

<u>Location:</u>	Land West Of Royston Bypass Royston Hertfordshire
<u>Applicant:</u>	Linden Wates (Royston) LLP and Frontier Estates (Dartford) Ltd
<u>Proposal:</u>	Erection of a 73-bed care home (within Class C2), parking, access, landscaping and other associated works
<u>Ref. No.:</u>	20/03018/FP
<u>Officer:</u>	Sam Dicocco

Date of expiry of statutory period: 19.03.2021

Submitted Plan Nos: 2563-HIA-01-ZZ-DR-A-0422 rev. P2; 2563-HIA-01-XX-DR-A-0103 rev. P1; 2563-HIA-01-XX-DR-A-0421 rev. P2; 2563-HIA-01-XX-DR-A-0301 rev. P5; 2563-HIA-01-XX-DR-A-0311 rev. P5; 102J; 2563-HIA-01-XX-DR-A-0102 rev. P3; 2563-HIA-01-XX-DR-A-0411 rev. P3; 2563-HIA-01-XX-DR-A-0101; 2563-HIA-01-XX-DR-A-0103; 2563-HIA-01-00-DR-A-0201; 2563-HIA-01-01-DR-A-0211; 2563-HIA-01-02-DR-A-0221; 2563-HIA-01-RP-DR-A-2701; 2563-HIA-01-XX-DR-A-0401.

Extension of statutory period: 30.04.2021

Reason for referral to Committee: The site is for residential development and the site exceeds 0.5 hectares.

1.0 **Relevant History**

- 1.1 14/02485/1 - Residential development and community open space with new access onto the A505 (all matters landscaping, layout, access, scale, appearance reserved). (As amended by documents and plans received 27 February 2015) – Approved subject to S106 agreement 07/12/2016
- 1.2 17/02470/1 - New roundabout and access from the A505 to serve residential development – Conditional Permission 31/05/2018
- 1.3 17/02627/1 - Application for approval of reserved matters comprising of access, landscaping, layout, scale and appearance of Phase 1 the development (pursuant to Outline application 14/02485/1 granted 07/12/2016) as amended by plans received on 22 December 2017; 30 January 2018; 27 March 2018; 18 April 2018; and 02 May 2018 – Conditional Approval of Details 30/05/2018
- 1.4 18/00359/RM - Reserved Matters application for the approval of landscaping, layout, access, scale and appearance relevant to the implementation of Phase 2 of the

development under outline planning permission 14/02485/1 for residential development and community open space with access onto the A505 – Conditional Approval of Details 27/09/2018

- 1.5 19/00248/FP - Erection of a 73-bed care home (within Class C2), parking, access, landscaping and other associated works – Refused 14/02/2020 – Appeal allowed subject to conditions and unilateral undertaking 11/06/2021

2.0 **Policies**

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

Policy 6 – Rural area beyond the Green Belt

Policy 9 – Royston's development limits

Policy 21 – Landscape and open space patterns in towns

Policy 26 – Housing Proposals

Policy 29A – Affordable housing for urban needs

Policy 55 – Car parking standards

Policy 57 – Residential guidelines and standards

2.2 **National Planning Policy Framework**

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

2.3 **Supplementary Planning Documents**

Design Supplementary Planning Document

Planning Obligations Supplementary Planning Document

Vehicle Parking at New Developments Supplementary Planning Document

2.4 **North Hertfordshire Draft Local Plan 2011-2031**

Policy T1: Assessment of transport matters

Policy T2: Parking

Policy HS4: Supported, sheltered and older persons housing

Policy D1: Sustainable design

Policy D3: Protecting living conditions

Policy D4: Air quality

3.0 **Representations**

3.1 **Site Notices: 29.12.2020 Expiry: 21.01.2021**
Press Notice: 07.01.2021 Expiry: 30.01.2021

Consultee responses

Growth and Infrastructure – No objection subject to fire hydrant provision through legal agreement.

Anglian Water – No objection subject to informatives

Lead Local Flood Authority – No objection subject to conditions

Minerals and Waste – Comments

Local Highways Authority – No objection subject to conditions and contributions to travel plan monitoring and highways improvements to be secured through Section 106 agreement

Waste and Recycling – No objection subject to condition

Housing Development Officer – No objection subject to commuted sum (£180,540)

Landscape and Urban Design Officer – Initial comments (06/01/2021) largely overcome by updated details, questions remain as to boundary treatments to the street (16/03/2021).

Environmental Health Air Quality – No objection subject to condition

Environmental Health Noise – No objection subject to conditions

Royston Town Council – No objection

Historic Environment – No comments

Neighbour representations

No.3 The Dell – Support in principle but objection to lack of acceptable parking provision for employees and visitors.

Quantum Care – Support

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site lies within a former agricultural field currently being developed for general housing in accordance with the planning history above. The site lies between the A505 and the established, and expanding, settlement of Royston. As designated by the Saved Local Plan (SLP) the site lies within the Rural Area beyond the Green Belt, beyond Royston Development Limits and marginally outside of a Landscape and Open Space Pattern area. The 2011-2031 Local Plan Proposed Submission (ELP) designated the site as general housing development land (RY2). Due to the sites advanced stage of permissions and construction, the allocation was removed from the ELP in the latest round of main modifications. This has significant implications on the principle of the development of the site, and is a material variation in the planning policy context since the site was last presented to committee for decision.
- 4.1.2 The site is mid-construction in regard phases 1 (17/02627/1) and 2 (18/00359/RM) of the outline planning permission (14/02485/1). The site has a topography which rises from the north west of the site to the south east of the site. The site has a gradual incline which increases to a steep incline the closer to the south east peak. The residential development on the wider site is restricted in height to a maximum of two and a half stories with two blocks of flats in a part of the wider site which is in the lowest and flattest of land levels.
- 4.1.3 The site subject to this application lies on the south east most side of the wider, developable site subject to the outline planning permission. The outline permission for the wider site granted development up to the 80m contour line.
- 4.1.4 Reaching further than the site subject to the previous planning permissions, the sites surroundings are the A505 (a trunk road) to the east, agricultural land beyond Newmarket Road to the south (subject to extant planning permission for residential development), the existing edge of Royston to the west and a school sports pitch area to the north. Concentrating on the west, the adjoining residential area is two storey in nature, with predominance towards pitched gable flanked roofs, with a mix of terraced and semi-detached dwellings as well as flats. There is an area of open play space off the south west of the wider development site.

4.2 **Proposal**

- 4.2.1 The application seeks planning permission for the erection of a 73 bed care home (falling within use class C2), alongside associated parking, access, landscaping and other associated works. The proposed building is set out broadly in a cross shape from an aerial perspective. These wings will be referred to as the north wing (closest to the spine road of the wider development site (front)); the east wing (closest to the A505 (flank)); the west wing (projecting towards the neighbouring proposed residential development (flank)); and the south wing (towards the proposed community open space (rear)).

- 4.2.2 Cross wing gables are a consistent feature of the proposed building on elevations which face north towards the spine road of the wider development site. The built form connecting the cross-wing gables to the centre point of the building would present pitched roofs with concealed flat roofs behind recessed/false ridges. These lengths of built form would be broken by varied ridge heights, facing materials, architectural detailing, and building lines. Some rooflights and glazed links would be apparent from the street facing elevations.
- 4.2.3 The site as a whole will be engineered in terms of ground levels to accommodate the use and building, with land levels increasing in increments as the site progresses to the south along with the increase in natural land levels.
- 4.2.4 The site would present a car park in the south east corner, between the A505 and the spine entrance road to the wider site, and a landscaped area on the north west corner of the site. The car park would be obscured by a small bund and soft landscaped frontage.

4.3 Key Issues

Preliminary matters

- 4.3.1 The site history, and extant planning permission granted via appeal, is a material planning consideration which holds great weight in the planning balance. Permission has been granted for a similar scheme. The use of the site and principle of a new planning chapter has been granted through appeal, and the development approved via appeal is considered a very likely prospect. This proposal should be considered in line with the determination of the inspector, with the previously approved development in mind.
- 4.3.2 This proposed development would overlay the outline planning permission and wider developable site. If this application were to be granted, this proposal could be combined with the wider developable site, or sit independently of it if phase three were not to come forward or be developed in any way.
- 4.3.3 Contrary to the previous considerations, the site is now 'white land' as allocated by the ELP. There are no policies within the ELP which prescribe the use of the land.

Principle

- 4.3.4 The site currently lies outside of the development limits of Royston as allocated in the Saved Local Plan (SLP). As such, Policy 6 of the SLP is applicable. Development proposals in the Rural Area Beyond the Green Belt will be supported if needed for agriculture, forestry or proven local community services; meet an identified rural housing need (exception sites); it would be a single dwelling on a small plot contained within the built core of a settlement; it involves a change to the rural economy (diversification). The proposal fails to comply with any of these criteria, and is thereby contrary to Policy 6 and 9 of the SLP. The SLP contains no other relevant policies in specific regard to the provision of C2 use class developments. That being said, in line with the appeal decision, the Council has approved residential development on the site in question. In the absence of any ELP policy specifying the form of development proposed for the site, this simply forms a fall-back position which conflicts with this policy to an equal extent as the development proposed herein. Consequently, no

material planning harm would result from this conflict to SLP policies 6 and 9 in principle.

- 4.3.5 The Local Plan 2011-2031 Proposed Submission (ELP) is in the process of examination. The site is allocated within the ELP as being released from the Rural Area Beyond the Green Belt. The site benefits from outline planning permission for the erection of dwellings, subject to conditions and obligations secured through a S106 agreement. The wider development site (referring to the extent of the outline permission) also benefits from full planning for the new roundabout from the A505, and reserved matters approval for phases one and two (of a total of three).
- 4.3.6 In line with the inspectorate's decision on the allowed appeal, the updated ELP circumstances, alongside the weight to be afforded to the fall-back position, the proposal does conflict with emerging policies D1 and HS4 of the ELP. The site would not be well served by public transport with good access to services. This conflict needs to be weighed in the planning balance, alongside all other material considerations.

Access

- 4.3.7 Policy T1 of the ELP is considered consistent with the NPPF, and states that permission will be granted provided that the development would not lead to highway safety problems or cause unacceptable impact on the highway network. The policy continues to state that sustainable transport infrastructure measures and improvements will be sought. The applicant must demonstrate how, as far as practicable, the proposed scheme would be served by public transport; provide safe, direct and convenient routes for pedestrians and cyclists, and be comprehensively integrated into the existing pedestrian and cycle, public transport and road networks.
- 4.3.8 The site would be accessed in the same way as the wider site benefitting from various permissions as shown in the planning history section. The main vehicular access would be via the A505 from the new roundabout. The site would be fairly immediate after the roundabout into the wider estate, however, evidence has been provided that the access point onto the proposed site from the spine road, subject to conditions and covenants, would not cause any harm to the safe use of the highway.
- 4.3.9 Following amendments and clarifications, Hertfordshire County Council as Local Highways Authority have presented no objection to the proposed development. Should Members be minded to grant planning permission the Highway Authority does however recommend various conditions and contributions to be secured through various legal agreements. The proposed development would comply with relevant highway and transport planning policies, principally not resulting in a severe impact on the local highway network.
- 4.3.10 As a result, and as previously recommended, the site is sufficiently accessible, subject to conditions and legal agreements, to those employed by or visiting the site. It is important, at this stage, to distinguish between accessibility and transport impacts and the higher threshold of accessibility for the occupants of the proposed facility, for which conflict with ELP policies is identified earlier within this report. The site is accessible and the transport network can accommodate the impact of movement's resultant from the proposed development, however, the site is not well-served by public transport or sustainably located in relation to key services and facilities to accommodate the resultant occupants of the proposed facility.

Appearance, Layout, Landscaping and Scale

- 4.3.11 Appearance, layout and scale are clarified within Policy 57 of the SLP, Policy D1 of the ELP and the Design Supplementary Planning Document. Generally, the policies aim for the design of buildings or places to reflect the character of the sites surroundings. The SPD goes into more detailing as to the development of Royston.
- 4.3.12 Policy D1 of the ELP requires developments to respond positively to the sites local context. Furthermore, the policy requires that developments take reasonable opportunities, consistent with the nature and scale of the scheme, among other things, to; create or enhance public realm; retain existing vegetation and propose new planting; and maximise accessibility, legibility and physical and social connectivity both internally and with neighbouring areas. The policy continues to state that proposals should have regard to the design SPD and any other relevant guidance.
- 4.3.13 The design SPD sets out 9 key urban design principles; character; continuity and enclosure; quality of the public realm; ease of movement; legibility; adaptability; diversity; quality of private space; and sustainability.
- 4.3.14 The sites context would be the wider development site which benefits from outline planning permission. The combination of previous residential planning permissions will result in a context of a cul-de-sac comprised of a mix of two and a half storey blocks of flats (x2); two storey maisonettes; two storey terraced dwellings; and two storey (with some accommodation in the roof space accommodated by dormer windows in some units) semi detached and detached dwellings. The dwellings are to be constructed in block formats, with buildings relatively close to streets and private driveways serving those blocks. The spine road and entrance to the site (on the north side) would be well spaced and not address the spine road directly until a small section of phase two, whereby the dwellings would be spaced from the spine road by an interceding grass verge.
- 4.3.15 The dwellings, either two storey or two storeys with accommodation in the roof, in the sites surroundings would have heights of between 8 and 9 metres, with relatively low eaves heights of around 5m. The approved flat blocks of two and half storeys host eaves heights of approximately 11m with eaves heights of around 6.7m. The homes proposed within the site's context would host consistent window designs, with mixes of gault and red brick as well as some sporadic rendered and timber clad external walls, as well as a mix of brown and grey concrete pan-tiles.
- 4.3.16 The proposed building would be two storeys in appearance, with some visual accommodation within the roof space. Each block would be finished in materials drawn from a broad palette. These would include, red brick, buff brick, render and glazing. The roof form of the development would not contrast with the roof form of the surrounding residential development. The flat roof sections would be obscured behind false roof ridges with ridge tiles.
- 4.3.17 It remains my professional opinion that the building would contrast in scale and mass to the surrounding residential development, and require overly engineered topographical intervention. It is accepted that the building would be spaced from the street, and that the car parking and soft landscaping between the building and public vantage points would soften this scale and mass.

4.3.18 Attaching great weight to the fall-back position established by the allowed appeal, it is considered that the development proposed would have a similar, if not slightly smaller, scale and massing impact. Whilst the proposed development would be more subdued than the appeal scheme, it retains a pleasant appearance, and would thereby remain a building of interest at the entrance to the site. Consequently, I find the proposal to have no material conflict with SLP and ELP policies which define the Councils aims in respect to appearance, landscaping, layout and scale. This conclusion is subject to conditions to ensure that boundary treatments and on-site landscaping proposals are secured.

Ecology

4.3.19 Hertfordshire Ecology have not responded to consultation on this proposal. That being said, the proposal, in respect to ecology, and proposed soft landscaping proposals, is not materially different to that allowed at appeal. It is noted that the appeal decision did not include conditions in respect to biodiversity net gain or a badger survey as suggested by Hertfordshire Ecology in consultation response to the previous proposal on the site. It remains important that protected species and biodiversity are protected and enhanced in line with the Councils ELP. Subject to the inclusion of conditions which ensure further investigation and mitigation, as well as the submission of details regarding incorporating biodiversity into the development, the proposal would accord with the policy requirements of the ELP. The fall-back position of the scheme previously approved through appeal without consideration of these ecology and biodiversity matters is not sufficient to warrant a decision without these conditional requirements. This applications seeks permission for an alternative development, and it is within reason that conditions can be added to this decision which add to the requirements of the previous permission.

Noise and nuisance

4.3.20 The Environmental Health team have been consulted. The team has recommended approval subject to conditions. The conditions will ensure mitigation measures proposed within the noise report will be implemented on-site, and construction hours for the development. This will result in all internal areas being sufficiently protected from local noise sources to enjoy a satisfactory standard of living while maintaining ventilation, and the living conditions of the occupiers of adjoining premises respectively.

Parking

4.3.21 The Vehicle Parking at New Developments Supplementary Planning Document (VPNDSPD) suggests one car parking space per five residents bed as well as one car parking space per two staff. Furthermore, the SPD requires one cycle space per five staff. This equates to a car parking requirement of 28 and a cycle parking requirement of five in accordance with the information submitted. The proposal would provide 26 normal parking spaces and two accessible parking spaces for car parking. The proposal also provides six secure covered cycle spaces. The proposed parking provision accords with the VPNDSPD, policy 55 of the SLP and policy T2 of the ELP.

The planning balance

- 4.3.22 Paragraph 11 of the NPPF states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, decision takers must grant permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 4.3.23 There are no relevant development plan policies for the provision of C2 use class accommodation in the SLP. There are policies within the ELP, and these policies in accordance with paragraph 48 of the NPPF can be afforded moderate weight. In line with the Planning Policy team response to consultation, provision of C2 use class development can be counted towards the supply of housing. Considering this, it is reasonable to apply the limb ii of paragraph 11(d) when applying the planning balance by reason of footnote 7.
- 4.3.24 The site does not require the application of policies within the framework listed under footnote 6, therefore limb i. is not engaged. As a result, the adverse impacts of granting permission would need to significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 4.3.25 It is noted that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.
- 4.3.26 Giving full weight to the fall-back position of the allowed appeal, no environmental harm would result from the scale, layout, landscaping and appearance of the development. Limited social harm has been found in regards the inappropriate siting of the development in relation to services and facilities. Limited weight is afforded against the proposed development in line with the assessment against policies D1 and HS4 in respect the sites accessibility to services and facilities.
- 4.3.27 The proposed development would provide accommodation for quickly changing and increasing needs of the elderly. In contrast to the previous determination, the site is no longer a part of the ELP's allocations for residential dwelling delivery. Whilst the proposal would still result in the loss of a proportion of dwellinghouses to be delivered through the outline planning permission, I acknowledge and adhere herein to the inspectorates recommendation to award significant weight to the benefit of the scheme in terms of social objective of meeting a continued demand for residential care needs.
- 4.3.28 The proposal would provide economic benefits of long-term employment on the site associated with the proposed use. The other benefits usually associated with general development, such as economic benefits of employment of builders and other contractors, as well as use of local facilities, is considered neutral in this case by reason of equal benefits being achieved as a result of the outline planning permission already covering the site. In the scheme of employment needs for the district, this employment contribution is afforded moderate weight in the planning balance.

4.3.29 Overall in the planning balance I consider that the harm resultant from conflict with ELP policies D1 and HS4 in respect to being well-served by public transport and good access to services do not significantly and demonstrably outweigh the social and economic benefits of resultant from the proposed development.

4.3.30 The proposal does not conflict with the development plan as 'saved', and the harm resultant from some conflict with the ELP would not significantly and demonstrably outweighs the benefits of the proposal. This is especially the case when considering and giving full weight to the similar development allowed at appeal.

Any other matters

4.3.31 Planning obligations have been requested and agreed in principle. These obligations ensure fire hydrant provision and highways requirements. The S106 document for the securing of these obligations has been agreed. The obligations sought are considered to meet the necessary tests within the NPPF and the Community Infrastructure Regulations (2010) (as amended).

4.3.32 I have considered all conditions requested through consultation responses, and cross-correlated them with those considered acceptable in the allowed appeal. All suggested conditions are considered to meet the tests laid out within paragraph 55 of the NPPF. As noted in the ecology section of this report, two additional conditions are imposed to this permission. The fall-back position of the allowed appeal without these conditions does not impinge on the ability of the Council to add conditions to this new permission, where those conditions are considered to meet the relevant tests.

4.3.33 The section 106 agreement is required to secure fire hydrant provision. In addition, a £6,000 travel plan monitoring contribution as well as a £14,000 financial contribution is required to go towards the following projects:

Scheme B5 – Provision of Cycle Facilities along and across the A505;

Scheme C5 – Enhancements to outlying bus infrastructure, accessibility, punctuality and co-ordination;

Scheme D2 - Improvement of road markings at the Town Hall roundabout (A10 /Newmarket Road); and

Scheme D5 - Modifications to A505 / A10 roundabout to reduce speeds and improve pedestrian and cyclist safety.

Conclusion

4.3.34 The proposal is contrary to policies D1 and HS4 of the ELP in respect to being well-served by public transport and having good access to services. Affording full weight to the fall-back position of the scheme allowed by appeal, the development accords with all other policy provisions of the development plan. On balance, subject to conditions and planning obligations, it is considered that the social harm resultant from the above identified conflict would not significantly and demonstrably outweigh the social and economic benefits of the development.

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 control committee resolve to **GRANT** planning permission subject to the following conditions, and following the completion of a section 106 agreement delivering the requirements of Hertfordshire County Council as Local Highway Authority and Hertfordshire County Council Growth and Infrastructure team:

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. Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced 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.

4. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings 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.

5. Prior to the occupation of the care home hereby permitted, the car parking facilities shown on the approved plan shall be marked out and made available, and shall thereafter be kept available solely for the parking of motor vehicles.

Reason: To ensure the provision of satisfactory car parking facilities clear of the public highway to meet the needs of the development.

6. No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

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.

7. If the Local Planning Authority is of the opinion that the report which discharges condition 6, above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
- (ii) The results from the application of an appropriate risk assessment methodology

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.

8. No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of 7, above; has been submitted to and approved by the Local Planning Authority.

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.

9. This site shall not be occupied, or brought into use, until:
- (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition 8 above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
 - (ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

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.

10. Any contamination, other than that reported by virtue of condition 6 and 7, encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.

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.

11. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment & Drainage Strategy carried out by MLM reference 6100228-MLM-ZZ-XX-RP-C-0002 dated December 2020 and the following mitigation measures detailed within the FRA:

1. Undertaking appropriate drainage strategy based on attenuation and discharge into existing site surface water sewer restricted to a maximum of 6l/s for all rainfall events up to and including the 1 in 100 year + climate change event.
2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Implementing drainage strategy as indicated on drainage drawing to include attenuation tank and permeable paving.

The mitigation measures shall be fully implemented prior to full site occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

12. No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment & Drainage Strategy carried out by MLM reference 6100228-MLM-ZZ-XX-RP-C-0002 dated December 2020. The scheme shall also include;

1. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features to minimise the requirement for a tank.
2. Silt trap prior to the inlet of attenuation tank
3. Calculations to demonstrate how the system operates during a 1 in 100 year critical duration storm event including drain down times for all storage features.
4. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
5. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.
6. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

13. Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:
1. Final confirmation of management and maintenance requirements
 2. Provision of complete set of as built drawings for both site drainage

Reason: To reduce the risk of flooding to the proposed development and future occupants.

14. Prior to the occupation of the development hereby permitted, details of siting, type and design of plugs, the energy sources and the strategy/management plan of supplying and maintaining the 2 electric charging points to be provided to the Local Planning Authority for approval in writing, in consultation with the Highway Authority. All electric charging points shall be installed in accordance with the approved details prior to occupation of the development 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).

15. Prior to the first occupation of the property, the noise mitigation measures detailed in Section 6.2 of "Noise Assessment, Land West of Royston Bypass", Report reference H33079-NV-v3, dated 16th December 2020 by Hawkins Environmental. shall be implemented. The measures shall be maintained in accordance with the approved details thereafter.

Reason: To protect the residential amenity of future residents

16. During the construction phase no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

Reason: To protect the residential amenity of existing residents

17. Prior to the first occupation of the development hereby permitted sufficient space shall be provided within the site to enable a standard size family car / waste collection vehicle and delivery vehicle to park, turn and re-enter the highway in a forward gear as identified on drawing number PB8955-RHD-GE-SW-DR-R-0002 Revision P07. These areas shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

18. Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position as identified on drawing number PB8955-RHD-GE-SW-DR-R-0002 Revision P07, in accordance with the highway specification to be agreed under s278 works. Arrangement 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).

19. Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance as identified on drawing number PB8955-RHD-GE-SW-DR-R-0002 Revision P07. The splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

20. Prior to the first occupation of the development hereby permitted a pedestrian crossing point between the nearest new bus stop and the main pedestrian entrance to the site, as identified on drawing number PB8955-RHD-GE-SW-DR-R-0003 revision P04 shall be provided.

Reason: In the interest of sustainable travel and compliance with polices 108 and 110 of the NPPF and policy 1 of LTP4.

21. Prior to the first occupation of the development hereby permitted the new bus stop to the north west of the site, as identified on drawing number PB8955-RHD-GE-SW-DR-R-0003 revision P04 shall be provided.

Reason: In the interest of sustainable travel and compliance with polices 108 and 110 of the NPPF and policy 1 of LTP4.

22. Construction Traffic Management Plan: No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The statement should include:

- a) map showing the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- b) access arrangements to the site;
- c) the date of start and finish of works on site;
- d) siting, methodology and facilities for wheel cleaning;
- e) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities;
- f) cleaning of site entrances, site access roads and the adjacent public highway and;
- g) details of provisions for temporary car parking, loading/unloading and vehicle turning areas;
- h) hours of construction operations including times of deliveries and removal of waste;

- i) the estimated number and type of vehicles per day/week;
- j) details of any vehicle holding area;
- k) details of the vehicle call up procedure;
- l) details of any changes to on-street waiting and loading restrictions that will be required;
- m) access and protection arrangements around the site for pedestrians, cyclists and other customers;
- n) coordination with other development projects in the vicinity;
- o) details of measures and training to reduce the danger posed to cyclists by HGVs, including membership of the Freight Operators Recognition Scheme or an approved equivalent;
- p) details of a construction phasing programme;
- q) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

The development shall be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

23. The premises shall be used for a residential care home and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 2020 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure the continued meeting of demand for care home beds in the District to which significant weight has been afforded in favour of the proposed development in the planning balance.

24. Prior to commencement of the development, a Badger walk-over survey of the site and 30m of adjacent land (access permitting) shall be carried out by a suitably qualified and experienced ecologist to check for badger activity. If badgers will be impacted on by the development proposals, appropriate mitigation to safeguard them must be submitted to the Local Planning Authority for approval. A licence may be required from Natural England to proceed lawfully.

Reason: To ensure badgers are protected from harm during construction in accordance with national legislation.

25. Prior to the commencement of development, a Landscape and Biodiversity Plan shall be submitted to the Local Planning Authority, detailing how it is planned to incorporate biodiversity as part of the development. The plan shall include details covered in Chapter 5 Mitigation and avoidance measures; Chapter 6 Enhancement measures, specifically 6.2 and 6.3; and Chapter 7 Recommendations, specifically 7.1.2, 7.1.3, and 7.1.4 of the Ecological Impact Assessment by The Landscape Partnership, December 2020.

Reason: To ensure biodiversity net gain in accordance with national legislation and

local policy

26. Prior to occupation of the development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity.

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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

1. Each charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments).

- o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
- o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).
- o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.
- o A list of authorised installers (for the Government's Electric Vehicle Homecharge

Scheme) can be found at

<https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>

2.
 - o Paragraphs 170 (e), 181 of the NPPF, which refer to the effects (including cumulative effects) of pollution (including air pollution) on health, the natural environment (including air quality).
 - o Paragraphs 102 (d), 105 (e) and 110 (e) of the NPPF, which refer to the need to promote sustainable transport including the provision for charging plug-in and other ultra low emission vehicles'.
 - o HCC Local Transport Plan (LTP4) 2018-2031 which includes an objective to 'preserve the character and quality of the Hertfordshire environment' and 'make journeys and their impact safer and healthier', as well as its Emissions Reduction Policy 19.
 - o It is consistent with the approach specified in the NHDC Air Quality Planning Guidance Document, which is referenced within the current consultation version of the Local Plan.
3. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
4. A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
5. No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
6. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
7. 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 38/278 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 <https://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

8. During the construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.