

**4/03473/16/MFA - CONSTRUCTION OF A CARE HOME FOR THE ELDERLY AND A NEW GP SURGERY.  
32 HIGH STREET, KINGS LANGLEY, WD4 8AA.  
APPLICANT: B&M Care.**

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[Case Officer - Nigel Gibbs]

## **Summary**

The application is recommended for approval.

The principle of new residential development is acceptable in accordance with Policy CS1 of Dacorum Core Strategy on this brownfield site. Part of the site is subject to an extant planning permission for an elderly persons care home. The loss of the existing dwelling house at no. 1 Langley Hill will be compensated by the resultant public benefit of the centrally located inclusive replacement community doctors surgery and the provision of an elderly persons care home providing new specialist housing.

Despite the development's scale it can be visually/ physically accommodated within the site's heritage setting/ context in a positive way. It takes advantage of the levels and is compatible with the character and appearance of Kings Langley Conservation Area including its street scene, the setting of the adjoining/ nearby listed buildings and the immediate locality/ street scene beyond the Conservation Area, with due regard to its setting. There will be a compatible relationship with retained preserved trees.

There are no detailed objections including the effect upon the residential amenity of the locality and the highway safety/ access and parking implications. There is sufficient on site parking to serve the care home and surgery in a very sustainable location complemented by the availability of nearby public parking. The proposal provides parking to meets the Council's maximum parking standards. The fully inclusive surgery serving the same area will be provided with more parking than the existing and with full and safe access for persons with disabilities and limited mobility.

There are no detailed layout/ environmental objections subject to the imposition of a range of associated necessary conditions.

## **Background**

The application was considered at the previous Development Control Committee Meeting with the decision deferred to enable more information to be provided regarding:

- Access/ vehicular turning/ manoeuvrability ,
- Parking, and
- Level of use.

In the meantime the Planning Inspectorate ( PINS) has advised that the previously refused application at the site is now subject to an Appeal Hearing on 28 June 2017. The Appeal was previously to be dealt with by the Written Representations procedures. The Parish Council, technical consultees and neighbours have been informed of the Hearing. The change in the Appeal process is due to PINS review of the case as explained to the Agent:

'The reasons for this are that significant additional evidence has been provided by the appellant at the appeal stage that needs to be tested through questioning; evidence has been referred to that has not been provided; and the case raises a number of issues that need clarifying. In addition the case at both the application and appeal stage has generated local interest'.

The Hearing will specifically require the attendance of a member(s) of the DCC to directly

represent the Council and to provide a written statement to PINS by mid May.

Notwithstanding this Appeal Members should consider the current application upon its individual merits.

In response the Applicant and Agent have provided additional information.

### **The Submitted Additional Information**

This addresses the following:

#### Additional Drawings.

These are:

- An annotated 3D parking layout.
- Drawing no. 79 showing the communal bin store for care home and surgery.
- Drawing 117215-1802 (002) showing the refuse vehicle tracking – exiting in forward gear.
- Drawing 117215-1801 (003) showing the refuse vehicle tracking – reversing into site

In response to the reasons for deferment the Agent confirms:

#### Clear Parking Plan

The 3D colour coded parking plan shows all the spaces numbered 1-29, turning area and surgery & care home bin stores.

#### Dimensioned Turning Area

Scaled 'tracking drawings' 117215-1802 (002) & 117215-1801 (003) were sent to this Council and Hertfordshire County Council Highways on 11<sup>th</sup> April 2017.

The 'tracked' drawings clearly demonstrate that the manoeuvring space is large enough for fire, refuse, ambulance and deliveries. The 'tracking' is tested/run using the largest vehicle to use this turning head, which is the 9.93m long Mercedes refuse vehicle. The proposed care home and surgery will use the same private contractor for refuse collection and share the same bin facility for everyday communal waste.

The communal bin store will provide storage for 4 x 1000ltr wheelie bins for domestic, card board and clinical waste (see drawing 79) and is located conveniently close to the turning facility for bin collections.

The GP surgery creates about 5/6 bags of clinical waste and 1 x 7ltr 'Sharps' collection box a week. There will be two general waste collections a week using the large refuse vehicle and one clinical waste collection a week using a smaller transit size vehicle.

Worth noting: The proposal turning head facility has been previously approved by Dacorum BC in respect of the extant planning permission for the 36 bed care home (4/01800/12/MFA) and is equally large enough to accommodate the current proposal.

#### B&M Management of the Parking

The management of the parking and turning facility will be undertaken by B&M Care.

As an operator of 23 care homes they are well experienced in managing their facilities during delivery times, refuse collections, emergencies, as well as parking for staff and visitors alike.

This is a dynamic business and good management of the parking and turning spaces are important for the operation of the business, which B&M Care take very seriously. For instance the tandem parking spaces within the courtyard will be managed exclusively for B&M Care staff parking or pool car and will be marked as such.

B&M Care offer staggered shift times for staff to smooth out arrivals and departures. Typically in respect of B&M care homes a significant number of staff tend to walk or cycle to work, as they generally live within a 2 km radius of the homes, take public transport, car share or get dropped off by family members.

The surgery hours are not as extensive as the care home and only operate between 8.30am and 10.20am, 4pm and 5.50pm Monday to Friday and 6.30pm and 6.40pm on Mondays, Tuesdays & Thursdays so there is not staff and visitors coming and going all day long. The GP surgery is closed at weekends, bank holidays and evenings when the care home is likely to be busier with visitors, so the surgery spaces can be utilised by the care home in a complementary fashion. Elderly residents within the care home don't drive and have no need for parking spaces.

### Green Travel Plan

The application is supported by a Travel Plan prepared by Fairhurst consultants, which is also reinforced by suggested Condition 10 in the previous DCC report.

The 'measures' and 'initiatives' outlined in the Fairhurst Travel Plan are to encourage the use of alternative forms of transport other than the motorcar include the following:-

#### 'Hard' Measures

- Facilitating and encouraging the use of bicycles by providing staff and visitors safe and secure cycle parking. 6 secure/covered spaces are proposed which meets adopted standards.
- Showers, changing facilities and lockers will be provided for staff and visitors cycling to the care home.
- A cycle pump and repair kit will be made available for cyclists.
- Cycle route maps, travel notice board, travel information packs and travel website will be made available.
- Monitoring and survey staff feedback on cycling usage and facilities.
- Only providing sufficient parking to serve the development, to encourage travel by sustainable modes.

#### 'Soft' Measures

- Staff will be encouraged to car share by the Travel Plan Co-ordinator (TPC), collating a spread sheet of staff who live in close proximity and displaying on the travel notice board.
- A Travel Notice Board providing travel and community information to staff and visitors (Inc. bus & rail timetables, cycle route maps, car sharing, walking information and details of local taxis).
- Travel Information Packs will be given to all members of staff (including bus & rail

timetables, cycle route maps, walking information).

- Travel website. Travel information for staff and visitors will be available on the care home and GP's surgery websites. Encouraging visitors to use alternative modes of transport.
- Measures to encourage walking (running 'walk to work' weeks, making staff aware of shower & changing facilities and 'guaranteed ride home' scheme).
- Measures to encourage cycling. These include running promotional events like bike to work week, providing cycle route and cycle shop information, allowing staff to purchase a cycle through the cycle to work scheme, 'guaranteed ride home' for staff using cycles and need to return home in an emergency.
- Measures to encourage public transport use. These include keeping up-to-date information on travel notice board and website and providing information within Travel Welcome Packs.

### Vitality/vibrancy of Local Centre

The proposed care home and GP surgery will offer important community facilities for the 21<sup>st</sup> Century for the benefit of the local community and will not have a negative impact on the commercial health of the village centre, as some may suggest. The proposal is very positive for Kings Langley and will benefit the community in many ways:

- Provides opportunities for joint trips/local spending. Those visiting the care home or surgery are likely to visit the High St to purchase items or take out elderly relatives. For instance, those picking up doctors prescriptions will use the chemist(s) in the High Street to get their medicines, equally visitors could purchase groceries/gifts/flowers/items in the village or stop for coffee or lunch or dinner.
- The proposal is a real asset to the community.
- The care home and GP surgery will be brand new 21<sup>st</sup> Century facilities, with full disabled access, which will operate in the community for the long term.
- A high quality care home building will help 'knit back' the presently fractured street scene in the High Street and will enhance the character and appearance of the Conservation Area. This proposal will represent a significant investment in Kings Langley, which can be seen as a catalyst for further inward investments, enhancements and renaissances.
- There are very real employment opportunities within care home and surgery, which offers jobs, security and spending power within the village

### Parking

Importantly, the proposed parking provision (29 spaces in total, 17 for care home and 12 for GP surgery) now meets Dacorum Borough Council's adopted parking standards, regardless of whether spaces may or may not be available in the nearby car parks or on-street. This site is located in a highly sustainable position on the High Street of the village and the proposed parking provision now addresses the concerns of the previous reason for refusal (which objected very specifically to the under provision of parking for the GP surgery only).

### **Representations**

Any additional responses from Hertfordshire County Council Highways, the Refuse Controller

and Hertfordshire Fire & Rescue Service will be provided at the meeting/ by the Addendum.

## Considerations

The starting point is that the application was previously recommended for the grant of planning permission. This position remains, notwithstanding the additional information.

The submitted information reinforces the approach to access and parking, with the commitment to a Green Travel Plan. The statement also clarifies that the Agent/ Applicant expects that there will be resultant benefits for the vibrancy/ vitality to the Local Centre. In this respect the Strategic Planning Team has raised no policy objections.

Significantly the proposal accords with the NPPF's 3 planning guiding /core principles/roles in delivering sustainable development i.e economic, social and environmental:

- **An economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure. **The proposal will create employment through construction/running of the facilities with resultant and economic benefits for local businesses with accompanied residents ,staff and visitors using local services.**
- **A social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being. **The proposal will provide much needed accommodation for the elderly and new infrastructure for health care.**
- **An environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy. **The proposal will improve the overall character and appearance of the Conservation Area through its replacement of a poor quality building with a high quality development.**

In these respects the NPPF explains:

- These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.
- Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):
  - making it easier for jobs to be created in cities, towns and villages;
  - moving from a net loss of bio-diversity to achieving net gains for nature;
  - replacing poor design with better design;
  - improving the conditions in which people live, work, travel and take leisure; and
  - widening the choice of high quality homes.

The proposal provides jobs in Kings Langley Village, provides biodiversity opportunities (including new additional green space), a high quality design and will improve conditions and

widen the choice of homes in the area.

In recommending permission be granted Condition 22 is modified to refer to the additional plans.

RECOMMENDATION - That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

- 1 **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 **No part of the development hereby permitted shall take place until details and samples (where appropriate) of the materials (including glazing) to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the local planning authority and the hard surfaced courtyard shall be constructed of permeable material in accordance with details submitted to and approved in writing by the local planning authority. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.**

Reason: In the interests of the character and appearance of the Conservation Area and the setting of the adjoining listed building and in the interests of sustainable drainage to accord with the requirements of Policies CS10 ,CS12, CS27 and CS29 of the Dacorum Core Strategy and the saved Policies 119 and 120 of the Dacorum Borough Local Plan.

- 3 **All new external rainwater and soil pipes shall be formed in metal and painted black and all windows, doors and fascias shall be of timber and the rooflights shall be of a Conservation type.**

Reason: In the interests of the character and appearance of the Conservation Area and the setting of the adjoining listed building to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 and 120 of the Dacorum Borough Local Plan.

- 4 **This planning permission does not approve the removal of any of Trees T1 to T17 shown by Drawing No. D0188- 002 - D . All of these trees shall be protected during the whole period of construction fully in accordance with the details shown by Drawing No. Drawing No. D0188- 002 - D. Notwithstanding the submitted details a scheme for soft landscape works shall be carried during the first planting season following the first use of the development hereby permitted fully in accordance with details submitted to and approved in writing by the local planning authority. For the purposes of this condition the planting season is between 1 October and 31 March.**

Reason: To ensure that the development is compatible with the setting of the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 and 120 of the

Dacorum Borough Local Plan and in the interests of biodiversity and to accord with the sustainable approach to development to accord with Policy CS29 of the Dacorum Core Strategy.

- 5 **Any tree, hedge or shrub which forms part of the approved landscaping scheme subject to Condition 4 which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree, section of equivalent hedge or shrub of a species, size and maturity to be approved by the local planning authority.**

Reason: To ensure that the development is compatible with the setting of the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10, CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 and 120 of the Dacorum Borough Local Plan and in the interests of biodiversity and to accord with the sustainable approach to development to accord with Policy CS29 of the Dacorum Core Strategy.

- 6 **Prior to the commencement of the development hereby permitted details /samples of hard landscaping( including boundary treatment, full details of the retained existing boundary wall to Langley Hill Close, permeable surface materials and external drying facilities) shall have been submitted to and approved in writing by the local planning authority. The details of the retained boundary wall shall include a full constructional method statement in relation to the adjoining land within Langley Hill Close with reference to land and wall stability.**

**The approved materials shall be used in the implementation of the development and all the approved boundary treatment and any associated hard landscaping shall be carried out / installed prior to the first use of the building or the approved amenity area and thereafter shall be retained at all times.**

Reason: In the interests of the character and appearance of the Conservation Area and the setting of the adjoining listed building, biodiversity and in the interests of the residential amenity ( especially no. 7 Langley Hill Close with regard to the issues of privacy and noise attenuation) and land stability to accord with the requirements of Policies CS10 ,CS12, CS27 and CS32 of the Dacorum Core Strategy and the saved Policies 119 and 120 of the Dacorum Borough Local Plan.

- 7 **The details of boundary treatment in accordance with Condition 6 shall include a scheme for additional boundary treatment with specific reference to acoustic measures in relation to 7 Langley Hill Close. All the approved boundary treatment and any associated measures shall be installed prior to the first use of any part of the development including the approved amenity area and thereafter the approved boundary treatment shall be retained at all times.**

Reason: In the interests of the character and appearance of the Conservation Area and the setting of the adjoining listed building and in the interests of the residential amenity, especially no. 7 Langley Hill Close with regard to the issues of privacy and noise attenuation to accord with the requirements of Policies CS10 ,CS12 and CS32 of the Dacorum Core Strategy.

- 8 **The development hereby permitted shall not be occupied until the access arrangements and turning facilities shown by the approved drawings have**

**been provided fully in accordance with the approved details. Thereafter the access and turning area shall be retained at all times and only used for the approved purposes. The access road and turning area shall be constructed so that they are capable of bearing the weight of a 15.5 tonne vehicle and have a gradient of no less than 1 in 20.**

Reason: In the interests of highway safety and to ensure that emergency and service vehicles are able to serve the development at all times in accordance with Policies CS8 and CS12 of Dacorum Core Strategy.

- 9 **The development hereby permitted shall not be occupied until all the approved arrangements for vehicle parking (including those for persons with disabilities) shown by the approved drawings and cycle storage shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved. An additional cycle storage facility provided to serve the surgery.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities including persons with disabilities in accordance with Policies CS8 and CS12 of Dacorum Core Strategy and saved Policy 63 of the Dacorum Borough Local Plan.

- 10 **Prior to the first occupation of the development hereby permitted and notwithstanding the submitted details a Green Travel Plan shall be submitted to the local planning authority. The Travel Plan shall provide details of measures for reducing car dependency, the need to travel to site by car whilst promoting alternative modes of transport such as walking, cycling and use of public transport. This shall be prepared in accordance with the Guidance Note "Developing a Green Travel Plan" by Hertfordshire Technical Chief Officers. The approved Green Travel Plan shall be carried out fully in accordance with the approved details.**

Reason: In accordance with the sustainable transportation policies of the development plan in accordance with Policies CS8 and CS12 of Dacorum Core Strategy.

- 11 **All the windows of the development hereby permitted shall be installed with glazing to limit noise transmission fully in accordance with details submitted to and approved by the local planning authority and any bathroom windows of the development hereby permitted shall be permanently fitted with obscured glass. The development shall be carried out fully in accordance with the approved details and thereafter the approved glazing shall be retained at all times.**

Reason : In the interests of residential amenity to accord with Policies 12 and 32 of the Dacorum Borough Core Strategy.

- 12 **Prior to the commencement of the development hereby permitted revised copies of the following reports shall be submitted:**

- **Preliminary Investigation Report Preliminary Investigation Report; Contract: 52200; Ian Farmer Associates (1998) Limited; March 2014**
- **Report on Phase 2 Ground Investigation; Contract 52200A; Ian Farmer Associates (1998) Limited; May 2014.**

**The reports must be revised and re-issued to take into account the new application and any alterations to the proposed site layout. The Report on**



**Phase 2 Ground Investigation, (specifically section 8.4 Risk Assessment - Human Health) must be updated to reflect the changes to guidance which have occurred since the report was initially written in May 2014, (the publication of new generic assessment criteria – S4ULs etc.)**

**If the revised Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.**

**For the purposes of this condition:**

- **A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a ‘conceptual model’ of the site is constructed and a preliminary risk assessment is carried out.**
- **A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required. A Remediation statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy.

- 13 **All remediation or protection measures identified in the Remediation Statement referred to by Condition 12 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

**For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy.

- 14 **Notwithstanding any of the submitted details no part of the development hereby permitted shall not occupied until a scheme for ventilation of the**

**premises, including the extraction and filtration of cooking fumes and the system for laundry has been submitted to and approved by the local planning authority. The approved scheme shall be retained at all times.**

Reason: In the interests of safeguarding the residential amenity of the locality and the character of the Conservation Area to accord with the requirements of Policies CS12, CS27, CS29 and CS32 of the Dacorum Core Strategy and the saved Policy of 120 of the Dacorum Borough Local Plan.

- 15 **The development hereby permitted shall be carried in accordance with the submitted Sustainability Statement subject to the requirements of other conditions of this planning permission.**

Reason: To ensure the sustainable development of the site in accordance with Policy CS29 of the Dacorum Core Strategy.

- 16 **The approved facilities for the storage of refuse shall be provided before the development hereby permitted is first brought into use and thereafter shall be retained at all times.**

Reason: To ensure a refuse facility is provided at all times at the site in accordance with Policy CS12 of the Dacorum Borough Local Plan.

- 17 **The development permitted shall be carried out in fully in accordance with the surface water drainage assessment , as approved by Hertfordshire County Council Lead Flood Authority, and carried out by Hydrock reference R/C161599/002.03 dated December 2016, and the following mitigation measures detailed within the Flood Risk assessment :**

- **The provision of the 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.**
- 1. **The construction of the drainage to include the permeable paving, attenuation tank and soakaway as shown /specified by the 'Proposed Layout Plan' on Drawing No. Dwg KIN-HYD-XX-XX-DR-D-5001.**
- 2. **The carrying out of the appropriate drainage strategy based on infiltration.**

**The above mitigation measures nos 1, 2 and 3 shall be carried out fully in accordance with the approved details prior to the occupation any part of the development hereby permitted and subsequently 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 disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with the aims of Policies CS12 and CS31 of the Dacorum Core Strategy and to protect groundwater to accord with the requirements of Policies CS31 and CS32 of the Dacorum Core Strategy.

- 18 **No development shall take place until a detailed surface water drainage scheme for the site based on the approved Drainage strategy and sustainable drainage principles and an assessment of the hydrological and hydro**

**geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

**Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs.**

**Detailed surface water run-off and volume calculations to ensure that the site has the capacity to accommodate all rainfall events up to 1:100 year plus climate change.**

**Any areas of informal flooding should the system flood above the 1 in 30 year event.**

**Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.**

Reason: To prevent the increased risk of flooding, both on and off site in accordance with the aims of Policies CS12 and CS31 of the Dacorum Core Strategy and to protect groundwater to accord with the requirements of Policies CS31 and CS32 of the Dacorum Core Strategy.

*Informative to the LPA*

For further guidance on HCC's policies on SuDS, HCC Developers Guide and Checklist and links to national policy and industry best practice guidance please refer to our surface water.

- 19 **Details of all exterior lighting to be installed at the application site shall be submitted to and approved in writing by the local planning authority. The exterior lighting shall be installed and thereafter retained fully in accordance with the approved details.**

Reason: In the interests of safeguarding the character and appearance of the Conservation Area, the setting of the adjoining listed building, the residential amenity of the locality, highway safety, biodiversity, access for persons with disabilities and crime prevention/security in accordance with Policies CS12, CS27, CS29 and CS32 of the Dacorum Core Strategy and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan.

- 20 **The development hereby permitted shall be constructed to provide bat roosts and enhancements for nesting birds, with two Sparrow terrace boxes mounted in appropriate locations along with a Swift box mounted in the eaves of the new building fully in accordance with Turnstone Ecology letter dated 16 June 2016 . Once provided the measures shall be retained at all times.**

Reason: In the interests of biodiversity in accordance with Policies CS26 and CBS 29 of Dacorum Core Strategy.

21 **No development hereby permitted shall commence until the following are submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.**

**3. Details of wheel cleaning facilities for construction vehicles,**

- **A Construction Traffic Management Plan and Access Route (s) ,and**
- **A scheme for on-site parking for construction workers. The scheme shall be implemented throughout the construction period.**

Reason: In the interests of highway safety and residential amenity in accordance with Policies CS8 and CS12 of Dacorum Core Strategy.

22 **Subject to the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following plans:**

**03 -KL -MA - 60a, 61b, 62b, 63b, 64b, 65a, 67b, 68b, 70d, 71, 72a, 72, 73, 74 and 79**

**Drainage: KIN-HYD-XX-XX-DR-D-5001**

**Tree Protection Plan:DO 188-02-D**

**D0 188-003**

**00155-C01-A**

**117215-1802 (002)**

**117215-1801 (003)**

**Parking 3D Layout**

Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.

#### ARTICLE 35 STATEMENT

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively 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) (Amendment No. 2) Order 2015.

#### **Informatives**

##### Land Stability

The government advice is that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

##### Contamination

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Councils website [www.dacorum.gov](http://www.dacorum.gov)

### Highway Issues

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

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

### Advice from Thames Water

1.Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes the developer share with neighbours, or are situated outside of the property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should the proposed building work fall within 3 metres of these pipes TW recommend the Developer sends a scaled ground floor plan of the property showing the proposed work and the complete sewer layout to [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) to determine if a building over / near to agreement is required.

2.Surface Water Drainage.It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

### Advice from Hertfordshire County Council Lead Flood Authority

For further guidance on HCC's policies on SuDS, HCC Developers Guide and Checklist and links to national policy and industry best practice guidance it is recommended there is reference to the LFA'S surface water drainage

webpage:<http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewater/drainag>

### Bats

In the event of bats or evidence of them being found, any works to the building must stop immediately and advice taken on how to proceed lawfully from one of the following: a bat consultant, the UK Bat Helpline: 0845 1300228, Natural England: 0300 0603900, or the Herts & Middlesex Bat Group website: [www.hmbg.org.uk](http://www.hmbg.org.uk)

UK and European Legislation makes it illegal to:

Deliberately kill, injure or capture bats;  
Recklessly disturb bats;  
Damage, destroy or obstruct access to bat roosts (whether or not bats are present).

Hertfordshire Ecology can also provide advice. at Environmental Resource Planning, Hertfordshire County Council (Postal Point EMG CHN109), County Hall, Pegs Lane, Hertford, SG13 8DN [ecology@hertfordshire.gov.uk](mailto:ecology@hertfordshire.gov.uk) Tel: 01992 555220

### Water Supply Drainage

Affinity Water has advised that the site is located within the groundwater Source Protection Zone (SPZ) corresponding to Marlowes Pumping Station. This is a public water supply comprising a number of chalk boreholes operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken.

For further information the Developer is advised to refer to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

### Contamination

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Councils website [www.dacorum.gov.uk](http://www.dacorum.gov.uk)

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## **APPENDIX 1 : PREVIOUS REPORT TO THE DEVELOPMENT CONTROL COMMITTEE**

### **Summary**

The application is recommended for approval.

The principle of new residential development is acceptable in accordance with Policy CS1 of Dacorum Core Strategy on this brownfield site. Part of the site is subject to an extant planning permission for an elderly persons care home. The loss of the existing dwelling house at no. 1 Langley Hill will be compensated by the resultant public benefit of the centrally located inclusive replacement community doctors surgery and the provision of an elderly persons care home providing new specialist housing.

Despite the development's scale it can be visually/ physically accommodated within the site's heritage setting/ context in a positive way. It takes advantage of the levels and is compatible with the character and appearance of Kings Langley Conservation Area including its street scene, the setting of the adjoining/ nearby listed buildings and the immediate locality/ street scene beyond the Conservation Area, with due regard to its setting. There will be a compatible relationship with retained preserved trees.

There are no detailed objections including the effect upon the residential amenity of the locality and the highway safety/ access and parking implications. There is sufficient on site parking to serve the care home and surgery in a very sustainable location complemented by the availability of nearby public parking. The fully inclusive surgery serving the same area will be provided with more parking than the existing and with full and safe access for persons with disabilities and limited mobility.

There are no detailed layout/ environmental objections subject to the imposition of a range of associated necessary conditions.

### **Site Description**

The application site comprises of two components. It combines No. 32 which is the site of the former now demolished Post Office Delivery Depot/ Centre and No. 1 Langley Hill, an unoccupied detached gable chalet bungalow abutting the original western boundary of no. 32

No. 32 is subject to an extant planning permission for a 36 bed care home. Construction work has stopped for a considerable time. All pre commencement conditions have been discharged.

No. 32 abuts the High Street- Langley Hill junction. It is a prominent location in the centre of the Kings Langley Village within the Conservation Area. Its elongated frontage is distinguished by preserved trees. The Red House, a Grade 2\* listed building, is to the immediate north. The site frontage currently features building construction hoardings adjoining a main village bus stop.

No. 32's southern boundary adjoins the steeply rising Langley Hill. This boundary is defined by a high brick wall, adjoining grass verge and a preserved tree close to the former depot's site access onto Langley Hill. Views from the access into the site show very significant changes in levels across the site.

No. 1 Langley Hill is a detached gable chalet bungalow abutting the original western boundary of no. 32 which is defined by a high wall. No. 1 occupies a prominent position in Langley Hill visible from the 55 space public car park opposite.

Langley Hill Close is a private cul de sac of seven detached two storey dwellinghouses to the immediate west of no.1. Its access road adjoins the elongated boundary wall of no.1 Langley Hill which is located at a lower level.

No.1 Langley Hill Close is at the entrance to the cul de sac, set back from the Langley Hill- Langley Hill Close junction. This dwelling features an elongated open front garden which is

used as a main amenity space by the current owners with a smaller enclosed rear garden. No. 7 Langley Close is located to the north of the original curtilage of no. 32. No. 5 Langley Hill is to the immediate west of no 1. Langley Hill Close occupying an elevated and much more forward position. All these dwellings lie beyond the Conservation Area.

The existing Haverfield GP Doctors' Surgery at no. 34 High Street abuts the High Street and Langley Hill junction. It occupies a listed building and is within the Conservation Area.

The application has been submitted following the Development Control Committee's refusal of Application 4/00759/16/MFA for the construction of an extended care home and replacement doctor's surgery in August 2016. The Members decision was contrary to the Officer recommendation. The reason for refusal was:

**'The proposed surgery will be served by inadequate off street parking which demonstrates that the scheme represents an overdevelopment of the site. The identified significant shortfall of parking will result in parking overspill from the surgery placing constant increased daily pressures upon the very busy public car parks in Kings Langley especially that opposite the application site. Langley Hill and the High Street will also be subject to additional on street parking pressures. The proposal would therefore be contrary to Policy CS12 (Quality of Design) of the Dacorum Core Strategy wherein on each site new development should comply with a range of design criteria, including (b) which expects the provision of sufficient parking. With less available customer parking to serve Kings Langley Village Local Centre - due to the proposal's shortfall in parking - there will be a negative impact upon the Kings Langley Local Centre's businesses customer/ operator base where the Dacorum Core Strategy Kings Langley Place Strategy supports the maintenance of the shopping and service role of the village centre'.**

The Planning Inspectorate is currently considering an Appeal against this refusal.

## **Proposal**

The two fold proposal involves the provision of a 61 bed care home and new doctors surgery by amalgamating the two sites and demolishing No.1 Langley Hill. Both will be served by the existing former Depot access from Langley Hill with a shared inner courtyard turning area linked to both surface and undercroft parking areas. No.1's existing access will be retained to separately serve frontage surface parking enclosed by a front wall with the surgery occupying a set back position from Langley Hill.

The design / form of the part of the care home fronting the High Street is a modified version of the extant 2012 scheme with a fine tuning of its design.

The care home's form is based upon an elongated two and a half storey gable roof building fronting, parallel with and set back from the High Street featuring an enclosing low wall and railings. The building will feature a portico entrance and a distinctive parapet style roof and recessed flat roof dormers. A subordinate two storey element will adjoin the Grade 2\* listed Red House. The building's recessed position from the High Street enables the retention of the preserved trees.

This care home main front component will be linked to a two and a half storey rear wing in the form an inverted/ reverse L' shape layout/ form. This 'tail' will be positioned along part of the northern side of the site. Its western end will be linked to the proposed gable roof two and a half storey surgery building served by undercroft parking. The surgery will lie parallel with but inset from the retained historic boundary wall fronting Langley Hill Close.

The front and rear gable ends of the surgery building will feature bedroom windows. The rear



window will be, according to the submitted documentation, 29m from the rear first floor window of no. 7 Langley Hill Close. There will be roof lights within the surgery's western roofslope opposite No.1 Langley Hill Close and separated by the cul de sac roadway.

There will be 17 parking spaces for the care home and 12 for the ground floor surgery through the combination of the undercroft and surface parking. The layout includes 2 disabled spaces and 1 pool car space. A bin and recycling store is located on the southern side of the courtyard area adjacent to the care home. There is a secure cycle storage area serving the care home which will feature a small garden area in the northern corner.

The proposed care home will comprise of a staff room, Care Home Managers Office and Administration Office, reception lobby, relaxation areas and lounge/dining rooms on the ground and lower ground floors. The basement served by light wells will accommodate a kitchen/preparation area, activities room, training room, laundry room, boiler room, treatment room, cinema, various storerooms, staff room and chapel.

The surgery features a reception/waiting room, patient wc's, administration office, store, kitchen, meeting room, manager's office, nurses treatment room and three doctor consulting rooms.

The application is accompanied by a wide range of supporting documents.

### **Applicant's Post Refusal Actions: Summary**

These include:

- The Applicant / Agent dialogue with Officers in accordance with standard expected Article 35 Protocol.
- The Applicant's review of the refused scheme and its resultant significant redesign with the focus upon providing additional off street parking by modifying the surgery design through the incorporation of undercroft parking, providing 12 spaces for the Surgery and 17 for the care home.
- The carrying out of a parking survey.
- Submission of an Appeal against Refusal 4/00759/16/MFA.
- Dialogue with the Lead Flood Authority.

### **The Proposed Facilities : Overview (as per Report 4/0759/16/MFA)**

The previous report noted :

#### Care Home

B&M Care operate more than 20 care homes for the elderly in the Home Counties and are always striving to provide the very best living environment for their elderly residents. The proposed extension to accommodate the additional beds for the elderly would meet modern Care Quality Commission (CGC) 2010 Essential Standards of Quality and Safety standard for Older People, which assists providers to comply with section 20 regulations of the Health and Social Care Act 2008. The standards specify minimum size and spaces standards for bedrooms, corridors, escapes, communal spaces etc. right down to furniture and fittings. Dementia care will be available.

B & M Care is a responsible care home operator with more than 30 years of experience in developing and operating care homes for the elderly. B&M Care operate in the region of 1150 bed spaces in 22 care homes for which they have won a number of industry design awards for the design of their care homes.

The Supporting Statement confirms that :

- Most residents will be 80+ years.
- All residents will need assistance with mobility and daily life.
- Most residents suffer from a level of dementia to varying degrees.
- No residents will leave the site unassisted. They will live effectively in a self-contained gated community.
- All residents will due to their age and health be confined in the main to site, although occasionally a resident may be taken out for the day by a relative.
- The residents will not place additional demands on local facilities and services.

#### The need for a new GP Doctors Surgery

The supporting document confirms:

1. The Principals of Haverfield Surgery based at 34 High Street, Kings Langley approached B&M Care in early 2015 to enquire whether they could accommodate a new GP surgery within the B & M development.

2. Haverfield Surgery is a local GP practice with nearly 3,500 patients. There has been a 'doctors surgery' on this site going back to 1747. In 1968 Dr Doris Brown gave the grounds at the rear of Haverfield to Dacorum Council as free car park for the benefit of Kings Langley in perpetuity. There are approximately 55 spaces available in this car park located directly opposite the application site.

3. The GP surgery operates out of a listed premises which is unfit for purpose by modern standards. A new premises would allow for fully disabled access and an opportunity for the surgery to expand their activities, expand its list and deliver other aspirations and ambitions for the local community.

4. A NHS England GP Premises Team Inspection Report 2015 deemed the current Haverfield Surgery premises not to be compliant with the Equality Act 2010 in most aspects. Particular mention was made of the main entrance, with steep sloping access and a substandard disabled access via a side entrance.

5. B&M Care would welcome the creation of a "Community Hub" offering GP care to Kings Langley community and residents of the home alike.

6. A brand new 21st Century GP surgery can offer fully disabled access, provide additional services, expand their patient list, employ an additional Partner GP, become a qualified GP Trainer and an accredited training practice helping to meet locally the NHS work force challenges, offer 'on the job' training and offering long term continuity of services for Kings Langley.

7. Furthermore, the Practice could offer additional services minor surgery services, maternity & family planning services and vaccine clinics. The surgery would be able to bring in hospital consultants to offer out-patient consultations and clinics for the local community.

8. The proposed Surgery in terms of floor area would appear similar or possibly smaller but with much more efficient use of space. This will allow the practice to add one additional GP in the future if the needs of the Kings Langley require it, without the need to relocate. This is as noted in the Operators joint statement submitted as part of the application.

Annex A is the Operators Statement. A Care Quality Commission Report by Professor Steve Field was published on 20 July 2016 following the surgery inspection in April 2016.

It has been recently clarified that Haverfield Surgery does not have a waiting list. There are 3342 patients registered at the surgery; 1939 are Kings Langley residents (58%) Other patients are from Abbots Langley, Chipperfield, Bovington, Hemel Hempstead and a few surrounding villages.

Haverfield Surgery employees 12 members of staff at no.34. There are 5 clinicians (3 GPs, 1 nurse, 1 health care assistant ) and 7 administration staff. 1 GP is full time and 2GPs job share as a full time equivalent. All other employees are based upon various part time hours. There are also two evening based cleaners.

### **Background to Application 4/00759/16/MFA**

This noted:

The B&M Care Operators Statement confirms that there has been dialogue between B&M and Haverfield GP Practice Kings Langley since early 2015 to consider whether the site was capable of accommodating a new GP surgery. It has been confirmed that No.1 Langley Hill came on the market in later 2015 and opened up the possibility of meeting the needs of a new GP surgery for Kings Langley and some additional care home beds.

According to the submitted Design & Access Statement before submitting the application B&M Care and Haverfield GP Practice were in communication with Kings Langley Parish Council and 'Ward and District Councils in Dacorum Borough' outlining their intentions for this planning application. There was no pre application dialogue with officers.

### **Relevant Planning History**

Planning Permission 4/01800/12MFA. Demolition of existing building and construction of 36 bedroom residential care home with parking, tree protection and gardens. The development has commenced.

4/01237/14/DRC Discharge of Pre Commencement Conditions 2, 7 (part), 9, 14, 19 and 20 of Planning Permission 4/01800/12MFA. Whilst there has not been discharge of pre commencement conditions 8 and 15 it is interpreted that due to their terms this does not nullify the permission which remains extant/ live.

Conservation Area Consent 4/01849/12/CAC Demolition of the former Post Office Building.

Temporary Planning Permission 4/01524/12 Temporary change of use from delivery office (B8) to fitness centre (D2): Ground floor only for 24 months.

Refusal 4/00759/16/MFA. Proposed rear Care Home extension to provide an additional 21 bedrooms and a new Surgery. See above.

Tree Preservation Order at the Site. This emergency TPO was made due to officers concerns during the consideration of the care home proposals in 2012 regarding the development's compatibility with the trees.

### **Procedural Issues**

Representation by the Residents of 27 Langley Hill to Mike Penning, MP. The MP's letter has been sent to the Chief Executive. In summary this representation refers to the decision to grant the care home originally and the lack of local knowledge of this and the objections to the current development. Note: There were 25 neighbour letters dispatched by the LPA and notification of the Parish Council for the 2012 application.

Site Notices. Two notices were installed. One was attached to the traffic sign at the High Street-

Langley Hill Close junction and the other attached to the gated access. Both were very firmly affixed. It was reported that there was not one at the gate. The Agent was requested about knowledge of its removal and is unaware. In reviewing the situation a replacement notice was not installed - the only requirement is for its display. The second notice remains in place when recently checked. The LPA has complied with its statutory publicity requirements and there has been substantial neighbour consultation with 38 individual letters sent by the LPA.

Revised Plans. These relate entirely to specialised Heritage Issues referred by the Conservation & Design Team in 'fine tuning' the design. These include:

- (1) Added brick string course to front elevation / parapet roof.
- (2) Reduced canopy / portico.
- (3) Removal of doors and Juliet balcony from first floor front elevation.
- (4) Increase in the window heights first floor front elevation.
- (5) Front railings to Kings Langley High Street.
- (6) Boundary wall and gates treatment to Langley Hill.
  - (a) Coping to match the existing wall in Langley Hill
  - (b) Garden wall bonding and brickwork details.
  - (c) Piers and walls for garden wall bond.

It was not considered that these required reconsultation with the Parish Council, technical consultees and the neighbours, other than the Conservation Team which requested these detailed design changes. At the DCC meeting Members will have the full opportunity to consider the heritage implications of these changes.

### **Referral to Committee**

The application is referred to the Development Control Committee due to the contrary views of Kings Langley Parish Council and the previous decision 4/00759/16/MFA.

### **Constraints**

Large Village  
Local Centre  
Conservation Area\*  
Adjoins Conservation Area\*  
Tree Preservation Order  
Area of Archaeological Importance  
Former Land Use  
Parking Accessibility Zone  
Community Infrastructure Zone 2  
Air Direction Limit

\*Note: No. 32 High Street is within the Conservation Area. No.1 Langley Hill is outside the Conservation Area.

### **Policies**

National Policy Guidance  
National Planning Policy Framework (NPPF)  
National Planning Guidance Notes

Dacorum Adopted Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development

CS4 - The Towns and Large Villages  
CS8 - Sustainable Transport  
CS9 - Management of Roads  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS13 - Quality of Public Realm  
CS14 - Economic Development  
CS16 - Shops and Commerce  
CS17 - New Housing  
CS23 - Social Infrastructure  
CS25 - Landscape Character  
CS26 - Green Infrastructure  
CS27 - Quality of the Historic Environment  
CS29 - Sustainable Design and Construction  
CS31 - Water Management  
CS32 - Air, Water and Soil Quality  
CS35 - Infrastructure and Developer Contributions

#### Saved Policies of the Dacorum Borough Local Plan

Policies 51, 54, 57, 58, 63, 96, 100, 101, 113, 119 and 120  
Appendices 1, 2, 3, 4, 5 and 8

#### Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)  
Water Conservation & Sustainable Drainage (June 2005)  
Energy Efficiency & Conservation (June 2006)  
Accessibility Zones for the Application of car Parking Standards (July 2002)  
Landscape Character Assessment (May 2004)  
Planning Obligations (April 2011)

#### Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

### **Representations**

#### Kings Langley Parish Council

The Council object to this application for the following reasons:

- There are still several windows would be overlooking existing residential homes, affecting the privacy of the resident.
- It would result in a large, over-cramped development of the site.
- There is still insufficient parking, despite recent changes submitted by the applicant. The Council is particularly concerned that the staff working in the new care home would take up a very high proportion of the parking spaces in the car park opposite the development which would seriously impact on its use by local people and visitors to shops and businesses, and, therefore, a detrimental effect on those shops and businesses, and the village as a whole.
- Further, the proposed additional parking “block”, which the Council feels is inappropriate, would be an eyesore and intrusion to the nearby properties in Langley Hill Close, and have

a detrimental impact on the nearby street scene.

- There are potential traffic / access issues.
- It will have a detrimental impact on the character of the village.

The Council was concerned, further, that restrictive covenants exist on some parts of the property being incorporated into the new development, which it believes would be broken.

### Strategic Planning

SP acknowledge that previously comments have been made by Strategic Planning (as part of application 759/16/MFA and 1800/12/MFA) which SP still deem are relevant for this proposal. The application is complicated as parts of the proposal are already approved. SP's comments will proceed to consider any additional development which is currently proposed within the new planning application over and above that permitted by the above scheme and related impacts this may give rise to. The key concern raised in refusing 6/00 759/16 was to ensure sufficient on-site parking is provided comprehensively for the care home and GP surgery (see (ii) below).

It is noted that the applicant states that there is demand for care home spaces for the elderly in the Borough and Hertfordshire given the ageing population. As a result of the existing permission, this use type and general scale of scheme is in principle established. While geared to residential areas Policy 71: Community care of the Dacorum Borough Local Plan 1991 – 2011 states that:

*“..development of community care facilities for the handicapped and elderly will be encouraged in residential areas provided: (a) schemes incorporate adequate space for necessary ancillary services, amenity and visitor car parking; and (b) there is no over-concentration of community care facilities.”*

Point b) is a matter of consideration for the case officer, although SP is not aware that this is a local issue.

- Planning Permission 4/01800/12/MFA

SP recognise that the LPA cannot object to the principles of the permitted 36 bed care home (as the use of this land as a C2 Residential Institution has been considered appropriate (by planning permission 4/1800/12/MFA) :

Development permitted by 1800/12/MFA:

- 36 bedroom residential care home
- 10 parking spaces (including 2 disabled spaces and 1 pool car space)

The applicant has confirmed that demolition of the former Post Office Sorting Office has occurred and that the above permitted development has commenced on site. This means that the permission 4/1800/12/MFA has been 'implemented'. SP note that the supporting documentation refers to this site as a 'stalled construction site'.

- Refused Planning Application 4/0759/16/MFA

SP note that a previous application (4/0759/16/MFA) proposed to extend the permitted care home by an extra 21 bedrooms. This proposed extension would have resulted in a 57 bed care home overall. Planning Application 4/00759/16/MFA was refused by the Development Control for the reason referred above.

Development proposed by 4/00759/16/MFA:

- 21 bedroom residential care home and GP surgery
- 7 parking spaces and 6 new cycle parking spaces

•Current Application 4/03473/16/MFA

The proposal seeks to create a 61 bedroom care home with communal areas, landscaping and designated parking. SP acknowledge that the proposal involves the demolition of the vacant dwelling at 1 Langley Hill. The Applicant confirms that they have undertaken significant re-design of the care home/GP Surgery and layout proposal for the site (since the previous planning application), enabling them to achieve the required parking provision for the GP Surgery through the use of under croft parking off Langley Hill..

SP note that the Applicant states that *“the scale of the proposed care home will be appropriate in the street scene and will not have a detrimental impact on adjoining neighbours”*. The Applicant has also stressed the need for the new GP doctor’s surgery and how they have sought to overcome the previous reasons for refusal.

It is acknowledged that the proposal includes the relocation of the Haverfield Surgery (from 34 High Street, Kings Langley) which is a local GP practice with an established patient list. This surgery is currently located on the corner of High Street and Langley Hill, on the south side and operates out of listed premises which have been deemed ‘unfit for purpose’ by modern standards (in terms of DDA requirements). The Applicant states that this proposal provides an opportunity for the surgery to expand their activities, expand its list and deliver other aspirations and ambitions for the local community. The Applicant states that the mixed use for a doctor’s surgery and a residential care home could be seen as a creation of a “Community Hub”.

Given the above points, SP welcome the principle of the new surgery and the logic of this forming part of a mixed use community development. Core Strategy Policy CS23: Social Infrastructure supports development which is located to aid accessibility and is designed to allow for different activities. It states that the dual use of new facilities will be encouraged and existing social infrastructure will be protected unless appropriate alternative provision is made. This scheme provides multi-functional spaces and the building has been designed to house multi-uses. Core Strategy Policy CS4 (The towns and large villages) also supports residential and community uses in local centres provided that it is compatible with its surroundings.

- On-site Parking Provision and sustainable transport

Initially, SP will consider the levels of proposed on-site parking provision which was the reason for refusal of the previous application.

Parking should be provided in accordance with saved DBLP Appendix 5. The views of the Local Highway Authority should be sought.

It is acknowledged that the proposal is partly located within the defined local centre boundary. We note its proximity to existing public car parking. The applicant states that the proposal meets the Councils current adopted parking standards. The applicant states that the current Haverfield Surgery has no dedicated parking spaces, so this provision could be viewed as betterment on the current arrangements. SP also recognise that there are currently higher levels of parking proposed to that included in the previous two applications, which proposed a combined total of 17 car parking spaces.

The Applicant confirms the proposed on-site parking will utilise the accesses currently serving 1 Langley Hill and 32 High Street.

SP welcome the additional spaces provided by this proposal (created by the reconfiguration of the building layouts) and recognise that the improved parking provision would go some way to

address the concerns raised in the Refusal Notice of 4/00759/16/MFA. The Case Officer needs to give consideration as to whether the proposed level of parking fully meets the parking concerns. In addition, the Case Officer will need to give consideration as to whether the proposed first floor level is a safe and convenient proposal, does not create overlooking or negatively impact upon the street scene.

Within the Design and Access Statement, the applicant confirms that they have completed a parking and traffic survey and Transport Statement for this proposal. The applicant states that *“furthermore, there is a ‘free’ 55 space car park located directly across Langley Hill from this care home, to the south, as well as on street parking opportunities as expressed in the Transport Statement.”* The Design and Access Statement summarises the conclusions from the Transport Statement including that overspill from the proposal is highly unlikely to occur, but if it does that there are sufficient on-street parking spaces available along the nearby streets and in both car parks. SP has considered the key maximum parking standards influencing the proposed provision to be as follows:

	DBLP - CAR PARKING PROVISION			Number required to meet maximum parking standards	Planning Application proposes
	Maximum car parking standards	Cycle parking standards	(% of maximum demand-based standard) for Accessibility Zone 4		
<b>D1</b> Non residential institutions (e) Surgeries & clinics	3 spaces per consulting room plus 1 space per employee other than consulting doctors/dentists/vets	1 s/t space per consulting room plus 1 l/t space per 10 staff on duty at any one time	75-100%	16 car parking spaces (12 car parking spaces when accounting for Accessibility Zone 4)	12 car parking spaces
	3 x doctor consulting rooms, 1 nurses room, plus the number of additional employees other than consulting doctors				
<b>C2</b> Residential institutions (b) Elderly persons residential & nursing homes (Category 3)	0.25 spaces per resident bed space; parking for resident staff to be based on general needs standard	1 s/t space per 20 beds plus 1 l/t space per 10 staff on duty at any one time		15.25 car parking spaces	16 car parking spaces
	61 bed spaces with no parking for resident staff				
<b>Total cycle spaces</b>					6 cycle spaces

Core Strategy Policy CS8: Sustainable Transport states that *“all new development will contribute to provide sufficient, safe and convenient parking based on car parking standards: the application of those standards will take account of the accessibility of the location, promoting economic development and regeneration, supporting shopping areas, safeguarding residential amenity and ensuring highway safety.”* The Applicant states that the site is located in a sustainable position in respect to public transport needs, nearby shops, employment and other services within a reasonable distance. The Applicant also states that there will be suitable arrangements made for a covered and secure cycle parking facility (6 spaces provided), which is supported by Policy 62: Cyclists of the Dacorum Borough Local Plan 1991 – 2011. While not a fundamental showstopper to the development, it is unclear how the cycle provision meets our standards prescribed above. The Case Officer should give consideration to this.

Policy 57: Provision and management of parking of the Dacorum Borough Local Plan 1991 –



2011 states that *“the minimum level of car parking provision will be sought in developments by adopting maximum demand-based standards of provision. Provision will be reduced below this level in locations accessible by other travel modes or which can be made more accessible through planned improvements or as part of the development.”* The on-site provision is equivalent to that required by policy and SP note the site’s proximity to the existing public car park (subject to available capacity). SP do not regard this as a problem, particularly as Government guidance (see paragraph 39 in the NPPF) no longer makes any mention of maximum standards that should not be exceeded. On balance, SP therefore consider a reasonable quantum of parking is to be provided bearing in mind the location in the local centre and the proximity of public car parking. Although more detailed views on transport matters should be obtained from the highways team.

- Impact upon the Conservation Area

1 Langley Hill is not within the Conservation Area, unlike the existing care home. Therefore the proposed care home and GP surgery should generally be deemed to be located within or impact upon the conservation area.

Saved DBLP Policies 119 and 120 (Core Strategy Policy CS27) are relevant, as the site is located adjacent to the Red House (a listed building) and within the Kings Langley Conservation Area. The application should also be assessed against saved DBLP Policy 99 given the presence of trees on the site.

Policy 120: Development in conservation areas of the Dacorum Borough Local Plan 1991 – 2011 states that *“new developments or alterations or extensions to existing buildings in the conservation areas will be permitted provided they are carried out in a manner which preserves or enhances the established character or appearance of the area. Development proposals outside a conservation area which affect its character and setting will be considered likewise.”* It is acknowledged that the design, proportions, materials and detailing have been selected to mirror the approved care home design. The two care home proposals cumulatively is likely to impact upon the established building lines, layouts and patterns as well as scale and proportion within the area.

SP would expect the proposal to ensure quality of design given its prominent position and frontage on to the street. SP would also expect that views on this have been sought from the Design and Conservation team with regards to whether the proposal would adversely affect the established character of the area.

- Design

Saved DBLP Policy 10(Optimising the use of urban land ) supports proposals for new development designed to achieve the maximum density compatible with the character of the area, surrounding land uses and other environmental policies. Saved DBLP Policy 21( Density of residential development ) states that careful consideration will be given to the density of all new housing proposals to ensure that they make the most efficient use of the land available. Core Strategy Policy CS1: (Distribution of development ) states that *“the market towns and large villages will accommodate new development for housing, employment and other uses, provided that it a) is of a scale commensurate with the size of the settlement and the range of local services and facilities; b) helps maintain the vitality and viability of the settlement and the surrounding countryside and c) causes no damage to the existing character of the settlement or its adjoining countryside.”* The Applicant states that the proposal will assist with meeting an identified need for residential care in the area, will provide for the re-provision of the doctors surgery proximate to the community, is of an in-keeping scale and is not damaging to the existing character of the settlement.

Saved DBLP Policy 111 ( Height of buildings) states that *“within the towns and large villages,*

*buildings up to three storeys will be permitted provided they harmonise with the character surrounding area.*” It is acknowledged within the DBLP that pressure for new buildings is likely to fall within Kings Langley, but to maintain the character of the settlement and its relationship with the countryside building heights should be limited. It is acknowledged that this proposal is of a similar scale and height to the permitted care home building.

Core Strategy Policy CS12 ( Quality of Site Design) requires the provision of sufficient parking and sufficient space of servicing, to respect adjoining properties in terms of scale, height, bulk and materials and integration with the streetscape character. It is acknowledged that the proposal will utilise the same materials as those approved for the permitted 36 bedroom care home.

Design is an important matter due to the schemes prominence on the street scene and corner plot. The impact of the blocks scale and bulk of development should be considered against the immediate character of the area and alongside the matters highlighted from the relevant policies above. The quality of the design and materials are of considerable importance to ensure that the proposal is sympathetic to its surroundings and location within the conservation area. Can the proposal be conditioned to ensure the detailed material choices do not adversely impact the area?

Area of archaeological significance

The proposal is located in an area of archaeological significance (saved DBLP Policy 118 and Core Strategy Policy CS27). SP would expect the County Archaeologist to provide detailed comments about any impacts resulting from this proposal.

- Proposed land use

The saved DBLP shows the site as being located within the Kings Langley local centre. Saved DBLP Policy 9 (and Policy CS4) includes guidance on which land uses are acceptable in town and local centres. Given the site’s location in the local centre, SP stated at the pre application stage that it would like to see a retail element within in the redevelopment proposals for the site. However, the previous use of the site was non-retail (and planning permission 1800/12/MFA accepted has no retail development on this site), so the fact that no retailing is included in the current application does not constitute a reason for refusal.

Whilst the proposed use is purely a residential institution and GP surgery, we regard it as acceptable bearing in mind that:

- paragraphs 14.25 and 14.26 in the Dacorum Core Strategy highlights the need for housing for elderly people, including residential care (mainly private beds);
  - paragraphs 28.1 and 28.2 in the Dacorum Core Strategy highlights the need for the timely provision of social local infrastructure to meet the day-to-day needs of the population;
  - the proposed care home and GP surgery will provide a relatively significant number of jobs, which is appropriate in this local centre location.
- Loss of housing

The proposal will result in the loss of a dwelling. Saved DBLP Policy 15 and Core Strategy Policy CS17( New Housing) both seek the retention of housing land. Saved DBLP Policy 15 does allow some flexibility where essential small-scale essential facilities would be provided and alternative properties are not available. SP is happy to support such a flexible approach to the loss on the basis that the proposal will provide for a new and improved doctors surgery to meet the needs of the village. SP would also acknowledge that it would have proved difficult to find an alternative and suitable non-residential site as opportunities are likely to prove very limited in the village. However, it would be helpful for the applicant to confirm this position.

- Amenity space

The amount of amenity space proposed is not particularly generous, but is probably acceptable given the nature of the occupants. There are no Local Plan standards for amenity space for care homes and we do not consider that it would be reasonable to require as much provision as that set out in Appendix 3 to the Local Plan for residential development designed for multiple occupancy.

#### Conclusion

In principle, SP welcome the proposal as it can contribute towards meeting the health and community needs of Kings Langley and helps to meet the identified need for housing for elderly people, in a sustainable village centre location. Therefore, SP do not have any fundamental objections to the proposed development as there is already a precedence created from the existing permission, subject to:

- the detailed consideration of the matters related to cumulative impacts of the scheme;
- impacts on the conservation area through design of the building; and
- consideration of specialised comments from archaeology, highways and conservation teams.

#### Conservation & Design: Initial Response

- Comment

The application has been revised since the previous proposal which was refused at the planning committee. In principle the proposal would be acceptable and in keeping with the character and appearance of the conservation area. The replacement of this current gap site with an appropriately designed building would be acceptable. CD believe that the previous design sat more comfortably with the streetscape to Langley Hill but would not object to the revision to provide additional car parking. It is however essential that the wall is appropriately detailed as are the gates to ensure that this space does not detract from the Conservation Area with the introduction of a larger area of car parking.

CD would recommend that a number of elements be reviewed with regards to the design. The proposed portico entrance still requires further review. This should be further narrowed or 2 additional columns be added to ensure that the proportions are correct. Currently the feature is too wide and as such looks out of proportion and of an incorrect detail. Above this the Juliet balcony must be removed. The feature is completely unacceptable. If this larger window were wanted then either a stone or decorative iron balustrade could be added to the top of the portico. If additional protection was required at the window this should be added to the interior of the room rather than situated externally.

Given the scale of the elevation and type of traditional architecture being used CD would recommend that an additional string course be added to the junction area at the top of the wall plate where the parapet begins. It may also be useful to consider increasing the length of the first floor windows to the façade of the main block to create the impression of a piano nobile. This could be beneficial in that the windows in the lounge/ dining area are within this space and therefore better views and additional light could be provided. It would also be recommended that the rooms to the façade and to the stair on the gable to Langley Hill should be recessed and not flush as currently drawn. This would result in a more appropriate and traditional detail to the design and create shadow lines which would help break up the facade.

The other concerns would be to ensure that the boundary treatment to Langley Hill is appropriate. Therefore the brick, bond and coping detailing should match the existing wall which

can be seen at both adjacent to the site of the proposed wall and to Langley Hill Close. The gates would be prominent within the streetscape and therefore the design, details and finish of the gates should be of a high standard to be appropriate and sit comfortably with the character of the Conservation Area. There may need to be some consolidation work to the wall to Langley close to ensure that it can support the gates as at present it would appear to need additional works. Details do not appear to have been submitted for the boundary treatment to the High Street. It would be recommended that this be railings on top of the brick wall to ensure that there is a visual interaction with the building and the High Street. It would be recommended that these details are submitted now to avoid the need for conditions and help clarify the detailing of the above.

- Recommendation

In general the proposals are acceptable. However it would be recommended that the detailed design of the façade be reviewed and amended to ensure that the character of the conservation area is preserved with the alterations to this building. Brick, brick bond, mortar colour, stonework, slates, rainwater goods, joinery details and finishes, eaves details and finishes, boundary treatments/ gates details and finishes subject to approval.

#### Design & Conservation : Second Response

- Comment

The application has been revised since the previous proposal which was refused at the Development Control Committee. These comments relate to the revised drawings submitted 6/2/2017 following negotiation with the Agent.

In principle the proposal would be acceptable and in keeping with the character and appearance of the conservation area. The replacement of this current gap site with an appropriately designed building would be acceptable. CD believe that the previous design sat more comfortably with the streetscape to Langley Hill but would not object to the revision to provide additional car parking. It is however essential that the wall is appropriately detailed as are the gates to ensure that this space does not detract from the conservation area with the introduction of a larger area of car parking.

CD believe that the revised elevations have resolved our concerns noted previously. The proposed principle elevation to the High Street would now sit comfortably both as a building in its own right and with the character of the surrounding conservation area. It now better reflects the architectural details of the period architecture chosen for the building and therefore should blend in with the surrounding built environment. CD also note the proposed amendments to the gates and wall to Langley Hill. CD believe that these now better reflect the character of the area and the proposed building. They now relate well to the architecture of the building and would show its significance and status within the conservation area. The reinstatement of the wall and the proposed gates would provide a suitable sense of enclosure. Therefore CD believe that this elevation, boundary and streetscape has now been resolved and would be in keeping with the character of the conservation area.

- Recommendation

The proposals are acceptable. Brick, brick bond, mortar colour, stonework, slates, rainwatergoods, joinery details and finishes, eaves details and finishes, Landscaping materials and detailing subject to approval.

#### Building Control

Comments awaited.

## Scientific Officer

It is understood that the current application follows on from the extant planning permission 4/01800/12/MFA for the construction of a 36 bedroom residential care home and a refused proposal for a rear extension to provide an additional 24 bedrooms and a new GPO surgery (4/00759/16/MFA).

Condition 14 of planning permission 4/01800/12/MFA related to contamination. The following reports were submitted and approved under 4/01237/14/DRC to facilitate the discharge of this condition:

- Preliminary Investigation Report; Contract: 52200; Ian Farmer Associates (1998) Limited; March 2014
- Report on Phase 2 Ground Investigation; Contract 52200A; Ian Farmer Associates (1998) Limited; May 2014
- Gas Monitoring Letter Report; Reference: VT/vt/52200A/7927; Ian Farmer Associates (1998) Limited; 9 June 2014
- Remediation Statement; Ref: WGG/gg/52200A/8018; Ian Farmer Associates; 9 September 2014

The intrusive investigation identified elevated concentrations of Lead and Benzo(a)pyrene in Made Ground on-site. It was recommended that the Made Ground be removed from areas of proposed soft landscaping and a 600mm thickness of clean cover provided. The intrusive investigation also noted a hydrocarbon odour in WS6 between 0.40 and 0.80mbgl. It is considered possible that this may be associated with a previously unidentified former underground fuel storage tank or associated infrastructure. Although the corresponding soil sample taken from this depth did not identify any exceedances of the adopted generic assessment criteria in respect of individual TPH carbon fractions, it was recommended that the developer be advised to keep a watching brief during future ground works on the site (particularly within the vicinity of WS6) for any potentially contaminated material or structures. The last correspondence (memo to planning dated 20 October 2014 following submission of the Remediation Statement) indicated that the information submitted to date was sufficient to allow discharge of sections (a) *Site Characteristic* and (b) *Submission of Remediation Scheme* of condition 14. Sections (c) *Implementation of Approved Remediation Scheme* and (d) *Reporting of unexpected Contamination* remained outstanding.

In respect of the current application, the SO would ask that the existing reports be revised and re-issued to take into account the new application and any alterations to the proposed site layout. The Report on Phase 2 Ground Investigation, (specifically section 8.4 *Risk Assessment - Human Health*) must be updated to reflect the changes to guidance which have occurred since the report was initially written in May 2014, (the publication of new generic assessment criteria – S4ULs etc.) Any changes to the human health risk assessment are likely to alter the remedial works proposed.

In reference to the hydrocarbon odour identified in WS6, the requirement for a careful watching brief for further visual or olfactory evidence of hydrocarbon impacted soils and subsurface structures is required.

To ensure the above works are undertaken, the SO recommends that the following contamination conditions be attached should planning permission be granted:

Condition 1:

Prior to the commencement of the development hereby permitted revised copies of the following reports shall be submitted:

- Preliminary Investigation Report Preliminary Investigation Report; Contract: 52200; Ian

Farmer Associates (1998) Limited; March 2014.

- Report on Phase 2 Ground Investigation; Contract 52200A; Ian Farmer Associates (1998) Limited; May 2014.

The reports must be revised and re-issued to take into account the new application and any alterations to the proposed site layout. The Report on Phase 2 Ground Investigation, (specifically section 8.4 Risk Assessment - Human Health) must be updated to reflect the changes to guidance which *have occurred since the report was initially written in May 2014*, (the publication of new generic assessment criteria – S4ULs etc.)

If the revised Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk stu

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required. A Remediation Statement details actions to be carried out and timescales so that con

Condition 2:

All remediation or protection measures identified in the Remediation Statement referred to in the above condition, shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted. For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use. Reason: *To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.*

*Informative:* Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation. Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Councils website [www.dacorum.gov.uk](http://www.dacorum.gov.uk)

### Trees & Woodlands

The T& W Officer met the Applicant at the last year to assess the condition of the 2 Yew trees protected by TPO. The Applicant wished to remove the 2 trees to make room for additional parking spaces. The T& WO can confirm that the removal of these trees cannot be justified for the reasons given by the applicant. T& WO has no further comments at present.

## Environmental Health: Noise/ Pollution

No adverse comments.

## Environmental Health: Food, Health & Safety

Comments awaited.

## Refuse Controller

Comments awaited.

## Hertfordshire County Council: Highways

- Decision

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1 The construction of the development shall not commence until details of construction vehicle movements and traffic management measures are submitted to and approved by the local planning authority. *Reason: To ensure the impact of construction vehicles on the local road network is minimised.*

2 Before commencement of site works, the method of washing of vehicle wheels exiting the site shall be agreed in writing with the planning authority and the agreed method shall be operated at all times during the period of site works. *Reason: In the interest of highway safety and amenity.*

3 .Prior to the first occupation of the development, the applicant shall update the Travel Plan associated with the main care home to encourage the use of alternative modes of transport to the development. This Plan will be prepared and updated in accordance with HCC document 'Hertfordshire's Travel Plan Guidance for Business and Residential Development' available at <http://www.hertsdirect.org/services/transtreets/highways/highwaysinfo/hiservicesforbus/devmanagement/greentravelplans1/>. *Reason: To promote sustainable transport measures for residents, visitors and staff at the new development.*

4 All areas for parking, storage and delivery of materials associated with construction of the development shall be provided within the site on land, which is not public highway, and the use of such areas must not interfere with the use of the public highway. *Reason: In the interest of highway safety.*

The Highway Authority recommends inclusion of the following Advisory Notes (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN2) It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

- Proposal

The site is the former Post Office sorting office in Kings Langley and has planning permission for a 36-bed care home for the elderly under 4/01800/12/MFA. That development has now started. This application follows on from an application made last year to further extend the care home by an additional 26 bedrooms and provide a GP surgery with off street parking 4/00759/16/MFA. Subsequently, the 'extension application was refused by Dacorum Borough Council in August 2016. The application seeks to address the off street parking concerns and is supported by a completed application form, a site location plan, proposed site layout plans and a Design & Access Statement.

- Site and surrounding road network

The address given for the site on the application form is 32 High Street, Kings Langley. The current application is seeking permission to build on the whole site including that of the bungalow at 1 Langley Hill. All vehicular movements and therefore access will be via the two existing accesses off Langley Hill. Langley Hill is a Local Access Road in the HCC hierarchy of roads. Langley Hill Close is a short (70m) cul-de-sac running along the western boundary of the site. It is a private road not maintained by the highway authority.

Road safety Investigation of records held by HCC for the last 5 years show that there have been no collisions resulting in casualties on Langley Hill. Two collisions resulting in slight injuries are recorded at the junction with the A4251 High Street and a third 50m to the south and a fourth 75 to the north.

- Access to the site

The responses to question 6 in the application form indicate that there would be no changes to vehicular or pedestrian access points as mentioned above off Langley Hill. It was established in the analysis by the highway authority of the previous planning applications that adequate visibility is available from the site accesses.

- Parking

There are double yellow lines up both sides of Langley Hill as far as Langley Hill Close. From that point they extend on the north side only to keep the junction clear. From thereon parking is unrestricted but there are residential crossovers on both sides which create gaps in any parking that takes place. There is a 55 space car park located directly across Langley Hill from the care home. No charge is made for its use.

The response to application form question 10 indicates that there will be 29 car parking spaces on site, 2 of which would be for disabled. The D&A statement, section 2.4 suggests that there will be 12 spaces for the doctors' surgery. There would also be 6 new cycle parking spaces provided within the site. The parking arrangements are shown on the submitted plans with 9 parking spaces being accessed via the undercroft section of the care home.

Dacorum Borough Council as a local planning authority will determine the level of parking they require for the development proposal. As stated above, the proposed changes as part of this latest planning application would increase the overall parking provision considerably when considered against the previous applications.

Servicing Computer-generated swept path plot has been provided which indicates that the internal court yard area could be used to allow an HGV to make a three-point turn allowing it to enter and leave the site in forward gear.

- Assessment

The Highway Authority in assessing the application details and the proposed change of use from B8 use to C2 care home is likely to generate fewer trips in the peak times (AM and PM). In addition numbers of trips from the elderly care unit during peak hours are likely to be relatively low. The Design and Access statement suggest that the average age of resident is likely to be 80+ and they will need assistance due to mobility concerns. The Applicant has indicated that staff will be working on shift patterns and that many will walk to work from the local area. This would not cause significant increases at peak times. Visitor traffic to and from the site is likely to



be generated outside the general peak hours.

#### Conclusion

The Highway Authority has reviewed the information submitted and is satisfied that the proposed development would not create a significant negative impact on the free and safe flow of traffic on the adjacent public highway provided that all the conditions recommended are applied.

#### Hertfordshire Constabulary: Crime Prevention

HC thank the applicants for dealing with HC's previous comments at page 44 of their Design and Access Statement, part 7.25. As a result HC have no comments.

#### Hertfordshire Fire & Rescue Service

Access for fire appliances and the provision of water supplies appears adequate.

#### Hertfordshire Ecology

Further to HE's last comments in December 2016 which referred to an outstanding bat survey, it is noted that this had in fact been undertaken according to the date of the bat report ( June 2016), based on surveys undertaken in May 2016. HE was previously unaware of this statement.

The emergence [presence / absence] surveys of the building did not identify any bat use of the building to be demolished - 1 Langley Hill, and little bat activity in the surrounding area generally. No further surveys were recommended. HE have no reason to question these observations and consider it is reasonable to take a view that bats are not using the building.

3. A number of recommendations were also made by the Ecological Consultant:

- *Roosts will be included within the new building and will comprise two Schwegler 1FR and two 1FE (with back panel) bat tubes built into the exterior walls in four locations (one on each aspect).*
- *Exterior lighting should be low level only and no lighting should be directed near the replacement bat roosts.*
- *Enhancements at the site should be made for nesting birds, with two Sparrow terrace boxes mounted in appropriate locations along with a Swift box mounted in the eaves of the new building.*

HE endorse these and advise that are included as an informative (or Condition if considered appropriate) to any planning approval.

On this basis HE consider the LPA can determine the application have taken sufficient account of the potential for bats.

#### Hertfordshire County Council: Historic Environment

Comments awaited.

#### Hertfordshire County Council : Lead Flood Authority

Following a review of the surface water drainage assessment carried out by Hydrock reference R/C161599/002.03 dated December 2016, the LFA can confirm LFA have no objection on

flood risk grounds and advise the LPA that the proposed development site can be adequately drained and mitigate any potential existing surface water flood risk if carried out in accordance with the overall drainage strategy.

The proposed drainage strategy is based upon infiltration and infiltration tests have been carried out to ensure the feasibility of the proposed scheme. The LFA note that 40% for climate change allowance has been applied to the drainage strategy which includes the use of permeable paving, rainwater harvesting tanks and soakaways.

The LFA therefore recommend the following conditions should planning permission be granted.

- LFA position

#### *Condition 1*

The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Hydrock reference R/C161599/002.03 dated December 2016, and the following mitigation measures detailed within the FRA:

1. 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.
2. Undertake the drainage to include permeable paving, attenuation tank and soakaway as indicated on drawing 'Proposed Layout Plan' drawing reference Dwg KIN-HYD-XX-XX-DR-D-5001.
3. Implement appropriate drainage strategy based on infiltration.

The mitigation measures shall be fully implemented prior to occupation and subsequently 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. *Reasons: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site. To reduce the risk of flooding to the proposed development and future occupants*

#### *Condition 2*

No development shall take place until a detailed surface water drainage scheme for the site based on the approved Drainage strategy and sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs.

Detailed surface water run-off and volume calculations to ensure that the site has the capacity to accommodate all rainfall events up to 1:100 year plus climate change.

Any areas of informal flooding should the system flood above the 1 in 30 year event.

Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

*Reason: To prevent the increased risk of flooding, both on and off site.*

*Informative to the LPA*

For further guidance on HCC's policies on SuDS, HCC Developers Guide and Checklist and links to national policy and industry best practice guidance please refer to our surface water drainage webpage

<http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewaterdrainage/>

Historic England

- First Response

On the basis of the information available to date, HE do not wish to offer any comments. HE suggest that the LPA seeks the views of its specialist conservation and archaeological advisers, as relevant.

It is not necessary for the HE to be consulted on this application again, unless there are material changes to the proposals. However, if the LPA would like detailed HE advice the LPA is request to explain this.

- Second Response

As above.

Thames Water

- Waste
- *Surface Water Drainage*

It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. It is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. *Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.*

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water.

Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

It is recommended that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

It is recommended that there is the installation of a properly maintained fat trap on all catering establishments, further recommending, in line with best practice for the disposal of fats, oils and grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

- **Water Supply**

This is under the jurisdiction of the area covered by the Affinity Water Company.

#### Affinity Water

Planning applications are referred to AW is where AW's input on issues relating to water quality or quantity may be required.

The site is located within the groundwater Source Protection Zone (SPZ) corresponding to Hunton Bridge Pumping Station. This is a public water supply comprising a number of chalk boreholes operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be carried out in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken.

For further information it is recommended that there is reference to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

#### National Health Service: Clinical Commissioning Group

Comments awaited.

#### Response to Neighbour Notification/ Publicity

- 1 Langley Hill Close

I am writing to state our strong objection to the proposed new application of a care home for the elderly and a new GP surgery

The reasons for our objection are as follows:

- **Parking**

Though the developer has increased parking from the original application there is still an inadequacy of parking for such a large development. The Developer still wants to offset this by referencing the public parking opposite the development, therefore making out that this would help offset the lack of parking on site. This is absolutely not true. The public car park is full every day of the week already and the parking situation on Langley Hill, High Street & York

Close is already proving a real issue for residents of Kings Langley. Langley Hill Close is a private road but we already have issues with people parking on this road and ignoring the no parking signs because they think they can't park anywhere else. This situation will only get worse. Moreover, the local businesses will suffer from customers not being able to park so will instead go to supermarkets or retail parks instead. Parking is a huge issue in Kings Langley as local media reports have widely published recently and real concerns have been raised multiple times by Kings Langley Parish Council and the local business community.

The 29 car parking spaces have been allocated as 16 for the care home and 11 for the doctors' surgery with 2 disabled spaces (1 for each facility). It is also important to highlight that 4 of these car parking spaces are double spaces meaning that likely they won't be used frequently as no-one is going to want to get blocked in. For the care home there needs to be an allocation of 0.25 spaces per bed as well as provision for staff parking. With 61 bedrooms that means there needs to be 15.25 spaces excluding staff parking. As the LPA is the writer spoke to the Chief Executive of B&M Care Homes during a site visit and he stated there would be a maximum of 20 staff on during any one shift. This number seems very conservative and it is questioned what checks the Council will make to ensure this isn't a number just used to lowball the staffing levels to try and get planning permission and then disregard this number if it came to actually needing to staff the development. The Chief Executive stated during our conversation that he would expect about 70% of staff to drive and therefore need parking and again this seems low but even based on that assumption there will need to be 14 car parking spaces (0.7x20) for staff. That means if you took all of the parking spaces and allocated them to the nursing home that they still wouldn't quite have enough parking provision.

The GP surgeries require 3 spaces per consulting room + 1 space per employee other than doctors.

GP surgery: 4 consulting rooms (not 3 as stated in the application as a nurses treating room must be counted in the same way as a consulting room) = 12 spaces (+ an allowance for an undefined level of staff)

Therefore there is a parking requirement of 42 spaces not taking into account the allowance for an undefined level of staff who aren't doctors (e.g. reception staff, cleaners etc) and this is even before any provision for patients visiting the enlarged doctor's surgery where they are planning to offer more services and want to expand their patient list!

It is appreciated that the figures quoted are maximum standards and the village centre location is one that would allow some reduction below these figures, however, in this case the provision proposed is vastly below the policy requirement and the justification given to support this is extremely limited and erroneous.

■ Over development cramped for area.

The built form is intense for the site and there is limited garden space afforded for the site, resulting in a cramped development and poor facilities for residents. Policy CS12 highlights a number of key factors that this proposed development does not adhere to. Firstly, integrating with the existing streetscene character. The proposed extension is on Langley Hill and outlooks Langley Hill Close. These are residential areas and demolishing a bungalow and replacing it with such a large scale commercial development conflicts with the existing residential streetscene. Moreover, the existing bungalow and small front and rear space is being hugely overdeveloped by putting in its place such a significant building. The whole site is just bricks and mortar, leveraging every available piece of space to ensure as many people can be crammed into the development to maximise the profit of the enterprise. Moreover, there is a restrictive covenant on the land that 1 Langley Hill is built upon which states that the land can only be used for a single residential dwelling. This further emphasises how out of place this proposed development is in the local environment. The site of 1 Langley Hill is also in the conservation area.

- Visual intrusion & loss of light

The new proposed development has been set back from Langley Hill further than the original application, bringing it directly parallel the our house (1 Langley Hill Close). When we walk out of our front door, look through our lounge window or upstairs bedroom we see a fence and open space with views of the trees and high street beyond as that is currently the garden of 1 Langley Hill. With the proposed development that would be replaced by a large overbearing building which is very intrusive and will also lead to a loss of light in our living room such is the scale of the new proposed development.

- 7 Langley Hill Close

Please Note: The objections are very extensive. Due to IT problems in referring to these will be summarised in the Addendum or circulated separately.

- 47 High Street

Kings Langley currently has two similar facilities on, or close to, the High Street.

When the development of this site was first suggested it was felt, by a number of residents, that a opportunity existed for a modest range of retail units with flats above such as might afford a first step on the property ladder for younger people. Additionally, it is currently virtually impossible to buy even a light bulb in Kings Langley High Street. With no banking facilities and no breadth of retail outlets there is very little reason for non-residents to visit Kings Langley. There are certainly no public conveniences attesting to what appears to be a Village in abject decline.

I really feel that a wonderful opportunity has been missed as a result of selecting a “highest bidder” approach rather than a more positive signal for a vibrant and growing community.

- Thornhill House : Building Marketing Ltd

There is insufficient parking for this new structure. Whilst not all residents may drive themselves all support staff, and ancillary services will require space. When deliveries from larger vehicles occurs there is plainly little space for turning and traffic management will be adversely affected to a great extent. The existing parking availability, even the closest car park, is full every day with shoppers and retail shop staff - there is no space here for any further cars to be parked. The height of the new application is not in keeping with the height of other buildings in this small Village. A recent Village survey amongst all retail stores on the High ST highlighted that parking is the #1 issue that is likely to affect the future of their businesses.

- 2 Langley Hill Close

We object to the plans on the grounds of inappropriate and over-development of the site. Parking is a major problem in Kings Langley and this development will aggravate that problem.

The site is on the junction of two major traffic flow routes and traffic will be adversely affected.

Further parking space will be required when the vacated surgery building is re-occupied or redeveloped.

The developers point out that there has been a doctor's practice in this are for over 240 years, but only offer the NHS a 15 rental lease.

No. 1 Langley Hill will require two changes of use from C3 dwelling house to C2 residential institution and D1 - non residential institution, but carries a restrictive covenant which states that the land can only be used for a domestic residence.

The development will completely overwhelm the area with resulting loss of business and character.

- 4 Langley Hill Close

We believe that the overall continued planning application represents a concerning over development of a small domestic site. With all the consequential ramifications effecting it including public amenities. i.e. Doctors surgery and parking issues which will also have a detrimental effect to traffic flow on all routes in and around the High Street and therefore a negative impact on our local businesses.

- 5 Langley Hill

The proposed extension would double the size of the already agreed care home, which in itself is already over large for the character of this location in an area of listed buildings. This would make it dramatically out of character with the residential area of Langley Hill, being a building stretching onto the site of 1 Langley Hill, which has a covenant for it to remain as a private domestic dwelling.

Increase in parking demand would inevitably cause heavier use to parking on both Langley Hill and adjacent nearby roads and closes.

If the current plan were to be accepted it would overlook a number of my bedrooms and ground floor reception rooms and kitchen as well as my neighbours gardens and properties in Langley Hill Close. In some cases blocking sunlight from their gardens and living areas.

The inevitable dramatic increase in demand for additional parking and increase of service vehicle use would also result in increased congestion on this difficult junction, being so close to the intersection with the High Street which has both school buses and other buses in addition to being a busy route.

The plans for two tier parking provision on the front of the site of 1 Langley Hill is also totally out of character of this residential setting.

The existing wall of lime and mortar, which is listed, would be undermined should building excavations be implemented at such a close proximity and depth, if current plans would be accepted.

- 27 Langley Hill

We would like to object to the above proposed development, which is now for a 61 bedroom care home plus a new doctors surgery, (as opposed to the original application for a 36 bedroom care home, in May 2014) situated at 32 High Street( which has current planning permission but as yet has only been constructed at a lower ground floor level) and no 1 Langley Hill, on the basis that the proposed surgery and additional proposed 25 bedrooms ,for the care home, are a gross overdevelopment in a residential road, of a site (1, Langley Hill, Kings Langley) currently consisting of a 3/4 bedroom chalet bungalow with a small garden to the rear.

In addition to gross overdevelopment, we feel there is still a huge lack of parking provision in this amended application, both on and off site, for the required staffing of a 61 bedroom care home and doctors surgery .The amended plan, which suggests 2 storey parking at the front of 1, Langley Hill is an extraordinary suggestion as this is completely out of context in this residential area of family houses.

The existing Haverfield surgery, opposite, employs 10 staff and wish to employ a further 2 GP's.

In addition they wish to offer additional services and bring in hospital consultants for outpatient clinics/consultant appointments as well as having a community midwife. This adds up to approx 15 staff working in the daytime at the proposed surgery. ( No mention has been made of parking provision for the physiotherapy centre, also in Haverfield House, who currently employ a further 14 staff ).The Haverfield Surgery have said they wish to expand their number of patients as well as the above additional services. The proposed development offers insufficient parking spaces for the above staff. A proposal for 2 storey parking in the front garden of this surgery is unacceptable.

The proposed care home developers, in their operators statement dated 22 December 2016 stated that they wish to employ 77 new staff, 38 of whom will work on the 8am to 2pm roster, 27.5 staff from 2pm to 8pm and 12 staff overnight from 8pm to 8am. This adds up to 65 daytime staff working at the proposed surgery and care home! We do not believe that the care home or doctors surgery or local roads can possibly cope with this huge need for parking. The DBC car park situated opposite the proposed development is always full, from before 9am and parking spills out onto both sides of Langley Hill causing a real traffic hazard and lorries and coaches are unable to get up Langley Hill. The High Street offers little parking as the popular coffee shops and boutiques have increased the number of parked cars on the street. There are a number of residential properties on the High St that have no parking, so residents use this car park, along with numerous businesses with staff who need to park locally at different times of the day. Even The Nap Surgery in Kings Langley village, (a large, existing doctors practice, situated a short walk away from the proposed care home) has difficulty finding enough spaces for their own patients and staff, despite there being another DBC car park adjacent. The recent approval by DBC, of the conversion of 44 High St, Kings Langley, to provide 4 flats and 2 semi detached properties (4/00657/10/FUL) is going to cause more strain on the DBC Langley Hill car park, as local estate agents are marketing the properties as having a rear access gate from their communal gardens to this car park for parking!

Langley Hill is the main vehicular access road for parents and pupils to the 3 large Kings Langley Schools on the west side of the village, as well as the main route for school coaches and buses to the following secondary schools: St Clement Danes School, Parmiters School, The Rudolph Steiner School in Langley Hill, and Kings Langley Secondary School in Love Lane at the top of Langley Hill. Langley Hill is also the main vehicular access to and from other local villages and it provides a link for these villages to the M25 at the end of the village. Not only is Langley Hill an extremely busy road for school and commuter traffic, particularly between 8-9am and 3.15 to 4.15pm, but the potential increase of even more street parking, if the above extension and surgery was approved, would cause a major hazard to coaches, buses, lorries and emergency services, being unable to get up Langley Hill. Once there is parking on even one side of this road, there is only room for cars to travel in one direction, due to the width of the road.

Additionally, it would be very dangerous for surgery patients on foot, especially for the elderly and those with children ( there are currently 3,500 patients on the Haverfield surgery register!),as well as visitors and residents of the care home, to cross Langley Hill, from the DBC car park to the proposed new surgery and care home.

The amended new plans fronting the High Street are of an increased height to the former plans. The buildings opposite are 2 storey 16th century cottages and will be overpowered by this proposed 4 storey block .The development is described as a 2.5 storey development but the plans show a huge pitched roof building with dormers ,plus basement facilities( now with some bedrooms) , which actually consist of 4 storeys in total. There will be a loss of sunlight and light to the High Street properties. In the amended plans, we have observed that the plans now show that 2 bedrooms will be sited in the basement ! Despite there being lightwells, they will be sited underground and we feel that they do not provide acceptable living accommodation.

This application for a new doctors surgery,36 bedroom care home and now a further 25



bedroom care home extension does not provide sufficient, safe and convenient parking ensuring highway safety, as required (Policy CS8). There is insufficient parking for the above care home staff, plus cars of visitors and deliveries etc to the proposed care home as well as the cars belonging to the proposed staff of the new surgery, together with visiting patients and consultants cars. We therefore object most strongly, to this proposed, grossly extended development and the proposed adjacent doctors surgery, in this particular location, for all the above reasons.

## **Considerations**

The key issues are:

- Principle.
- Design/Layout.
- Residential Amenity.
- Highway Safety, Access, Traffic and Parking Implications.

## Policy and Principle

This is with reference to the appropriateness of additional residential care development and a new surgery at the site, the loss of a family dwelling and the vitality and viability of Kings Langley Local Centre.

The site is located within Kings Langley which is a defined Large Village. Dacorum Core Strategy Policy CS1 (Distribution of development) expects that the Borough's Large Villages will accommodate new development for housing, employment and other uses. This is provided that it:

- a) is of a scale commensurate with the size of the settlement and the range of local services and facilities;
- b) helps maintain the vitality and viability of the settlement and the surrounding countryside and,
- c) causes no damage to the existing character of the settlement or its adjoining countryside.

Nos. 32 and 34 High Street are also with Kings Langley Local Centre. Under Policy CS4 (Towns and Villages) a mix of uses are acceptable in the Borough's Large Villages. These include shopping, compatible leisure, business, residential and social and community uses. It is expected that retail, business and residential uses will be controlled to enable a broad range of uses to be maintained/ achieved.

In meeting Community Needs Dacorum Core Strategy Para 15.14 (Health) explains that the Council has established a need for suitable practice buildings and delivering new practices near to areas of housing growth. This is set against Para. 15.1's explanation of the importance of the well being of Dacorum's communities which is dependent upon the provision of 'the appropriate social infrastructure'. Figure 14 defines this, including primary and secondary care. In this context the provision of the surgery will accord with Dacorum Core Strategy Policy C23 (Social Infrastructure) which encourages services and facilities to the community in locations to aid accessibility with support for dual use purposes. The proposal accords with the NPPF Core Principle 12 which is to 'take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs'.

Part 14 of Dacorum Core Strategy addresses Providing Homes with Large Villages ( such as Kings Langley) meeting their own their owned locally generated needs and brownfield sites performing a key role. In terms of housing mix Para 14.25 explains that with an ageing

population special attention must be given to the needs of the elderly, with an emphasis upon enabling the elderly to remain in their own homes for as long as possible.

Dacorum Core Strategy Policy CBS 17 ( New Housing ) expects existing housing to be normally retained. Saved DBLP Policy 15 addresses the retention of existing housing with loss of dwellings being not normally permitted subject to certain criteria. In this location exceptions include :

- within defined residential areas where small scale social, community or leisure facilities would be provided and,
- where overriding planning advantages would result.

The applicant states that the proposal will assist with meeting an identified need for residential care in the area.

The provision of new residential care development at the site accords with Dacorum Core Strategy CS1 on this brownfield Village site. It will positively consolidate the provision of elderly care facilities at the site of no. 32 by providing an alternative to the approved scheme with due regard to saved DBLP Policy 71 (Community Care) :

“development of community care facilities for the handicapped and elderly will be encouraged in residential areas provided: (a) schemes incorporate adequate space for necessary ancillary services, amenity and visitor car parking; and (b) there is no over-concentration of community care facilities.”

Also the 'fallback position' is that there is an extant permission for a new care home at the site of the former Post Office Delivery/ Sorting Office.

The loss of the single family dwelling house is balanced against the following:

- The provision of a significant number of additional elderly care rooms in a modern purpose built facility in contrast to an adapted/ converted or extended building.
- The establishment of a similarly modern fully inclusive new doctors surgery.
- The potential for the existing doctors surgery to be converted to residential, with one or more units, compensating for the loss of no. 1, notwithstanding that it is not within the specific remit of the application.

It is concluded that in principle - despite the loss of the single dwelling - there will as a result of the development be overriding planning advantages under criteria (d) of saved DBLP Policy 15. This will be due to the provision of the modern community surgery which outweigh this harm and moreover reinforced by the other housing stock benefits of the provision of the proposed additional elderly persons accommodation.

The proposed surgery relocation so close to the existing doctors surgery will benefit existing patients and serve new patients, including the proposed care home. The shared benefits of two coexisting inclusive complimentary uses within 'a sustainable community hub' are the availability of medical services for the care home with emergency vehicle turning facilities and key operational parking with full access for persons with disabilities/ limited mobility.

It is acknowledged through Refusal 4/00759/16/FUL the Development Control Committee endorsed the ongoing very significant local concern regarding the documented negative impact that the development will have upon the vitality and viability of the Local Village Centre resulting from the loss of key parking in the adjoining car park due to increased demand by users of the application site which is addressed below under Highway Issues.

However, with due regard to the Strategic Planning Team's specialist assessment, there is no evidence available to the Council to substantiate that the development would have a negative effect upon the local centre's future. Such a new development can encourage linked trips by users of the surgery and employees of both developments.

Impact upon the Setting of adjoining Listed Buildings/Design /Layout/Character and Appearance of the Conservation Area

This is with due regard to Dacorum Core Strategy Policies CS 1, CS 10, CS11 CS12, CS13 and CBS 27, saved DBLP Policies 119 and 120 and its relevant Appendices and the NPPF's approach to heritage/design, as expressed through Historic England's response. NPPF Paragraph 134 notes:

*'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'.*

The previously approved extant care home scheme is regarded as a very high quality development in replacing the very brutal utilitarian former and now demolished Post Office Sorting Office in such a key part of the core of the Conservation Area/ village centre. There is the associated benefit from the associated Tree Preservation Order which safeguards very valuable frontage of trees within the local street scene of the Conservation Area. As documented the TPO was in response to the 2012 application.

The current scheme's care home design and layout places considerable weight and reference to the approach established through the approved 2012 scheme by 'fine tuning' its form. This component will make a valuable contribution to the character and appearance of the Conservation Area and be compatible with the setting of the adjoining Grade 2\* listed Red House. It is of high design quality, will maintain the role of the preserved trees and enhance the quasi derelict frontage/ gap left by the demolition of the former Post Office building which in itself totally failed to respect the heritage value of the High Street. This part of the development represents a major opportunity to upgrade a key part of the street scene with 'visual connectivity' achieved between the building and its street frontage through its design incorporating a frontage wall and railings and main entrance with the necessary inbuilt defensible space.

Refusal 4/00759/16/FUL represented a very substantial enlargement of the approved care home scheme by amalgamating the proposed enlarged care home with the new surgery. This development's significant scale resulted from the combination / agglomeration of the approved and proposed developments. Officers considered that Refusal 4/0075/16/FUL took advantage of the site levels in a positive way and with the development contained within the site's 'envelope'. The Report observed:

'The Revised Scheme in design terms will successfully 'visually fuse' with the approved Care Home scheme, moulded into to the site's topographical features and respecting the site's current physical relationship with the Langley Hill street scene and Langley Hill Close. The development will be visible from Langley Hill Close. The proposed building's form/ massing / profile whilst different to the existing will respect the context and relationship of the existing dwelling at no.1 with both the Langley Hill and Langley Hill Close street scene's. It will not be over assertive, but complimentary. Therefore subject to the changes recommended by the Conservation & Design Team addressed through recommended Condition 5, the Revised Scheme can make a positive change to the Langley Hill frontage with a neutral effect upon

Langley Hill Close .This will be facilitated by the pivotal role of the permanent retention of the boundary wall to Langley Hill Close.

For clarification it is important to confirm that in reviewing its original delayed informal advice, the Conservation Team has raised no objections. This has taken into account Historic England's response including its reference to 'any harm would seem likely to be limited' and in recommending some small changes under the aforementioned Condition 5. There are no adverse arboricultural implications.

It is fully acknowledged why there is local concern regarding the development's scale, however it is a substantial site which benefits from level changes, enabling the development to be successfully absorbed into its heritage setting'.

The current scheme's design to the rear of the High Street frontage in combination with the 'truncated ' surgery design has been subject to very meticulous consideration by the Conservation & Design Team and Trees & Woodlands Officer in dialogue with the Case Officer. This has been in response to the Applicant's/ Agent's objective of addressing the DCC 's objections to Refusal 4/00759/116/FUL with its fundamental focus upon providing off street parking in delivering the site's redevelopment.

In this context Officers have been unprepared to agree to the loss of the preserved Yew trees to accommodate more parking - as evidenced by the specialist response of the Trees & Woodlands Officer. In order to establish additional curtilage off street parking to serve the surgery there has been a significant resultant change to the design which as expressed by the Conservation & Design Team:

'CD believe that the previous design ( ie 4/00759/16/FUL sic) sat more comfortably with the streetscape to Langley Hill but would not object to the revision to provide additional car parking. It is however essential that the wall is appropriately detailed as are the gates to ensure that this space does not detract from the Conservation Area with the introduction of a larger area of car parking'.

With the necessary 'heritage led revisions' to the current scheme to the High Street frontage and even more so with reference to the Langley Hill frontage, the modified scheme is acceptable as now observed by observed by the Conservation & Design Team:

'CD believe that the revised elevations have resolved our concerns noted previously. The proposed principle elevation to the High Street would now sit comfortably both as a building in its own right and with the character of the surrounding conservation area. It now better reflects the architectural details of the period architecture chosen for the building and therefore should blend in with the surrounding built environment. CD also note the proposed amendments to the gates and wall to Langley Hill. We believe that these now better reflect the character of the area and the proposed building. They now relate well to the architecture of the building and would show its significance and status within the conservation area. The reinstatement of the wall and the proposed gates would provide a suitable sense of enclosure. Therefore we believe that this elevation, boundary and streetscape has now been resolved and would be in keeping with the character of the conservation area'.

Despite the development's substantial scale there are no design objections.

Effect upon Residential Amenity and the Amenity of the Care Home Bedrooms

This is with due regard to the expectations of Dacorum Core Strategy Policies CS10 and CBS 32 and saved DBLP Appendix 3, reference to the physical impact, privacy/ overlooking, noise/ disturbance and the receipt of day and sunlight, the expectations of NPPF Paragraph 123 and the advice of the Environmental Health Team. As in the case of Application 4/00759/16/MFA there have been respective very strong representations received from nearby nos. 1 and 7 Langley Hill Close.

It has been fully taken into account that the significant redesign of the surgery element to specifically accommodate the parking has resulted in the noticeable increased massing of the surgery building to the rear when compared to 4/0759/16/MFA. This is acknowledged to be a resultant disbenefit, most affecting no. 1, but not to justify refusal or further modification:

*No. 1 Langley Hill Close.* Due to the level of separation of the development and taking into account the role of the front garden for amenity as expressed through the consideration of the previous application, there would not be a case to refuse the application based upon its impact. This takes into account all the issues referred to above, especially the physical impact, privacy, noise and disturbance.

*No. 7 Langley Hill Close .* As in the case of Application 4/00759/16/FUL based upon the 29m separation, levels, existing boundary treatment, the opportunity to provide additional acoustic fencing for the Care Home communal garden and glazing there would not be a case to refuse the application based upon the loss of privacy and noise/ disturbance. The level of separation is acceptable .Noise generated by the impact of the use needs to be considered against the previous potentially 24/7 commercial use at no. 32 and that the buildings will contain the impact of vehicular movements.

*Other Dwellings.* There would not be a case to refuse permission. As clarified as Langley Hill Close is private the public are unable to use this cul de sac for parking. Therefore noise/ disturbance resulting from the development's associated vehicular activity could not be substantiated.

#### Internal Layout: Residential Amenity : Relationship with the Retained Boundary Wall to Langley Hill Close

The retention of the wall abutting Langley Hill Close boundary wall has been an essential heritage expectation.

Unlike the previously submitted scheme the fundamental officer objections regarding the major amenity concerns regarding the effect of the retained wall in relation to the amenity of these rooms has been eliminated in the redesign now proposed. The original scheme fundamentally failed to comply with the layout expectations of saved Appendix 3 of the DBLP and one of the NPPF Core Principles under Para 17 which always seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This scheme also created major overlooking of no. 1 Langley Hill Close.

With regard to the amenity the Agent/ Applicant emphasise these all satisfy the relevant standards clarifying that all bedrooms/ensuites, communal rooms and internal arrangements will meet with the Care Quality Commission's – Essential Standards of Quality and Safety (March 2010).

#### Highway Safety/ Access/ Emergency - Refuse- Service Access/Parking/ Traffic Generation/ Sustainable Location /Inclusive Access/ Access for Persons with Disabilities

With the exception of the changes to the parking the assessment of the range of issues in the assessment of the current scheme are very similar to Application 4/00759/16/MFA.

Highway Safety and the Main Access/ Traffic Generation. HCC Highways raise no objections to the use of the respective existing accesses originally designed to serve the former depot and no. 1 Langley Hill. This is with due regard to their previous / historic use, the previous permission for the care home, the traffic impact/ volume, location and design (width/ sight lines). This takes into account their closeness to each other and to the existing accesses at the car park, Langley Hill Close and the Langley Hill - High Street junction with due regard to the NPPF 's Paragraph 32 requirements regarding a transport statement / assessment and the form of the proposal.

The Shared Courtyard Access Road and Turning Area for Fire, Ambulances and Refuse. The access is acceptable to HCC Highways and Hertfordshire Fire & Rescue Service. Although the Refuse Controller has been unable to respond the access is workable for these purposes.

Access for Persons with Disabilities/ Inclusive Access/Persons with Limited Mobility. The layout / design will be compliant. The 2 disabled spaces will enable drivers to bring patients / residents close to the buildings by vehicle with the surgery entrance next to both spaces. This is an important community benefit representing a significant improvement to the current surgery. The layout also provides for ambulances unlike no. 34.

Sustainable Location. The site's central village location is very sustainable. It is close to some residential parts of Kings Langley, accessible by foot or cycle, with a bus stop outside no. 32. There are very regular bus services along the key 501 along the Aylesbury- Watford A41 spine corridor with excellent links to the wider bus network in both directions, accessing the surgery's existing catchment area. On this basis employees of both the surgery and care home are able to access the site by alternatives to cars with shift patterns coinciding with bus frequency. Similarly the surgery's able bodied patients and visitors to the care home can access this way. The Care Home is provided with cycle storage. HCC Highways recommended imposition of a Green Transport Plan is an important prerequisite.

It is was also previously clarified under 4/0759/16/MFA by B & M Management that:

- In B & M's experience staff at its Care Homes do tend to be primarily from the local community and will walk to work if the distance is reasonable – so this is a realistic expectation for this proposal. Generally B & M staff group avoid any lengthy commutes and prefer a short travel distance/time to work.
- Staff shift patterns are morning shifts starting 7-8 am, afternoon shift changeover at 2pm and evening/night shifts start 7-8pm – thus avoiding the peak traffic rush hour times.
- Each B&M Care Home is provided with a Pool Car and this enables a 'Car Sharing' with a 'Guaranteed Ride Home' Scheme to be feasible, workable and economically attractive to staff.
- Travel and parking management and co-ordination can be achieved by making this part of the job responsibilities of say the Deputy Care Home Manager and the Surgery Practice Manager to liaise regularly as 'travel plan co-ordinators' to ensure efficiencies are achieved and potentially problematic situations avoided, this is also a requirement of the Travel Plan.
- The use of cycles by staff does happen with reasonable regularity across our group of homes where travel distances are reasonable and this is again a realistic expectation of this location. Facilities to support cycle use will be incorporated.

Parking Provision: The Numbers. There will be 29 off site parking spaces. These will comprise of 9 surface spaces at 1 Langley Hill, 8 in the undercroft area and 12 spaces within the inner courtyard. The care home will be served by 17 parking spaces ( 1 disabled) and surgery will

provide 12 spaces ( 1 disabled ).

*Care Home.* The provision of 17 parking spaces accords with the requirements with saved DBLP Appendix 5 which requires the provision of 0.25 spaces per resident bedspace with no resident staff, providing 1 extra space.

*Surgery.* The 12 spaces accords with the previous assessment where Report 4/00759/16/MFA noted amongst a range of matters that:

'As confirmed there are 3 GP consulting rooms and 1 nurses procedure room are proposed at the surgery. Under the aforementioned adopted maximum parking standards surgeries require 3 spaces per consulting room and 1 space for other non doctors staff employees. On this basis and the staffing at the current surgery (taking into account the number of part time staff) it has been assessed that during the day time 16 on site spaces are required under the maximum standard. This can be reduced to 12 spaces as this commercial use is located in Kings Langley Parking Accessibility Zone 4 which allows for the provision of between 75 and 100% provision of this maximum standard. As the cleaners will be visiting the site in the evening their parking requirements have been excluded from the calculation'.

The Report also noted :

'Despite the significant day time on site shortfall of 8 spaces in relation to the maximum standards it should be reasonably taken into account that :

- there is no parking at no.34 with inadequate disabled access ,
- two of the spaces at the care home can be available for the surgery as referred to by recommended Condition 12,
- the benefits of a Green Transport Plan as recommended by HCC Highways in accordance with NPPF Para 36,
- the sustainable location,
- according to the Agent the proposed Surgery in terms of floor area would appear similar or possibly smaller but with much more efficient use of space, allowing the practice to add one additional GP in the future if the needs of the Town require it, without the need to relocate,
- the proposal provides the benefits of a modern inclusive facility which cannot be provided at no. 34. In this respect the CQC Report for the existing surgery observed that to '... operate ( sic) from a listed building, the structure and layout of the building presented many challenges including space limitations and little scope for extensions or structural alterations',
- B & M Management confirm those visiting the surgery will rely on the public car park as at present. This car park was donated to Kings Langley to be used as a free car park in perpetuity by Dr Doris Brown from Haverfield Surgery in 1968, and
- Conflicts between Surgery and Care Home Visits. The Care Home Visits by friends , families and volunteers tend to be off peak daytime on weekdays plus early evenings and at weekends ; all what would be termed 'off peak' times.

In the context of all the above factors it is questionable whether there would be a very robust reason to refuse the application based upon this shortfall the overriding evident public community benefits arising from the development. Moreover, if the additional parking is provided this would reduce the capacity of the site for the surgery and/ or care home which are aimed to benefit this inclusive community orientated development'.

*Parking Survey.* A parking and traffic survey was carried out by the Applicant's Highway Consultant on Tuesday 8 November 2016, specifically avoiding holidays and half-terms on behalf of the Applicant. A summary is at Annex B.

The survey measured the following:

- Off-street parking demand / accumulation at the Langley Hill and the Nap.
- Public Car Parks.
- On-street parking surveys along Langley Hill, York Close, Archer Close, the High Street, The Nap and Fisher Close.

The Report notes a range of findings including:

- The survey demonstrates that throughout the survey period there were consistently 8 or more on-street parking spaces available along High Street and 10 on-street parking spaces available along Langley Hill between Langley Hill Close and Archer Close which are located within 200-metre from the site.
- In total there are many available and unused parking spaces along nearby streets with Fisher-, Archer- and York Close having spare capacity of 50% or more.
- The survey data shows that both car parks have spare capacity early morning and from midday onwards to accommodate any additional traffic generated as a result of the relocation of the GP's surgery. For the time period of 09:00 to 12:30 when both car parks are fully utilised, the nearby streets offer more than sufficient on-street parking spaces as discussed above.
- The proposed development will provide 29 off-street parking spaces. It is not expected that any spill over will occur on nearby streets and within the car parks. However, the analysis shows that there is sufficient off-street parking in the car parks or on-street along nearby streets where parking already takes place.

The Agent also clarifies that typically in respect of B&M care homes a significant number of staff tend to walk to work.

#### Other Issues

There has been no need for an Environmental Impact Assessment for this application.

With due regard to the policies material to the application, site/ area characteristics and the responses from the technical consultees there are no objections relating to the following with recommended conditions where relevant/ necessary:

- Arboricultural Implications.
- Ecological implications/ Biodiversity.
- Drainage.
- Contamination.
- Archaeological Implications.
- Crime prevention/ security.
- Sustainable Construction.
- Light Pollution.
- Drainage.

#### Conditions and Informatives

If the DCC supports the application a range of conditions are necessary, as recommend below. The LPA is unaware of any fundamental land stability/ geological issues to preclude the



carrying out of the development, recommending an informative with reference to the NPPF Paragraph 120. The height of the development has not necessitated specialist air navigation advice.

### Community Infrastructure Levy

Kings Langley is within Zone 2 for the CIL . Retirement Housing (C2) and GP Surgeries (D1) are not liable to this CIL charge.

### Future Uses of the Development

If granted the Care Home has the following lawful uses under the Use Classes Order:

<b>C2</b> Residential Institutions	Residential accommodation and care to people in need of care, residential schools, colleges or training centres, hospitals, nursing homes	Permitted change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval)
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If granted the Surgery benefits from the following:

<b>D1</b> Non-residential Institutions	Clinics, health centres, creches, day nurseries, schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	Temporary permitted change (2 years) to A1, A2, A3, B1 (interchangeable with notification)
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### **Conclusion**

It is fully acknowledged that there is again significant local opposition to the development by the Parish Council and the local community . This is set against:

- Delivering additional housing and social infrastructure is pivotal to national and local policies, and
- The detailed assessment of the proposal.

The conclusions for Application 4/00759/16/MFA noted:

- There are well documented local objections including the development's scale. For design/ residential amenity reasons reducing the development's scale cannot be substantiated. It also has to be taken into account that the site's original post office building was very utilitarian in appearance and potentially an environmentally sensitive use. In contrast the current proposal's the servicing area will be enclosed by buildings of much higher design quality.
- The new surgery will assist the Core Strategy's Delivering the Vision for Kings Langley

Place Strategy by reinforcing the Village Centre service role. The proposed relocated Doctors Surgery will provide the local community with an inclusive safe high quality purpose built modern facility overcoming the current practice's documented operational problems, especially access for persons with disabilities and limited mobility and served by some curtilage parking. The Care Home will benefit from the closeness of the surgery and consolidate the provision of specialist elderly persons at the site.

- In any decision there is need to carefully balance all the material considerations. As documented there are very strong Parish Council and local objections regarding the parking implications. The Care Home accords with the parking standards. It is fully acknowledged that the Surgery features a significant shortfall of parking. The fundamental question is whether there is an overriding requirement to meet the on site shortfall in such an excellent sustainable location and so close to the existing surgery which does not benefit from the parking now proposed for this wholly inclusive modern community facility. There is no robust evidence available to confirm that the development's parking demands will irrevocably harm the maintenance of the Local Centre's vitality and viability.
- In pragmatically considering the proposals and in contrast to the local objections, it is concluded that the overall community / social infrastructure benefits resulting from the provision of a modern new surgery and care home should be given more weight than the disbenefits resulting from the rigid adherence to the implications arising from the shortfall off on site parking. This also takes into account that Hertfordshire County Council Highways raises no highway objections.
- With the very recent resolution of the outstanding drainage issue there is now a case to recommend the grant of permission.

The current proposal is designed to provide specialist accommodation and cutting edge surgery facilities in the centre of Kings Langley in a most sustainable location and way with significant community benefits for now and the future.

The approved care home development at no. 32 High Street is materially different to the proposal due to design and layout changes and the amalgamation with the land at no. 1 Langley Hill to facilitate the combined provision of a care home and new surgery. In the assessment of the current application substantial weight should however be given to the 'stand alone' extant permission for the care home as most robust 'fall back' material consideration.

In accordance with established practice the current application should be considered upon its individual merits but with the background reference to the previous refusal. Notwithstanding this refusal it is of fundamental importance to confirm that there were no design or arboricultural objections to Application 4/00759/16/MFA as expressed through the respective specialist technical responses. This is especially the Conservation & Design Team, Trees & Woodlands Officer and Historic England. Such expert input was also very significant when the LPA considered the 2012 stand alone care home application, with design changes and an 'emergency Tree Preservation Order,' reflecting the site's importance, the high priority to design and its green setting, the value of the trees within the High Street Conservation Area and a holistic approach.

In the consideration of the current application the provision of additional curtilage parking to serve the surgery has dominated the Applicant's 'design re - think' in addressing the recent refusal and its commitment to redevelop the site for the proposed purposes. This has been very testing to the Conservation Team, Trees & Woodlands Officer as both supported the refused scheme with the emphasis upon high quality design.

The current proposal accommodates a significant amount of development at this brownfield site and it is materially different in 'non parking terms' to the refused scheme. As observed by the

Conservation Team the refused scheme was very positive in its design and the pivotal focus upon achieving additional on site parking has ' changed the design parameters'. To reiterate in reconciling parking expectations through Refusal 4/00759/16/MFA and design, including the relationship with no. Langley Hill Close, has not been straightforward.

**However**, based upon its individual merits, the site conditions - with specific regard to the levels and relationship with adjoining development - will facilitate the development's physical integration, including the retention of preserved trees. It is not a cramped form of development or overdevelopment and there no identified overriding outstanding design/layout/arboricultural objections. A raft of technical issues have been successfully addressed and are workable in accordance with expected practice.

Significantly unlike Refusal 4/00759/16/ FUL there is no shortfall of parking in a sustainable location. As before Hertfordshire County Council Highways raise no highway safety objection. Moreover, according the agent's survey the car park opposite the site has capacity.

There is no evidence available to the local planning authority that the development will harm the future viability or vitality of the Village Centre.

Whilst materially different from Refusal 4/00759/16/ MFA based upon its individual merits this sustainable dual aspect specialist housing and social infrastructure development - ***which will benefit so many in of the local community now and in the future*** - is capable of being physically accommodated at the site and integrated into the local environment. This is with due regard to the relevant policies, the site/ area conditions, the Agent's/ Applicant's extensive submitted documentation, the aforementioned lack of any objections from the specialist technical consultees, the evidence available and the imposition of appropriate conditions.

Moreover due to the inbuilt flexibility of the respective C2 and D1 uses the buildings will provide potential opportunities/ scope for adaptations to other alternative community based/ social infrastructure to serve the locality now and in the future reinforcing the objectives of sustainable development.

**RECOMMENDATION** - That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

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#### **ANNEX A: THE OPERATORS STATEMENT (as per Application 4/00759/16/ MFA)**

An Operators Statement by B&M Care has been prepared to explain the background to the company, their aspiration to create an extension to the Kings Langely care home, explanation and justification for the new GP Surgery and their long term commitment to the community.

The case is made within the operator statement and reads as follows:-

1. B&M Care are a local family owned business based in Hemel Hempstead of some forty years standing which develop and operate a Group of Residential Care Homes for the Elderly in the Home Counties.

2. The Company currently operate 22 Care Homes with approximately 1150 beds with a further 4 Homes currently under development. At present it has 14 Homes in Hertfordshire. B&M Care has over the years won numerous industry and civic awards for both the design of its homes and also for the care provided. The Company gained the Planning Permission on 11th January 2013 for a 36 bed Care Home for the site, replacing the old Post Office Sorting Office at 32 High Street, Kings Langley.

3. The Company was then approached in early 2015 by the Principals of the Haverfield

Surgery, which is based at 34 High Street, Kings Langley, adjacent to the site, with an enquiry as to whether the Company would consider leasing some of the ground floor space to incorporate a GP Surgery to be located on the same site. (Copy email request in Appendix)

4. Haverfield is a local GP Practice serving the local community with a list size of approximately 3,500 patients. Following discussions between the GP Senior Partner Dr Corina Ciobanu and the Practice Manager Chris Stanley of Haverfield Surgery, with the Directors of B&M Care, including Dr Colleen Wood, Director and Clinical Advisor to B&M Care; consideration was given to looking at the design needs and possible cooperation, subject to space requirements.

5. Later in 2015 the opportunity arose which gave the possibility of meeting this request when the bungalow at 1 Langley Hill came onto the market for sale and the decision was made by the Directors of B&M Care to purchase this property which opened up the possibility of meeting with the request, whilst also increasing the size of the proposed Home to enable the capital investment to be made by B&M Care Group to the new Surgery premises fit for purpose, on a leasehold basis to the Surgery enabled by the additional care home beds that would be possible on the site making the proposals economically viable.

6. Following a series of discussions and the process of working up design the Company is now happy to submit its proposals to the Council requesting the support of the Councillors and Officers for an extension to the already granted Care Home to create a 'mews' style town centre complex with a Care Home of now 62 beds and a Doctors Surgery, all as detailed as in this Operators Statement and Planning Application.

7. B&M Care has been aware of the potential of some of its Elderly Care Homes to be to some extent "Community Hubs" and one of the key aspects of that, along with the current crisis in providing GP care into Care Homes, is to incorporate doctor's surgeries within the curtilage of future elderly care homes constructed by the Company where possible. This makes it potentially much more easy and economical to provide GP services into care homes as it can be disproportionality expensive due to the high needs of elderly residents.

8. This combined with the present Haverfield Surgery being in a listed premises which is unfit for purpose by modern standards, give an opportunity for new premises with fully disabled access and the opportunity for the Surgery to expand its activities, expand its list and reach its other aspirations and ambitions to provide overall improved services and joint community benefits to the local community. This coincided with the Surgery's existing lease coming to an end.

9. We enclose in the Appendix a copy of an excerpt from the NHS England GP Premises Team Inspection Report of August 2015 which states that "whilst acknowledging that the Practice is taking reasonable measures to improve access to patients, the premises are not Equality Act 2010 compliant in most aspects". Particularly it mentions the main entrance which is via a steep sloped access which exceeds the recommended gradients, and the disabled access which has actually been created by a side entrance with a portable ramp, no automatic door and a narrow width door of 80cm.

10. The proposed new premises would be fully Equality Act 2010 compliant, with automatic doors of the required width, split level reception desk, male and female disabled access WC's for patients, with emergency pull cords etc. as required, facilities for mobility scooters to access the premises and park and all facilities on a single storey at ground floor level.

11. Discussions have also taken place with agreement in principle to a proposal also to put a community defibrillator on the walls of the Care Home / Surgery Practice for twenty-four hour use to the benefit of the community.

12. There has been a history of a 'Doctors Surgery' going back to 1747 in this position on Kings

Langley High Street, contained in the house known as 'Haverfield'. An excerpt from Kings Langley Archivists Group shows the on-going presence of a Surgeon or General Practitioner or Apothecary or similar, virtually consistently in Haverfield since the mid 1700's through to the present day. A copy of this is also contained in the Appendix.

13. Further, in particular, Dr Doris Brown ran a Surgery in the house from 1958 until her death in 1968 and it is stated that when Dr Doris Brown died in 1968 most of the grounds of the rear of Haverfield was given to the Council for car parking space, which provides in the region 55 spaces in the existing car park, free of charge and the entrance to this car park is directly opposite the entrance of this mews style, town centre proposed complex.

14. We enclose also in the Appendix also two letters written to the Council by Haverfield Surgery Principals and the Kings Langley Physiotherapy Principals regarding the car parking situation and the request of Dr Brown to the community of the car park to the rear of Haverfield Surgery which the town still benefits from.

15. All aspects to do with Highways, car parking, accessibility etc. are dealt with in the Design and Access Statement provide elsewhere in the planning submission.

16. These proposals would enable the Practice to continue the long standing tradition of having a Surgery centrally in the High Street of the town, despite not being able to continue and meet current statutory requirements in the Listed Building known as 'Haverfield'. The surgery would remain in a location immediately adjacent to where it has been for the most part of some 250 years.

17. The aspirations of the Surgery include the ability to expand their patient list and to provide additional services which will be required with the possible growth and demands of the local community.

18. It would enable the Surgery to employ a further Partner GP, be a qualified GP Trainer and become an accredited training practice helping to meet locally the NHS work force challenges of shortage of GPs and Practice Nurses and their 'on the job' training, supporting long term continuity of services.

19. Further the Practice would be able to offer additional services on the premises such as the expansion of current minor surgery services, expansion of maternity and family planning services, vaccine clinics etc., all to take place within the community rather than patients from Kings Langley having to travel elsewhere for these services.

20. The Practice would be able to bring in hospital consultants to offer out-patient consultations and clinics to all of the local community and not just the practice list without the need to travel to local hospitals.

21. Other clinics which are currently based in Hemel Hempstead or other hospitals can be brought into the community within the new facilities. This is moving services currently provided in the Acute Sector into the community where appropriate.

22. Part of the community respiratory services can be hosted on the High Street at the new facilities.

23. All of these measures are in the interests in the sustainable operations of communities, reducing travel and increasing accessibility to all members of the local community, particularly the most vulnerable who need care.

24. Consultations are being/will be held with local councillors and the representatives of the patient participation group connected with the Haverfield Surgery seeking to gain their support.

25. The provision within the proposed new Surgery would provide 3 GP consulting rooms, plus a Practice Nurse's Procedures Room, offering vaccine clinics etc., a meeting/ library/sessions room, administration offices, records storage with requisite reception waiting areas, public disabled wcs, staff toilets and kitchen facilities etc. Three car park spaces would be provided separate to the Care Home car park for staff members working at the premises.

26. The current proposal is to grant the Surgery an initial 15 year lease of the premises. The Surgery is currently led by Doctor Corina Ciobanu, who has been with the practice since 2004. Dr Ciobanu is the Senior GP partner at the Surgery and is Chair of Dacorum's GP Committee.

27. The additional provision that the proposals will provide for the proposed Care Home will allow it to provide a dedicated Dementia Care wing of 17 beds and dedicated low level dementia care beds as well as residential care beds. It will now also be able to provide a with a 'dementia garden' and the Home will benefit from the equivalent of two 'ground floors' due to the rising level / slope of the site from Kings Langley High Street up to Langley Crescent. This will allow the Home to provide three levels of care, meeting residential, low level dementia and higher level dementia needs of the elderly residents of the local community.

28. This model works well in many other of the Company's Care Homes and recognises the need throughout Hertfordshire for higher needs Dementia care. All residents will benefit from the presence of the Surgery adjacent and also from the many facilities provided within the proposed Care Home in the lower ground floor area such as Spa, Gymnasium, Chapel, Cinema, Hairdresser and Treatment Rooms etc.

29. Both B&M Care and Haverfield Surgery being local companies with a long term presence in their communities are approaching this project cooperatively with a long term commitment to the community of Kings Langley and would respectively request the support of the Councillors and Officers of Dacorum Borough Council for these proposals.

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## **ANNEX B : THE CONSULTANTS TRANSPORT STATEMENT: IMPACT ASSESSMENT OF THE PARKING IMPLICATIONS: SUMMARY**

A traffic count survey was carried out on Tuesday 8 November 2016 between 07:00 and 19:00 at the junction of Langley Hill and High Street. The network peak was established as 08:00–09:00 for the AM peak and 15:00–16:00 for the PM peak; and the trip rates within these peaks were used within this assessment.

The assessment established the anticipated vehicular trip generation of the application site, whilst also accessing the parking capacity along nearby streets and two off street car park locations.

### Background

The Application Site benefits from the extant care home planning permission. This represents 4 two-way trips in the AM peak and 3 two-way trips in the PM peak.

The care home will operate a three-shift system as follows:

- 07:30 to 13:30;
- 13:30 to 19:30; and
- 19:30 to 07:30.

The GP' surgery hours of operation are as follows:

- 08.30 to 10:20;

- 16:00 to 17:50; and
- One appointment at 18:30 and 18:40, respectively ( Monday, Tuesday and Thursday).

It is therefore expected that most vehicular movement to and from the Application Site will take place at the beginning and end of the care home shifts, and within the GP's surgery opening times as stated above.

Trip Rates. The database has been interrogated to obtain trip rates for the Application Site by selecting sites (Care Homes and GP's Surgeries) within the database with a similar size, location and accessibility to the Application Site. The database is an industry standard tool, which is used to predict trip rates for future developments based upon similar existing sites in the UK and Ireland. The following typical peak hours were identified:

- Care Homes – 07:00 to 08:00 and 14:00 to 15:00; and
- GP's Surgeries – 10:00 to 11:00.

### The Findings

The resultant assessment have identified a range of findings, including:

1. The Langley Hill car park is well used between the hours of 09:15 and 12:15, 14:00 to 14:15 and 15:00 to 15:15. For the rest of the survey period the car park operates below capacity and on the survey day, there were more than 8 parking spaces available at the car park during the following times:

- 07:00 to 08:30; and
- from 16:00 onwards.

2. The Nap car park is well utilised between the hours of 09:15 and 12:45, and 15:00 to 15:45. For the rest of the survey period the car park operates below capacity and on the survey day, there were more than 8 parking spaces available at the car park during the following times:

- 07:00 to 08:45;
- 11:45 to 13:45;
- 14:15 to 15:15; and
- from 15:45 onwards.

3. The GP's surgery hours of operation are from 08.30 to 10:20 and 16:00 to 17:50 Monday to Friday, which represents less than four hours of patients arriving and departing during a typical workday. The surgery does also offer two evening appointments at 18:30 and 18:40 on a Monday, Tuesday and Thursday, however these hours are outside of the AM and PM peak hours. The associated survey table summarises the busy time periods at both car parks and the GP's surgery showing that for a limited time from 09:15 to 10:20 (35 minutes) patients may arrive at the GP's surgery when both car parks are fully utilised. However, the nearby streets offer more than sufficient on-street parking spaces during this 35-minute period.

4. The survey demonstrates that throughout the survey period there were consistently 8 or more on-street parking spaces available along High Street and 10 on-street parking spaces available along Langley Hill between Langley Hill Close and Archer Close which are located within 200-metre from the site.

5. In total there are many available and unused parking spaces along nearby streets with Fisher-, Archer- and York Close having spare capacity of 50% or more.

6. The survey data shows that both car parks have spare capacity early morning and from

midday onwards to accommodate any additional traffic generated as a result of the relocation of the GP's surgery. For the time period of 09:00 to 12:30 when both car parks are fully utilised, the nearby streets offer more than sufficient on-street parking spaces as discussed above.

6 The proposed development will provide 29 off-street parking spaces. It is not expected that any spill over will occur on nearby streets and within the car parks. However, the analysis shows that there is sufficient off-street parking in the car parks or on-street along nearby streets where parking already takes place.

RECOMMENDATION - That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

- 1 **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 **No part of the development hereby permitted shall take place until details and samples (where appropriate) of the materials (including glazing) to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the local planning authority and the hard surfaced courtyard shall be constructed of permeable material in accordance with details submitted to and approved in writing by the local planning authority. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.**

Reason: In the interests of the character and appearance of the Conservation Area and the setting of the adjoining listed building and in the interests of sustainable drainage to accord with the requirements of Policies CS10 ,CS12, CS27 and CS29 of the Dacorum Core Strategy and the saved Policies 119 and 120 of the Dacorum Borough Local Plan.

- 3 **All new external rainwater and soil pipes shall be formed in metal and painted black and all windows, doors and fascias shall be of timber and the rooflights shall be of a Conservation type.**

Reason: In the interests of the character and appearance of the Conservation Area and the setting of the adjoining listed building to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 and 120 of the Dacorum Borough Local Plan.

- 4 **This planning permission does not approve the removal of any of Trees T1 to T17 shown by Drawing No. D0188- 002 - D . All of these trees shall be protected during the whole period of construction fully in accordance with the details shown by Drawing No. Drawing No. D0188- 002 - D. Notwithstanding the submitted details a scheme for soft landscape works shall be carried during the first planting season following the first use of the development hereby permitted fully in accordance with details submitted to and approved in writing**



**by the local planning authority. For the purposes of this condition the planting season is between 1 October and 31 March.**

Reason: To ensure that the development is compatible with the setting of the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10 ,CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 and 120 of the Dacorum Borough Local Plan and in the interests of biodiversity and to accord with the sustainable approach to development to accord with Policy CS29 of the Dacorum Core Strategy.

- 5 Any tree, hedge or shrub which forms part of the approved landscaping scheme subject to Condition 4 which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree, section of equivalent hedge or shrub of a species, size and maturity to be approved by the local planning authority.**

Reason: To ensure that the development is compatible with the setting of the adjoining listed building and the character and appearance of Kings Langley Conservation Area to accord with the requirements of Policies CS10, CS12 and CS27 of the Dacorum Core Strategy and the saved Policies 119 and 120 of the Dacorum Borough Local Plan and in the interests of biodiversity and to accord with the sustainable approach to development to accord with Policy CS29 of the Dacorum Core Strategy.

- 6 Prior to the commencement of the development hereby permitted details /samples of hard landscaping( including boundary treatment, full details of the retained existing boundary wall to Langley Hill Close, permeable surface materials and external drying facilities) shall have been submitted to and approved in writing by the local planning authority. The details of the retained boundary wall shall include a full constructional method statement in relation to the adjoining land within Langley Hill Close with reference to land and wall stability.**

**The approved materials shall be used in the implementation of the development and all the approved boundary treatment and any associated hard landscaping shall be carried out / installed prior to the first use of the building or the approved amenity area and thereafter shall be retained at all times.**

Reason: In the interests of the character and appearance of the Conservation Area and the setting of the adjoining listed building, biodiversity and in the interests of the residential amenity ( especially no. 7 Langley Hill Close with regard to the issues of privacy and noise attenuation) and land stability to accord with the requirements of Policies CS10 ,CS12, CS27 and CS32 of the Dacorum Core Strategy and the saved Policies 119 and 120 of the Dacorum Borough Local Plan.

- 7 The details of boundary treatment in accordance with Condition 6 shall include a scheme for additional boundary treatment with specific reference to acoustic measures in relation to 7 Langley Hill Close. All the approved boundary treatment and any associated measures shall be installed prior to the first use of any part of the development including the approved amenity area and thereafter the approved boundary treatment shall be retained at all times.**

Reason: In the interests of the character and appearance of the Conservation Area

and the setting of the adjoining listed building and in the interests of the residential amenity, especially no. 7 Langley Hill Close with regard to the issues of privacy and noise attenuation to accord with the requirements of Policies CS10 ,CS12 and CS32 of the Dacorum Core Strategy.

- 8 **The development hereby permitted shall not be occupied until the access arrangements and turning facilities shown by the approved drawings have been provided fully in accordance with the approved details. Thereafter the access and turning area shall be retained at all times and only used for the approved purposes. The access road and turning area shall be constructed so that they are capable of bearing the weight of a 15.5 tonne vehicle and have a gradient of no less than 1 in 20.**

Reason: In the interests of highway safety and to ensure that emergency and service vehicles are able to serve the development at all times in accordance with Policies CS8 and CS12 of Dacorum Core Strategy.

- 9 **The development hereby permitted shall not be occupied until all the approved arrangements for vehicle parking (including those for persons with disabilities) shown by the approved drawings and cycle storage shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved. An additional cycle storage facility provided to serve the surgery.**

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities including persons with disabilities in accordance with Policies CS8 and CS12 of Dacorum Core Strategy and saved Policy 63 of the Dacorum Borough Local Plan.

- 10 **Prior to the first occupation of the development hereby permitted and notwithstanding the submitted details a Green Travel Plan shall be submitted to the local planning authority. The Travel Plan shall provide details of measures for reducing car dependency, the need to travel to site by car whilst promoting alternative modes of transport such as walking, cycling and use of public transport. This shall be prepared in accordance with the Guidance Note "Developing a Green Travel Plan" by Hertfordshire Technical Chief Officers. The approved Green Travel Plan shall be carried out fully in accordance with the approved details.**

Reason: In accordance with the sustainable transportation policies of the development plan in accordance with Policies CS8 and CS12 of Dacorum Core Strategy.

- 11 **All the windows of the development hereby permitted shall be installed with glazing to limit noise transmission fully in accordance with details submitted to and approved by the local planning authority and any bathroom windows of the development hereby permitted shall be permanently fitted with obscured glass. The development shall be carried out fully in accordance with the approved details and thereafter the approved glazing shall be retained at all times.**

Reason : In the interests of residential amenity to accord with Policies 12 and 32 of the Dacorum Borough Core Strategy.

- 12 **Prior to the commencement of the development hereby permitted revised copies of the following reports shall be submitted:**

- **Preliminary Investigation Report Preliminary Investigation Report;**

**Contract: 52200; Ian Farmer Associates (1998) Limited; March 2014**

- **Report on Phase 2 Ground Investigation; Contract 52200A; Ian Farmer Associates (1998) Limited; May 2014.**

The reports must be revised and re-issued to take into account the new application and any alterations to the proposed site layout. The Report on Phase 2 Ground Investigation, (specifically section 8.4 Risk Assessment - Human Health) must be updated to reflect the changes to guidance which have occurred since the report was initially written in May 2014, (the publication of new generic assessment criteria – S4ULs etc.)

If the revised Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

- **A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a ‘conceptual model’ of the site is constructed and a preliminary risk assessment is carried out.**
- **A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required. A Remediation statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy.

- 13 **All remediation or protection measures identified in the Remediation Statement referred to by Condition 12 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that risks from land contamination to the future users of the land

and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy.

- 14 **Notwithstanding any of the submitted details no part of the development hereby permitted shall not occupied until a scheme for ventilation of the premises, including the extraction and filtration of cooking fumes and the system for laundry has been submitted to and approved by the local planning authority. The approved scheme shall be retained at all times.**

Reason: In the interests of safeguarding the residential amenity of the locality and the character of the Conservation Area to accord with the requirements of Policies CS12, CS27, CS29 and CS32 of the Dacorum Core Strategy and the saved Policy of 120 of the Dacorum Borough Local Plan.

- 15 **The development hereby permitted shall be carried in accordance with the submitted Sustainability Statement subject to the requirements of other conditions of this planning permission.**

Reason: To ensure the sustainable development of the site in accordance with Policy CS29 of the Dacorum Core Strategy.

- 16 **The approved facilities for the storage of refuse shall be provided before the development hereby permitted is first brought into use and thereafter shall be retained at all times.**

Reason: To ensure a refuse facility is provided at all times at the site in accordance with Policy CS12 of the Dacorum Borough Local Plan.

- 17 **The development permitted shall be carried out in fully in accordance with the surface water drainage assessment , as approved by Hertfordshire County Council Lead Flood Authority, and carried out by Hydrock reference R/C161599/002.03 dated December 2016, and the following mitigation measures detailed within the Flood Risk assessment :**

- **The provision of the 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.**
- 4. **The construction of the drainage to include the permeable paving, attenuation tank and soakaway as shown /specified by the 'Proposed Layout Plan' on Drawing No. Dwg KIN-HYD-XX-XX-DR-D-5001.**
- 5. **The carrying out of the appropriate drainage strategy based on infiltration.**

**The above mitigation measures nos 1, 2 and 3 shall be carried out fully in accordance with the approved details prior to the occupation any part of the development hereby permitted and subsequently 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 disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with the aims of Policies CS12 and

CS31 of the Dacorum Core Strategy and to protect groundwater to accord with the requirements of Policies CS31 and CS32 of the Dacorum Core Strategy.

- 18 **No development shall take place until a detailed surface water drainage scheme for the site based on the approved Drainage strategy and sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

**Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs.**

**Detailed surface water run-off and volume calculations to ensure that the site has the capacity to accommodate all rainfall events up to 1:100 year plus climate change.**

**Any areas of informal flooding should the system flood above the 1 in 30 year event.**

**Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.**

Reason: To prevent the increased risk of flooding, both on and off site in accordance with the aims of Policies CS12 and CS31 of the Dacorum Core Strategy and to protect groundwater to accord with the requirements of Policies CS31 and CS32 of the Dacorum Core Strategy.

*Informative to the LPA*

For further guidance on HCC's policies on SuDS, HCC Developers Guide and Checklist and links to national policy and industry best practice guidance please refer to our surface water.

- 19 **Details of all exterior lighting to be installed at the application site shall be submitted to and approved in writing by the local planning authority. The exterior lighting shall be installed and thereafter retained fully in accordance with the approved details.**

Reason: In the interests of safeguarding the character and appearance of the Conservation Area, the setting of the adjoining listed building, the residential amenity of the locality, highway safety, biodiversity, access for persons with disabilities and crime prevention/security in accordance with Policies CS12, CS27, CS29 and CS32 of the Dacorum Core Strategy and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan.

- 20 **The development hereby permitted shall be constructed to provide bat roosts**

**and enhancements for nesting birds, with two Sparrow terrace boxes mounted in appropriate locations along with a Swift box mounted in the eaves of the new building fully in accordance with Turnstone Ecology letter dated 16 June 2016 . Once provided the measures shall be retained at all times.**

Reason: In the interests of biodiversity in accordance with Policies CS26 and CBS 29 of Dacorum Core Strategy.

- 21 **No development hereby permitted shall commence until the following are submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.**

**6. Details of wheel cleaning facilities for construction vehicles,**

- **A Construction Traffic Management Plan and Access Route (s) ,and**
- **A scheme for on-site parking for construction workers. The scheme shall be implemented throughout the construction period.**

Reason: In the interests of highway safety and residential amenity in accordance with Policies CS8 and CS12 of Dacorum Core Strategy.

- 22 **Subject to the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following plans:**

**03 -KL -MA - 60a, 61b, 62b, 63b, 64b, 65a, 67b, 68b, 70d, 71, 72a, 72, 73, 74 and 79**

**Drainage: KIN-HYD-XX-XX-DR-D-5001**

**Tree Protection Plan:DO 188-02-D**

**D0 188-003**

**00155-C01-A**

**117215-1802**

**117215-1801 (003)**

**Parking 3D Layout**

Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.

#### ARTICLE 35 STATEMENT

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively 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) (Amendment No. 2) Order 2015.

**Informatives**

## Land Stability

The government advice is that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

## Contamination

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Councils website [www.dacorum.gov](http://www.dacorum.gov)

## Highway Issues

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

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

## Advice from Thames Water

1.Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes the developer share with neighbours, or are situated outside of the property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should the proposed building work fall within 3 metres of these pipes TW recommend the Developer sends a scaled ground floor plan of the property showing the proposed work and the complete sewer layout to [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) to determine if a building over / near to agreement is required.

2.Surface Water Drainage.It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

## Advice from Hertfordshire County Council Lead Flood Authority

For further guidance on HCC's policies on SuDS, HCC Developers Guide and Checklist and links to national policy and industry best practice guidance it is recommended there is reference to the LFA'S surface water drainage webpage: <http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewater/drainag>

### Bats

In the event of bats or evidence of them being found, any works to the building must stop immediately and advice taken on how to proceed lawfully from one of the following: a bat consultant, the UK Bat Helpline: 0845 1300228, Natural England: 0300 0603900, or the Herts & Middlesex Bat Group website: [www.hmbg.org.uk](http://www.hmbg.org.uk)

UK and European Legislation makes it illegal to:

Deliberately kill, injure or capture bats;  
Recklessly disturb bats;  
Damage, destroy or obstruct access to bat roosts (whether or not bats are present).

Hertfordshire Ecology can also provide advice. at Environmental Resource Planning, Hertfordshire County Council (Postal Point EMG CHN109), County Hall, Pegs Lane, Hertford, SG13 8DN [ecology@hertfordshire.gov.uk](mailto:ecology@hertfordshire.gov.uk) Tel: 01992 555220

### Water Supply Drainage

Affinity Water has advised that the site is located within the groundwater Source Protection Zone (SPZ) corresponding to Marlowes Pumping Station. This is a public water supply comprising a number of chalk boreholes operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken.

For further information the Developer is advised to refer to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

### Contamination

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Councils website [www.dacorum.gov.uk](http://www.dacorum.gov.uk)