

<b>ITEM NO:</b>	<u>Location:</u>	<b>Wymondley Nursing Home, Stevenage Road, Little Wymondley, Hitchin, SG4 7HT</b>
<b>10</b>	<u>Applicant:</u>	Mr Kelsall Wymondley Nursing Home Ltd.
	<u>Proposal:</u>	<b>Two storey side extension including five dormer windows to west elevation and three dormer windows to east elevation to provide 15 no. additional bedrooms and en-suite bathrooms with associated residents &amp; staff facilities. Alterations and extension of existing car park so as to provide parking for 31 cars and ancillary works</b>
	<u>Ref. No:</u>	<b>17/02602/ 1</b>
	<u>Officer:</u>	<b>Kate Poyser</b>

**Date of expiry of statutory period:** 08 December 2017

**Reason for Delay**

Extension of time agreed until 19th December 2017.

**Reason for Referral to Committee**

As the site area is greater than 0.5ha and this application is for residential development under the Council's constitution and scheme of delegation this planning application needs to be determined by the Planning Control Committee.

**1.0 Relevant History**

- 1.1 Permission granted in October 2000 for a two storey front extension to provide 15 replacement bedrooms with en-suite facilities, 2 day rooms, nurse stations, communal bathrooms and wc's and staff room with locker room. Storage, staff rest room and 2 wc's in roof space. Three dormer windows to side (west) elevation. (app no. 00/01019/1).
- 1.2 Permission for the renewal of the permission referred to at paragraph 1.1 was granted in 2005. (app no. 05/01295/1)
- 1.3 Permission granted in 2007 for a Section 73 application to remove Condition 3 of planning application no. 05/01295/1, which restricted the number of residents to 59. (app no. 07/01411/1).
- 1.4 Permission for the renewal of the permission referred to at paragraph 1.3 was granted in both 2010 (app no. 10/00656/1) and 2013 (app no. 13/01132/1).
- 1.5 Permission granted in November 2016 for a two storey side extension including three dormer windows to west elevation to provide 15 no. additional bedrooms and en-suite bathrooms with associated residents & staff facilities. Alterations and extension of existing car park so as to provide parking for 31 cars and ancillary works (app no. 16/01891/1).

## **2.0 Policies**

### **2.1 North Hertfordshire District Local Plan No.2 with Alterations**

Policy 2 - Green Belt  
Policy 55- Car Parking

### **2.2 National Planning Policy Framework**

Section 9 - Protecting Green Belt land.

### **2.3 North Hertfordshire Draft Local Plan 2011-2031 'Preferred Options Consultation Paper' and Proposals Map**

The North Hertfordshire Draft Local Plan 2011-2031 has been submitted to the Secretary of State for examination and the EiP is underway. The Policies of the submission Local Plan therefore carry limited weight at this stage however, the policies are to be afforded increased weight and consideration at each stage of the process up until full adoption. The policies of relevance in this instance are as follows:

SP5: Countryside and Green Belt

## **3.0 Representations**

3.1 **Wymondley Parish Council** – Raise no objection.

3.2 **Highway Authority** - Do not wish to restrict the grant of permission subject to the imposition of conditions, as set out below in my recommendation.

3.3 **Environmental Health** – Raise no objection.

3.4 **Site Notice/ Local Residents**- No comments received.

## **4.0 Planning Considerations**

### **4.1 Site & Surroundings**

4.1.1 The nursing home stands in grounds of 0.8ha and is located beyond the eastern village boundary of Little Wymondley. Access to the site is situated approximately 100m to the east of the Kings Cross - Edinburgh railway bridge which runs over the Stevenage Road. The building itself is set back approximately 80m to the north of the entrance to the site. To the east of the application site are open fields so that views of the site and building can be glanced from the elevated A1 (M) to the east and the junction of Stevenage Road with Chantry Lane to the south-east.

### **4.2 Proposal**

4.2.1 This application seeks permission to erect a two storey front extension to the south east corner of the nursing home building. The footprint of the proposed extension is the same as that approved in the 2016 application. The changes relate to the roof, such that in the 2016 application it stepped down twice whereas it is now proposed to remove the first step so the majority of the roof is at the same height. In addition the extension approved in 2016 accommodated three dormer windows in the western roof slope closest to the existing extension whilst this application proposes 5 dormer windows spread across the western roof slope and three dormer windows spread across the eastern roof slope. Further to this, a lift tower is proposed to be positioned close to the existing building and which would not extend higher than the roof.

- 4.2.2 A Design and Access Statement has been submitted in support of this application, which states that *'Wymondley Nursing Home has taken advice and the current market requirements are for bedrooms of 15.000 sq.m, and above, with en-suite wet rooms. This application re-visits the plan and all resident's bedrooms will have a minimum area of 15.000 sq.m, or above. This has all been provided within the framework of the previously approved building. To enable this, the full extent of the roof void has been utilised thus requiring a further 5 No. Dormer windows, the amendment of the stair enclosure on the South Elevation, and the provision of a small lift tower so that all floors can be serviced by the additional lift.'*
- 4.2.3 As previously approved in the 2016 application it is still proposed to alter and extend the existing car park area to increase the number of car park spaces to provide parking for a total of 31 cars.

### 4.3 Key Issues

- 4.3.1 There are three key issues to the determination of this application. Firstly, whether the proposal constitutes an appropriate form of development within the Green Belt and, if not, whether "very special circumstances" exist to allow a relaxation of the normal Green Belt policy. Secondly whether the proposed development is acceptable in terms of sustainability issues set out in the National Planning Policy Framework (NPPF) and thirdly whether it is acceptable in terms of highway and car parking issues.
- 4.3.2 With regard to the first issue it has previously been accepted that the proposed extension did not accord with any of the definitions constituting an appropriate form of development in the Green Belt as set out in Section 9 of the NPPF. This is also the case with regard to the proposed alterations to the car park area to serve the site, so as to provide parking for a total of 31 cars.
- 4.3.3 Accordingly, for the application to be acceptable and allow a relaxation of the normal policy presumption against "inappropriate development" it needs to be accompanied by "very special circumstances". In this case the applicant has provided a Design and Access Statement setting out these circumstances which, under the heading "exceptional circumstances" states as follows:
- 4.3.4 ***"It is understood that any development is restricted with the green Belt. However, it is important to protect what little employment that is available within these areas, especially, with the additional residential sites being identified in the Wymondley area in the proposed District Local Plan.***

***Wymondley Care Home is an established care home, however, it has to accommodate ever changing requirements and standards. Although the Care Standards Regulations 2001 no longer currently require enlarged bedroom facilities with en-suites for homes that were operating before 31st March 2002, all new and extended/converted homes must comply with these new requirements. As a consequence, the demands of the market-place are gradually having an influence on all homes, especially those registered pre-31st March 2002.***

***Of course, when residents were only choosing between homes that complied with the old standards, there was only a modest amount of pressure to upgrade facilities. However, as time passes, with new homes being commissioned and existing homes voluntarily upgrading their facilities, residents are naturally tempted to choose a home that offers larger rooms with en-suite facilities.***

***Whilst this is undoubtedly raising standards, it does mean that in the long-term all homes will eventually have to provide rooms with higher specifications, or else become unprofitable due to lower occupancy rates. It is in recognition of this that the permission was renewed in its current form in 2010. This latest application will have all new rooms built to the latest Care Standards and will provide the capacity for the existing home to be upgraded to the latest standards in time.***

***We believe that the provision of this extension will secure the long term viability of the home protecting, not only, the service, but much needed local employment. "***

4.3.5 These circumstances provide similar reasoning as have been made on the previous applications for the proposed extension. I consider that since similar factors have previously been accepted as providing the necessary "very special circumstances" for allowing the proposed development there is no planning basis for reaching a different conclusion upon this application. The additional dormer windows, the minimal raising of the roof and the addition of the lift tower are not significant changes to the scheme previously approved in my opinion. In addition, the car parking area as proposed has not changed from that approved in the 2016 application.

4.3.6 Turning to the second issue the proposal needs to be considered in terms of sustainability criteria set out in the NPPF, which relate to economic, social and environmental roles. In this respect I consider that the proposed development would give rise to both economic and social gains to the community, given the existing use of the site and limited mobility of the residents, insofar as travel options are concerned. Furthermore, I do not consider the environmental impact would be significant since this would largely be mitigated by the existing mature landscaping within the grounds and by proposed additional planting, which is subject to control by the condition set out in my recommendation and which would lead to long term environmental enhancement of the site.

4.3.7 Finally, members will note that insofar as highway matters are concerned the Highway Authority does not wish to restrict the grant of permission subject to the imposition of the 4 conditions set out in my recommendation. With regard to parking matters the previous permission in 2016 proposed the same car park layout and provision of spaces as is proposed in this application. As a result it is considered that the proposed car park layout and car parking provision to allow for 31 cars to be parked within the new car park area, is unobjectionable.

#### **4.4 Conclusion**

4.4.1 Given the previous planning history relating to the proposed development, which included "very special circumstances" for allowing the extension (and which have again been put forward in support of this application), that the extension as now proposed with changes to the roof and addition of the lift tower would not cause any significant harm to the openness of the Green Belt, that sustainability criteria set out in the NPPF are satisfied and that the Highway Authority do not raise any highway grounds for objection, I consider this application to be acceptable.

#### **5.0 Legal Implications**

5.1 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.

## **6.0 Recommendation**

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

1. 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.

2. 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.

3. The approved details of landscaping, as shown on drawing no 298.1, shall be carried out before the end of the first planting season following either the first occupation of any of the bedrooms 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.

4. Prior to occupation of the development the access shall be reconfigured as identified on drawing number 1612/01 revision A 5.5 metres wide and the kerb radii shall be 2.0 metres to the north side and 4.0 metres to the south side of the existing access. To the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction.

Reason: In order to protect highway safety and the amenity of other users of the public highway.

5. Before the improved access is first brought into use vehicle to vehicle visibility splays of 2.4 metres by 40 metres in both directions, shall be provided and permanently maintained. Within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.

Reason: To provide adequate visibility for drivers entering and leaving the site.

6. The access shall be constructed in a hard surfacing material for the first 6 metres from the edge of the carriageway.

Reason: To prevent loose material from passing onto the public highway which may be detrimental to highway safety.

7. Prior to the commencement of the development, a Construction Management Plan/Method Statement shall be submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan/Statement.

The Construction Management Plan/Method statement shall address the following matters

- (i) Details of a construction phasing programme (including any pre-construction or enabling works);
- (ii) Hours of construction operations including times of deliveries and removal of waste;
- (iii) Site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- (iv) Access and protection arrangements around the site for pedestrians, cyclists and other highway users;
- (v) Details of provisions for temporary car parking during construction;
- (vi) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (vii) Screening and hoarding details
- (viii) End of day tidying procedures;
- (ix) Construction and storage compounds (including areas designated for car parking);
- (x) Siting and details of wheel washing facilities;
- (xi) Cleaning of site entrances, site access roads and the adjacent public highway and;
- (xii) Disposal of surplus materials.

Reason: To minimise the impact of construction vehicles and to maintain the amenity of the local area.

#### **Proactive Statement**

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.