

Location: **Westbourne Residential Care Home
9 Bedford Road
Hitchin
Hertfordshire
SG5 2TP**

Applicant: **Mr Bains**

Proposal: **Change of use of care home to 16 residential
apartments (C3 use), with roof extension to comprise
increased ridge height, dormer windows and rooflights,
with internal and external alterations.**

Ref. No: 23/01492/FP

Officer: **Ben Glover**

Date of expiry of statutory period: 25/09/2023

Extension of statutory period: 31/07/2024

Reason for Delay: Review of viability appraisal and awaiting available committee date.

Reason for Referral to Committee:

Application called in by Cllr Mason for the following reason:

“The grounds for the call in are transport/parking:

- *The application provides for 12 parking spaces for 16 apartments which seems insufficient and is apparently below the guidelines outlined in the report provided. Oughtonhead Way is already a notoriously bad area for parking and for traffic congestion and there has to be concerns that this could be made worse. If residents of the 16 flats cannot park in the 12 spaces provided, there will inevitably spill out into surrounding streets adding to the existing chronic parking and highway issues;*
- *This will be exacerbated by the imminent introduction of residents parking along Bedford Road north of Westbourne House;*
- *The area covered by the junctions of Bedford Road, Oughtonhead Way, Gaping Lane, and Bedford Street is frequently congested during busy times, particularly around drop off and pick up times at the adjacent Samuel Lucas Junior School;*
- *This application would result in potentially more traffic onto a busy traffic junction with the potential to cause congestion over a wide area;*
- *The application appears to lack clarity as to the nature of the proposed 16 apartments. Is it some form of sheltered housing proposed or are they general apartments aimed at a wider resident base? This might impact on the number of car owners and traffic usage that might be expected if the application is accepted.”*

1.0 **Site History**

07/01941/1 - Single storey and first floor extensions to care home (as amended by plan nos. 03A and 04A received 16th October 2007) – Granted Conditional Permission on 01/11/2007.

04/00923/1 - Two storey rear extension to provide 4 additional bedrooms – Granted Conditional Permission on 03/09/2004.

03/01777/1 - Two storey rear extension to provide 4 additional bedrooms – Refused on 18/02/2004.

86/02062/1 - Erection of two storey side and rear extensions to nursing home following demolition of existing – Granted Conditional Permission on 05/02/1987.

86/01628/1 - Erection of 5ft high boundary fence – Granted Conditional Permission on 03/11/1986.

86/01143/1 - Erection of single storey rear extension following demolition of outbuilding to provide warden's living accommodation at elderly persons home – Granted Conditional Permission on 06/08/1986.

84/01277/1 - Erection of rear external fire escape – Granted Conditional Permission on 22/08/1984.

2.0 **Policies**

2.1 **North Hertfordshire District Local Plan 2011 – 2031**

Spatial Strategy and Strategic Policies

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP2: Settlement Hierarchy

Policy SP6: Sustainable transport

Policy SP7: Infrastructure requirements and developer contributions

Policy SP8: Housing

Policy SP9: Design and sustainability

Policy SP10: Healthy communities

Policy SP11: Natural resources and sustainability

Policy SP12: Green infrastructure, biodiversity and landscape

Policy SP13: Historic Environment

Development Management Policies

Policy HS2: Affordable Housing

Policy HS3: Housing Mix

Policy HS5: Accessible and adaptable housing

Policy T1: Assessment of transport matters

Policy T2: Parking

Policy D1: Sustainable design

Policy D3: Protecting living conditions

Policy D4: Air quality

Policy NE1: Strategic green infrastructure

Policy NE2: Landscape

Policy NE3: The Chilterns Area of Outstanding Natural Beauty (AONB)

Policy NE4: Biodiversity and geological sites

Policy NE7: Reducing flood risk

Policy NE9: Water quality and environment
Policy NE10: Water conservation and wastewater infrastructure
Policy HE1: Designated Heritage Assets

2.2 **Supplementary Planning Documents**

Design SPD
Developer Contributions SPD 2023

2.3 **National Planning Policy Framework (2023)**

Section 2: Achieving sustainable development
Section 5: Delivering a sufficient supply of homes
Section 6: Building a strong competitive economy
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 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

2.4 **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**

3.1 **Site Notice:**

Start Date: 18/07/2023

Expiry Date: 18/07/2023

3.2 **Press Notice:**

Start Date: 20/07/2023

Expiry Date: 12/08/2023

3.3 **Neighbouring Notifications:**

Eight representations have been received from neighbouring properties all of which are objecting to the proposed development. The comments are available to read in full on the NHC website and have been summarised below:

- Care home is still profitable.
- Proposal would result in extra traffic.
- Pollution resulting from additional traffic.
- Increased ridge height result in property that is out of character with the original building and with neighbouring properties.
- Overbearing to neighbouring properties.
- Rear rooflights would result in loss of privacy.
- Unacceptable additional noise and disruption from occupancy.
- Not enough parking proposed on site.

- Impact right to light.
- Object to the change of use.
- Where would residents of the care home go once converted.
- New planting would not be high enough to provide privacy from additional units.
- Removal of a large tree to the front of the property.
- Disruption from construction.
- Development would fail to comply with P.111 of the NPPF (2021).

3.4 **Parish Council / Statutory Consultees:**

HCC Highways – No objection subject to conditions and informatives.

Hitchin Forum – Objection. Comments available in full on the NHC website.

Environmental Health (Air Quality) – No objection subject to conditions.

Environmental Health (Noise) – No objection subject to conditions.

Environmental Health (Contaminated Land) – No objection.

Waste & Recycling – No objection.

HCC Growth & Infrastructure – No objection subject to planning obligations.

The Water Officer – No comments received.

NHC Housing Development Officer – No objection subject to planning obligations.

NHC Strategic Planning – No comments received.

NHC Conservation Officer – No objection.

HCC Minerals & Waste – No objection subject to conditions.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is a two-storey detached residential care home situated on the junction between Bedford Road and Oughton Head Way, Hitchin. The application site is within the Hitchin Conservation Area. The building is not listed. The application building is identified as a positive building within the conservation area appraisal document.

4.1.2 The application building has been previously extended several times. The property benefits from a large footprint with two storey side projections, crown roof, and parking to the front of the site. There is a small amenity area of the rear of the building. The site is accessed off Oughton Head Way to the south of the site.

4.1.3 The application building features a red brick finish with uPVC fenestration. The building features a gabled roof form with two storey height bay windows to the front elevation.

4.1.4 There is a Tree Preservation Order (TPO/39) on the southeast corner of the plot which protects a Beech Tree.

4.2 **Proposal**

- 4.2.1 Planning permission is sought for the change of use of the care home into 16 residential apartments (14x 1-bed apartments and 2x 2-bed apartments). To allow for the conversion, the development would include the raising of the roof ridge height, insertion of dormers and rooflights, and other internal and external alterations.
- 4.2.2 The development would include parking and cycle provision to the front of the building. The development would also include additional planting and landscaping.
- 4.2.3 Amended plans have been received which have reduced the scale of the dormers within the front roofslope and the relocation of rooflights.

4.3 **Key Issues**

4.3.1 The key issues for consideration include:

- The principle of development.
- The impact of the development on the wider landscape and visual setting.
- The design and appearance of the proposal and the impact on the character and appearance of the area.
- Standard of accommodation for future occupiers of the development.
- The impact of the development on the amenity of adjoining properties.
- The impact of the development upon local highways, access, and parking.
- Flood risk and drainage.
- Ecological, landscape and greenspace considerations.
- Environmental health considerations.
- Planning obligations.

Principle of the Proposed Development:

- 4.3.2 Policy SP1 of the North Hertfordshire Local Plan requires the main role of key settlements, such as Hitchin, to be the main focus for new housing. Policy SP1 also sets out that planning permission will be granted for proposals that individually or cumulatively deliver an appropriate mix of homes, create high quality developments that respect and improve their surroundings, and secure any necessary mitigation measures that reduce the impact of development.
- 4.3.3 The proposed development is considered consistent with Policy SP1 of the Local plan. The application site is situated within Hitchin and will help maintain the role of Hitchin as a key settlement.
- 4.3.4 The development would also comply with Policy SP2 of the Local Plan which sets out that the majority of new housing development will be located within towns such as Hitchin.
- 4.3.5 The proposed development would result in the loss of a residential care home. Policies within the Local Plan do not restrict the conversion of supported care accommodation to private residential accommodation.
- 4.3.6 However, Policy SP8 of the Local Plan includes a requirement for at least 350 bed spaces to be provided in suitable, supported accommodation to meet the needs of those who cannot live in their own home. This requirement is considered to have been met on new provision throughout the district.

Therefore, the loss of supported care accommodation in this location would not lead to an under provision of supported care accommodation within the district.

- 4.3.7 Given the above, the proposed development would be acceptable in principal and the loss of supported care accommodation would not be a reason for refusal in this case.

Design, Appearance, and Impact upon Designated Heritage Assets:

- 4.3.8 Sections 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. This is reflected within the provisions of Section 16 of the National Planning Policy Framework (NPPF).
- 4.3.9 Paragraph 203 of the NPPF sets out that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness.
- 4.3.10 Paragraph 205 sets out that great weight should be given to the asset's conservation irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance.
- 4.3.11 Paragraph 206 sets out that any harm, or loss of, the significance of a designated heritage asset should require clear and convincing justification.
- 4.3.12 Paragraph 208 of the NPPF sets out that 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 including, where appropriate, securing its optimum viable use.
- 4.3.13 Policy HE1 of the North Hertfordshire Local Plan reflects the aims set out within the NPPF.
- 4.3.14 The application building is set back from Bedford Road. Whilst visible, the property is bound by a red brick wall and benefits from mature vegetation to the southwest corner of the plot.
- 4.3.15 The development proposes the raising of the roof ridge height of both the main building and two storey side extension by 1.5m and 600mm respectively.
- 4.3.16 The roof form to both parts of the building would remain gabled as existing. However, the raising of the roof ridge would allow for the conversion of the loft space into habitable accommodation and the insertion of rooflights and dormers. It is considered that the raising of the roof ridge heights would not result in any unacceptable harm to the character or appearance of the building or locality.
- 4.3.17 The development would result in the addition of five front facing flat roof dormers. The dormers have been reduced in scale following receipt of amended plans.
- 4.3.18 The proposed dormers and rooflights would be set down from the ridge and up from the eaves. Furthermore, front facing dormers are present within the Bedford Road street scene.

- 4.3.19 Whilst it is acknowledged that the application site is a positive building within the conservation area, following reductions to the scale of the dormer windows, it is considered that the proposed development would be of acceptable design and would preserve the character and appearance of the Hitchin Conservation Area.
- 4.3.20 Any harm to the appearance of the conservation area would be limited. The public benefits of delivering sixteen residential apartments in this location would outweigh the works proposed to the roof of the building.

Impact on Neighbouring Amenities:

- 4.3.21 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the Local Plan.
- 4.3.22 Policy D3 of the Local Plan sets out that planning permission will be granted for development proposal which do not cause unacceptable harm to living conditions.
- 4.3.23 The application site is neighboured by No. 34 Oughton Head way to the west (rear) and No. 11 and 11a to the north (side).
- 4.3.24 The proposed development would not result in the outward expansion of the existing building with the exception of the roof ridge height. With the ridges of the roofs being set away from nearby neighbouring properties, the raising of the height would not result in unacceptable overbearing impact or loss of light.
- 4.3.25 The front facing roofslope overlooks Butts Close, an open park and garden. The addition of the dormers would therefore not result in any loss to the privacy of nearby occupiers.
- 4.3.26 The works to the rear facing roofslope would be limited to rooflights only. The rooflights would sit high within the roofslope and would therefore be limited to a predominately skyward view. The rooflights would not result in unacceptable overlooking or loss to the privacy of nearby neighbouring occupiers.
- 4.3.27 Given the above, the proposed development would not result in unacceptable harm to the amenities of nearby neighbouring occupiers.

Standard of Amenity for Future Occupiers:

- 4.3.28 The sixteen units proposed would provide an acceptable standard of living for future occupiers. Each unit would benefit from access to natural light and outlook to all habitable rooms. Furthermore, each unit is shown on plan as achieving at least minimum internal space standards in accordance with the 'Technical housing standards – nationally described space standards'.
- 4.3.29 The application site would also benefit from a shared amenity space to the rear of the site. However, future occupants would also benefit from the town centre location and immediate access to Butts Close to the east of the site.
- 4.3.30 No objection is raised to the standard of living proposed for future occupiers.

Parking and Highways:

- 4.3.31 The proposed development would provide twelve off-street car parking spaces and three cycle stores with space for up to 19 cycle spaces.
- 4.3.32 Local Plan Policy T2 indicates that parking for non-residential development is provided having regard to the standards set out at appendix 4 of the Local Plan. Variations from these standards will only be considered where applicants can demonstrate that the accessibility, type, scale, mix and use of the development; the availability of and opportunities for public transport; local car ownership levels and on-street conditions justify such variations. The minimum parking standard for this development is 18 spaces plus 12 visitor parking spaces, a total of 30 spaces. The minimum cycle parking standard is 16 secure spaces, and 19 are proposed. Therefore, whilst the proposal exceeds the minimum standard for secure cycle parking, there is a significant shortfall of 18 car parking spaces. However, such a shortfall may be acceptable under the provisions of Local Plan Policy T2.
- 4.3.33 Whilst there would be an under provision of off-street car parking, the applicant has set out a case for lower parking provision in this case in the submitted Planning, Design, Access & Heritage Statement, which states “the site is located in a highly sustainable location adjacent to Hitchin town centre, with a plethora of key facilities, amenities and public transport services available within close walking distance of the site... It is considered that this highly sustainable location, being so close to all the everyday amenities and facilities in Hitchin town centre, including train station, can justify the reduced parking provision in this case. Moreover, being for flatted development and not for general family sized housing, the need for a vehicle by occupiers is likely to be considerably minimised, with excellent commuter links by train and bus, accessed very close to the site.
- 4.3.34 Officers agree with the applicant that the site benefits from access to public transport links and a wide range of amenities including a supermarket and leisure centre. The Highway Authority also agree that the amount of parking proposed is acceptable in this highly sustainable location. Therefore, whilst there would be an under provision of car parking on site, access to a car is not necessary to meet the day-to-day needs of future occupiers. It is considered that parking provision below the parking standard set out in the Local Plan is acceptable in this edge of town centre location as an exception to adopted minimum parking standards.

Ecology and Biodiversity:

- 4.3.35 At the time of the applications submission, the requirement for the site to provide a 10% biodiversity net gain was not a requirement. Therefore, the site is not required to deliver a 10% net gain.
- 4.3.36 The development would result in the loss of a large tree to the front of the building. This tree is not protected by way of a Tree Preservation Order. A replacement tree is proposed within the rear communal garden.
- 4.3.37 The development would propose new planting along the front boundary of the site to a height of 1.8m.
- 4.3.38 The proposed development, given its town centre location, would not result in any unacceptable harm or loss to ecology or biodiversity.

Environmental Implications:

- 4.3.39 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the North Herts Local Plan, which sets out that development proposal should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle.
- 4.3.40 The development would be constructed to modern standards to comply with relevant building regulations for energy efficiency. The development would have no unacceptable environmental implications.

Viability:

- 4.3.41 Local Plan Policy SP7 stipulates that the Council will require development proposals to make provision for infrastructure that is necessary to accommodate additional demands resulting from the development. Local Plan Policy HS2 requires the provision of 35% affordable housing for schemes of this size. Paragraph 8.11 of the Local Plan confirms that the Council's general expectation is that affordable housing required under this policy would be on-site. However, off-site provision or contributions in lieu may be accepted with the onus on the application to robustly justify this. A Financial Viability Appraisal (FVA) was submitted alongside the application. The FVA sets out that the development cannot viably provide S106 contributions. The Local Planning Authority instructed DWD to review the FVA. The findings of the review were that the scheme could bear the costs of the S106 contributions.
- 4.3.42 Contributions in-lieu of on-site provision of affordable housing is proposed by the applicant, and the reasons given are that *"due to the nature of the proposal being a largely conversion scheme and with no separate new build element, or opportunity to provide any new build on the site, any affordable housing would need to be provided within the single building. As such, this presents leasehold and management issues, in regard to an affordable housing provider being able to manage and maintain the specified units, as part of a wider owned block."*
- 4.3.43 Officers consider that a commuted sum is acceptable in this case in-lieu of on-site provision of affordable housing and the Council's Housing Policy Officer has identified that in accordance with the adopted Development Contributions SPD the contribution should be £1,062,720.00.
- 4.3.44 Following the Council's review of the applicant's Viability Appraisal the applicant has agreed to the S016 obligations set out in the table below.

Table of Agreed S106 Obligations:

4.3.45 Below is a table of agreed S106 Obligations:

Element	Detail and Justification	Condition/ Section 106
Primary Education	<p>Towards the expansion of Oughton Primary School and/or provision serving the development</p> <p>£30,110 index linked to BCIS 1Q2022</p> <p>Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements document</p>	S106 obligation
Secondary Education	<p>Towards the expansion of The Priory, Hitchin Secondary School and/or provision serving the development</p> <p>£31,792 index linked to BCIS 1Q2022</p> <p>Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements document</p>	S106 obligation
Childcare Service	<p>Towards Oughton Primary and/or provision serving the development</p> <p>£15 index linked to BCIS 1Q2022</p> <p>Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements document</p>	S106 obligation
Special Educational Needs and Disabilities (SEND)	<p>Towards the delivery of new Severe Learning Difficulty (SLD) special school places (EAST) and/or provision serving the development</p> <p>£4,163 index linked to BCIS 1Q2022</p> <p>Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements document</p>	S106 obligation

Library Service	<p>Towards increasing the capacity of Hitchin Library and/or provision serving the development</p> <p>£2,103 index linked to BCIS 1Q2022</p> <p>Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements document.</p>	S106 obligation
Youth Service	<p>Towards sourcing a new exclusive or shared use young people's centre serving Hitchin and the surrounding area and/or provision serving the development.</p> <p>£464 index linked to BCIS 1Q2022</p> <p>Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements document.</p>	S106 obligation
Waste Service Recycling Centre	<p>Towards increasing capacity at Letchworth Recycling Centre and/or provision serving the development</p> <p>£1,675 index linked to BCIS 1Q2022</p> <p>Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements document</p>	S106 obligation
Waste Service Transfer Station	<p>Towards the new Northern Transfer Station at Baldock and/or provision serving the development</p> <p>£2,748 index linked to BCIS 3Q2022</p> <p>Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements document</p>	S106 obligation
HCC Monitoring Fees	<p>HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £340 (adjusted for inflation against RPI July 2021).</p> <p>Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements document.</p>	S106 obligation

	(£360 for each distinct trigger point)	
HCC Highways Strand 1	Sustainable transport contributions for bus stop enhancements in the area including provision of shelters and real time information screens. £39,000 index linked to SPONS August 2023 HCC Planning Obligations Guidance (2021)	S106 obligation
HCC Highways Strand 2	Based on £6,826 per dwelling. To mitigate adverse pressures generated by the proposed development to the future operation and safety of the local highway, footway, cycleway and public transport networks. To enhance and encourage active travel and public transport use by improving facilities, walking and cycling environments, and improve the safety of trips. £109,216 index linked to SPONS January 2019 HCC Planning Obligations Guidance (2021)	S106 obligation.
Commuted sum in lieu of on-site affordable housing	Commuted sum sufficient to deliver the affordable housing requirement on an alternate site. 16 x 0.54 x £123,000 = £1,062,720 5.2.25 and 5.2.26 of the NHC Developer Contributions SPD	S106 obligation
NHDC Monitoring Fee	One off monitoring fee of £25,000 (based on the above figures; 2.5% of contributions to NHDC with a minimum of £750 and maximum of £25,0000) (to be index linked) to cover the monitoring of all obligations (not including those relating to HCC). Policy SP7 of the NHC LP & NHC Development Contribution SPD	S106 obligation

4.4 Planning Balance and Conclusion

- 4.4.1 Residential development in this location is considered acceptable in principle. The design and layout of the scheme would be acceptable and there would be no harm to the setting of the Hitchin Conservation Area or the character of the area.
- 4.4.2 There would be public benefits arising from the delivery of 16 dwellings which would assist in maintaining the vitality of Hitchin as a key settlement. There would be economic benefits arising from the construction and fitting out of the dwellings and the contribution of future occupiers to the local economy. There would be social benefits arising from the delivery of 16 new homes within Hitchin. It is considered that the public benefits of the proposal would outweigh any harm arising from the development.

4.3.3 The development would also not result in unacceptable harm to neighbouring amenity given the design and siting compared to nearby occupiers. The development would also be acceptable on highways safety grounds. Whilst there would be an under provision of off-street car parking on site, given the location of the site within a town centre location, the lack of car parking is not considered a reason for refusal in this case.

4.4.4 It is considered that the proposed development would result in an acceptable form of development that would comply with the policies set out within the North Hertfordshire Local Plan and the provisions set out within the National Planning Policy Framework

5.0 **Alternative Options**

5.1 None applicable

6.0 **Pre-Commencement Conditions**

6.1 To be confirmed prior to the Planning Control Committee meeting.

7.0 **Legal Implications**

7.1 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.

8.0 **Recommendation**

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

- A) The completion of a satisfactory legal agreement and the applicant agreeing to extend the statutory period in order to complete the agreement if required: and
- B) Conditions and Informatives as set out in this report.
- C) The completion of the S106 legal agreement.

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 and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

4. Before any development commences on site landscape details are to be submitted to and approved in writing by the LPA. The details must be implemented on site in the first planting season following the substantial completion of the development hereby permitted. The details shall include:

- a) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting

- b) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed

- c) details of any earthworks proposed

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development.

5. Prior to the first occupation hereby permitted the vehicular access improvements, as indicated on drawing numbers FPP-497 Rev C, HIG-900 Rev C, 800 Rev B, shall be completed and thereafter retained.

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

6. Prior to the first commencement of the development hereby permitted, details of the type of proposed cycle stands shall be submitted to and approved in writing by the Local Planning Authority. The cycle stand must be secure, covered and lit. The approved scheme shall be fully implemented before the development is first occupied and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).

7. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;

- b. Access arrangements to the site;

- c. Traffic management requirements

- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);

- e. Siting and details of wheel washing facilities;

- f. Cleaning of site entrances, site tracks and the adjacent public highway;

- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;

- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. 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;
- k. Phasing 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).

- 8. Prior to the first occupation of the development hereby permitted, each parking space shall be provided with an active (ready to use) EV charging point which shall thereafter be provided and permanently retained in line with Building Regulations.

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).

- 9. Prior to the first occupation of the proposed development a noise assessment in accordance with current guidelines shall be submitted for approval to the Local Planning Authority. Once approved any noise mitigation measures shall be implemented and maintained thereafter.

Reason: To protect the residential amenity of future residents.

- 10. No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site 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 be carried out in accordance with the approved SWMP.

Reason: This is a pre-commencement condition to promote sustainable development and to ensure measures are in place to minimise waste generation and maximise the on-site and off-site reuse and recycling of waste materials, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

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.