic town. The site therefore has a 'limited' or no contribution to purpose (d) of paragraph 143 of the NPPF.
- 5.3.20 Given the above, the proposed development is not considered to strongly contribute to purposes (a), (b), or (d) of paragraph 143 of the NPPF.

Footnote 7 Considerations

- 5.3.21 As set out in the PPG and NPPF, Grey Belt excludes land where the application of the policies relating to the areas or assets in footnote 7 of the NPPF would provide a strong reason for refusing or restricting development.
- 5.3.22 Footnote 7 references designated heritage assets. As identified within the report above, harm has been identified to the Willian Conservation Area and the setting of a non-designated heritage asset (Guysfield House). Overall, a moderate level of 'less than substantial' harm was identified. As set out in paragraph 215 of the NPPF, this harm should be weighed against the public benefits of the proposal. The benefits of the scheme have been found to outweigh the harm to the heritage assets and therefore the harm to the designated heritage assets are not considered to provide a strong reason to restrict the development.

Impact on the remaining Green Belt in the plan area

- 5.3.23 The PPG sets out that in reaching a judgement on whether the development of Green Belt land would fundamentally undermine the purposes of the remaining Green Belt across the plan area as a whole, authorities should consider whether, or the extent to which, the release or development of Green Belt Land would affect the ability of all the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way.

- 5.3.24 Given the site area and its location relative to built-up areas, the development of the land upon which the residential care home is proposed is not considered to fundamentally undermine the purposes of the remaining Green Belt across the area of the plan. Consideration should also be given to the fact that there is an existing residential care home operating from the site. Therefore, it is considered that the redevelopment of the care home, and continuation of this established use would not affect the ability of all the remaining Green Belt in the area of the plan from serving all give of the Green Belt purposes in a meaningful way.

Demonstrable unmet need for the type of development proposed

- 5.3.25 Part (b) of paragraph 155 sets out that development should not be regarded as inappropriate if there is a demonstrable unmet need for the type of development proposed. As set out in the 'Other Matters – Care home need and supply' section of this report, there is a critical need to provide suitable accommodation for older people. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016, there were 1.6 million people aged 85 and over; by mid-2041, this is projected to double to 3.2 million. Offering older people, a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help to reduce costs to the social care and health systems. There is a demonstrable unmet need for suitable accommodation for older people. Therefore, the development proposal would meet the test set out in in paragraph 155 (b).
- 5.3.26 Paragraph 155 (c) of the NPPF sets out that development in the Green Belt should not be regarded as inappropriate if the development would be in a sustainable location, with particular reference to paragraph 110 and 115 of the NPPF.
- 5.3.27 The proposed development would generate low levels of traffic. Therefore, it would have a limited impact upon local transport networks. Furthermore, the site would be located adjacent to Letchworth and a short distance from the centre of Willian. It is considered that the site is well connected to these two settlements. The site is therefore in a sustainable location for the purposes of part (c) of paragraph 155 of the NPPF.
- 5.3.28 Part (d) of paragraph 155 refers to the 'Golden Rules'. It is considered that the Golden Rules are not applicable in this case given that the proposal is for the redevelopment of an existing residential care facility, and not for individual homes. This matter is discussed in detail earlier in this report.

Conclusion of Grey Belt consideration

- 5.3.29 In conclusion of the above, the proposal would utilise Grey Belt land and would accord with the provisions set out in paragraph 155 of the NPPF. The proposed development would not be inappropriate development in the Green Belt.

5.4 Principle of development

- 5.4.1 The North Hertfordshire Local Plan was adopted in November 2022 and is now part of the development plan, where full weight shall be given to relevant policies. The National Planning Policy Framework (NPPF) 2024 is a material consideration and is considered to be consistent with the Local Plan, also attracting significant weight.

- 5.4.2 Policy SP1 of the Local Plan supports development in the district by granting planning permission where development delivers an appropriate mix of homes, jobs and facilities that contribute towards the targets and aspirations in this Plan; development is high quality, respects and improves surroundings and provides opportunities for healthy lifestyle choices; and provides necessary infrastructure and secures any necessary mitigation measures that reduce the impact of development, including on climate change.
- 5.4.3 The application site is in Willan adjacent to the settlement boundary of Letchworth. The site itself consists of a building which has been extended over time and has a long-established use as a residential care home (Use Class C2). Given that the proposal is for the redevelopment of the existing care home, the continued use of the site as a residential care home is acceptable in principal.

5.5 Impact upon the character and appearance of the area

- 5.5.1 The NPPF requires all development to be of high-quality design and to respect the setting of listed buildings and conservation areas. North Herts Local Plan Policies SP9 and D1 state that good design is a key aspect of sustainable development and that proposals will be supported if the development is well designed and located and responds positively to its local context.
- 5.5.2 The application is supported by a Landscape & Visual Impact Assessment (LVIA) prepared by Fisher Tomlin & Bowyer (dated October 2024). The report confirms that the site is well-contained in nature and the visual impact of the proposed development of views from the north, east and west is limited. The only clear view of the scheme is from the south. From here, the existing care home building is visible and forms part of the character and appearance of this developed countryside site.
- 5.5.3 The proposal would give rise to a change in the quality and appearance of buildings on the site that can be seen as improvements. The new build care home has been sensitively designed and modelled, incorporating a cascade on its southern side to reduce its visual impact when viewed from Willian Road. Unlike a development on a greenfield site, where there will be a marked change from an undeveloped site to a developed site, here the proposal will represent a replacement of an existing building in a similar location, albeit slightly closer to Willian Road. Additional landscaping is also proposed along the southern boundary of the site.
- 5.5.4 In summary, it is considered that the degree of change to the site as a result of the proposal is not considered overriding or determinative of the proposal in respect of its impact on the character and appearance of the countryside and the area generally.

5.6 Design and Layout

- 5.6.1 The redeveloped care home would be accessed from the existing vehicular access off Willian Road and the new building entrance is positioned to address this access, providing visual prominence and security through overlooking and surveillance.
- 5.6.2 Guysfield House is perceived as a 'standalone' building set upon a plinth consisting of an access concourse to the main entrance, with a green wall to take up the difference between the concourse and lower garden level.

- 5.6.3 The new building is designed in an 'L' form with protruding south-west gable, with a high-quality landscaped courtyard which preserves a mature, Atlantic Cedar tree. This forms a natural focal point for the building and creates a natural setting for the appreciation of residents, staff and visitors.
- 5.6.4 The original car park which was arranged around the Atlantic Cedar tree, has been relocated to the west and north portions of the site. It utilises the existing mature vegetation to screen it from surrounding properties and Willian Road. Visitor car parking, disabled spaces and an ambulance bay are located immediately to the west of the main entrance. Staff car spaces are located to the north, with a dedicated service bay, screened by Guysfield House. Parking is therefore removed from the area immediately in front of the original house, which improves the setting of the new development and visual amenity from Willian Road. A total of 27 car parking spaces are proposed.
- 5.6.5 In a similar fashion to the original building, the new proposal runs parallel with the contours and takes account of the north-south fall across the site, with a ground floor level to match the existing house. Similarly to the original design, the south wing offers the opportunity to create a basement/lower ground floor level to accommodate the main kitchen, laundry, plant room and ancillary accommodation, in addition to 12 bedrooms and associated resident day space.
- 5.6.6 Consideration has also been given to ensuring the new building is of a similar height, mass and scale to the existing. Generally, the building is no greater than three storeys in height with the south-west corner stepping down to two storeys when viewed from Willian Road. Open 'cascading' roof terraces have been incorporated into the southern projection to reduce the overall mass/bulk, when viewed from Willian Road.
- 5.6.7 The overall siting, massing, topography and orientation ensures that issues of overlooking, and over-shadowing are not exacerbated. An interesting and varied roof-scape incorporating facing brick bays penetrating the roof-line, and contemporary zinc cladding to the top floor level is proposed. Further visual interest and variety is promoted through the creation of prominent architectural features including a streamlined zinc canopy above the main entrance, an extensive south-facing terrace, decorative metal railings, traditional brick detailing around all openings and a continuous brick dentil course at second floor level which pays homage to the existing brick detailing of Guysfield House.
- 5.6.8 The uppermost storey is finished in a zinc cladding, punctuated by large, glazed areas, with decorative brick detailing introduced to feature bays to replicate the detailing and verticality of Guysfield House.
- 5.6.10 It is considered that the design of the building and associated landscaping would be of high quality. The new care home facility takes some design cues from the current building and would employ a varied and attractive palette of materials. The overall design of the scheme would accord with North Herts Local Plan policies SP9 and D1. This attracts moderate weight in the planning balance.

5.7 Impact upon residential amenity

- 5.7.1 In terms of matters that relate to the effect upon the living conditions of occupiers of neighbouring dwellings, such as loss of outlook, privacy, daylight and sunlight, the nearest existing residential dwellings lie to the north of the site (Nos. 17-28 Greenway). The position of these neighbouring properties in relation to the proposed development is shown on the submitted Proposed Site Layout Plan (Drawing No. 4870-ORA-ZZ-XX-DR-A-31004 Rev Q).
- 5.7.2 The submitted plan drawings show the replacement care home building would follow the same building line as the existing structure on the northern elevation (edged red on the site layout plan) with a small protrusion to the east. However, the overall length of the proposed northern elevation of the building would be shorter compared to the existing situation as there would be no built form at the western side adjacent to the original Guysfield House building. In this regard, it is considered that the presence of the new building in this general location would be comparable to the existing situation. Furthermore, the current separation distance between the neighbouring properties on Greenway would be maintained with the nearest property at No. 17 Greenway being around 25m away from the existing and proposed northern elevation of the building.
- 5.7.3 To improve upon the immediate setting of the care home and the existing residential properties, the existing belt of conifer trees between the current building and the northern boundary is proposed to be replaced with native spaces that are considered more sympathetic in respect of both a domestic residential and care home setting. Full details of the proposed replacement trees are shown in the submitted Tree Planting Plan (Drawing No. 1304/20.11.B Rev B). This in turn would enhance the visual quality of the landscape in this part of the site and preserve the mutual residential amenity by reason of overlooking, privacy and outlook between the private residential properties to the north and the care home to the south.
- 5.7.4 The proposed car parking area on the western side of the site will in part replace an existing driveway that runs parallel to the northern boundary of the site. Nevertheless, the car parking area (spaces 11–17) are set back off the northern boundary and separated by a section of mature woodland that is being retained as part of the scheme. Proposed parking spaces 18– 27 also lie away from the northern boundary and will be screened by the proposed new semi-mature planting and an appropriate fence screen in order to preserve the amenities of Nos. 19 & 20 Greenway. In any event, these neighbouring properties are situated a considerable distance of around 22m away from the site boundary.
- 5.7.5 NHDC's Environmental Health team have also recommended a noise mitigation scheme condition, an air quality condition relating to the management of odour from kitchen operations and a Construction Management Plan condition which are all considered appropriate in respect of protecting the living conditions of occupiers of neighbouring properties, and particularly the properties (Nos. 17-28 Greenway) to the north of the site.
- 5.7.6 In summary on this matter, it is considered that the proposal would not result in any significantly adverse impacts upon the amenity of neighbouring properties and would comply with Policy D3 of the North Herts Local Plan.

5.8 Highways, access and car parking

- 5.8.1 Paragraph 116 of the NPPF sets out that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe.
- 5.8.2 Policy T1 of the Local Plan sets out that planning permission will be granted for new development provided that they would not lead to highway safety issues or unacceptable impacts on the highway network.
- 5.8.3 The Highways Authority have been consulted on the application and confirm that given the increase proposed in the number of bedrooms at the site, the level of traffic attracted by the proposed care home would slightly exceed the traffic level associated with the existing care home. Any additional traffic levels should be regarded as modest in context and would not have a material effect on the operation of the local road network.
- 5.8.4 The 'Proposed Site Layout Plan' shows the provision of a total of 18 car parking spaces, including disabled spaces for the use of visitors. The Highways Authority confirms this fully accords with NHDC parking standards. In accordance with the operational requirements of the development, 9 further car parking spaces would be provided for staff.
- 5.8.5 Overall, the Highways Authority conclude they have no objection to the proposed development and its impact upon highways safety and network subject to the inclusion of appropriate conditions and informatives. The proposed development would accord with both local and national planning policies. This matter is given neutral weight in the planning balance.

5.9 Ecology and biodiversity matters

- 5.9.1 Paragraph 187 of the NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.
- 5.9.2 Local Plan policies SP12 (Green infrastructure, biodiversity, and landscape), Policy NE4 (Biodiversity and geological sites), and NE6 (Designated biodiversity and geological sites) seek to protect, enhance, and manage the natural environment.
- 5.9.3 The 2021 Environment Act introduced an automatic requirement for every planning permission granted to achieve a 10% Biodiversity Net Gain (BNG). This is applicable to the current application.
- 5.9.4 The application is accompanied by an Ecological Impact Assessment report, together with a Biodiversity Metric and a Biodiversity Net Gain report which demonstrates that the proposal would result in a measurable on-site net loss of 3.9% habitat units and 43.7% hedgerow units. The applicant is therefore required to deliver the minimum 10% net gain off site. NHDC's Senior Ecologist has recommended a condition requiring details to be submitted as to how this will be achieved through a Biodiversity Net Gain plan. In addition, conditions have also been recommended requiring the submission of a Construction Environmental Management Plan (CEMP), an Ecological Enhancement Plan (EEP) and a lighting strategy.

- 5.9.5 The scheme also proposes extensive planting throughout the site as detailed in the Planting Plans and Planting Schedule. Additional planting is also proposed in the form of boundary shrub planting, woodland underplanting, hedging and boundary hedging as shown on the Additional Planting Plan.
- 5.9.6 Overall, it is considered there are no ecological impacts arising from the proposals that cannot be mitigated. The applicant has confirmed that the mandatory 10% biodiversity net gain will be achieved off-site and this can be secured by condition. This is considered to be a moderate positive benefit in the planning balance.

5.10 Tree Impacts

- 5.10.1 *Chapter 15 of the NPPF – Conserving and enhancing the natural environment* – confirms that proposals should protect and enhance the natural environment. *Local Plan Policy SP1: Sustainable development in North Hertfordshire* seeks to protect key elements of North Hertfordshire's environment. *Local Plan Policy NE2 Landscape* seeks to ensure the health and future retention of important landscape features and their long-term management and maintenance.
- 5.10.2 The site contains existing trees and hedgerows throughout the site, most notably along and adjacent to the site boundaries.
- 5.10.3 The application is supported by an Arboricultural Planning Report prepared by Arb Consultancy Ltd (dated June 2024). This sets out tree constraints, impacts and preliminary mitigation measures arising from the development.
- 5.10.4 It identifies that sixteen trees would need to be felled to ground level in order to facilitate the proposed development and landscaping. Two of these trees are Category B trees with the remainder being Category C and Category U trees. It considers that nine of these trees are generally of limited overall amenity/landscape value, and their removal would not be overly detrimental to the site and the surrounding landscape/treescape. The removal of the remaining identified trees would be mitigated against by way of numerous tree planting to be undertaken throughout the site, including planting to the northern boundary to create effective new screening between the site and the adjacent neighbouring properties. In total it is proposed to plant 95 new trees throughout the site as shown on the submitted Tree Planting Plan (Drawing No. 1304/20.11.B Rev B).
- 5.10.5 In summary, some low-quality trees will need to be removed to facilitate the proposed development. However, to mitigate against this, an extensive tree planting scheme is proposed throughout the site. This matter therefore weighs neutral in the planning balance.

5.11 Flood Risk and Drainage

- 5.11.1 National policy on issues relating to flooding is set out in the NPPF at paragraphs 170 to 182. This emphasises the importance of considering the potential for flooding for new developments, particularly in areas identified at high risk. It also requires the consideration of incorporating sustainable drainage solutions where necessary and appropriate.

- 5.11.2 *Local Plan Policies SP11, D1, NE7 and NE8* collectively seek to ensure that development does not result in unacceptable flood risk, prioritises the development of land at low risk from flooding and the use of sustainable drainage systems (SuDS).
- 5.11.3 The site lies within Flood Risk Zone 1 (low risk of flooding from rivers) with some areas of the site being susceptible to low and medium risk surface water flooding (flooding resulting from storm events). Given the scale of development, a Flood Risk Assessment and Drainage Strategy was submitted with this application prepared by Canham Consulting (dated July 2025).
- 5.11.4 The Lead Local Flood Authority (LLFA) were consulted on this application and formally responded with an objection to the scheme on several technical grounds requiring further information to support the discharge location hierarchy, and further information in relation to the proposed surface water drainage system as currently is does not sufficiently address the four pillars of SuDS. The applicant is currently engaging with the LLFA to address these issues with a view to the LLFA seeking to secure full details in relation to the sustainable management and design of the surface water drawing provision for the proposal through the recommendation of conditions.
- 5.11.5 Anglian Water were consulted on this application and formally responded with an objection on similar grounds to the LLFA in relation to the proposed surface water drainage system.
- 5.11.6 The LLFA have provided written confirmation that they are confident they can resolve the two outstanding objection points with the applicant. Therefore, subject to the proposed resolution which will enable future consideration of these matters, the proposal will not result in an unacceptable flood risk or have adverse drainage impacts, in line with Policy NE7 of the Local Plan, and this matter weighs neutral in the planning balance.

5.12 **Environmental Impacts**

- 5.12.1 *Chapter 15 Conserving and enhancing the natural environment* of the NPPF requires decisions to contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should also seek to improve local environmental conditions such as air and water quality (paragraph 187). *Local Plan Policy D3 Protecting Living Conditions* confirms that new development should protect residential amenity for existing local residents. *Local Plan Policy D4 Air Quality* requires developments to consider air quality impacts arising from development, carry out assessments and identify mitigation measures where necessary.

Noise

- 5.12.2 The application is accompanied by an Acoustic Design Statement prepared by Sound Solution Consultants (dated October 2024). The statement includes a noise assessment and recommendations for mitigation and limits for any plan installed.
- 5.12.3 NHDC's Environmental Health Officer has confirmed they are happy with the proposals based on the submitted information and has recommended a Construction Management Plan condition and a noise mitigation scheme condition to protect the living conditions of occupiers of neighbouring dwellings.

Land Contamination

- 5.12.4 The current use of the site is a residential care home with areas of hardstanding for access and parking. NHDC's Environmental Health Officer has confirmed there is a small potential for contamination to be present. Therefore, an appropriate condition has been recommended.

Air Quality

- 5.12.5 No details have been submitted in relation to the installation of any kitchen equipment and odour mitigation, and there is no information on the proposed kitchen extraction system or detail in respect of the type of cooking operations proposed and consequently, what level of smoke and odour control measures are required. A condition has therefore been recommended by NHDC's Environmental Health Officer to address this matter.

Conclusion on environmental impacts

- 5.12.6 The supporting documentation confirms that there are likely to be minimal impacts in relation to land contamination, air quality and noise pollution. Any impacts can be reasonably mitigated through conditions. Given the foregoing, there is not considered to be any harmful environmental impacts arising. This matter weighs neutrally in the planning balance.

Other Matters

5.13 Care Home Supply and Need

- 5.13.1 Paragraph 61 of the NPPF states that the Government's objective is to boost significantly the supply of homes, and in doing so, ensure that the needs of groups with specific housing requirements are addressed. Paragraph 63 of the NPPF notes that the housing needs of older people should be assessed and reflected in planning policies. In this regard, two points arise. Firstly, National Planning Practice Guidance states at paragraph 001 Reference ID: 63- 001-20190626 that:

"The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help to reduce costs to the social care and health systems..."

- 5.13.2 This represents a national acknowledged future exponential growth in the 85+ age cohort.
- 5.13.3 Secondly, Local Plan Policy SP8 part(g) confirms that at least 350 bed spaces in suitable, supported accommodation to meet the needs of those who cannot live in their own home need to be provided.

- 5.13.4 Accordingly, there is a clear policy framework at the National and development plan levels supporting the need for additional care homes. In light of this, the applicant has commissioned an up-to-date care home local needs assessment to quantify the need from both a qualitative and quantitative perspective at the local level. This is addressed below.
- 5.13.5 Local evidence of need comes in two forms. Firstly, the inadequacies of the existing care home and the need to replace it in order to maintain a care home on site. This matter is addressed in the Suitability & Viability report prepared by Christie & Co (dated March 2023), which is submitted as part of the planning application. Secondly, a shortfall in the quantum and quality of care homes in the surrounding area. This is addressed in the supporting Planning Need Assessment report prepared by Carterwood Ltd (dated May 2024).
- 5.13.6 In relation to the Suitability & Viability report, this concludes that the quality, layout and condition of the existing Guysfield Care Home is very poor. The existing building is found to be materially compromised due to a specification that is obsolete and not fit for purpose relative to the needs of the client group. Specific deficiencies include a poor layout, narrow corridors, small bedrooms, the lack of any en-suite wet rooms, narrow doorway widths, the lack of a stretcher lift and limited day space. Furthermore, the bedrooms on the top floor are not suitable for occupation by residents with the effective capacity of the home reduced to 42 residents as a consequence.
- 5.13.7 In terms of the financial viability of the existing care home, it concludes that it is not viable. Due to a combination of the above characteristics, the reduced capacity and associated operational issues, the business is non-viable in its current format having been materially loss making for the last five years.
- 5.13.8 Comparing the existing and proposed care homes, the report confirms how the new proposal addresses the shortcomings of the existing facilities and represents a high-quality purpose-built care home that meets the existing/future needs of the elderly. In terms of bedroom specification and market benchmark requirements, the submitted 'Comparative Typical Bedroom' layout plans (Drawing No. 4870-ORA-01-ZZ-DR-A-37010 Rev C) demonstrate how the current bedroom accommodation is outdated and no longer fit for purpose and how the proposed bedroom layout is designed to meet the rapidly changing needs of today's elderly population.
- 5.13.9 In relation to the Planning Need Assessment report, this states that even with the proposed Guysfield House redevelopment scheme in place, there is an under supply of market standard of proof care beds in Letchworth. In the circa 5-mile market catchment, 91 per cent of registered bedrooms are at minimum market standard and 66 per cent provide full market standard accommodation. The equivalent figures for the North Hertfordshire Council area are a little lower, at 87 per cent and 64 per cent, respectively. The analysis confirms the average size of successful custom built, fit for purpose, care homes are 68 bedrooms, which reflects the scale of the new proposal.
- 5.13.10 The assessment, based on 2027, the earliest the proposed redevelopment of Guysfield Care Home could be made available, indicates a net need for 194 full market standard care home bedrooms in the 5-mile market catchment and 124 in the North Hertfordshire Council local authority area. Additional demand is also arising from dementia diagnosis. The local area of Northeast Hertfordshire has a higher proportion of the local population,

living with dementia, compared to the UK. In this regard, in terms of care home bedrooms dedicated for dementia care, the assessment indicates a net need for 302 full market standard care bedrooms in the 5-mile market catchment and 229 in the North Hertfordshire Council local authority area. As these shortfalls are subsets of the total undersupply of care beds, based on 2027, they indicate the requirement to increase the provision of dedicated dementia care bedrooms in both assessed catchment areas.

5.13.11 Based on the above analysis, that there is both a clear qualitative and quantitative need for additional care home beds within Letchworth. The existing supply which includes Guysfield House is characterised by not only an inadequate number of care home beds but also a significant shortfall in the quality of the supply which is highlighted by the poor quality of the existing facility on the site. Accordingly, the proposal would be replacing the 50 poor quality beds but also adding to the supply in a significantly enhanced form of qualitative supply.

5.13.12 In summary, the evidence is clear that the existing care home is no longer fit for modern day purposes and comprises a poor-quality facility. The assessment and analysis of the existing facility is set out in detail within the submitted Suitability & Viability report prepared by Christie & Co which confirms this. The report also confirms that the existing care home by reason of its poor quality and limited size, is no longer viable. The report highlights the key characteristics of the replacement care home highlighting the important differences and why the new proposal would represent a significantly improved facility.

5.13.13 This application is supported by a set of feasibility floor plan layout drawings which confirm that if the existing building was to be reconfigured and refurbished with the standard and quality of accommodation being proposed in the current application, it could realistically only accommodate 29 rooms. These feasibility floor plans together with the cost plan set out in Annex 2 of the Planning Statement, confirm that it is not economically or operationally viable to refurbish or reconfigure the existing building into a viable care home. As noted in the Suitability & Viability report, this would be too small to be a viable care home. A modern care home must now provide more than 60 places to be viable and be efficient and effective in terms of economies of scale etc. As a result, the only option to retain a suitable care home facility on the site and deliver the benefits of the scheme, is a proposal such as the planned redevelopment scheme.

5.13.14 The proposed development would therefore make a much needed qualitative as well as quantitative improvement to the supply of care homes within Letchworth and wider surrounding area. It is considered that this matter attracts substantial weight in the planning balance.

5.14 Sustainability

5.14.1 Chapter 2 of the NPPF Achieving sustainable development requires the sustainability credentials of proposals to be considered. Paragraph 8 requires that all three objectives – *economic, social and environmental* – of the planning system would be met. Chapter 14 Meeting the challenge of climate change, flooding and coastal change confirms that the planning system should support the transition to a low carbon future in a changing climate.

5.14.2 The Council passed a Climate Emergency motion in 2019 which pledged to do everything within the Council's power to achieve zero carbon emissions in North Hertfordshire by 2030. The Council has adopted a Climate Change Strategy to promote carbon neutral policies. LP Policy SP1: *Sustainable development in North Hertfordshire is an overarching*

policy whereas LP Policy SP11 Natural resources and sustainability gives broad support for proposals for renewable and low carbon energy development in appropriate locations.

5.14.3 Local Plan *Policy DE1 Sustainable Design requires developments to consider a number of criteria including the need to reduce energy consumption and waste. LP Policy NE12 Renewable and low carbon energy development* supports the principle of renewable energy subject to a technical impacts being satisfied. Local Plan *Policy SP9* relates to Design and Sustainability and seeks the inclusion of a broad range of sustainability measures in developments.

5.14.4 The application is supported by an Energy Strategy Report prepared by Harniss (dated June 2024) which sets out the energy strategy for the proposed development. It states that the site will be constructed to comply with Part L2:2021 of the Building Regulations and in line with national and local planning policies to utilise low carbon and sustainability solutions.

5.14.5 The development will reduce regulated CO₂ emissions by incorporating a range of passive design and energy efficiency measures for the development, including improved building fabric standards beyond the requirements of Part L of the Building Regulations and energy efficient mechanical and electrical plants. These measures will enable the proposed development to exceed Target Emission Rates (TER) through energy efficiency measures alone. After reduction of the energy demand, the strategy proposes the implementation of an Air Source Heat Pump (ASHP) system connected to heating systems which will supply hot water and space heating to the entire development. Alongside the ASHP system, it is also proposed to install 150m² of photovoltaic (PV) panels on the roof of the building to reduce CO₂ emissions. Details of the location of the panels are shown in the submitted Roof Plan drawing.

5.15 Fire Risk

5.15.1 Hertfordshire Fire and Rescue Service have been consulted as part of the application process. In their response, they raise concerns regarding a lack of information in relation to access and on-site manoeuvring for fire emergency vehicles in the event of an emergency, proposed fire suppression systems and the proposed fire evacuation strategy for the new building.

5.15.2 It is considered that these matters can either be suitably addressed by condition or through building regulations requirements. Therefore, it is considered appropriate in this case to include a Fire Strategy Plan condition that would require consultation with Hertfordshire Fire & Rescue prior to the commencement of any above ground works. A standard fire hydrant condition has also been recommended.

5.16 Waste and Recycling

5.16.1 NHDC's Waste and Recycling team have objected to the application on the grounds that the swept path analysis drawing submitted with the Transport Assessment shows the track width is too narrow for waste lorries to enter and exit the development, and the bin store is located too far from the place where lorries would be stopping, making bin dragging distance above the requirement, which is a maximum of 10 metres.

5.16.2 It is noted that these comments are based on the vehicular site access at the front of the site from the highway which is an existing access that is currently in use. No changes are proposed to this existing access and the Highways Authority have not recommended that any changes be made to this access in order make the development proposal acceptable. In addition, it is noted that the proposed bin store area at the rear of the site would be adjacent to the car parking area and service bay space in any event, therefore, a revised swept path drawing could be provided to demonstrate that refuse collection vehicles can get close enough to the bin store area to comply with the 10m drag distance rule. However, and notwithstanding this, the applicant has confirmed that the current residential care home has an arrangement in place with a private waste collection company to collect and remove waste generated by the care home on a regular basis. It is the preference and intention of the applicant for this arrangement to continue in respect of the redeveloped care home.

5.17 Very Special Circumstances (Green Belt)

5.17.1 Should members not agree with the assessment identifying the land as Grey Belt, the applicant, as part of their application submission, has set out very special circumstances (VSC) within their Planning Statement for consideration.

5.17.2 Paragraph 153 of the NPPF sets out that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

5.17.3 The applicant has identified the following considerations weighing in favour of the development:

Provision of replacement care home accommodation

5.17.4 As discussed in the previous 'Care Home Supply and Need' section of this report, it confirms that the existing care home is no longer fit for modern day purposes and comprises a poor-quality facility. The report also confirms that the existing care home is no longer viable and the only option to retain a suitable care home facility on the site and deliver the benefits of the scheme is the proposed redevelopment scheme. This is afforded substantial weight.

Need for additional care home accommodation

5.17.5 Also as discussed in the previous 'Care Home Supply and Need' section of this report, it confirms that the proposed care home redevelopment would help towards meeting the acute need for additional care home bedspaces, including specifically design dementia beds, with the added benefit of replacing the poorer quality care home on site be re-providing in a high quality, modern and purpose-built setting, well located to meet these needs. This is afforded substantial weight.

Release of existing housing stock

5.17.6 The proposal would meet an established need for residential care home accommodation (Use Class C2). This would also be catalytic in terms of freeing up existing Use Class C3 housing stock. This would represent an equivalent increase of 20 new bed spaces on-site, or 28 bed spaces if only the currently operational 42 bed spaces are taken into

consideration, thus contributing towards the Council's five-year housing land supply position based on a simple numeric calculation through the delivery of care home bedspaces. This in turn will generate additional Use Class C3 housing capacity through the release of existing accommodation to meet other housing needs in the Local Authority's demographic. This is afforded moderate weight.

Health and well-being outcomes/social cohesion and NHS efficiencies and savings

- 5.17.7 The provision of high-quality replacement and additional Use Class C2 bed spaces for older people will make a material contribution towards meeting significant and important needs, particularly in respect of the health and well-being of local residents through a specialist care offer: a care package; monitoring of residents' well-being; facilities to encourage activity and mobility; and reduced isolation and associated mental health issues. An added benefit of meeting these needs is the knock-on benefit to the NHS. Meeting these needs can contribute to fiscal savings to the NHS and social care services. Overall, this is afforded limited weight when considered in the context of the positive weight already afforded to additional provision of this development type.

Economic development

- 5.17.8 The proposal will represent a substantial investment into the area. Not only would there be the direct short-term economic benefits arising from the construction phase for the development, but there will also be direct long-term economic benefits arising from retaining and increasing the employment opportunities associated with the day-to-day operation of the care home.
- 5.17.9 In addition, there would also be indirect economic benefits arising from employment and activity in the supply chain companies providing support services for the enlarged care home. An induced economic benefit would also arise through expenditure from employees spending their income on goods and services in the local economy. This would deliver an enhanced economic use, therefore contributing to the resilience of a local economy. This is afforded moderate weight.

Enhancement of a non-designated heritage asset

- 5.17.10 The proposal would contribute towards securing a long-term optimal viable use of the non-designated heritage asset (the original Guysfield House building). There would also be an enhancement to the setting of Guysfield House through re-establishing its original detached form, enhanced planting to filter views of the replacement care home, and the continued use of Guysfield House to sustain its upkeep and condition. When taken in isolation, this is afforded moderate weight. In terms of the overall heritage and archaeological impacts of the development proposal, this is discussed in detail in the relevant section of this report.

Design

- 5.17.11 The design of the building and associated landscaping would be of high quality. There is a renewed emphasis on good design in the NPPF: in particular, the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve as is the fostering of well designed, beautiful places. Therefore, it is considered that high quality design is not an optional extra, but a basic

requirement of policy. Much thought has gone into the design and landscaping to achieve a very pleasing building with attractive gardens. The new facility takes some design cues from the current building and would employ a varied and attractive palette of materials. This is afforded moderate weight.

Ecology

- 5.17.12 Whilst not providing BNG on-site, an off-site 10% biodiversity net gain is being secured. Whilst this is a mandatory requirement, it remains a benefit which is afforded moderate weight.

5.18 Planning Balance and Conclusion

- 5.18.1 The proposed development would utilise Grey Belt land given the proposals accordance with the provisions set out in paragraph 155 of the NPPF. Therefore, the proposed redevelopment of the care home facility is not inappropriate development within the Green Belt. No harm would arise from the proposed development with regards to Green Belt.
- 5.18.2 Great weight is given to the impact of the development identified upon designated heritage assets. Less than substantial harm was identified, with the harm being at the moderate level of the less than substantial continuum. However, the contribution of the proposal to the provision of this type of living accommodation in the form of a residential care home facility (Use Class C2) is a substantial public benefit, which has been identified earlier in this report as out outweighing the less than substantial harm to the conservation area and non-designated heritage asset.
- 5.18.3 Moderate weight is given to the economic benefits and overall design approach of the scheme as identified within the report above.
- 5.18.4 The proposed development is identified as having a neutral impact to flood risk and drainage, highways, access and parking matters, ecology and biodiversity, tree matters, environmental impacts, and archaeology.
- 5.18.5 There would be a change to the overall character and visual appearance of the site as a result of the proposed development. However, based upon the submitted plan drawings and supporting information accompanying the application, and subject to suggested conditions, it is considered that there would not be significant harm to the character and appearance of the area.
- 5.18.6 Subject to the measures proposed in the submitted plan drawings, and subject to the relevant suggested conditions, there would not be a significant adverse impact upon the living conditions of occupiers of nearby residential properties.
- 5.18.7 Overall, the proposed development would conflict with a number of policies contained within the Local Plan. However, the benefits of the proposed development are considered to be of sufficient weight to clearly outweigh the harms identified within the report above and is therefore recommended for approval.
- 5.18.8 The purpose of the planning system is to contribute to the achievement of sustainable development. Upon consideration of the social, economic, and environmental objectives of the planning system, the harm identified by the proposed development to the

designated and non-designated heritage assets is clearly outweighed by other considerations including the provision of a modern, high-quality residential care home facility for which there is an identified need. Taken as a whole, the proposal is considered to be in accordance with national planning policy and the local development plan. Accordingly, it is recommended that planning permission should be granted.

6.0 Alternative Options

- 6.1 None applicable (see 'Key Issues' section of this report above).

7.0 Pre-Commencement Conditions

- 7.1 The applicant is in agreement with the pre-commencement conditions that are proposed.

8.0 Legal Implications

- 8.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

9.0 Recommendation

- 9.1 The application is therefore recommended to the Planning Control Committee with a resolution to **GRANT** planning permission, subject to the following matters:
- a) A response of no objection and any relevant conditions from the Local Lead Flood Authority, to be delegated to the Development and Conservation Manager prior to any decision.
 - b) An agreement to an extension of time to the statutory determination date to allow for a) to occur.
 - c) The conditions and informatives set out below.

Biodiversity Net Gain

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that **development may not begin** unless:
 - a) A Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) The planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be done which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Time Limit

2. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

3. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

Finished Floor Levels

4. No development shall take place until finished floor levels plans have been submitted to and approved in writing by the Local Planning Authority. The plan(s) need to show fixed data points correlating to the existing topographical survey and finished floor levels throughout the site to demonstrate the external impact on neighbouring properties in terms of height. The approved details shall be implemented on site.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality and in accordance with and in accordance with Policy D3 of the North Hertfordshire Local Plan (2011-2031).

Materials

5. Notwithstanding the information submitted with the application, prior to construction above damp-proof course of the development hereby approved, a schedule of materials to be used on all external elevations and the roof of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and in accordance

with Policy D1 of the North Hertfordshire Local Plan (2011-2031).

Site Waste Management

6. No development shall take place until a Site Waste Management plan has been submitted to and approved in writing by the Local Planning Authority. The SWMP should aim to reduce the amount of waste being produced onsite and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that waste is minimised during the demolition and construction phases of the development in accordance with Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document 2012.

Cycle Parking/Storage

7. Prior to the first occupation of the development hereby approved, details of the siting, number and design of secured/covered cycle parking spaces shall have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall thereafter be installed prior to the first occupation of the development hereby approved and permanently retained for cycle parking.

Reason: To ensure the provision of cycle parking spaces in line with the Council's adopted standards and to encourage use of sustainable modes of transport.

Soft Landscaping

8. The approved details of soft landscaping shall be carried out before the end of the first planting season following either the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

Hard Landscaping

9. Notwithstanding any details included in the submitted plans, no development above ground level (except demolition, site clearance, ground investigation and remediation work) shall take place until details of hard landscaping, boundary treatments and any other enclosures have been submitted to and approved in writing by the Local Planning Authority. The details should include proposed finished levels, surfacing materials, and hard surfacing material specifications. The approved details shall be implemented on site prior to the first occupation of the development.

Reason: In the interests of character and visual amenity and ensuring compliance with North Herts Local Plan Policy NE2 and the National Planning Policy Framework.

Trees

10. development hereby permitted shall be carried out in accordance with the Arboricultural Planning Report prepared by Arb Consultancy Ltd (dated June 2024) and the Tree Planting Plan (Drawing No. 1304/20.11.B Rev B) unless otherwise agreed in writing by the Local Planning Authority

Reason: To safeguard and enhance the trees on the site and in accordance with Policy NE2 of the North Hertfordshire Local Plan (2011-2031).

Tree Retention

11. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

Tree Replacement

12. Any tree lopped, topped, felled, uprooted, removed or otherwise destroyed or killed contrary to the provision of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the LPA agrees in writing to dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

Construction Environment Management Plan (CEMP)

13. No development shall take place (including ground works or vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) should be informed by the October 2024 Ecological Impact Assessment and include the following:
 - a) Risk assessment of potentially damaging construction activities;
 - b) Identification of "biodiversity protection zones";
 - c) Practical measures to avoid or reduce impacts during construction;
 - d) The location and timing of sensitive works to harm to biodiversity features;
 - e) The times during construction when specialist ecologists need to be present on site to oversee works;
 - f) Responsible persons and lines of communication;
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person in relation to amphibians, reptiles, birds, bats, badger and hedgehogs;
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the environmental impacts of the development are controlled in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts, in the interests of highway safety and amenity and in accordance with Policies D3, T1 and NE12 contained in the North Hertfordshire Local Plan.

Ecological Enhancements

14. No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as hibernacula, the inclusion of integrated bird/bat and bee boxes in buildings/structures, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with North Herts Local Plan Policy NE4.

Lighting

15. Prior to the first occupation of the development hereby permitted, the details of a lighting design strategy for biodiversity for the site and for residential amenity shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:
 - a) Identify those areas/features on site to which bats and other nocturnal species are particularly sensitive where lighting is likely to cause disturbance in or around their breeding sites and resting places, or along important routes used to reach key areas of their territory, for example, for foraging;
 - b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places; and
 - c) Provide details of the design of lighting units, any supporting structures and the extent of the areas to be illuminated.

The strategy shall be designed to minimise the potential adverse effects of external lighting on the amenity and biodiversity of the site and its immediate surroundings. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained therefore in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of biodiversity and the amenity of nearby residents and to ensure compliance with North Herts Local Plan Policies NE4 and D3.

Energy and Sustainability

16. The development hereby approved shall be constructed in accordance with the submitted Energy Strategy Report prepared by Harniss (dated June 2024), and details of the proposed air source heat pump system shall be submitted to and approved in writing by the Local Planning Authority prior to its installation, and the identified sustainability measures shall be maintained and retained thereafter

Reason: To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with North Hertfordshire Local Plan Policies SP9 and D1, and the adopted Sustainability SPD (2024).

Archaeology

17. (A) No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
1. The programme and methodology of site investigation and recording
 2. The programme and methodology of site investigation and recording as required by the evaluation
 3. The programme for post investigation assessment
 4. Provision to be made for analysis of the site investigation and recording
 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 6. Provision to be made for archive deposition of the analysis and records of the site Investigation
 7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

(B) The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A).

(C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

Reason: To ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological features of significance, in accordance with North Hertfordshire Local Plan HE4 and Section 16 of the NPPF 2021.

Contaminated Land

18. Any contamination that is found during construction of the development hereby permitted shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found, remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development is resumed or continued.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters in accordance with North Hertfordshire Local Plan Policy NE11.

Noise Mitigation

19. No demolition/development shall take place until a scheme for the protection of nearby residential dwellings from noise is submitted to approved in writing by the Local Planning Authority. The scheme shall be in accordance with the recommendations identified in the Sound Solution Consultants Ltd report (Ref: 41005-R2 – dated 2 October 2024). No rooms shall be occupied until the scheme providing protection for those dwellings has been implemented in accordance with the approved details. The approved scheme shall be retained in accordance with those details thereafter.

Any plant, machinery or equipment installed as part of the development hereby permitted, shall not exceed the noise limits as set out in the submitted Sound Solution Consultants Ltd report (Ref: 41005-R2 – dated 2 October 2024).

Reason: To protect the amenity of nearby residents in accordance with the aims of Policy D3 of the North Hertfordshire Local Plan 2011-2031.

Air Quality – Odour

20. Any kitchen equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation. The equipment shall be effectively operated for so long as the commercial food use continues. Full details of the method of odour abatement and all odour abatement equipment to be used shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The approved equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of the use hereby permitted.

Reason: To prevent the adverse impact of odours arising from cooking activities on the amenity of nearby residents.

Construction Management Plan

21. Full details of a Construction Management Plan (CMP) for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The construction of the development shall thereafter be carried out in complete accordance with the approved details unless

otherwise agreed in writing by the Local Planning Authority. The Plan shall include the following:

- a) Details of the construction programme and phasing;
- b) Hours of operation, delivery and storage of materials;
- c) Details and timing of the removal of any site waste;
- d) Details of any highway works necessary to enable construction to take place;
- e) Details of parking and loading arrangements;
- f) Measures to deal with environmental impacts including noise, dust, air quality, light and odour;
- g) Details of any management of traffic to reduce congestion, construction traffic route signage, monitoring and enforcement measures;
- h) Details of any temporary screening and hoarding details to protect neighbouring residents;
- i) Details of consultation and complaint management with local businesses and neighbours;
- j) Details of the control of dust and dirt on the public highway including wheel washing facilities for construction vehicles leaving the site;
- k) Storage and removal of building waste for disposal or recycling;

Reason: To ensure the environmental impacts of the development are controlled in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts, in the interests of highway safety and amenity and in accordance with Policies D3, T1 and NE12 contained in the North Hertfordshire Local Plan.

Construction Hours

22. During the construction phase of the development hereby approved, no construction activities shall take place outside of the following hours: Monday to Friday 08:00-18:00, and Saturdays 08:00-13:00. No construction activities shall take place at any time on Sundays or bank holidays, and piling shall only be undertaken between 09:00 and 17:00 Monday to Friday.

Reason: To protect the living conditions of local residents in accordance with Policy D3 of the North Hertfordshire Local Plan 2011-2031.

Fire Strategy Plan

23. Prior to any above ground works, a Fire Strategy Plan shall be submitted to, and approved in writing by the Local Planning Authority in consultation with the Hertfordshire Fire and Rescue Service. The Fire Strategy Plan shall set out details of the proposed strategy for access and turning/manoeuvring for fire emergency vehicles to the site/building in the event of an emergency, the proposed fire suppression system(s) and fire evacuation strategy based on the design/layout of the building.

Reason: To minimise fire risk in the event of an emergency in accordance with Policies D3 and NE12 in the Local Plan

Fire Hydrants

24. Before the first occupation of the development hereby permitted, details of a fire hydrant(s) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The hydrant(s) shall be provided in accordance with the approved details prior to the first occupation of the development.

Reason: To ensure adequate fire protection for the development by way of appropriately located hydrant facilities.

Highways – EV Charging Points

25. Prior to the first occupation of the development hereby permitted, the details of the siting, type and specification of EV charging points shall be submitted to and approved in writing by the Local Planning Authority. All EV charging points shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained and retained.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

Highways – Car Parking Layout and Surface Water Drainage

26. Prior to the first occupation of the development hereby permitted, the car parking layout shall be installed in accordance with the approved detailed technical plans and thereafter retained and maintained at all times at the position shown. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informatives:

Highways

HCC as Highway Authority recommends inclusion of the following highway informatives to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

The Highway Authority recommends inclusion of the following Advisory Notes (ANs) to ensure that any works as part of this development are carried out in accordance with the provisions of the Highways Act 1980 and other relevant processes.

Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website or by telephoning 0300 1234047.

Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Construction standards for works within the highway. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website or by telephoning 0300 1234047.

Section 38 of the Highways Act 1980 is in place. The applicant is further advised that the County Council will only consider roads for adoption where a wider public benefit can be demonstrated. The extent of adoption as public highway must be clearly illustrated on a plan. Further information is available via the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

Anglian Water

If permission is granted, we require the applicant to engage with us via our pre-development services and to submit a pre-development enquiry. Information can be found on our website: Pre-planning (anglianwater.co.uk). Further information regarding our pre-development services and to submit a pre-development enquiry the applicant can click here: Pre-planning (anglianwater.co.uk).