

05 November 2025

Our Ref Planning Control Committee 18 December
2025
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To: Members of the Committee: Councillors Nigel Mason (Chair), Emma Fernandes (Vice-Chair), Clare Billing, Ruth Brown, Val Bryant, Ian Mantle, Bryony May, Caroline McDonnell, Louise Peace, Martin Prescott, Tom Tyson and Dave Winstanley

Substitutes: Councillors Daniel Allen, Tina Bhartwas, Sadie Billing, Jon Clayden, Mick Debenham, Joe Graziano, Steve Jarvis and Claire Strong

**NOTICE IS HEREBY GIVEN OF A
MEETING OF THE PLANNING CONTROL COMMITTEE**

to be held in the

**COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCWORTH GARDEN CITY, SG6 3JF**

On

THURSDAY, 18TH DECEMBER, 2025 AT 7.00 PM

Yours sincerely,

Isabelle Alajooz
Director – Governance

****MEMBERS PLEASE ENSURE THAT YOU DOWNLOAD ALL AGENDAS AND REPORTS VIA THE MOD.GOV APPLICATION ON YOUR TABLET BEFORE ATTENDING THE MEETING****

Agenda **Part I**

Item		Page
1. APOLOGIES FOR ABSENCE	Members are required to notify any substitutions by midday on the day of the meeting. Late substitutions will not be accepted and Members attending as a substitute without having given the due notice will not be able to take part in the meeting.	
2. MINUTES - 20 NOVEMBER 2025	To take as read and approve as a true record the minutes of the meeting of the Committee held on the 20 November 2025.	(Pages 5 - 10)
3. NOTIFICATION OF OTHER BUSINESS	Members should notify the Chair of other business which they wish to be discussed at the end of either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chair will decide whether any item(s) raised will be considered.	
4. CHAIR'S ANNOUNCEMENTS	Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chair of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.	
5. PUBLIC PARTICIPATION	To receive petitions, comments and questions from the public.	

6. **25/01766/OP LAND ON THE SOUTH SIDE OF, COWARDS LANE,
CODICOTE, HERTFORDSHIRE** (Pages
11 - 46)
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER

Outline application with means of access for residential development of up to 30 dwellings (including affordable housing); following demolition of all existing structures; associated landscaping, drainage, car parking; infrastructure and all ancillary and enabling works (all matters reserved except means of access).

7. **23/01552/OP LAND SOUTH OF, WATTON ROAD, KNEBWORTH,
HERTFORDSHIRE** (Pages
47 - 98)
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER

Outline planning permission for up to 200 dwellings (including affordable housing), structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation, vehicular access point and associated ancillary works. All matters reserved except for means of access.

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Public Document Pack Agenda Item 2

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCWORTH GARDEN CITY, SG6 3JF
ON THURSDAY, 20TH NOVEMBER, 2025 AT 7.00 PM

MINUTES

Present: *Councillors: Nigel Mason (Chair), Emma Fernandes (Vice-Chair), Clare Billing, Ruth Brown, Val Bryant, Ian Mantle, Bryony May, Caroline McDonnell, Louise Peace, Martin Prescott, Tom Tyson and Dave Winstanley.*

In Attendance: *Amy Cantrill (Trainee Committee, Member and Scrutiny Officer), Faith Churchill (Democratic Services Apprentice), Shaun Greaves (Development and Conservation Manager), Alex Howard (Senior Planning Officer) and Stephen Reid (Locum Planning Lawyer).*

Also Present: *At the commencement of the meeting approximately two members of the public, including registered speakers.*

88 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 14 seconds

There were no apologies for absence.

89 MINUTES - 23 OCTOBER 2025

Audio Recording – 1 minute 25 seconds

Councillor Nigel Mason, as Chair, proposed and Councillor Emma Fernandes seconded.

The following members commented on the minutes:

- Councillor Ruth Brown
- Councillor Nigel Mason
- Councillor Martin Prescott
- Councillor Tom Tyson

Councillor Ruth Brown commented on the Minutes and outlines that:

- The response of the Development and Conservation Manager to the public presentations should include that the Therfield Heath Mitigation Strategy was a material planning consideration.
- An email had been sent by the public objector at the meeting, Mr Richard Jameson, and these points should be included in the Minutes.

In response to points raised by Councillor Brown, Councillors Tom Tyson and Martin Prescott noted that the Minutes should be reviewed and returned to the Committee to consider, once the points raised had been addressed.

In response to points raised, the Trainee Committee, Member and Scrutiny Officer advised that, in line with Council policy, draft minutes were published within 10 working days of the meeting, and that their approval, including any amendments, would be considered at the next scheduled meeting.

In response to points raised, the Chair advised that due to questions raised by the Committee, the approval of the Minutes of the meeting on 23 October 2025 would be deferred to a future meeting of the Committee.

90 NOTIFICATION OF OTHER BUSINESS

Audio recording – 8 minutes 35 seconds

There was no other business notified.

91 CHAIR'S ANNOUNCEMENTS

Audio recording – 8 minutes 41 seconds

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be recorded.
- (2) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.
- (3) The Chair clarified matters for the registered speakers.
- (4) The Chair confirmed the procedure for moving to debate on an item.
- (5) The Chair advised that Section 4.8.23(a) of the Constitution applied to the meeting.
- (6) The Chair confirmed the cut off procedure should the meeting proceed at length.
- (7) The Chair advised that Item 6 - 25/00886/FP had been withdrawn from the agenda.

92 PUBLIC PARTICIPATION

Audio recording – 10 minutes 47 seconds

There was no public participation at this meeting.

93 25/00886/FP Reed House, Jacksons Lane, Reed, Royston, Hertfordshire, SG8 8AB

Audio recording – 10 minutes 56 seconds.

The Chair confirmed that this item had been withdrawn from the agenda.

94 25/00571/FP Land North Of, Milksey Lane, Graveley, Hertfordshire

Audio recording – 11 minutes 13 seconds

The Senior Planning Officer provided a verbal update on matters relating to Application 25/00571/FP and advised a question had been asked by Councillor Louise Peace which would be addressed during the Member questions.

The Senior Planning Officer then presented the report in respect of Application 25/00571/FP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Louise Peace
- Councillor Val Bryant
- Councillor Dave Winstanley
- Councillor Tom Tyson
- Councillor Nigel Mason
- Councillor Emma Fenandes
- Councillor Ruth Brown
- Councillor Caroline McDonnell
- Councillor Dave Winstanley

In response to questions, the Senior Planning Officer advised that:

- The Applicant and Agent for both application 23/00186/FP and application 25/00571/FP were the same. However, the landowner was different and therefore the two applications needed to be considered separately and would not qualify for 40% provision of affordable housing.
- A condition for landscaping had been included, as outlined at 4.3.26 of the report, to add additional screening in plots 1 and 2.
- The access to the site was expected to be before the speed limit change from 30MPH to 50MPH. Hertfordshire County Council Highways had provided a response to consultation and requested conditions, including that a Road Safety Audit be conducted, following which visibility splays and road speeds would be considered at the access point.
- The Council was signed up to a scheme with Natural England and, in certain areas, a scheme to mitigate against impact on great crested newts was required to be developed and countersigned by Natural England.
- The mitigation payment would go towards the prevention of damage to habitats of great crested newts.
- As part of the proposal new footpath links were proposed for the southwestern part of the development, which would lead onto existing footpaths in the village.
- At the time of the meeting no comments had been received from the Lead Local Flood Authority.
- The density on this site was considered against other schemes within Graveley, and, given the similarity of density, it was deemed appropriate development.
- The Parish Council had not made a formal request for an amount in Section 106 contribution and the amount £6300 was included as this was included in the previous scheme for 10 dwellings. This amount was noted as being subject to further review and indexation to inflate amounts both in terms of inflation and increase in units.
- Trees would be retained at the west of the site.
- As part of the Road Safety Audit included by condition, further consideration would be given to any changes required to the Highways.
- The inclusion of 24 swift bricks in the development was outlined under condition 17.
- Additional surveys had been requested in the response from the Ecology consultant, which would be completed ahead of development and reviewed by the Ecology team to ensure any further mitigations were put in place.
- Whilst additional surveys were completed, the Section 106 agreement would be progressed.
- Condition 14 outlined the requirement of an Environmental Risk Assessment to be conducted, which would ensure no contamination of the site existed.

In response to points raised during questions, the Locum Planning Lawyer noted that the Section 106 Heads of Terms currently outlined a figure required and was not indexed linked and was therefore no opportunity for the Parish Council to request further funds.

In response to points raised during questions, the Development and Conservation Manager advised that authority could be delegated to himself to agree the exact amount of Section 106 requested by the Parish Council.

Councillor Nigel Mason, as Chair, proposed to grant permission, with the additional delegation to the Development and Conservation Manager to agree the Section 106 contributions, and this was seconded by Councillor Emma Fernandes.

The following Members took part in the debate:

- Councillor Martin Prescott
- Councillor Ruth Brown
- Councillor Emma Fernandes
- Councillor Caroline McDonnell
- Councillor Bryony May
- Councillor Tom Tyson
- Councillor Louise Peace
- Councillor Nigel Mason

Points raised during the debate included:

- Often housing designs in rural settings like these were not sympathetic to the area and were more urbanised in style.
- The number of dwellings on site should have been identified at the Local Plan approval stage, with the numbers increasing from 8 dwellings to 24. Therefore, there was concern that this development was not necessarily appropriate to the rural setting.
- Whilst the housing design was not ideal, there was still a generous spacing of properties, the site was sustainable from a transport perspective and would provide 8 affordable dwellings.
- Developments on the edge of existing villages which had their own specific access was not always appropriate for a village setting.
- Concerns remained about the speed limit on the existing highway, which would hopefully be addressed by the Road Safety Audit.
- There were only 2 objections received to the application from existing residents.
- There was a concern that the house design was more appropriate of a sub-urban site.
- The Parish Council had not objected to the plan.
- Housing design, styles and materials had changed in newer developments.

In response to points raised during the debate, the Conservation Manager advised that if objections were raised, in response to the outstanding consultations referred to in the recommendations, the application would return to the Committee for reconsideration. The outstanding items usually related to technical aspects, which were expected to be resolved by Officers, but there could be situations in which reconsideration was required by the Committee.

N.B. During the Debate, the Chair held a brief pause to allow a Member to resolve a personal matter. There were no further contributions during this pause and the meeting resumed at 19:54.

Having been proposed and seconded and, following a vote, it was:

RESOLVED: That application 25/00571/FP be **GRANTED** planning permission, subject to:

- a) the completion of a S106 agreement in line with the agreed Heads of Terms, and delegation to the Development and Conservation Manager the negotiation and agreement

with the applicant a revised contribution towards improvements to the playground on Ashwell Close, following further correspondence with the Parish Council.

- b) A response of no objection and any relevant conditions from the Local Lead Flood Authority, to be delegated to the Development and Conservation Manager prior to any decision.
- c) A response of no objection and any relevant conditions from Hertfordshire County Councils LEADS (Ecology) following the carrying out of relevant surveys, to be delegated to the Development and Conservation Manager prior to any decision.
- d) A response of no objection and any relevant conditions from Hertfordshire County Councils LEADS (Archaeology) following the carrying out of a geophysical survey and trial trenching evaluation and consultation with HCC as appropriate, to be delegated to the Development and Conservation Manager prior to any decision.
- e) the agreement to an extension of time to the statutory determination date to allow time for (A), (B), (C), and (D) to occur; and
- f) the conditions laid out in the report.

N.B. Following the conclusion of this item, there was a break in proceedings and the meeting reconvened at 20.07

95 25/01658/RM 66 Park Lane, Knebworth, Hertfordshire, SG3 6PW

Audio recording – 1 hour 7 minutes 36 seconds

The Development and Conservation Manager provided a verbal update on matters relating to Application 25/01658/RM and advised that:

- Amended plans had been received, which now mirrored plot 7 with the other 3 bedroom plots.
- A change was proposed to the wording of condition 6 and outlined the new wording of the condition.

The Development and Conservation then presented the report in respect of Application 25/01658/RM accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Ruth Brown
- Councillor Claire Billing
- Councillor Louise Peace
- Councillor Dave Winstanley

In response to questions, the Development and Conservation Manager advised that:

- Class E permitted development related to outbuildings and Class F to permitted development related to hardstanding. It did not mean works could not be conducted on these areas, but permission would be required from the planning authority. This had been included to protect the existing trees on the site.
- There would be some Biodiversity Net Gain (BNG) from this development, and these had been outlined in the documents submitted as part of the application. However, due to the original application being before the BNG regulations came into effect, conditions relating to BNG could not be added to this application.
- The appearance of the acoustic fencing was similar to traditional fencing around a property, but was usually made from a denser wood.
- The Category A and B trees on the plot would not be under a Tree Protection Order (TPO) but a TPO could be added to the area either before or after the development took place, and this would be considered by Officers.

- The acoustic fencing would be between 1.8m and 2m in height, as outlined in the landscape plan provided.

Councillor Nigel Mason, as Chair, proposed to grant permission, including the amendment to Condition 6, and this was seconded by Councillor Emma Fernandes.

As part of the debate, Councillor Ruth Brown noted that this was overall a good scheme, with PV panels, air source heat pumps and large plots.

Having been proposed and seconded and, following a vote, it was:

RESOLVED: That application 25/01658/RM be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager, with an amendment to Condition 6 as follows:

'Condition 6

In the event that contamination not identified in the ground investigations to date is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with BS10175:2011. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures, a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.'

The meeting closed at 8.39 pm

Chair

<u>Location:</u>	Land On The South Side Of Cowards Lane Codicote Hertfordshire
<u>Applicant:</u>	Hawridge Strategic Land Limited
<u>Proposal:</u>	Outline application with means of access for residential development of up to 30 dwellings (including affordable housing); following demolition of all existing structures; associated landscaping, drainage, car parking; infrastructure and all ancillary and enabling works (all matters reserved except means of access)
<u>Ref. No:</u>	25/01766/OP
<u>Officer:</u>	Alex Howard

Date of expiry of statutory period: 20th October 2025

Extension of statutory period: 21st November 2025

Reason for Delay:

To address consultation responses and to present the application to an available committee meeting.

Reason for Referral to Committee:

The application is for residential development, and the site area totals more than 0.5HA.

1.0 **Site History**

1.1 None.

2.0 **Policies**

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

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP2: Settlement Hierarchy and Spatial Distribution

Policy SP5: Countryside and Green Belt

Policy SP6: Sustainable Transport

Policy SP7: Infrastructure Requirements and Developer Contributions

Policy SP8: Housing

Policy SP9: Design and Sustainability

Policy SP10 - Healthy Communities

Policy SP11: Natural Resources and Sustainability

Policy SP12: Green Infrastructure, Landscape and Biodiversity

Policy SP13: Historic Environment
Policy HS2: Affordable housing
Policy HS3: Housing mix
Policy HS5: Accessible and Adaptable Housing
Policy T1: Assessment of Transport Matters
Policy T2: Parking
Policy D1: Sustainable Design
Policy D3: Protecting Living Conditions
Policy D4: Air Quality
Policy HE1: Designated heritage assets
Policy HE4: Archaeology
Policy NE1: Landscape
Policy NE2: Green Infrastructure
Policy NE4: Biodiversity and Geological Sites
Policy NE6: New and improved public open space and biodiversity
Policy NE7: Reducing Flood Risk
Policy NE8: Sustainable Drainage Systems
Policy NE12: Renewable and Low Carbon Energy Development
Policy HE4: Archaeology.

2.2 **National Planning Policy Framework (December 2024)**

Section 2: Achieving sustainable development
Section 3: Plan making
Section 4: Decision making
Section 5: Delivering a sufficient supply of homes
Section 8: Promoting healthy and safe communities
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed places
Section 14: Meeting the challenge of climate change, flooding, and coastal change
Section 15: Conserving and enhancing the natural environment

2.3 **Codicote Neighbourhood Plan 2024 – 2031**

COD 1: Designing with Design Codes
COD 2: Designing for Net Zero
COD 3: Designing for Flood Resilience
COD 4: Planning for Biodiversity
COD 12: Traffic Congestion and Road Safety
COD 13: Public Transport
COD 14: Safe and Accessible Active Travel Routes
COD 15: Sustainable Water Supply
COD 16: Landscape Character and Important Views
COD 17: Biodiversity and Ecological Connectivity
COD 19: Climate Change Resilience

2.4 **Supplementary Planning Documents/Guidance**

Developer Contributions SPD – January 2023
Sustainability SPD – September 2024

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation** – A total of 161 representations have been received, 158 of those representations (per household) objecting, 2 neutral and 1 in support, raising the following matters (summary):

- The site is not allocated for residential development in the North Herts Local Plan.
- Codicote has already made significant contributions to housing with the 4 allocated sites, with this proposal adding to existing issues in the village.
- The site is in the Green Belt and development here is inappropriate.
- There is significant congestion in the village on the High Street and surrounding roads, which would be worsened by this development.
- Cowards Lane is a single track lane with a 7.5 tonne weight restriction and cannot accommodate more traffic/construction vehicles.
- The site is located on a dangerous bend on Cowards Lane which is hazardous for future occupiers and users of the road.
- The village has insufficient infrastructure and services (public transport, doctors, dentist etc) to cope with additional housing.
- There is no indication as to the height/design of the proposed dwellings under this application.
- The drainage on and around the site is insufficient, and the site is often prone to flooding.
- Cowards Lane has no pavements for pedestrians which puts potential future occupiers at risk.
- Many of the houses built on the allocated sites are unoccupied, but schools are already close to capacity so future occupiers may struggle to get a place locally.
- There is a public footpath across the site which is one of the last remaining green spaces in the village, which would be closed for construction and irreversibly affected for users.
- Questions over whether the proposed affordable housing is actually affordable, given the delivery of affordable homes on the allocated sites.
- The proposal would disturb and cause harm to wildlife on the site, which is designated as a Local Wildlife Site.
- The proposal does not comply with the Codicote Neighbourhood Plan.
- The application is stated for 30 dwellings, but the developer is suggesting that they are seeking permission for 45 dwellings, which is inconsistent.
- The development would result in a net loss of biodiversity.
- Further development would result in increased sewage capacity issues.
- If approved, the application should incorporate 30 integrated Swift bricks.

3.2 **Hertfordshire Highways** – An initial response was received on the 14th August 2025, objecting to the development on the grounds of insufficient information covering several matters which were required to be addressed. Following the submission of amended/additional information and re-consultation with the HA, a second response was received on the 7th October 2025, stating no objection to the proposal subject to several conditions, informatives, and Strand 2 contributions.

3.3 **Codicote Parish Council** – Objects to the development on the following grounds:

“1. This development is not in the Local Plan nor the Neighbourhood Plan and is in the Green Belt. The Neighbourhood Plan says that any infrastructure upgrades should be carried out prior to village expansion including sewerage and electricity

supply, both of which are under significant pressure already. Areas of the Riddy are flooded with effluent during heavy rainfall events.

2. The approval of the CD1 development by the Local Plan Inspector was contingent upon a "Transport Assessment to consider the cumulative impacts of sites CD1, CD2, CD3 & CD5 on the village centre and minor roads leading to/from Codicote, and secure necessary mitigation or improvement measures". Cowards Lane is one such minor road: it is very much a country lane and is completely inadequate to handle any increase in traffic. The lane is already subject to width restrictions and is also subject to a 9.5T weight restriction.

3. Insufficient justification has been made for the significant loss of Green Belt and for a development on a site which is recognised and documented as having important wildlife habitat and rare species. As such, this development will represent a net loss of biodiversity, something which runs counter to the NHDC policy of 10% net gain in any new development.

4. The area provides a local green space for residents to use for exercise and general wellbeing.

5. Water retention on site, particularly during the winter period is an issue. It has been noted that the geological survey has been carried out during one of the driest spring and summers on record, with the real concern that normal, wetter, conditions will lead to flooding.

6. The primary School cannot cope with extra children as it is full to capacity despite the recent expansion. Children will therefore need to travel out of Codicote for schooling, which adds to the traffic issues highlighted.

7. There are still no plans for a Doctors or Dentist surgery, necessitating the use of vehicles to travel for appointments".

Further correspondence with the Parish Council has confirmed that in the event that the application is granted planning permission, potential local contributions towards the following projects could be sought to mitigate the impact of development:

- "Roundabouts at the Cowards Lane and Whitwell Road junctions. I don't know the costs of installing roundabouts, other than traffic surveys are very expensive, so I'm assuming £76k won't be sufficient for even one roundabout.
- An electronically operated barrier at the entrance to the JC/sports field, to ensure that access is controlled. Likely to cost in the region of £15k.
- The installation of SIDs along Bury Lane and St Albans Road. Total cost likely to be around £20k.
- An all-inclusive roundabout to be installed at the St Albans Road play area. Total cost approximately £15k.
- A new Parish Council office. The current pavilion project using s106 monies from the Heath Lane, Cowards Lane, Wyevale and The Close sites is looking at the possibility of adding an office to the side of the pavilion. Would it be possible to use potential s106 monies from this latest potential development to enhance this project idea? At this stage Council favours this project and is keen to understand if this is possible".

3.4 **Environmental Health (Air Quality, Land Contamination, Noise/Nuisances)** – No objection to the development subject to conditions and informatives.

3.5 North Herts Ecology – Strongly object to the development (part summary):

- The site is a Local Wildlife Site (LWS) Meadow N.W. of First Spring, designated due to its grassland assemblage. North Herts Local Plan Policy NE4 states planning permission will only be granted for development proposals that appropriately protect, enhance and manage biodiversity in accordance with the hierarchy and status of designations.
- The NPPF is clear that planning decisions should contribute/enhance the natural and local environment by protecting/enhancing sites of biodiversity value.
- The Statutory Metric supporting this application identifies a 4.78 loss of habitat units equating to 48.53% loss of biodiversity as a result of the proposal. However, the metric actually uses the incorrect significance criteria so the loss is really 5.5 habitat units this is important as the applicant cannot achieve the mandatory 10% BNG on site and would need to seek an offsite solution. In doing so it is essential that the correct number of units are sourced.
- The application claims that the habitat on site does not currently meet the criteria for LWS noting the degraded condition of the habitat. However, the citation for the site states 'The field directly north has Meadow Buttercup (*Ranunculus acris*) and Common Knapweed (*Centaurea nigra*) although it is poached and very heavily grazed.'. The site met the designation criteria in 1997 and from a site visit by the NHC ecologist in October, sorrel was identified which can be added to the list as an additional indicator species present. From this visit it was clear that the sward could readily recover. This is acknowledged in the July 2025 Ecological Impact Assessment (EclA) in 2.3.19.
- The presence of a protected species is a material consideration, the PEA notes that survey data for bats is not complete with bat surveys still outstanding. 6 species of bats have been recorded from surveys on the site so far including nationally rare barbastelle.
- The EclA identifies the potential of the site for GCN interest due to the presence of ponds and suitable terrestrial habitat in the local area. The site is identified as being in an amber risk zone on the Natural England Great Crested Newt District Level Licensing (DLL) scheme which the applicant intends to use to compensate for the loss of suitable terrestrial GCN habitat. However, no Impact Assessment and Conservation Payment Certificate (IACPC) has been submitted that I can see. With DLL the Council needs to see the IACPC countersigned by NE prior to determination to show the applicant has agreed to join the scheme, no signed certificate is provided and therefore we would need full GCN survey data to be provided to fully understand the impact of the proposal on a protected species.
- The scheme fails to comply with objective 14 of the Codicote Neighbourhood Plan, which seeks to enhance green corridors and habitats, increase biodiversity and retain their amenity value.
- The EclA acknowledges that the damage/loss of the LWS as a result of this proposal is contrary to local planning policies.
- The application does not claim to prevent harm or mitigate ecological losses, contrary to paragraph 193 of the NPPF.
- The proposed 10% BNG is not a benefit of the scheme as this is not being delivered on site.
- This proposal fails to demonstrate the mandatory 10% BNG on site, which, for a greenfield site, is unacceptable and would point to the fact that development here is inappropriate. Considering development on LWSs is very rare, this should be considered to have significant weight against the scheme rather than limited weight being attributed to such harm, not just to the site but to the ecological resource of the area.

Following the submission of further information in the form of a revised BNG metric, a bat survey addendum, GCN IACPC, and further ecological technical note with supporting appeal decisions, the Council's Ecologist provided the following further comments:

- Acknowledges that the amended BNG metric showing a loss of 5.57 habitat units equating to 50.85% loss of biodiversity is accurate.
- Acknowledges that the submitted bat survey data has been completed and finds at least eight bat species recorded as using the site, including the nationally rare barbastelle and Nathusius' pipistrelle.
- Acknowledges and welcomes the submission of a Great Crested Newt IACPC to compensate for the loss of suitable terrestrial GCN habitat.
- States that section 2.2 of the October 2025 EDP Technical note states '*Although the requirement for LWS compensation was not identified within the submitted EclA, this off-site scheme can be secured as part of an outline planning permission through the standard/mandatory biodiversity gain pre-commencement planning condition, together with an additional condition requiring the off-site biodiversity enhancement scheme to specifically address the LWS.*'. This is taking the mitigation hierarchy to its third stage of last resort, but the applicant is missing the point that the mitigation hierarchy has not been adequately addressed by the fact the only reason an alternative site can't be used is because the applicant does not control any other land.
- Even if last resort were to be entertained the applicant fails to demonstrate where compensation would be delivered and indeed what that compensation would constitute. The claim that this can be conditioned is not good enough, NHC would need a tangible solution on the table to be given due consideration, leaving it to post decision would not be in line with the biodiversity duty. Further questions whether this proposal is truly sustainable development to allow the loss of existing ecologically significant sites that are part of Hertfordshire's nature network.

3.6 Hertfordshire Growth and Infrastructure – Formally responded seeking contributions as follows:

“Secondary Education Contribution towards the expansion of Monks Walk Secondary School and/or provision serving the development (£389,848 index linked to BCIS 1Q2024)

Childcare Contribution towards increasing the capacity of 0-2 year old childcare facilities at Codicote Pre-School and/or provision serving the development (£2,105 index linked to BCIS 1Q2024)

Childcare Contribution towards increasing the capacity of 5-11 year old childcare facilities at Codicote Primary School and/or provision serving the development (£536 index linked to BCIS 1Q2024)

Special Educational Needs and Disabilities (SEND) Contribution towards new Severe Learning Difficulty (SLD) special school places (EAST) and/or provision serving the development (£58,468 index linked to BCIS 1Q2024)

Library Service Contribution towards increasing the capacity of Welwyn Garden City Library and/or provision serving the development (£8,552 index linked to BCIS 1Q2024)

Youth Service Contribution towards resource requirements to support the delivery of youth work with young people in the area and/or provision serving the development (£5,773 index linked to BCIS 1Q2024)

Waste Service:

Recycling Centre Contribution towards the new recycling centre in Welwyn Garden City and/or provision serving the development (£3,314 index linked to BCIS 1Q2024)

Transfer Station Contribution towards the new Northern Transfer Station and/or provision serving the development (£8,562 index linked to BCIS 1Q2024)

Fire and Rescue Service Contribution towards the expansion of Welwyn Garden City Fire Station and/or provision serving the development (£12,876 index linked to BCIS 1Q2024)

Monitoring Fees – HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI January 2024). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.

Note: The county council methodology provides the certainty of identified contribution figures based on either a known or estimated dwelling mix, the latter of which might be agreed with the local planning authority based on expected types and tenures set out as part of the local plan evidence base. This ensures the contributions are appropriate to the development and thereby meet the third test of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (amended 2019): “fairly and reasonably relates in scale and kind to the development”.

Outline applications will require the ability for an applicant to recalculate contributions at the point of a reserved matters application and as such a calculation Table will be provided as part of the S106 drafting process. This approach provides the certainty of identified contribution figures with the flexibility for an applicant/developer to amend the dwelling mix at a later stage and the financial contribution to be calculated accordingly”.

3.7 Hertfordshire Archaeology – No objection subject to conditions.

3.8 Hertfordshire Rights of Way – Initial response received on the 4th August 2025. Following the submission of further information by the applicant, a second response was received on the 2nd October 2025:

“I note that the comments claim that there is no entry on HCCs ROWIP for upgrading the status of the footpath to Bridleway which is incorrect, I've provided the reference code in the comments below. Additionally, I believe there may have been some confusion about the request for the surfacing, the dedication of the footpath through the site to Bridleway was not asked for, simply an improvement to the surfacing to help enable a potential dedication to higher status one day in the future if other development opportunities allow.

Any works which will require the public footpath which runs through the site to be closed for safety reasons must not take place until after a Temporary Traffic Regulation Order has been applied for and granted by Hertfordshire County Council.

The provision of a dedicated surface for the Public Footpath which runs through the site is a positive inclusion in the plans, as is the removal of the gate structure to the north of the route.

The masterplan shows a parking area approximately halfway through the site which is located on the Right of Way – this has the potential to cause the footpath to become obstructed when vehicles park on it, forcing pedestrians out into the road. There should be a clear delineation between the parking area and the footpath so that residents are not encouraged to block the path and the placement of the building and parking area adjusted to allow more room for parking off of the footpath if necessary.

The HCC Rights of Way Improvement Plan includes the desire to upgrade Footpath 023 to a Bridleway (Reference 5/402) to allow for cycling and equestrian use. In order to help the footpath withstand the increased use which will come from the development, the section running through the development site should be surfaced to HCCs standard using crushed granite. The width of the surface should be a minimum of 2m but ideally 3m in order to 'future-proof' the surface of the path in the event that it is upgraded to Bridleway status in the future through planning gains."

3.9 Hertfordshire Minerals and Waste – No objection subject to a condition.

3.10 North Herts Housing Supply Officer – Initial responses received on the 11th August and 23rd September 2025, following discussions and correspondence on the provision of affordable housing/tenure mix. Subject to discussions between the Housing Officer, the applicant and Officers, the following response was received on the 3rd October 2025 and is the most up to date position of the Council:

"The North Herts District and Stevenage Borough Councils Strategic Housing Market Assessment (SHMA) Update 2023 requires a 65% Social Rented/ 15% Affordable Rented/ 20% Affordable Homes Ownership (AHO) tenure mix for North Herts.

Based on the provision of 15 affordable homes this would require 10 social rented homes, 2 affordable rented homes and 3 AHO/ shared ownership homes to meet housing needs.

This is in accordance with 8.15 of the Local Plan and Policy HS3: Housing mix.

Please note that Codicote is currently listed as a Designated Protected Area (DPA) and staircasing on shared ownership homes is restricted to 80%, in accordance with The Housing (Shared Ownership Leases) (Exclusion from Leasehold Reform Act 1967) (England) Regulations 2009, which came into force on 07 September 2009. These regulations included the introduction of Protected Area Status for settlements exempt from the Right to Acquire (i.e. those with populations of less than 3,000). See 5.2.38, 5.2.40 and 5.2.41 of the Developer Contributions SPD. This is something we are reviewing.

Please also note 5.2.35 and 5.2.36 of the Developer Contributions SPD with regards to rents".

3.11 Lead Local Flood Authority – Initial response received on the 29th August 2025, objecting to the proposal in the absence of an acceptable drainage strategy. Further amended information was submitted by the applicant in an attempt to overcome the objections. Following re-consultation with the LLFA, a second response was received on the 24th October 2025, maintaining the objection in the absence of an acceptable

drainage strategy. Following the receipt of further information in the form of an amended FRA and Drainage Strategy, a third and final response was received on the 14th November 2025, stating no objection subject to conditions.

3.12 **Anglian Water** – No objection subject to conditions.

3.13 **Thames Water** – Recommended informative.

3.14 **CPRE** – Objects to the proposal on several grounds (summary):

- The site is within the Green Belt, and the submission relies on the site being considered as Grey Belt in line with the December 2024 revisions to the NPPF.
- The proposal would breach the first and third purposes of the Green Belt.
- CPRE supports the significant local opposition and that of the Parish Council.
- Refutes the assertion that the first purpose of the Green Belt is not relevant, as this proposal would clearly be urban sprawl beyond a built up area which represents a strong reason for refusing development.
- All major housing applications submitted in Hertfordshire since 12th December 2024 have identified the site is Grey Belt, which is an unsustainable position and suggests the current definitions and guidance on this matter are inadequate.
- The treatment of harms and benefits on the submitted Very Special Circumstances argument is inadequate and unsupported.
- The loss of open space adjacent to built up areas is under pressure.
- This application is not supported by the Local Plan and should be refused.

3.15 **Herts and Middlesex Wildlife Trust** – Initial response received on the 13th August 2025, objecting to the proposal on several grounds (summary). Second response reinforces points made in the initial response:

- The loss of part of Meadow North-West of First Spring Local Wildlife Site (LWS)
- The loss of 1.13 ha of Other Neutral Grassland
- Failure to comply with the 'Golden Rules' relating to the release of Grey Belt land.

3.16 **Hertfordshire Constabulary** – Whilst not objecting to the proposal, they do not support it and advise that the applicant engages with the CPDS to seek Secure By Design certification in order to achieve support. Informative recommended.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is an agricultural field measuring approx. 1.39HA located on the southern edge of Codicote, on the south side of Cowards Lane. The site has existing dense hedgerows and trees on the southern and western boundaries. To the north and east, the site is bounded by the rear gardens of residential dwellings, which have frontages with Cowards Lane and St Albans Road. The site is relatively flat with a gentle slope in the land in a north-south direction. There are two immediate neighbours to the north of the site (Field House and Marlin) who benefit from access off Cowards Lane, which leads to the existing field/pedestrian gate into the site which has a public right of way (023) crossing it from Cowards Lane to St Albans Road. There is a single stable building located on the site as horses are currently kept on the field; aside from this the site is free of any built form.

4.1.2 The site is outside of the defined settlement boundary for Codicote and is within the Green Belt. The site is also part of a Local Wildlife Site (Meadow Northwest of First Spring) and is within Flood Zone 1.

4.2 **Proposal**

4.2.1 The proposal is an outline application with for residential development of up to 30 dwellings (including affordable housing); following demolition of all existing structures; associated landscaping, drainage, car parking; infrastructure and all ancillary and enabling works (all matters reserved except means of access)

4.2.2 The application has been supported by the following documents:

- Arboricultural Method Assessment
- Design and Access Statement
- Ecological Impact Assessment (incl. Biodiversity Net Gain Statement and Metric)
- Flood Risk Assessment and Drainage Strategy
- Noise Impact Assessment/Preliminary Risk Assessment/Air Quality Report
- Energy and Sustainability Statement
- Planning Statement
- Transport and Travel Plan Statement
- Landscape and Visual Impact Assessment
- Geophysical Survey Report
- Archaeological Desk Based Assessment
- Heritage Statement
- Site Location, Parameter Plan, Concept Masterplan, Proposed Access Plans, Tree Protection/Constraints Plan, Arboricultural Impact Assessment Plan

4.3 **Key Issues**

4.3.1 The key issues in the determination of the application are:

- Principle of Development
- Ecology and Biodiversity
- Highways/Access/Rights of Way/Parking
- Appearance/Layout/Scale
- Landscaping
- Play Area/Space
- Flood Risk/Drainage
- Affordable Housing/Housing Mix
- Heritage/Archaeology
- Energy and Sustainability
- Other Matters
- S106 Legal Agreement

Preliminary Matters

4.3.2 The application is for outline planning permission with all matters reserved apart from access. Therefore, details relating to design, landscaping, layout, and scale are not submitted for detailed consideration at this point, as these matters would be addressed in a subsequent reserved matters application.

Principle of Development

- 4.3.3 The North Hertfordshire Local Plan was adopted in November 2022 and is now part of the development plan, where full weight shall be given to relevant policies. The National Planning Policy Framework (NPPF) and Planning Practice Guidance are material considerations attracting significant weight.
- 4.3.4 Policy SP1 of the Local Plan supports the principles of sustainable development and seeks to maintain the role of key settlements as the focus for housing and to ensure the long-term vitality of the villages by supporting growth which provides opportunities for existing and new residents and sustains key facilities. The policy elaborates on this stating that planning permission will be granted for proposals that deliver an appropriate mix of homes, create high quality development that respects and improves their surroundings and provides for healthy lifestyles, provides for necessary infrastructure to support an increasing populations, protects key elements of the District's environment including biodiversity, important landscape, heritage assets and green infrastructure, the mitigates the impact on climate change.
- 4.3.5 Policy SP2 of the Local Plan makes provision for at least 13,000 new homes between 2011-2031. Most new development (approx. 80%) is to be delivered in six key towns in the district and a further 13% of housing, along with supporting infrastructure and facilities will be delivered within the settlement boundaries of five villages. The remaining development will be dispersed across the district.
- 4.3.6 At the time of writing, the Council cannot demonstrate a five-year housing land supply with the figure sitting between 2.6 and 3.3 years. In this respect, the matters set out under Paragraph 11d of the NPPF become relevant. This states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission be granted unless; i: the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or ii: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 4.3.7 The Council further acknowledges that the current Government has a clear message in response to the national housing crisis in an effort to deliver 1.5million homes. The Written Ministerial Statement is a material consideration which ensures weight is given to housing delivery and to the presumption in favour of sustainable development.
- 4.3.8 Under Policy SP2, Codicote is listed as one of the five larger villages where across the four allocated sites, an estimated 315 dwellings have been designated. 3 of the 4 allocated sites have planning permission and their construction is underway, with the remaining 4th site in s106 negotiations following a resolution to grant planning permission. The site is located outside, but adjacent to, the defined settlement boundary for Codicote in the Local Plan. Therefore, the proposal conflicts with Policy SP2 of the Local Plan.

- 4.3.9 As stated, the site is within the Green Belt. Policy SP5 of the Local Plan covers the Countryside and Green Belt, where support is given to developments that are not inappropriate development or where Very Special Circumstances can be demonstrated.
- 4.3.10 Section 13 of the NPPF advises on such instances where development is considered in the Green Belt.

Paragraph 142 confirms the great importance that the Government attaches to Green Belts and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence

Paragraph 143 identifies the five purposes of Green Belt as:

- (a) To check unrestricted sprawl of large built-up areas;
- (b) To prevent neighbouring towns merging into one another;
- (c) To assist in safeguarding the countryside from encroachment;
- (d) To preserve the setting and special character of historic towns; and
- (e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 153 of the NPPF sets out that *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”*.

Paragraph 154 of the NPPF sets out instances where development in the Green Belt is not inappropriate.

- 4.3.11 The proposed development of up to 30 dwellings would not meet any of the exceptions to inappropriate development under paragraph 154 of the NPPF.
- 4.3.12 The revision to the NPPF in December 2024 introduced the concept of ‘Grey Belt’, which is defined in the NPPF glossary as follows:

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

- 4.3.13 This outline application for up to 30 dwellings is submitted on the basis that the site constitutes ‘Grey Belt’ land. The first step is to therefore consider whether the site meets the definition of Grey Belt. The site is not previously developed land and is therefore submitted to be any other land that does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. The Planning Practice Guidance (PPG) and case law advise on how sites should be appraised against these purposes.

- 4.3.14 In respect of purpose a), *to check the unrestricted sprawl of large built up areas*, the PPG is clear that villages should not be considered large built up areas. Given that Codicote is designated as a larger village under Policy SP2 of the Local Plan, the site cannot strongly contribute to purpose a).
- 4.3.15 In respect of purpose b), *to prevent neighbouring towns merging into one another*, the PPG is clear that this purpose solely relates to towns merging, such that given Codicote is a village, and the site does not form a gap between towns in any case, the site cannot strongly contribute to purpose b).
- 4.3.16 In respect of purpose d), *to preserve the setting and special character of historic towns*, Codicote is not a town, and the site would not strongly contribute towards purpose d).
- 4.3.17 The next step is to consider whether there are any policies relating to areas or assets in footnote 7 that provide a strong reason for refusal. Whilst the site is part of a Local Wildlife Site (LWS), it would appear that LWS's are not considered under the umbrella term of habitat sites (and those listed under paragraph 194 of the NPPF). The other areas/assets under footnote 7 are not relevant in this case, such that there are no strong reasons for refusing development against the application of policies relating to areas/assets in footnote 7.
- 4.3.18 Officers are therefore of the view that the site is 'Grey Belt' from a definitional perspective. The next step is to consider the proposal against paragraph 155 of the NPPF.
- 4.3.19 Paragraph 155 of the NPPF addresses 'Grey Belt', which states as follows with justification set out:

"The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

The site is considered to be Grey Belt for the reasons set out above. The remaining matters require consideration of whether the development would fundamentally undermine the purposes, taken together, of the remaining Green Belt across the area of the plan. Purpose c), *to assist in safeguarding the countryside from encroachment*, would not be met by this proposal given that it is an open agricultural field which contributes to the countryside. However, the site is a very small part of the North Herts Green Belt across the area of the plan, such that its contribution on a plan wide scale is very limited. In respect of purpose e), *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land*, there would be no conflict. Therefore, the proposal is not considered to fundamentally undermine the purposes of the Green Belt when taken together across the area of the plan.

b. There is a demonstrable unmet need for the type of development proposed;

As already identified in this report, the Council cannot demonstrate a five-year housing land supply with the figure sitting at 2.6 years. There is clearly a demonstrable unmet need for housing which the proposal would deliver, in accordance with part b).

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework

The site is located outside, but immediately adjacent to, the defined settlement boundary of Codicote, which is designated as a larger village under Policy SP2 of the Local Plan. The site is considered to be in an accessible location, within relative proximity to the High Street and public transport links. For the purposes of Grey Belt, the development would be in a sustainable location.

d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below".

4.3.20 For part d), this dictates that for major development involving the provision of housing, of which this proposal would be, the development must accord with the criteria set out under paragraphs 156 and 157 of the NPPF.

"a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;

The proposal is for up to 30 dwellings and would provide 50% affordable housing, which would be secured in a s106 agreement.

b. necessary improvements to local or national infrastructure;

The proposal would provide financial contributions to HCC and local infrastructure, as requested by the various stakeholders, which would be secured in a s106 agreement. Furthermore, as part of this proposal the applicant has agreed to deliver a pedestrian footway from the site onto Cowards Lane leading north-west, with new pedestrian crossings linking Cowards Lane to St Albans Road. This would constitute necessary contributions to local infrastructure.

c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces".

The site is an existing field/green space which has a public right of way through it, and it is understood that residents of Codicote utilise this area for informal recreation. However, this green space is not a public open space and there is only a right of way along the public footpath. Whilst landscaping is a reserved matter, it is acknowledged that the submitted Parameter Plan identifies the provision of green spaces in the southern and eastern parts of the site. Therefore, on the face of it the proposal accords with the Golden Rules. Within these areas a Local Equipped Area for Play (LEAP) and attenuation basin are proposed. In this same space, Local Plan Policy NE4c requires the provision of 12 metre buffers of complementary habitat for designated sites, which is consistent with the approach advocated by NPPF paragraph 159. Whilst a LEAP would not be considered complementary, the attenuation pond is potentially complementary depending upon how close engineered elements are to the existing hedge.

4.3.21 Paragraph 159 of the NPPF advises further relating to improvement to green spaces required as part of the Golden Rules and this therefore relates to the assessment of the proposal against part c) of paragraph 156, stating that:

*“The improvements to green spaces required as part of the Golden Rules should contribute positively to the landscape setting of the development, support nature recovery and meet local standards for green space provision where these exist in the development plan. Where no locally specific standards exist, development proposals should meet national standards relevant to the development (these include Natural England standards on accessible green space and urban greening factor and Green Flag criteria). **Where land has been identified as having particular potential for habitat creation or nature recovery within Local Nature Recovery Strategies, proposals should contribute towards these outcomes**” (Officer emphasis).*

4.3.22 The Hertfordshire Local Nature Recovery Strategy (LNRS) was published as of the 24th November 2025. The site is within an Area of Particular Importance for Biodiversity; these form the baseline for nature recovery efforts in support of the Council’s ecological emergency. The LNRS notes there have been significant declines in the grasslands and heath habitats within Hertfordshire over the last 50 years and the site falls within the Grass and Heath Focus Area, which states that the proposed action is to *“Manage existing grassland and heathland to maintain the biodiversity of existing good quality habitats and enhance poor quality sites.”* This proposal would therefore not contribute to these outcomes given that development would comprise the about half of the LWS.

4.2.23 The Planning Practice Guidance (PPG) is clear in Paragraph 047 which states that *“The Local Nature Recovery Strategy is an evidence base which contains information that may be a ‘material consideration’ in the planning system, especially where development plan documents for an area pre-date Local Nature Recovery Strategy publication. It is for the decision-maker to determine what is a relevant material consideration based on the individual circumstances of the case”*. As such, in light of the Council’s ecological emergency, the designation of this site as a LWS, and the recent publication of the LNRS, the development would conflict with paragraph 159 of the NPPF.

4.3.24 Overall, it is considered that the proposed development would utilise ‘Grey Belt’ land as per the definition set out in the NPPF, and would comply with paragraphs 155, 156 of the NPPF. As set out above, Paragraph 159 of the NPPF requires that the green spaces required as part of the Golden Rules should contribute towards meeting the outcomes of the LNRS. The applicant is proposing that this matter be addressed by conditions with a view to achieving BNG off-site. In addition is proposing to locate a LEAP within the green space on site which would not contribute as complementary habitat within that space. Overall, it is considered that the proposal is not consistent with paragraph 159. It is it is unclear whether the development would meet fully the aims of the ‘Golden Rules’ taking account of the requirements of paragraph 159.

4.3.25 Whilst paragraph 73 of the NPPF confirms that small and medium sized sites can contribute to meeting the housing requirement of an area, this proposal for 30 dwellings would make only a modest contribution towards the district-wide housing need.

Paragraph 77 of the NPPF indicates that the supply of large numbers of homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns provided they are

well located and designed and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes). This is reflected in the approach in the Local Plan to the delivery of housing and the settlement hierarchy set out at Policy SP2, which seeks to deliver approximately 80% of housing provision within the adjusted settlement boundaries of the towns of Baldock, Hitchin, Letchworth, Royston, Stevenage and Luton. Codicote is part of a group of second tier settlements where about 13% of housing along with supporting infrastructure will be delivered within the adjusted settlement boundaries.

Codicote has a relatively good range of facilities including a school, shops, several public housing, village hall and a church. Four sites are allocated in the village for an estimated 315 new homes.

4.3.26 The application site is located outside the village of Codicote. Paragraph 83 of the NPPF confirms that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities to grow and thrive, especially where this will support local services. Therefore, the proposed development of this site for 30 dwellings must be considered in the context of the village of Codicote.

4.2.27 As indicated above, the village of Codicote is one of five villages where the settlement boundaries have been adjusted to deliver additional housing along with supporting infrastructure and facilities. Development on most of these sites has commenced and therefore, the village is seeing considerable new residential development as a result of site allocations in the Local Plan. As stated already, three of the allocated sites in Codicote have planning permission and their construction is underway, with the remaining fourth site still in s106 negotiations prior to the issuing of outline permission. Therefore, several of these sites are already contributing towards ensuring that the vitality of the village is maintained in line with Policy SP1 and paragraph 83 of the NPPF. This application site is not allocated for housing in the Local Plan and lies outside of the settlement boundary in the Green Belt. Moreover, it is located on a Local Wildlife Site (LWS), so whilst the aforementioned considerations relating to 'Grey Belt' are acknowledged, the site is not required for housing to meet the needs of the village. It is considered that the proposal would make a modest contribution towards Districtwide housing need and is not required to maintain the vitality of the village of Codicote. Nevertheless, in the planning balance, significant weight is still attributed to the social and economic benefits that would arise from the delivery of 30 dwellings including 15 affordable homes.

Ecology and Biodiversity

4.3.28 Policy NE4 of the Local Plan states that *“planning permission will only be granted for development proposals that appropriately protect, enhance and manage biodiversity in accordance with the hierarchy and status of designations and features listed in Policy SP12. All development should deliver measurable net gains for biodiversity and geodiversity, contribute to ecological networks and the water environment, and/or restore degraded or isolated habitats where possible.*

Applicants should, having regard to the status of any affected site(s) or feature(s):

a) Submit an ecological survey that is commensurate to the scale and location of the development and the likely impact on biodiversity, the legal protection or other status of the site;

b) Demonstrate that adverse effects can be avoided and / or satisfactorily minimised having regard to the hierarchy of protection below:

- i. locating on an alternative site with a less harmful impact;*
- ii. providing adequate mitigation measures; or*
- iii. as a last resort compensated for.*

The acceptability of approach(es) to avoidance, mitigation and compensation will be commensurate with the status of the asset(s) likely to be affected by the application; Compensation is unlikely to be an appropriate solution for proposals affecting nationally or internationally designated sites other than in the most exceptional circumstances”.

Criterion d) of this policy also having regard to the status of any affected site “integrate appropriate buffers of complimentary habitat for designated sites and other connective features, wildlife habitats, priority habitats and species into the ecological mitigation design. The appropriateness of any buffers will be considered having regard to the status of the relevant habitat. 12 metres of complimentary habitat should be provided around wildlife sites, trees and hedgerows...”

4.3.29 Policy SP12 of the Local Plan sets out that *“We will accommodate significant growth during the plan period whilst ensuring the natural environment is protected and enhanced. We will:*

c) Protect, enhance and manage designated sites in accordance with the following hierarchy of designations and features:

- Internationally designated sites*
- Nationally designated sites*
- Locally designated sites;*
- Non-designated sites that include important habitats and species”.*

4.3.30 Policy SP1 of the Local Plan also states that *“This Plan supports the principles of sustainable development within North Hertfordshire. We will:*

c) Grant planning permission for proposals that, individually or cumulatively:

iv. protect key elements of North Hertfordshire’s environment including biodiversity, important landscapes, heritage assets and green infrastructure (including the water environment);

4.3.31 Policies NE4 and SP12 of the Local Plan, are consistent with paragraph 193 of the NPPF, where it states that *“When determining planning applications, local planning authorities should apply the following principles:*

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;”.

4.3.32 Policy COD4 of the Neighbourhood Plan seeks to ensure that development is designed with biodiversity in mind, relating to swifts/bats. Policy COD17 states that *“Development proposals should conserve and enhance biodiversity and deliver net biodiversity gains. The nature conservation value of Local Nature Reserves, Ancient Woodland, Traditional Orchards, Local Wildlife Sites, and other significant habitats*

will be protected from any harmful impacts of development, in accordance with their status.

II. Development should be avoided on areas coloured Green on the Hertfordshire Ecological Network Mapping. Where adverse impacts on biodiversity are unavoidable, measures as set out in Local Plan Policy NE4 will be imposed.

III. Development located in areas coloured purple on the Hertfordshire Ecological Network Mapping should contribute to enhancing ecological connectivity.

IV. Development located in areas coloured orange or adjacent to orange, purple or green areas on the Hertfordshire Ecological Network Mapping should provide a wildlife corridor between existing biodiversity sites or in the direction of existing biodiversity sites.”

- 4.3.33 The site is part of a designated Local Wildlife Site (LWS); Meadow N.W. of First Spring, which is designated due to its grassland assemblage. The LWS was designated in 1997 and covers an area of approx. 2.73 HA. The site considered under this application is approx. 50% of the entire LWS.
- 4.3.34 The application is submitted with supporting Ecological Technical Notes, which acknowledges that the proposed development will result in the unavoidable loss of part of this LWS. An assessment of the site and the adjacent field also part of this LWS was undertaken, concluding that the onsite field was in a poorer condition than the adjacent offsite field, which was likely caused by intensive horse grazing. The assessment goes on to suggest that whilst it is surmised that the habitats on site fail to currently meet the designation criteria, the site remains a designated LWS, and this designation must be afforded weight within the determination of the application
- 4.3.35 The submissions go on to state that measures have been taken to minimise these losses whilst delivering the proposal, and it is acknowledged that an off-site scheme of biodiversity enhancement will be required both to compensate for this loss, and to deliver the mandatory 10% BNG. It is understood that the applicant has started discussions with local biodiversity unit providers to identify an appropriate off-site scheme which appears to be deliverable, including one in Weston. The applicants are also of the view that this off-site scheme for biodiversity enhancements can be secured as part of an outline planning permission through the standard/mandatory biodiversity gain pre-commencement planning condition, together with an additional condition requiring the off-site biodiversity enhancement scheme. The submitted Ecological Impact Assessment does outline some measures that would seek to reduce the impact on the LWS ‘as far as possible’, but there is limited detail submitted as to how this harm to the LWS would be delivered and what it would comprise in reality.
- 4.3.36 The Council’s Ecologist has provided two formal responses, which are further supported by the Herts and Middlesex Wildlife Trust (HMWT), to this application and considers that, given that the site is a designated LWS and that North Herts declared an ecological emergency in 2023, the proposed development of this site is unacceptable in principle, asserting that locally designated sites should carry more weight given that the district does not benefit from any internationally designated sites, even though it is acknowledged that there is no local or national policy supporting this. Further comments set out that given this is a LWS, the application has failed to demonstrate where the compensatory BNG would be delivered and what this would comprise, suggesting that reserving the details of off-site BNG compensation for later through conditions is unacceptable as the Council would need

a tangible solution to consider in full which at this stage has not been provided or invited due to the considered costs implications, in light of the principle objection to developing the site in ecological terms. Finally, comments from the Council's Ecologist and the HMWT note the inclusion of this site within the Hertfordshire Local Nature Recover Strategy (LNRS), which designated this site as a Grass and Heath Focus Area and has now been published as of the 24th November 2025.

4.3.37 In terms of Policies SP12 and NE4 of the Local Plan and Paragraph 193a of the NPPF, it is acknowledged that the LWS is a locally designated site, so in terms of the hierarchy it would sit below international and national designated sites. The applicants acknowledge that this is at the lower end of the hierarchy but do go on to state that harm to a LWS is not insignificant, but rather that harm is less significant than if it related to a national or international designated site, and that development which harms a LWS may be acceptable provided that harm is adequately mitigated or compensated for. Again, this form of mitigation or compensation is not submitted for consideration at this stage but rather suggested to be reserved via conditions for a later date, which the Council's Ecologist does not support given the local designation of this site. If this site was not an LWS, then it may well have been reasonable to reserve BNG details for later via conditions.

4.3.38 Policy NE4 of the Local Plan and Paragraph 193a of the NPPF are clear and consistent on the hierarchy of protection for ecological sites, where there is a requirement to demonstrate that adverse effects on ecology can be avoided and/or satisfactorily mitigated/compensated in the following order, with further consideration given in turn:

- *Locating on an alternative site with less harmful impacts.* The applicant's rationale behind meeting this part of the hierarchy is that the ecological loss of this part of the LWS cannot be avoided because the applicant does not control any other land that is not within the LWS. This rationale is disputed by the Council's Ecologist who states that the applicant not controlling any other land outside of the LWS does not adequately address this issue, as development should not be located on sites designated for their ecological value. Moreover, it is also noted that the applicant does not own the application site either. It is unclear to what extent the applicant considered other sites before entering into an agreement to pursue housing development on the application site which is designated as a LWS.
- *Providing adequate mitigation measures.* The applicant's rationale behind meeting this part of the hierarchy is that the impact on ecology/loss of this part of the LWS cannot be mitigated for on-site, as this would render the development unviable given its scale. This is also likely due, in part, to the existing ecological value of the site which would need to be replaced and enhanced on site, leaving little remaining space for development.
- *As a last resort compensated for.* As set out earlier in this report, the applicant's rationale here is that the impact on ecology/this part of the LWS can be compensated for off-site and secured through planning conditions. The supporting documents reference two recent appeal decisions where they consider that the acceptability of mitigation and compensation has been demonstrated where harm to the LWS cannot be avoided. This justification is disputed by the Council's Ecologist, who states that the Council would need a tangible solution to consider in full at this stage and this cannot be reserved for later by conditions, notwithstanding the in-principle objection to development on this LWS.

- 4.3.39 The proposal would comprise development on approximately 50% of the designated LWS, which would result in its unavoidable loss. Notwithstanding the assessments of the existing condition of the site from an ecological perspective, it remains designated as an LWS and there is no dispute that appropriate restoration works of this part of the LWS and improvements to the habitat managements on site, would allow the site to recover and be closely aligned to the reason it was originally designated. Development of this site with 30 dwellings and associated works would directly preclude this restoration from occurring in the future, even if the supporting ecological notes suggest that there is no realistic prospect of there being a significant change to the management of the grassland present.
- 4.3.40 Furthermore, the site is within an Area of Particular Importance for Biodiversity in the now published LNRS; which form the baseline for nature recovery efforts. The LNRS notes there have been significant declines in the grasslands and heath habitats within Hertfordshire over the last 50 years and the site falls within the Grass and Heath Focus Area, which states that the proposed action is to *“Manage existing grassland and heathland to maintain the biodiversity of existing good quality habitats and enhance poor quality sites”*.
- 4.3.41 Paragraph 047 of the Planning Practice Guidance states that *“The Local Nature Recovery Strategy is an evidence base which contains information that may be a ‘material consideration’ in the planning system, especially where development plan documents for an area pre-date Local Nature Recovery Strategy publication. It is for the decision-maker to determine what is a relevant material consideration based on the individual circumstances of the case...”*
- 4.3.42 As such, the PPG is clear that it is for the decision maker to determine what is a relevant material consideration, what weight to attribute to it and base this on individual circumstances. The LNRS is published and clearly outlines that for this part of the LWS, the proposed action is to manage the existing grassland and heathland to maintain biodiversity, which would again be directly precluded from occurring if development would take place. It would be inappropriate for development to be allowed on an area that is designated for its ecological value where an action plan seeks to manage and maintain it. For this reason, it is considered that there is strong case to be made that development should not take place on this site. The views of the Council’s Ecologist and the HMWT are fully endorsed and there is an objection in principle to development of this LWS.
- 4.3.43 Moreover, turning to Policies SP12 and NE4 of the Local Plan and Paragraph 193a of the NPPF, the development of this part of the LWS would result in significant harm to biodiversity through the erection of buildings and associated development on land that is designated for its ecological value.
- 4.3.44 Under Policy NE4 and NPPF Paragraph 193a, the first step is avoidance through locating development on an alternative site with less harmful impacts, which is justified through the submission that the applicant does not control any other land outside the LWS. This matter is disputed, in that development should not be located on this LWS as a matter of principle so the fact the applicant does not control any other land/sites that are outside the LWS and could sustain development is a non-issue, as stated by the Councils Ecologist. In this scenario the whole site, apart from the access road to Cowards Lane, is part of the LWS so it is not possible to locate/move development to an area that would not result in harmful impacts to the LWS. Officers consider that in this case; there is an in-principle objection to

development on this LWS and harm to the LWS could be avoided by locating development on another site which is not part of the LWS.

Of relevance is the context of the proposal including the four Local Plan site allocations which seek to deliver a considerable amount of housing within the adjusted boundaries of Codicote, and that it is considered that this proposal is not required to maintain the vitality of the village. Development of this LWS can be avoided, and it is not considered sufficient to argue otherwise for the sole reason that the applicant does not own or control any other land not within the LWS. Indeed, the applicant does not own the application site. Therefore, the proposal would fail to comply with Policy NE4 of the Local Plan and Section 193a of the NPPF.

- 4.3.45 The second step is providing adequate mitigation, and there is no dispute that on-site mitigation is not possible given the size of the site and impact this would have on viability of the proposal. Therefore, the significant harm to biodiversity cannot be mitigated in this instance.
- 4.3.46 The third and final step is compensation. The Council's Ecologist considers that because it has not been demonstrated where compensation would be delivered and indeed what that compensation would constitute, reserving this for later through conditions is unacceptable given the site is a designated LWS. If this site was not an LWS, then it may well be considered appropriate to condition a scheme of BNG and ecological enhancements, but owing to the site's designation it is considered that the scope and details relating to compensatory measures would need to be set out in full, which is not the case for this application. The supporting documents offer generic details for ecological enhancements and states that conversations with habitat banks have taken place, with no precise details of how this will be delivered. Therefore, it is considered that the application has failed to show how significant harm to biodiversity, in this case the impact on the LWS, can be compensated for, which conflicts with Policy NE4 and Paragraph 193a of the NPPF.
- 4.3.47 Notwithstanding the above matters relating to the impact of development on the LWS, the proposal does include details and measures relating to the impact on protected species and general ecological matters including hedgerow enhancements. Following the submission of further ecological details and information, including further bat survey information and a GCN IACPC, the impact on these species appears to be satisfactorily mitigated through the measures set out in the supporting ecological impact assessment.

Highways/Access/Rights of Way/Parking

- 4.3.48 Policy T1 of the Local Plan states that permission will be granted for development that does not lead to highway safety problems or cause unacceptable highway impacts, where necessary sustainable transport measures and improvements to existing highway networks are secured, where schemes are supported by the necessary supporting transport documents and for major developments, how schemes would be served by public transport, pedestrian routes etc. Policy COD13 of the Neighbourhood Plan states that major development should have regard to whether it is capable of being served by existing highways and public transport networks. Policy CPD14 seeks to ensure safe and accessible active travel routes through development proposal.

- 4.3.49 The application is supported by a Transport Statement which addresses the key highway and access related matters pursuant to this application. Access to the site is proposed via a priority T-junction arrangement off of Cowards Lane, which would comprise of 5.5m wide carriageway with visibility of 2.4m x 25m in both directions from the proposed access on Cowards Lane. The proposals also include provision of a 2.0m wide footway on one side of the access road into the site, with an additional 2.0m wide footway running north-west on the west side of Cowards Lane with several uncontrolled pedestrian crossings linking the footway to St Albans Road in the northern direction. The proposed works would also facilitate the widening of the northern section of Cowards Lane from 4.1m to 4.8m for approx. 40m. The neighbouring properties on Cowards Lane would be provided with new vehicular crossovers over the proposed footway.
- 4.3.50 The Hertfordshire Highway Authority (HA) have been consulted on this application and provided three responses, initially on the 14th August and 10th September where further review of the vehicular and pedestrian access junction capacity and pedestrian footway/possible widening of Cowards Lane details was requested. In the comment received 10th September, the HA acknowledged that the junction capacity and trip generation information was acceptable, stating that the proposed development would generate a maximum of 18 two-way trips, which would not be detrimental to the operation of the local highway network subject to the delivery of off-site works that enable pedestrians of all ages and abilities to access key local facilities.
- 4.3.51 Following the submission of further information and amended plans which have sought to address the HA comments, a third and final response was received on the 7th October stating no objection subject to 3 conditions relating to the offsite works and access design/implementation, a construction management plan, and right of way design/implementation. The response also requested developer contributions under Strand 2, in the amount of £204,780.
- 4.3.52 Overall, given the formal response of the HA which is satisfied with the proposed access, highway/pedestrian improvements and trip generation details, the proposal is considered acceptable in regard to highway safety in line with Policy T1 of the Local Plan. Furthermore, the proposed pedestrian footway works from within the site to include a new footway on Cowards Lane with crossing points leading to St Albans Road, are considered to be a benefit of this scheme given there is currently no pedestrian footways on Cowards Lane, as this would improve active travel modes through walking. However, as this footpath is arguably required under the paragraph 156b of the NPPF under the Grey Belt Golden Rules, the weight given to it is considered neutral in this instance.
- 4.3.53 The comments received from interested parties relating to the significant congestion in the village on the High Street and surrounding roads, which would be worsened by this development, the fact that Cowards Lane is a single track lane with a 7.5 tonne weight restriction and cannot accommodate more traffic/construction vehicles, and that the site is located on a dangerous bend on Cowards Lane which is hazardous for future occupiers and users of the road, are acknowledged. However, the Highway Authority does not object to this proposal on highway safety grounds and does not consider these matters sufficient to justify refusal of planning permission.

- 4.3.54 The site has an existing Public Right of Way (PRoW023) crossing through it from Cowards Lane across the site to the south, connecting to St Albans Road. The County Council's Right of Way department has provided formal comments on this application, acknowledging the need for a Temporary TRO should permission be granted and development commenced, comments on the masterplan for the site identifying a need for delineation between the parking areas and the footpath, and requests for the upgrading and widening of the footpath to a minimum of 2.0m. These are considerations are such that would be dealt with during a subsequent Reserved Matters application, but the applicant has confirmed agreement in principle to upgrading the surface and considering the width increase. This was a concern raised by interested parties but can be suitably addressed and considered during a Reserved Matters application.
- 4.3.55 In terms of parking, Policy T2 of the Local Plan and The Councils Vehicle Parking at New Development SPD sets out the requirements for parking standards for occupiers, visitors, garages etc. The Concept Masterplan notes some provision for resident and visitor car parking, but the exact number and location of spaces will be dependent on the final details at the reserved matters stage to ensure compliance with Policy T2 and the Vehicle Parking SPD.

Impact upon the Character and Appearance of the Area

- 4.3.56 Policy D1 of the Local Plan states that planning permission will be granted provided the development responds positively to the site's local context in addition to other criteria. Policy SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context. These considerations are echoed in Section 12 of the NPPF. Policy COD1 of the Codicote Neighbourhood Plan states that development should demonstrate high quality design and integrate well with their environment.
- 4.3.57 The submitted Design and Access Statement and Illustrative Master Plans provide rationale, and an indication of how the site could be delivered in terms of the layout, appearance and siting/footprint of dwellings and the wider site. However, as already stated the application is submitted in outline and seeks permission at this stage for access only, which leaves the consideration of appearance, layout, and scale of the development for a later date under reserved matters. Nevertheless, the proposed residential development will result in significant change in the appearance of the site, and it is necessary to consider this impact at this point when considering whether to grant planning permission.
- 4.3.58 The submitted Concept Masterplan shows how it would be intended to deliver 30 dwellings, with associated internal access roads, front and rear gardens, the public right of way and associated landscaping. However, this is for illustrative purposes only. The submitted Parameter Plan would be an approved plan in the event that permission is granted, and this identifies the provision and location of a Locally Equipped Area for Play (LEAP), green infrastructure and a SuDS feature.
- 4.3.59 Local Plan Policy SP9 considers good design as a key aspect of sustainable development. Local Plan Policy D1 is a permissive policy that addresses sustainable design and seeks to ensure that development proposals respond positively to a site's local context. It is therefore not considering the principle of residential development but the design concept and detail. Notwithstanding that scale, layout, appearance and landscaping are reserved matters, officers have concerns relating to the

proposed location of the LEAP and consequential compliance with the aims of these policies.

Landscape and Visual Impact

- 4.3.60 Policy NE1 of the adopted Local Plan advises that proposals would be granted so long as they do not cause unacceptable harm to the character and appearance of the surrounding area taking account of any suitable mitigation measures necessary to achieve this, are designed and located to ensure the health and future retention of important landscape features and have considered the long-term management and maintenance of any existing and proposed landscaping.
- 4.3.61 Landscaping is a reserved matter. The submitted Parameter Plan shows the broad extent of developed/non-developed areas and landscaping across the site, whereas the Concept Masterplan shows the provision of roads, footways and parking spaces and the provision of private gardens for all dwellings, a pocket of publicly accessible open space to the south of the site to comprise a LEAP and retained/enhanced trees and landscape buffers on the boundaries. However, this is only illustrative. An arboricultural assessment and supporting documents have been provided to demonstrate that the scheme will not result in harm to arboricultural features.
- 4.3.62 The application is supported with a Landscape and Visual Impact Appraisal, which has assessed the impact of development on the wider landscape from a number of immediate and wider viewpoints relative to the site. The report notes the following concluding remarks:

“The visual and sensory character of the site would change notably because of implementation of the proposals. This magnitude of change is not an indication of bad design but is to be expected as the result of the change of use of any partially developed largely green site to residential development. However, the scale of change would be reduced by the fact that the site is already degraded to some degree, due to the settlement edge character of horse paddocks and the influence of the surrounding residential built form, as well as the fact that the physical elements of the landscape around the site perimeter will remain largely intact and will be enhanced.

The findings confirm that the proposals respect and enhance the landscape character of the surrounding area and site, and public visual amenity through a landscape lead design. The findings confirm that the site represents a logical and easily assimilated development.

For the reasons outlined within the report, the proposed residential development represents a small-scale and visually discrete feature and would not result in any material landscape or policy contraventions, and the site is not subject to any landscape designations seeking to protect specific landscape value”.

- 4.3.63 Officers accept that there would be an unavoidable impact on the appearance of this site within its landscape if development was to take place, given the site is substantially free of built form at present. The site is an area of open space with a public right of way through it, which is enjoyed in such a way by users. Whilst the development would retain the public right of way through the site, the way that this footpath is enjoyed would be permanently and substantially altered by the development, given the new built form and associated hardstanding over what is a pleasant, open field. Therefore, Officers consider that whilst the development would not result in any significant or material harm to landscape character or visual harm

from a wider perspective, especially as the site is not covered by any landscape designations that seek to protect it, there would be significant localised harm to the character and appearance of the site and most notably for users of the public right of way from within and adjacent to the site. This harm weighs moderately against the proposal. Given the moderate harm identified, it is considered that this matter does not significantly and demonstrably outweigh the benefits of the development and consequently is not recommended as a reason for refusal of planning permission.

Play Area/Space

- 4.3.64 The submitted indicative masterplan/landscape strategy and supporting Planning Statement sets out that the proposal would incorporate a Local Area of Play (LEAP). This is considered suitable for the scale of development and the site constraints, in accordance with the Councils Developer Contributions SPD. However, whilst acknowledging that the masterplan is indicative, Officer's question whether locating the LEAP in the southern corner of the site is the most appropriate position for it, given the distance to the LEAP from local residents who live outside of the development. Locating the LEAP more centrally or perhaps towards the northern part of the site could be more appropriate.

Flood Risk/Drainage

- 4.3.65 Policies SP11, NE7 and NE8 of the Local Plan address the need to meet the challenges of climate change and flooding, advising on the required information for assessing flood risk and drainage issues. These matters are consistent with Section 14 of the NPPF. Policy COD3 of the Neighbourhood Plan seeks to ensure that development is designed with floor resilience in mind, considering hardstanding and landscape/SuD's where appropriate.
- 4.3.66 The site is within Flood Zone 1. The applicant has provided a Flood Risk Assessment (FRA) and Drainage Strategy, and outline design plans to account for the local flood risk issues and surface water drainage at this location. The proposal includes a SuDS basin in the eastern portion of the site. The LLFA have formally responded to this application on three occasions, and at the time of writing, no longer object to the proposed development on flood and drainage matters subject to 3 conditions covering the detailed design of surface water drainage scheme, maintenance and management of sustainable drainage schemes, and the submission of a verification report. Subject to these conditions, the development is considered acceptable in its impact on flood risk and drainage matters, in accordance with Policies SP11, NE7, NE8 and NE9 of the Local Plan.
- 4.3.67 The concerns raised by interested parties relating to flooding and drainage issues are therefore considered justified in this case.

Affordable Housing/Housing Mix

- 4.3.68 Policy HS2 of the Local Plan sets out that on housing sites of 25 dwellings or more, there should be a 40% provision of affordable housing subject to viability. The expectation is for a 65%/35% split between affordable rented tenure and other forms affordable housing. The affordable housing provision should meet the needs of the area.

4.3.69 Policy HS3 of the Local Plan sets out that an appropriate range of house types and sizes to be provided having regard to the overall targets of the plan, the findings of the most up-to-date Strategic Housing Market Assessment (SHMA), the location and accessibility of the site and the appropriateness of the development to its surroundings in terms of density, scale and character. The expectation is that it is most appropriate to have a broad balance between smaller (2-bedroom or less) and larger (3-bedroom or more) homes.

4.3.70 Seeing as the proposal is submitted under the 'Grey Belt' principles and has sought to comply with the 'golden rules' as set out under Paragraph 156 of the NPPF, the proposal is seeking to provide 50% affordable housing which is in excess of that required under Policy HS2, which is acceptable and a significant benefit.

4.3.71 In terms of the proposed housing tenure, the Councils Housing Officer has provided several responses to this application relating to this matter. The most up to date response sets out that "*The North Herts District and Stevenage Borough Councils Strategic Housing Market Assessment (SHMA) Update 2023 requires a 65% Social Rented/ 15% Affordable Rented/ 20% Affordable Homes Ownership (AHO) tenure mix for North Herts.*

Based on the provision of 15 affordable homes this would require 10 social rented homes, 2 affordable rented homes and 3 AHO/ shared ownership homes to meet housing needs.

This is in accordance with 8.15 of the Local Plan and Policy HS3: Housing mix."

4.3.72 It is expected that the 15 affordable dwellings will be delivered in accordance with the above tenure mix as advised by the Housing Officer, to ensure that the development meets the affordable going needs of the district, which would be secured in any s106 legal agreement. Moreover, in relation to the need for a local connection clause which is a matter disputed by the applicant insofar as they consider a local connection clause for Codicote alone is unreasonable, it is considered that the local connection clause as agreed in any s106 agreement should relate to the district as a whole, not just Codicote, as this will ensure the development meets the needs of the whole district.

4.3.73 In terms of the 15 affordable dwellings and the remaining 15 dwellings which are proposed to be market housing, there is no information at this stage that defines the type of housing mix and number of bedrooms. This is considered to be a matter that would be addressed in any subsequent reserved matters application, with reasonable scope/flexibility allowed in any possible s106 agreement to account for changes to developer contributions resulting from the types and size of dwellings.

Heritage/Archaeology

4.3.74 Policy SP13 of the Local Plan states that "*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset's conservation and the management of its setting*". This reflects paragraph 212 of the NPPF which stipulates that great weight should be given to the conservation of designated heritage assets, such as conservation areas. Policy HE1 of the Local Plan states that "*Planning permission for development proposals affecting Designated Heritage Assets or their setting will be granted where they: c) Will lead to less than substantial harm to the significance of the designated*

heritage asset, and this harm is outweighed by the public benefits of the development, including securing the asset's optimum viable use". These provisions are reinforced by paragraph 215 of the NPPF and Policy COD20 of the Neighbourhood Plan.

- 4.3.75 The application is supported by a Heritage Statement, which identifies that the majority of listed buildings in proximity to the Site are located on High Street and St Albans Road. The report concludes that the proposed development will not result in harm to the significance of any of the listed buildings identified in the local area surrounding the Site, as there will no impact on the experience of the listed buildings, or on the ability to understand or appreciate their significance. This conclusion is supported by Officers, and the proposal will not result in any level of harm to designated heritage assets, in accordance with Policies SP13 and HE1 of the Local Plan.
- 4.3.76 Policy HE4 of the Local Plan requires suitable consideration of proposals affecting heritage assets of archaeological interest.
- 4.3.77 The County Council's Archaeologist has provided formal comments on this application, stating that the *"fields to the east and west of the site have been subject to recent archaeological investigations. HER Event 85050 notes that about 100m to the east, archaeological evaluation was carried out on land south of Cowards Lane in a site approximately 3.5 ha in size. This evaluation included geophysical survey followed by archaeological trial trenching. Eleven targeted trenches were dug using the results of the geophysical survey. One trench contained a single feature which was an undated ditch. The other anomalies revealed by the geophysical survey were found to represent post-medieval and modern quarrying, modern field boundaries and drainage features.*

However approximately 100m to the west HER Event 8613 notes that trial trenching revealed later prehistoric features, mostly of Bronze Age and Early Iron Age date, in the north-west of the site. A low to moderate density of features of Late Iron Age/Early Roman date was present across the southern two thirds of site.

A Geophysical Survey submitted with this planning application notes that no definitive archaeological features were identified within this site; however, it does lie within a landscape with some archaeological potential although nothing currently suggests heritage assets of national importance might be present."

- 4.3.78 The response therefore recommends the imposition of three conditions to cover the submission of a WSI prior to commencement of development, which would include trial trenching and associated matters as a result. These conditions are considered reasonable to ensure that development has an acceptable impact on heritage assets of archaeological significance, in accordance with Policy HE4 of the Local Plan.

Noise/Contaminated Land/Air Quality

- 4.3.79 The application is supported by a Noise Impact Assessment, Contaminated Land Assessment and Air Quality Report. The Councils Environmental Health Officer has considered these documents and has formally responded with no objections to their conclusions, subject to recommended conditions to seek a Construction Environmental Management Plan, a scheme for noise protection measures, a protective measure in the event of finding any contamination on site and seeking the provision of EV charging points. Subject to these conditions, the scheme is considered acceptable in its impact on these matters.

Energy and Sustainability

- 4.3.80 The Council passed a Climate Emergency motion in 2019 which pledged to do everything within the Council's power to achieve zero carbon emissions in North Hertfordshire by 2040. The Council has adopted a Climate Change Strategy to promote carbon neutral policies. Adopted Policy D1 – Sustainable Design – requires developments to consider a number of criteria including the need to reduce energy consumption and waste. In relation to residential development this will typically include features such as - low carbon technologies such as air or ground source heat pumps, solar or PV panels, Sustainable Drainage Systems (SuDS) and exceeding Building Control standards on thermal insulation.
- 4.3.81 The application is supported by an Energy and Sustainability Statement which seeks to demonstrate the measures to be incorporated into the development that will contribute to sustainability and accord with the Local Plan and NPPF. The document sets out the following measures as key features of this development:
- *The dwellings will be highly energy efficient, adopting a fabric first approach. They will be orientated to maximise solar gain where possible;*
 - *There will be no natural gas connection to the site;*
 - *Heating and hot water will be supplied via low carbon air source heat pumps;*
 - *Solar photovoltaic panels will be installed where appropriate;*
 - *The development will employ a combination of highly efficient fixtures, fittings and appliances to reduce domestic water use to achieve the 110 l/p/d target;*
 - *Buildings will be designed and specified to adapt to a changed climate:*
 - o *Overheating will be managed through considered design;*
 - o *The retention of existing trees and additional planting will provide more comfortable microclimates in warmer weather;*
 - o *The landscape design will provide multi-functional benefits, supporting increased biodiversity and enhancing the overall aesthetic;*
 - o *Surface water will be managed via the integration of SuDS into the development.*
 - *Electric vehicle charging points will be installed in line with policy requirements;*
 - *High quality broadband will be provided in line with Approved Documents;*
 - *The embodied carbon of the development will be considered and addressed through sustainable material choices and flexible and durable design;*
 - *Demolition, construction and operational waste will be managed in accordance with the principles of the Waste Hierarchy.*
- 4.3.82 All of the above measures are considered suitable and would contribute to sustainability generally, with further details relating to many of these matters likely to form part of any subsequent reserved matters application.
- 4.3.83 One of the fundamental matters to consider in all applications for planning permission is whether the proposed development would represent a sustainable form of development. The NPPF confirms that all three objectives of the planning system would be met. These are economic, social, and environmental.
- 4.3.84 In terms of the economic objective, the development would provide homes that would support economic growth and productivity. The construction of the development and on-going maintenance of it would result in construction jobs and employment in the service sector. The fitting out and furnishing of the homes would also generate economic activity and jobs. Future occupiers would purchase local goods and

services, boost the local economy and help to sustain the vitality and viability of local shops and services.

- 4.3.85 In terms of the social element, the scheme would seek to deliver a high-quality and inclusive residential development. The delivery of 30 dwellings, including 15 affordable dwellings, would make a modest contribution to the meeting the district's housing land supply needs.
- 4.3.86 In terms of the environmental objective, it is acknowledged that the proposed development would deliver energy efficient measures as set out in this report, which is a benefit. However, there are significant concerns over the impact of the development on the Local Wildlife Site, as set out in earlier sections of this report. Overall, owing to the in-principle objection to development of this LWS, and the failure to comply with Policy NE4 and Paragraph 193a of the NPPF, it is considered that the development would fail to meet the environmental objective of sustainability in the round.

Other Matters

- 4.3.87 It is necessary to consider and address the formal representations received from interested parties which are summarised at the start of this report. As such, the summary of concerns will be listed below with the Council's response in full:

The village has insufficient infrastructure and services (public transport, doctors, dentist etc) to cope with additional housing. If this application was recommended for approval or if it is approved in the future via an appeal, the scheme would be subject to a S106 agreement which would secure financial contributions towards a number of local infrastructure projects, to offset the impact of the development.

Many of the houses built on the allocated sites are unoccupied, but schools are already close to capacity so future occupiers may struggle to get a place locally. This is a matter outside of the Council's control, but the proposal would be required to pay financial contributions towards local primary and secondary schools to assist with expansion if required.

Questions over whether the proposed affordable housing is actually affordable, given the delivery of affordable homes on the allocated sites. The Council's Housing Officer has provided robust guidance on the type and tenure of affordable homes, and the affordability provisions of any scheme would be secured in a S106 agreement.

The application is stated for 30 dwellings, but the developer is suggesting that they are seeking permission for 45 dwellings, which is inconsistent. Officers confirm that this application is for up to 30 dwellings.

Further development would result in increased sewage capacity issues. Ensuring that a development has sewage capacity is a statutory requirement placed upon providers. Anglian Water and Thames water were consulted on this application and raised no objections.

- 4.3.88 The Council has received a formal letter and supporting appeal decisions on the 28th November 2025 from Pinsent Masons, who act on behalf of the applicant. The letter comments on and disputes some of the informal correspondence between Officers and the Agent, with some concerns that the LPAs approach may be unlawful. Officers have considered the contents of this letter in full and provide the following responses to the matters raised:

- 4.3.89 The weight afforded to the provision of off-site BNG is considered to be moderate in this instance, but Officers accept that it would be unreasonable to give this matter no weight at all. The LPA consider that given that the 10% BNG is mandatory under Paragraph 2(3) of Schedule 7A of the TCPA 1990, the weight attributed to this as a benefit would be moderate as it is baseline requirement of this application.
- 4.3.90 In terms of Paragraph 77 of the NPPF, this paragraph is not within Section 3 of the NPPF which deals with plan-making but Section 5 which addresses delivering a sufficient supply of homes. Nevertheless, the LPA are not identifying conflict with paragraph 77 but considering this as part of the NPPF in terms of where large numbers of new homes to meet the shortfall and boost supply should be located and consistency of the Local Plan with this approach
- 4.3.91 In terms of Officers' in principle objection to the development of this LWS, Officers disagree that it would be wrong in law to refuse planning permission on the basis of conflict with paragraph 193 of the NPPF. The LPA are entitled to come to the view that the proposal does not adequately mitigate and compensate for the loss of about half this LWS, given the limited information submitted at present. The LPA have insufficient information and do not have a draft S106 agreement that secures necessary mitigation/compensation.
- 4.3.92 In terms of the Local Nature Recovery Strategy (LNRS), this is now published, and the LPA do not accept that under paragraph 159 of the NPPF, this development would contribute towards the outcomes of the land which is identified within the LNRS. Indeed, development of this site would preclude the LWS from regeneration/management in line with the action plan in the now published LNRS. Officers accept that if the proposal included some means of off-site improvements to land identified within the LNRS, which is a matter for the applicant to consider, then perhaps this would contribute towards these outcomes in line with paragraph 159. However, in the absence of this detail, the position of officers in respect of paragraph 159 is outlined in this report.
- 4.3.93 The letter is supported by two appeal decisions which seek to demonstrate that at appeal, there is a clear principle that where a site has been identified in a local nature recovery strategy it can still be developed/redeveloped (ref: 3364304), and that an Inspector has concluded that paragraph 186/193 was complied with through the provision of offsite measures, and that the biodiversity net gain was secured by the section 106 agreement such that the loss of part of the LWS should weight neutrally in the overall balance, and not as a harm (ref: 3329947).
- 4.3.94 With regards to the appeal decision under ref: 3364304, it would appear that the BNG for this site was going to be delivered on site and secured through the s106 agreement, even though this appeal was dismissed for other reasons. This is not the case here, as the BNG is proposed off-site and is seeking to reserve this through conditions.
- 4.3.95 With regard to the appeal decision under ref: 3329947, only a small portion of this site is within the County Wildlife Site and as part of the proposal, this small portion of the CWS primarily makes up the SUDs and biodiversity enhancement areas. Again, this is not the case for this site given that the majority of the site is within the LWS and would be significantly impacted by the development.

S106 Legal Agreement

- 4.3.96 In considering Planning Obligations relating to this proposed development, the Community Infrastructure Regulations and Paragraph 57 of the Framework set out statutory and policy tests. These are: (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.
- 4.3.97 Formal responses have been received from various consultees and stakeholders, including the County Council's Growth and Infrastructure Unit, Highway Authority, and the Parish Council, all seeking financial contributions to various projects to offset the impact of development. However, given that this application is recommended for refusal, agreement to the Heads of Terms which would inform any subsequent s106 agreement has not taken place. For this reason, the standard reason for refusal relating to the lack of an agreed s106 agreement is also recommended on this application.

4.4 Overall Planning Balance and Conclusion

- 4.4.1 The application seeks outline planning permission for up to 30 dwellings, with means of access including affordable housing; following demolition of all existing structures; associated landscaping, drainage, car parking; infrastructure and all ancillary and enabling works.
- 4.4.2 At the time of writing, the Council cannot demonstrate a five-year housing land supply with the figure sitting between 2.6 and 3.3 years. In this respect, the matters set out under Paragraph 11d of the NPPF become relevant. This states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission be granted unless; i: the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or ii: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. Officers have come to the view for the reasons set out in the that the proposal conflicts with the aims of NPPF paragraph 159. However, paragraph 155d indicates that for a proposed development to not be regarded as inappropriate, development proposals must meet four criteria. Criterion (d) indicates that this development must meet the 'Golden Rules' requirements set out in paragraphs 156-157. No reference is made of paragraph 159 in this respect notwithstanding that this paragraph addresses green spaces required as part of the Golden Rules. Therefore, whilst it is considered that there would be conflict with NPPF paragraph 159, it is concluded that the proposal is not inappropriate development within the Green Belt under the provisions of paragraph 155 and the tilted balance of NPPF 11(d) is not disengaged.
- 4.4.3 The site is located outside the defined settlement boundary of Codicote, which is designated as a larger village under Policy SP2 of the Local Plan. Therefore, whilst the site is immediately adjacent to the defined settlement boundary, the proposal would conflict with Policy SP2. The site is within the Green Belt, and detailed consideration and review of this site against the relevant Local Plan and NPPF policies in this report has concluded that the site would constitute Gray Belt. Whilst the site has been identified in the recently published LNRS as an Area of Particular Importance for Biodiversity and the development would directly preclude the restoration and management of this LWS from taking place, and off-site provision is not considered suitable in this instance, the NPPF is insufficiently clear as to whether this affects the 'Golden Rules'. Therefore, Officers have concluded that the proposal

is not inappropriate development in the Green Belt due to it utilising Grey Belt and meeting the provisions of NPPF paragraph 155.

- 4.4.4 The quantum of dwellings proposed would be modest in the context of the housing needs of the district. Regarding local housing need, and the provisions of Paragraphs 82 and 83 of the NPPF, Codicote has four allocated housing sites in the Local Plan which make a considerable contribution to local housing supply in Codicote, ensuring that the vitality of the village is maintained in line with Local Plan Policy SP1. Nevertheless, the provision of up to 30 dwellings, including 50% affordable housing, would provide social and economic benefits and significant weight is attributed to these benefits in line with the Government's message to boost housing supply.
- 4.4.5 The proposal is submitted in Outline with means of access under consideration. Following consultation with the County Highway Authority, the proposed access, highway/pedestrian improvements on Cowards Lane and trip generation details, is considered acceptable in regard to highway safety subject to conditions. Neutral weight is attached to this matter. The provision of a new pedestrian footpath link and crossing points on Cowards Lane towards St Albans Road is a benefit to which neutral weight is attached, given that this footpath is submitted as necessary local infrastructure under paragraph 156b of the NPPF under the 'Golden Rules'.
- 4.4.6 The proposal would result in the loss of about half of Local Wildlife Site (LWS); Meadow N.W. of First Spring, which is designated due to its grassland assemblage. North Herts declared an ecological emergency in 2023 and given that this site is designated for its ecological value, significant weight is attributed to the harm that would be caused to the LWS and the inevitable preclusion of potential restoration and management from occurring in the future.
- 4.4.7 The application has failed to show how significant harm to biodiversity, in this case the impact on the LWS, can be compensated for, which conflicts with Local Plan Policy NE4, Policy COD17 of the Neighbourhood Plan, and Paragraph 193a of the NPPF. There is a strong objection to development of this site in ecological terms as set out in this report which is considered to fail to meet the environmental objective/pillar of sustainability in the round.
- 4.4.8 All other technical matters considered under the scope of this outline application have been satisfactorily addressed or are matters that would be considered in a potential subsequent reserved matters application.
- 4.4.9 In conclusion, having regard to Paragraph 11d of the NPPF, Officers acknowledge that the development would result in a benefits arising from the delivery of 30 dwellings, 50% of which would be affordable homes in accordance with the 'Golden Rules', and other localised benefits, to which significant weight is attributed. However, Officers consider that the harm resulting from the development of about half of the LWS, which is also an Area of Particular Importance for Biodiversity in the published LNRS, and consequential conflict with Policy NE4 and Paragraphs 159 and 193a of the NPPF within the context of the Council's declaration of an ecological emergency, weighs substantially against the proposal, which would significantly and demonstrably outweigh the benefits of the proposal.

4.5 Alternative Options

- 4.5.1 N/A

4.6 Pre-Commencement Conditions

4.6.1 N/A.

5.0 Recommendation

5.1 That planning permission be **REFUSED** for the following reasons:

1. The applicant has not demonstrated that alternative, less harmful sites were considered, and the proposal cannot avoid harm to the Local Wildlife Site. The suggested possible off-site mitigation measures are insufficient to offset the damage caused to the LWS or compensate loss of habitat. The proposed development would result in the loss of a large part of a designated Local Wildlife Site (LWS) which has been identified as having particular potential for habitat creation and nature recovery in the published Hertfordshire Local Nature Recovery Strategy (LNRS), which would result in significant and unmitigated harm to biodiversity contrary to North Hertfordshire Local Plan Policy NE4, Codicote Neighbourhood Plan Policy COD17 and Paragraphs 159 and 193a of the National Planning Policy Framework.
2. In the absence of a Section 106 Legal Agreement or similar legal mechanism, the proposed development fails to mitigate its impact on local infrastructure and services. This lack of mitigation is contrary to the aims of North Hertfordshire Local Plan Policy SP7 and paragraphs 56 and 58 and 59 of the National Planning Policy Framework. This is also necessary to meet the Golden Rules set out at paragraph 156 of the NPPF.

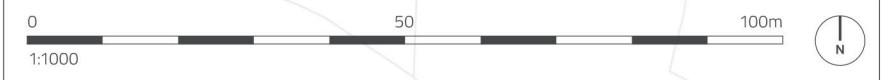
Proactive Statement

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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— APPLICATION BOUNDARY



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Rev	Description	Date	Au
-	Issue for Planning	10.07.25	MB

Project	Cowards Lane, Codicote	Dwg no.	SLP-01
Drawing	Site Location Plan - 01	Scale	1:1000 @ A3
Client	Hawridge Strategic Land	Rev.	-
Job no.	HAWR.250206	Author	MB
Date	10.07.25		



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<u>Location:</u>	Land South Of Watton Road Knebworth Hertfordshire
<u>Applicant:</u>	Gladman, K Tubb and D Collingridge
<u>Proposal:</u>	Outline planning permission for up to 200 dwellings (including affordable housing), structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation, vehicular access point and associated ancillary works. All matters reserved except for means of access.
<u>Ref. No:</u>	23/01552/OP
<u>Officer:</u>	Paul Chaston

Date of expiry of statutory period

Tuesday 3 October 2023

Extension of statutory period

Friday 19 December 2025

Reason for Delay

The original officer report was delayed due to discussions and negotiations on various technical aspects, further information received and additional consultation exercises that have been undertaken as a result. The application was initially considered by Members at the PCC meeting on 17 July 2025. Members resolved to defer deciding on the application to (1) To explore potential modifications to the scheme to have further minimal impact to Swangleys Lane Gateway junction and (2) To request an amended Transport Assessment with up-to-date traffic surveys to have a true reflection of the current traffic flows as members felt up-to-date surveys would assist them in making their decision. The applicant provided a revised Transport Assessment, and revised access arrangement plans on 21 October 2025. Following a full public reconsultation, the application is now reported to Members for re-consideration.

Reason for Referral to Committee

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

1.0 Site History

- 1.1 21/02586/OP – Outline application for the erection of up to 200 dwellings with the provision of affordable housing, public open space, landscaping and sustainable drainage system (SuDS), vehicular access points and associated ancillary works. All matters reserved except for means of access. This application was withdrawn in July 2023.

2.0 Policies

2.1 North Hertfordshire District Council Local Plan 2011-2031

Adopted 8 November 2022.

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP2: Settlement Hierarchy

Policy SP5: Countryside and Green Belt

Policy SP6: Sustainable transport

Policy SP7: Infrastructure requirements and developer contributions

Policy SP8: Housing

Policy SP9: Design and Sustainability

Policy SP10: Healthy Communities

Policy SP11: Natural resources and sustainability

Policy SP12: Green infrastructure, landscape and biodiversity

Policy T1: Assessment of transport matters

Policy T2: Parking

Policy HS1: Local Housing Allocations

Policy HS2: Affordable Housing

Policy HS3: Housing mix

Policy HS5: Accessible and adaptable housing

Policy D1: Sustainable design

Policy D3: Protecting living conditions

Policy D4: Air quality

Policy HC1: Community facilities

Policy NE1: Strategic green infrastructure

Policy NE2: Landscape

Policy NE4: Biodiversity and geological sites

Policy NE6: New and improved open space

Policy NE7: Reducing flood risk

Policy NE8: Sustainable drainage systems

Policy NE9: Water quality and environment

Policy NE10: Water conservation and wastewater infrastructure

Policy NE11: Contaminated land

Policy HE4: Archaeology

- 2.2 The application site was previously Green Belt. The Local Plan has removed the site from the Green Belt and brought it within the defined settlement boundary of Knebworth.
- 2.3 Policy HS1 indicates that Local Housing Allocations are listed by parish and Settlement as shown on the Policies Map and confirms that residential development and associated infrastructure on these sites will be granted provided that:
- a) Development broadly accords with the indicative number of homes shown;
 - b) Proposals successfully address site specific policy considerations; and
 - c) Unless site specific policy considerations state otherwise, a variety of homes are provided in accordance with the general policy requirements of this plan.
- 2.4 The site is identified in the Local Plan as Local Housing Allocation KB4. Policy KB4 also contains detailed policy criteria for consideration in the determination of any applications for planning permission, which are set out below for ease of reference:

Policy KB4 – Land east of Knebworth – Dwelling estimate 200 homes

- Transport Assessment to consider the cumulative impacts of sites KB1, KB2 and KB4 upon key junctions and rail crossing points for all users, including walkers and cyclists, and secure necessary mitigation or improvement measures;
- Structural landscaping and planting to provide and/or reinforce Green Belt boundary to east;
- Land north of Watton Road reserved for long-term secondary education needs;
- Integrate Bridleway Knebworth 001 as part of green infrastructure strategy;
- Address existing surface water flood risk issues through SUDS or other appropriate solution;
- Preserve views from Knebworth to wider countryside along dry valley to south of Watton Road; and
- Detailed drainage strategy identifying water infrastructure required and mechanism(s) for delivery.

2.5 **National Planning Policy Framework (NPPF)**

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 6: Building a strong competitive economy

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Section 13: Protecting Green Belt land

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 15: Conserving and enhancing the natural environment

2.6 **Supplementary Planning Documents**

Design SPD (2011)

Planning Obligations SPD (2023)

Vehicle Parking Provision at New Development SPD (2011)

North Hertfordshire and Stevenage Landscape Character Assessment

- 2.7 **Hertfordshire County Council**
Local Transport Plan (LTP4 – adopted May 2018)
Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012)
- 2.8 **Knebworth Neighbourhood Plan**
KBBE1 – Housing Mix
KBBE2 – Sustainable Buildings
KBBE3 – Accessibility and Adaptability
KBBE4 – Design
KBBE5 – Masterplanning and Placemaking
KBBE8 – Site KB4 Land east of Knebworth
KBEF3 – Flooding and Drainage
KBT1 – Sustainable Modes of Travel
- 2.9 **National Planning Practice Guidance**
Provides a range of guidance on planning matters including flood risk, viability, design and planning obligations.
- 3.0 **Representations**
- Consultees**
- 3.1 This report sets out the responses received in connection with the latest re-consultation exercise and updated responses received since the last report was published only. Previous responses from organisations and technical bodies are set out in the original report which can be found at Appendix A of this report.
- 3.2 **Knebworth Parish Council** – There appears to be nothing in the revised Transport Assessment that addresses the Parish Council's main concerns detailed in previous submissions. There is no evidence of any attempt to address the overall volume of traffic to be directed through Knebworth from the multiple proposed developments in the village and in surrounding villages. The Parish Council would like the opportunity to commission an independent appraisal of the Transport Assessment before any decision is made by North Herts Council and have requested that consideration of this application is deferred.
- 3.3 **Datchworth Parish Council** – The documents do not address the fundamental points made by the Parish Council in its original objections relating to highway matters or the points raised at the last planning committee meeting concerning the roundabout option. The Parish Council acknowledges data presented in the revised Transport Assessment, however, the Parish Council's position remains the same in that highway impact, traffic flows, convenient travel, highway capacity, environmental highway impact and accessibility for residents and businesses in the broader local area including Datchworth has not been considered as part of the Transport Assessment.
- 3.4 **British Horse Society (Herts) Access Group** – There has been no consideration of the equestrian community in the Transport Assessment of the health and safety of equestrians who are vulnerable road users.
- 3.5 **NHDC Environmental Health (Contaminated Land)** – No further comments.

- 3.6 **NHDC Environmental Health (Noise)** – No further comments.
- 3.7 **NHDC Environmental Health (Air Quality)** – No further comments.
- 3.8 **HCC Highways** – does not wish to restrict the grant of planning permission. Conditions and mitigation measures are as previously recommended.
- 3.9 **HCC Rights of Way** – No further comments.
- 3.10 **Historic Environment (Archaeology)** – No further comments.
- 3.11 **HCC Fire and Rescue Services** – No further comments.
- 3.12 **Environment Agency** – No further comments subject to conditions to ensure that the development will not present unacceptable risks to groundwater resources.
- 3.13 **Historic England** – No further comments.
- 3.14 **Active Travel England** – No objection. ATE has undertaken a detailed assessment of this application and is content with the submission.
- 3.15 **Sport England** – No objection subject to financial contributions being secured for a variety of indoor and outdoor sports facilities (new and upgrading of existing) to meet the needs of the proposed development.
- 3.16 **Anglian Water** – No further comments.

Neighbour and Local Resident Representations

- 3.17 As the main additional technical document provided by the application was a revised Transport Assessment, and the other supporting drawings relate to the proposed access arrangements for the application site, additional comments set out below relate to highways and transport issues only. Other technical issues and objections raised by third parties in this latest consultation exercise have been considered previously and are set out and addressed in the previous report (see Appendix A). They are not repeated below. A total of 13 letters of objection and 12 letters of support have been received in connection with the latest re-consultation exercise. These are in addition to the previous reported objections (186), letters of support (3) and neutral comments (6).
- 3.18 Reasons for latest objections:
- The revised report fails to address the likely traffic flows from the proposed development into Datchworth along Swangleys Lane.
 - No consideration of the effect of the proposed 500 homes at Bragbury End on Watton Road and the A602.
 - The report only considers counting/traffic flow only.
 - The TA does not address the concerns of residents regarding the closure of Swangleys Lane and fails to elaborate on why this would be a benefit.

- Traffic during busy times and when traffic has been diverted from the A1M through Knebworth has not been considered.
- The report does not consider the effect of the new development upon the existing narrowness of Watton Road and Swangleys Lane from a highway safety point of view.
- Concerns around the existing condition of roads and pavements, particularly along Watton Road.
- The Traffic Management Plan is flawed and incomplete.
- There is no consideration of the closure of Swangleys Lane and collection of school children by car and the likely re-directed increase in traffic on London Road at key rush hour times.
- Concerns around the amount of traffic the development would generate particularly at the Watton Road/Knebworth High Street roundabout.
- No consideration of longer response times of emergency services for residents in Datchworth.
- The updated TA is flawed and is not representative of the real road conditions in Knebworth.
- Roundabout capacity modelling shows reduced RFC values compared to the previous assessment. This appears inconsistent.
- Reported trip generation of the new development is understated.
- The TA fails to consider Datchworth, Baines Lane, New Road and Bury Lane.
- Data collected just ahead of the entrance to Old Lane on Watton Road will not capture the data of road users using Watton Road/Bell Close travelling west into Knebworth.
- The Automatic Traffic Count Report within the TA could materially and likely does understate the traffic on Watton Road.
- Collapsible bollards in Swangleys Lane will cause road users from Datchworth considerable inconvenience when trying to reach facilities in Knebworth.
- The installation of lockable bollards may offer a slightly improved solution for emergency service access. However, it does not address the broader implications for residents and the community at large.
- Redirecting traffic through the development will increase congestion on Watton Road and at the junction with Station Road.

3.19 Reasons for comments in support:

- The proposed access arrangements would leave St Martin's Road, Old Lane and Swangleys Lane as a closed loop which would appear to address previous concerns.
- Swangleys Lane with reduced road traffic would be safer for school children that attend the village primary school.
- Support the proposal to restrict road traffic using Swangleys Lane given that there are no footpaths along the road for pedestrians.
- Traffic generated by new development will be prevented from using Swangleys Lane as a result of the proposed access arrangements.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site is located to the east of the Knebworth. The site covers an area of approximately 14.74 hectares in size and comprises three irregularly shaped field parcels that adjoin the eastern edge of Knebworth.
- 4.1.2 To the east of the site are open fields which are in the Green Belt. Also, to the east of the site is the Swangleys Farm complex on the southern side of Swangleys Lane and the dwelling known as 'Long Dene' which is accessed from Old Lane. There are residential properties adjacent to the site along large parts of the western boundary.
- 4.1.3 There are no public footpaths crossing the site. However, there is an informal route used by pedestrians adjacent to the western boundary of the site to travel between Watton Road and Old Lane and to gain access to the existing allotments.
- 4.1.4 There is an existing vehicular access at the northern end of the site from Watton Road known as Old Lane. Old Lane travels in a southerly direction through the centre of the site and joins up to the western edge of the site with St Martin's Road. Swangleys Lane also passes through the central portion of the site.

4.2 **Proposal**

- 4.2.1 Outline permission is sought with all matters reserved other than means of access, for the erection of up to 200 dwellings (including affordable housing), structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation, vehicular access point and associated ancillary works.
- 4.2.2 The development area is approximately 7.61 hectares in area. The key elements of the proposed development comprise:
- Up to 200 dwellings, of which 40% will be affordable housing;
 - Vehicular access point from Watton Road;
 - Reconfigured vehicular access points on Swangleys Lane to facilitate access to the northern and southern parcels of the application site including the closure of Swangleys Lane to vehicles in an easterly direction at the junction of Swangleys Lane and Old Lane;
 - Off-site highways works, including improvements to Swangleys Lane outside the school for the benefit of pedestrians and cyclists;
 - A network of cycle and pedestrian routes across the site with linkages to existing roads;
 - A network of 6.77ha of formal and informal open spaces across the site including play areas, footpath connections, green corridors and allotments; and
 - Provision of Sustainable Drainage Systems (SuDS).
- 4.2.3 At the Planning Control committee on 17 July 2025, Members resolved to defer making a decision on the application for the following reasons:
1. To explore potential modifications to the scheme to have further minimal impact to Swangleys Lane Gateway junction; and

2. To request an amended Transport Assessment with up-to-date traffic surveys to have a true reflection of the current traffic flows as members felt up-to-date surveys would assist them in making their decision.

4.2.4 The applicant provided the following additional documents on 21 October 2025:

- Transport Assessment prepared by GTA Civils & Transport (dated October 2025)
- Proposed Access Plan (Drawing No. 13936/2100 Rev P1)
- Proposed Access Plan (Drawing No. 13936/2100 Rev P2)
- Pedestrian and Cyclist Provisions (Drawing No. 13936/2101 Rev P1)
- Pedestrian and Cyclist Provisions including Collapsible Bollard Sections (Drawing No. 13936/2101 Rev P2)
- Bell Close & Watton Road Active Travel Access Layout (Drawing No. 13936/2101 Rev P1)

5.0 **Key Issues**

5.1 The key issues identified in the original report (see Appendix A) considered by Members on 17 July 2025 were:

- Principle of the development
- Effect upon the Green Belt
- Loss of Agricultural Land
- Masterplanning and site-specific requirements
- Highway matters
- Landscape and visual impacts
- Heritage and archaeological impacts
- Ecology and Biodiversity
- Tree impacts
- Flood risk and drainage
- Environmental impacts (noise, land contamination and air quality)
- Sustainability
- Impact on residential amenity
- Other Matters
- Planning obligations
- Planning balance and conclusion

5.1.1 This revised report sets out the conclusions on each of the above technical matters as set out in the original report except for Highway matters and Planning Obligations which have been updated to reflect more recent consultation responses. The consideration of this application is confined to (i) the reasons for deferral set out in 4.2.3 and (ii) issues arising following the revised and additional application details provided by the applicant or technical consultees since the publication of the original officer report. This original officer report (Appendix A) sets out detailed consideration of a number of unaffected technical matters. The conclusions previously reached on each of these technical matters are set out in this report for ease.

5.2 Principle of the development

Conclusion on the principle of development

- 5.2.1 The site is allocated for housing in the North Hertfordshire Local Plan 2011-2031 under Policy HS1 as KB4 for approximately 200 homes. Upon the adoption of the North Hertfordshire Local Plan on 8 November 2022, the site was removed from the Green Belt and placed within the settlement of Knebworth.
- 5.2.2 As set out in the Council's most recent Housing Land Supply Update (November 2025), the total requirement for housing delivery in the District from 1 April 2025 – 31 March 2030 is 6,976 dwellings. Currently there is a deficit of 3,347 dwellings over the five-year period of 2025/26 – 2029/30. The Council therefore can only demonstrate a five-year land position of 2.6 years against our adopted housing requirement. The site will make a significant contribution to the housing land supply, delivering both market and affordable housing (40%) where there is a shortfall across the district.
- 5.2.3 Overall, the proposal complies with LP Policies SP1, SP2, SP5 and SP8. The residential use of this site is appropriate in land use terms, and this weighs substantially in favour of the proposal in the planning balance.

5.3 Effect upon the Green Belt

Conclusion on the effect upon the Green Belt

- 5.3.1 The easternmost parcel of the application site within the red line is proposed to be used as a drainage basin. This part of the site to the east of Old Lane is outside the boundary of the site allocation in the open countryside within the Green Belt. It is considered that the formation of the drainage basin would be an engineering operation in accordance with part (b) of Paragraph 154 of the NPPF by virtue of it supporting the proposed development, therefore, it would not constitute inappropriate development. As it would be a depression, it would have no effect on the openness of the Green Belt and therefore would not conflict with any of the five purposes for including land within the Green Belt. It is therefore considered that the offsite drainage basin raises no conflict with national Green Belt policy or Local Plan Policy SP5.

5.4 Loss of Agricultural Land

Conclusion

- 5.4.1 The proposal would result in the loss of some 'Grade 3 – good to moderate' category Best and Most Versatile (BMV) agricultural land in respect of the land associated with the housing allocation (the application site) and the land to the east of the site for the proposed drainage basin. This would equate to a relatively small area of BMV land within the District and therefore moderate weight is attributed to this harm in the planning balance.

5.5 Masterplanning and site-specific requirements

Conclusion

- 5.5.1 The proposal is in general accordance with the Local Plan, including the site-specific allocation Policy KB4 as well as Policy SP9 concerning design and sustainability, and the requirement for sites over 100 units to include a Strategic Masterplan.

5.6 Highway Matters

5.6.1 The previous Transport Assessment prepared by Stirling Maynard (dated March 2024) set out a variety of highway and access related impacts comprising:

- Sustainability including walking, cycling, and public transport matters; and
- Traffic impact including access, traffic, and road safety matters

Transport Assessment – Response to Planning Control Committee queries

5.6.2 The revised Transport Assessment prepared by GTA Civils & Transport (received on 21 October 2025) seeks to address transport issues and matters raised by Members and other interested third parties raised at the Planning Control Committee meeting on 17 July 2025.

5.6.3 The Transport Assessment is presented in seven sections. Key details and summaries have been extracted from the report and are quoted below:

Section 1 – Introduction

5.6.4 In relation to this matter, the Transport Assessment confirms that:

1.3 This TA has been prepared specifically in response to the planning committee meeting held in July 2025 in which the committee deferred their decision for the following two reasons:

1. To explore potential modifications to the scheme to have further minimal impact to Swangleys Lane Gateway junction. (Discussion of impact provided in Section 7).

2. To request an amended Transport Assessment with up-to-date traffic surveys to have a true reflection of the current traffic flows as members felt up to date surveys would assist them in making their decision (comparison summary of 2019 and 2025 surveys are provided in Section 3).

1.7 This revised Transport Assessment is primarily provided to directly respond to points 1 and 2 above, being direct requests by the planning committee. It also covers much of the information within the Stirling Maynard report to minimise reference to that report.

Section 3 – Local Highway Network (Traffic Surveys)

5.6.5 In relation to this matter, the Transport Assessment confirms that:

3.10 The Automatic Traffic surveys were conducted from Monday 8th September to Sunday 14th September 2025 in the following locations to replicate the 2020 surveys, full output files are provided in Appendix B.

- Watton Road 7-day traffic count & speed
- Swangley's Lane 7-day traffic count & speed

3.11 The summary differences between 2020 to 2025 are:

- Watton Road average two-way weekday flows increased by 17%
- increase in Watton Rd westbound AM peak
- Swangley's Lane flows largely unchanged
- vehicle speeds remain consistent

3.12 Regarding the increase in Watton Road westbound traffic in the AM peak period,
• a development since 2020 at the north end of Watton Road at Bragbury End may have contributed to the higher traffic flows, and/or
• this may indicate motorists are now using Watton Road as an alternative route into or through Knebworth at peak times to avoid congestion elsewhere on the network as off-peak periods average at just above around 113 vehicle per hour, commensurate with the 2020 westbound flow.

3.13 Turning counts were taken at the 4 junctions below on Tuesday 9th September 2025 between the hours of 07:00 -10:00 & 16:00 -19:00 to replicate the 2019 surveys:

- B197 / Watton Road / Station Road roundabout
- B197 / St. Martin's Road priority junction
- B197 / Swangley's Lane priority junction
- B197 / Milestone Road priority junction

3.14 A check of roadworks using the Causeway one.network website for the 9th September shows no roadworks in Knebworth on the day of the turning count surveys.

3.15 Some roadworks were noted as being in place in Woolmer Green, although as these were an overnight closure only between 8pm and 5am, this would not have affected the surveys.

3.16 By way of a summary, the peak hour demand inflows at each junction are provided alongside a comparison with the 2019 turning count surveys. Overall, across the 4 junctions, the 2025 surveys show a reduction in the peak periods.

3.17 The Watton Road roundabout shows a reduction in total flows which includes reduced B197 flows and increased Watton Road flows, as shown in the Watton Road traffic survey. Overall, the fluctuations equate to an overall reduction in movements in the peak periods assessed.

3.18 A comparison with flows at a permanent local count helps to contextualise the period between 2019 to 2025. The graph at Table 3.5 shows the Annual Average Daily Traffic of the A1(M) to the west of Knebworth, (roadtraffic.dft.gov.uk/manualcountpoints/36067) with the impact of the Covid pandemic in 2020 and the traffic volume having not returned to pre-pandemic levels some 4 years later. Therefore, the slight traffic reduction maybe a reflection of wider trends and greater working from home.

Section 5 – Proposed Development

5.6.6 In relation to this matter, the Transport Assessment confirms that:

5.3 The main vehicular access is onto Watton Road with further access points on Swangley's Lane via an internal link road through the middle of the site that is of varying width. This includes the closure of Swangley's Lane immediately west of the site.

5.7 Access will also be provided from Swangley's Lane and a layout plan for this junction is provided in Appendix D. Swangley's Lane to the west of the link road is stopped up for vehicles allowing only pedestrian/cycle access which is no change to the agreed scheme.

5.8 However, in response to comments received during the application, retractable posts are now proposed to allow access by emergency vehicles between the eastern and

western arms of Swangley's Lane. Therefore, general vehicle traffic is only possible to/from Swangley's Lane to the east. HCC see this as an important pedestrian/cycle route into the town centre and to the school and closing the route to through traffic brings significant benefits, particularly at school times – note the reduction in through traffic is around 60 movements in the AM peak hour.

5.9 The impact on journey times between the eastern arm of Swangley's Lane and the B197, via the new spine road, is discussed in Section 6.

Section 6 – Trip Generation and Impact

5.6.7 In relation to this matter, the Transport Assessment confirms that:

6.1 The vehicle trip rates have been taken from the Stirling Maynard report as these were agreed by HCC Development Planning. The previous TA set out the trips for 210 units although as the proposed scheme is for up to 200 units, this number is provided.

Review of Emergency Vehicle Response Times in relation to closure of Swangleys Lane

6.13 Journey times were reviewed between Swangley's Farmhouse in Swangley's Lane to consider the impact on emergency vehicle response times between Swangley's Lane, east of the closure, and Lister Hospital.

6.14 This is in response to the request to consider opportunities to minimise the impact to Swangley's Lane, whilst maintaining its closure to general through-traffic. It is therefore proposed to introduce retractable bollards for emergency use only, rather than a fixed barrier feature as was previously proposed, to minimise the impact on emergency vehicle response times, as this was a concern arising from the consultation period.

6.18 The existing travel time via Swangley's Lane is 14minutes and via Old Lane and Watton Road is 15 minutes. However, the spine road will be a new road and is more direct to Watton Road than Old Lane and therefore the travel time difference is likely to be negligible. The cutoff proposal brings overall active travel benefits of reducing through traffic past Knebworth Primary School.

6.19 With regards to any potential for junction delays, emergency vehicles would use their blue flashing lights and sirens, so the difference is negligible if not potentially quicker via the lesser trafficked Watton Road over the Swangley's Lane junction with London Road.

Section 7 – Summary and Conclusions

5.6.8 The overall summary within the Transport Assessment confirms:

7.2 This TA report provides updated traffic surveys and reviews the proposed Swangleys Lane closure, in response to the planning committee meeting held in July 2025.

7.3 The traffic surveys have been repeated and demonstrate capacity reductions on the 2019 surveys at all assessed junctions. All assessed junctions continue to operate satisfactorily in the 2028 forecast year.

7.4 The proposed closure of Swangley's Lane brings significant benefits to Knebworth Primary School and whilst emergency response times are not impacted to the eastern arm of Swangley's Lane, the applicant proposes retractable bollards to allow for emergency vehicle use only, rather than the previous permanent barriers.

7.5 The proposed development provides supportive contributions towards the North Central Hertfordshire Growth and Transport Plan, SM93 & SM94, in relation to Knebworth High Street, London Road/Watton Road junction and B197 corridor study.

Officer's Response

- 5.6.9 The main vehicle access to the site is to be a priority junction onto Watton Road, just east of the existing 30/60mph speed limit transition (with the access being located in the 60 mph section). Based on the data collected in the latest Transport Assessment, the Highway Authority consider that the proposed junction can operate safely. The applicant has also demonstrated that emergency vehicles can safely use the junction (Drawing 13936/2100 Rev P2).
- 5.6.10 The applicant is also proposing vehicular accesses either side of Swangleys Lane in order to gain access to the respective northern and southern parcels of the site (north and south of Swangleys Lane). The Highways Authority raised concerns that this arrangement could potentially create a direct link from Watton Road via Swangleys Lane to London Road that would avoid the Watton Road roundabout which can be congested at peak times. This potential 'rat run' would direct road users along Swangleys Lane and past the Primary School where a number of the existing accesses to residential properties on Swangleys Lane have poor visibility and no footway connection. The applicant has subsequently worked with the Highways Authority to overcome this issue by delivering the proposed Swangleys Lane Mobility Filter which will direct all existing Swangleys Lane traffic travelling in a westerly direction from Datchworth via the application site's internal spine road onto Watton Road. As previously mentioned, the mobility filter on Swangleys Lane will also improve pedestrian access to the existing residences and allow their accesses to operate more safely. The reduction in through traffic along Swangleys Lane to the west of the Mobility Filter will in turn also create a safer environment for pedestrians and cyclists travelling to and from the application site to destinations such as the Primary School and the central area of Knebworth where shops and facilities are located along London Road.
- 5.6.11 Concerns were subsequently raised over the inconvenience that this could cause to existing users of Swangleys Lane to destinations such as the Lister Hospital in Stevenage. The revised Transport Assessment (October 2025) shows that the increase in this journey to the hospital is only 1 minute. On balance, the Highways Authority considers that this slight impact is outweighed by the potential problems of keeping Swangleys Lane as a 'rat run' route. Furthermore, following the concerns raised at the previous Planning Control Committee meeting in July 2025, the installation of collapsable bollards for emergency services vehicles is now proposed at the Swangleys Lane modal filter. This will enable emergency services vehicles to bypass the internal spine road by continuing through the modal filter in a westerly direction to the now less trafficked western part of the original Swangleys Lane as well as in an easterly direction towards Datchworth. Further details of the proposed collapsable bollards are provided on Drawing No. 13936/2101 Rev P2.

Highways Authority Officer – Traffic Analysis

- 5.6.12 One of the reasons for deferral at Planning Control Committee requested that the applicant update the base traffic data. Automatic Traffic Counters (ATC's) were installed on Watton Road and Swangleys Lane between 8 and 14 of September 2025 to establish 24 hour flows on each day and determine traffic speeds. Further peak period (07:00-10:00 and 16:00-19:00) turning count surveys (MCC's) were carried out on Tuesday 9 September 2025 at:

- B197 / Watton Road / Station Road roundabout
- B197 / St. Martin's Road priority junction
- B197 / Swangley's Lane priority junction
- B197 / Milestone Road priority junction

5.6.13 The Watton Road ATC data showed that Tuesday 9 September was slightly the busiest day of the week traffic wise during the period surveyed and as such HCC Highways considers it robust data to use in further analysis. The ATC data also showed that whilst the 24-hour traffic count (AADT) only slightly increased on Watton Road, the westbound weekday peak (towards Knebworth) increased by approximately 143%.

5.6.14 The MCC at the B197/ Watton Road/ Station Road roundabout, however, suggest that this increase was outside the peaks. The 2025 AM peak having saw a reduction of 5% from 2019 traffic levels, and the 2025 PM peak having seen a reduction 8% from 2019 traffic levels respectively.

5.6.15 The Swangleys Lane ATC showed though that 24 hour (AADT) and peak period traffic levels changed very little from 2019 to 2025. Although during the AM peak on a Tuesday the junction of the B197 (London Road) and Swangley's Lane saw 10% less vehicles in 2025 compared to 2019. During the PM peak the junction (MCC) survey reflects the ATC data and the flow through the junction is approximately the same.

5.6.16 This MCC pattern is repeated at the B197/ St Martins Road junction and B197/Milestone junction where AM peak hour traffic is slightly lower and PM peak traffic is practically the same.

5.6.17 As per the Transport Industry norm, these junctions have been reviewed within the TRL Junctions Traffic Modelling Suite, 'Junctions' (Junctions 9). There is a newer version of Junctions (Junctions 11) but this does not substantially change the inbuilt ARCADY/PICADY formulae, so the Highways Authority finds the use of a previous version acceptable.

5.6.18 The principal indicator of junction performance within the Junctions model is the Ratio of Flow to Capacity (RFC) of specific approaches. The operational capacity of an approach modelled within the Junctions software is recognised to correspond to an RFC of 0.85 and cognisance of queuing is required at values above this. An approach however, is not beyond absolute capacity until an RFC of 1.00 is reached.

Traffic Analysis – Watton Road Access junction

5.6.19 Consistent with the previous TA (June 2023) the updated analysis using 2025 Traffic data for a base predicts that site access junction on Watton Road will operate with substantial spare capacity and no queuing is predicted. In 2028 the now predicted maximum RFC leaving the proposed site in the AM peak is 0.23 and the corresponding maximum RFC returning site in the PM peak is 0.21. Compared to RFC's of 0.20 (AM peak) and 0.18 in the previous analysis based upon 2019 traffic data.

Traffic Analysis – B197 / Watton Road / Station Road Roundabout

5.6.20 Whilst the updated analysis identifies some impact at the B197 / Watton Road / Station Road Roundabout, it is less than previously considered acceptable by the Highways Authority.

- 5.6.21 Based upon the September 2025 data with the proposed development in place, during the AM peak, the B197 N (Stevenage Road) approach RFC rises to its operational threshold (0.85) from 0.72 (without development). The B197 (N) approach was significantly over absolute capacity with and without the development based on the 2019 traffic data (1.08 with development and 1.05 without). A queue of 3 vehicles without the development is predicted to increase to 5 vehicles with the development in place. The variation in traffic counts may be an indication of the variability of the B197 in relation to the A1(M) which the development cannot be held responsible for.
- 5.6.22 Based on the 2025 traffic data the Watton Road approach which was predicted to go over absolute capacity during the AM peak with the development in place, now only goes over operational capacity with an RFC of 0.92 from a base of 0.61 without the development traffic. Based on the 2025 data queuing is predicted to increase from 2 vehicles to 8 vehicles with the proposed development in place. Whilst HCC acknowledges that the predicted level may vary substantially due to the relationship of the B197 and the A1(M), we still consider that it is appropriate to mitigate this level of impact through schemes aimed at encouraging a modal shift (and reducing vehicle trips).
- 5.6.23 During the PM peak the busiest direction on the B197 swaps to the reverse direction from the AM peak and it is now the B197 S (London Road) approach that experiences the peak RFC. Without the development it is predicted to be within operational capacity with an RFC of 0.80 with the development the B197 (S) approach rises to absolute capacity with an RFC of 1.00. This corresponds to a predicted increase in queuing of 15 vehicles. It's noted however, that the applicant does not present the 2028 scenario prior to development and merely the 2025 scenario prior to development and the increase in queuing may be overstated. Also as before, whilst HCC acknowledges that the predicted level may vary substantially due to the relationship of the B197 and the A1(M), we still consider that it is appropriate to mitigate this level of impact through schemes aimed at encouraging a modal shift (and reducing vehicle trips).
- 5.6.24 Perhaps related to the change in the direction of the dominant flow through the junction in the PM (now South to North on the B197), the Watton Road approach during the PM peak is predicted to remain well within capacity when the development is in place. The 2028 peak RFC on the Watton Road approach with the development in place is a mere 0.41.

Traffic Analysis – B197 / St Martin's Road Priority Junction

- 5.6.25 The applicant does not present an updated analysis of the B197 / St Martin's Road Priority Junction given that the 2025 traffic counts at this location are substantially lower (-13%) during the AM peak and are still marginally lower during the PM peak (-4%). The previous analysis predicted that the junction was significantly within capacity with an AM peak maximum RFC with development predicted of 0.10 (compared to 0.09 without) and an unchanged (both pre and post development PM peak maximum RFC of 0.16).

Traffic Analysis – B197 / Swangley's Lane Priority/ Milestone Road Junction

- 5.6.26 Similarly, given that the AM peak flows substantially decreased through the B197 / Swangley's Lane Priority Junction (-10% and -13%) and the PM peak flows were virtually unchanged (+1% and 0%), the applicant also didn't rerun the models of the junction which was predicted to be operating substantially within capacity.

S106 and mitigation

- 5.6.27 HCC Highways operate two levels of mitigation agreements (Strand 1 and Strand 2). Strand 1 mitigation works are directly required to unlock the development and solely the responsibility of the development. Strand 2 mitigation works address the wider cumulative impact of the development for which the development isn't solely responsible for but does derive benefit from.
- 5.6.28 In the first instance HCC Highways would envisage that the agreed junction improvements and travel plan contributions are delivered via a Strand 1 s106 agreement. This includes the support fee for the Travel Plan.
- 5.6.29 In the second instance (Strand 2) HCC calculate an appropriate headline figure based on the findings of HCC's adopted Developers Planning Obligation Toolkit (2021). Strand 2 contributions should address the cumulative impacts of all development, large and small, facilitating delivery and enhancement of the necessary active and sustainable transport networks. These local sustainable networks must be provided in their entirety to provide the sustainable connections to the key trip generators, as such contributions will be pooled to fund these networks within the local area (subject to any legislative restrictions), as supported by National Planning Policy Framework (NPPF). This second strand contribution is intended to help implement broader transport measures in the catchments of new development from which contributions are secured. The need for second strand contributions will be balanced against the level of first strand contributions and any other relevant planning matters.
- 5.6.30 For the development proposal, HCC Highways calculates the Strand 2 contribution at £1,365,200. As mentioned previously this would be allocated to Package 4 of HCC's North Central Growth and Transport Plan (NC GTP, May 2022) - Specific Measure (SM) 93 (B197 sustainable transport corridor) and SM 94 (Improving accessibility from KB1-4 to the Knebworth rail station, etc).
- 5.6.31 Therefore, on the basis of the sustainable access improvements being conditioned, not reversing the road priorities at the current Bell Close/ Watton Road junction, and the £1,365,200 contribution towards improving the greater sustainable network within Knebworth that the development impacts upon HCC Highways recommends approval of the application in respect of highway related matters.
- 5.6.32 It is fully appreciated that concerns remain amongst residents and parish councils relating to the highway impacts of the proposal, these have been considered along with the submissions of support relating to the approach to Swangleys Lane. The revised TA and supporting information have been carefully considered also by officers and the Highways Authority.

Conclusion

- 5.6.33 The reasons for deferral of consideration of this application at the previous meeting have been addressed by the applicant and considered in this report. This outline planning application seeks to secure the vehicular access arrangements to this site. Conditions are recommended to ensure the proposal is acceptable from a highway perspective and to secure mitigation measures. The applicant has agreed to pay the requested financial contributions. The Highways Authority consider the proposal is acceptable, and the absence of harm weighs neutrally in the planning balance.

5.7 Landscape and visual impacts

Conclusion on landscape and visual impacts

- 5.7.1 It is considered that the proposal would inevitably have some adverse landscape and visual impacts. However, through a combination of topography, existing screening, and the provision of landscaping, it is considered that the adverse effect would be localised and limited as far as possible. Mitigation planting measures can be secured by conditions, and such measures would be beneficial to the landscape and biodiversity. Therefore, there would be some conflict with Local Plan policies. Overall, therefore, it is considered that the identified visual and landscape harm should be attributed moderate weight in the planning balance.

5.8 Heritage and archaeological impacts

Conclusion on heritage asset impacts

- 5.8.1 In accordance with the NPPF and North Herts Local Plan policies, the proposal is considered to be compliant regarding the impact on heritage assets. Therefore, this matter weights neutral in the planning balance.

Conclusion on archaeological impacts

- 5.8.2 The proposal has the potential for archaeological remains. A WSI and associated reports would address this matter. Subject to conditions, there are no objections to the proposals on archaeological grounds. This matter weights neutral in the planning balance.

5.9 Ecology and Biodiversity

Conclusion on ecology and biodiversity

- 5.9.1 It is considered there are no ecological impacts arising from the proposals that cannot be mitigated. Further details of mitigation measures can be secured by conditions. In relation to on-site biodiversity net gain (BNG), the proposal will secure an on-site net gain in habitat units of 15.17%, and an on-site net gain in hedgerow units of 81.13%. This will far exceed the minimum requirement for this application across the site. As this also exceeds the 10% on-site net gain statutory requirement, which is not mandatory in this instance, it is considered a moderate benefit in the planning balance.

5.10 Tree Impacts

Conclusion on tree impacts

- 5.10.1 Some low-quality trees and hedges will need to be removed to facilitate the new access into the site. Other minor tree impacts can be appropriately managed by way of condition at the appropriate phase. This matter weighs neutral in the planning balance.

5.11 Flood Risk and Drainage

Conclusion on flood risk and drainage

- 5.11.1 The FRA includes an assessment of flood risk from all sources based on walkover observations, a desktop study of available online mapping, consultation with the water regulators, and consultation with Affinity Water who own the adjacent pumping station asset. The FRA also includes an outline surface water and foul drainage strategy.

- 5.11.2 In terms of surface water, an interception swale is proposed around the eastern boundary, which would intercept off-site runoff and reconnect into the west to east flow pathway downstream. The surface water drainage strategy would intercept onsite run-off from the development and infiltrate to the ground, thereby reducing the catchment contribution to the west to east flow pathway. An easement would also be provided adjacent to the Affinity Water pumping station which would allow for potential future flood protection works.
- 5.11.3 In terms of the foul drainage strategy, foul flows would discharge to the nearby public sewer via a gravity connection for most of the site. Mitigation measures have also been recommended to protect the Source Protection Zone/Principal Aquifer.
- 5.11.4 The LLFA originally objected to the proposal but subsequently withdrew their objection on 25 March 2025 subject to conditions being attached to any consent if the application is approved. Affinity Water and the Environment Agency have also both recommended flood and drainage related conditions.
- 5.11.5 In summary, it is concluded there would no harm arising to matters relating to flood risk and drainage, and this matter weighs neutral in the planning balance.

5.12 Environmental Impacts

Conclusion on environmental impacts

- 5.12.1 The supporting documentation confirms that there are likely to be minimal impacts in relation to air quality and noise pollution. Any impacts can be reasonably mitigated through conditions. Further investigative work is required in relation to contaminated land, and this can also be secured via condition. Given the foregoing, there is not considered to be any harmful environmental impacts arising. This matter weighs neutrally in the planning balance.

5.13 Sustainability

Conclusion on sustainability

- 5.13.1 This planning application was submitted in July 2023, and therefore pre-dates the adoption of the Council's Sustainability Supplementary Planning Document (September 2024), which requires a major development of this size and scale to be accompanied by an appropriate Energy and/or Sustainability Statement. The application is not supported by any such statement(s). Notwithstanding this, a series of guiding principles for sustainable design and construction have been set out in the Design & Access Statement. This includes the provision of EV charging points, using recycled construction materials and aggregates, and controlling water demand through methods such as low flow showers and baths, and rainwater harvesting. In addition, a condition has been recommended for a site-wide energy and sustainability strategy to address matters relating to renewable energy, reducing carbon emissions and water conservation for the proposed development.

5.14 Impact upon residential amenity

Conclusion

- 5.14.1 In terms of matters that relate to the effect upon the living conditions of occupiers of neighbouring dwellings, such as loss of outlook, privacy, daylight and sunlight, these matters will be considered at the reserved matters stage, when approval of scale and

layout will be sought. However, considering the existing vegetation, and the proposed enhancements, there is no reason to believe that the effect upon the residential amenities of occupiers of nearby residential properties would not be able to be satisfactorily addressed. Therefore, it is considered that the proposal would comply with Local Plan Policy D3, which permits proposals that do not cause unacceptable harm to living conditions.

5.15 Planning Obligations

5.15.1 In considering Planning Obligations in relation to this development, the Framework advises that:

“Planning obligations should only be sought where they meet all of the following tests:

- *necessary to make the development acceptable in planning terms;*
- *directly related to the development; and*
- *fairly and reasonably related in scale and kind to the development”*

5.15.2 Policy SP7 sets out infrastructure requirements and developer contributions that are ‘necessary in order to accommodate additional demands resulting from the development’. This policy reflects the NPPF principles set out above. It also cites the Development Contributions SPD adopted by the Council and the update to Development Contributions adopted by the County Council.

5.15.3 The section below outlines the Heads of Terms and financial contributions sought by statutory bodies.

5.15.4 As part of the latest re-consultation, Sport England provided an updated response on 10 November 2025 with revised projects and the respective financial contributions sought for each project. The figures are based on North Herts Council’s new Playing Pitch Strategy and Indoor Sports Facility Strategy which are now at an advanced stage and should be used as the evidence base for informing and justifying developer contributions from the development as they collectively provide up-to-date evidence of the local sports facility needs in the Knebworth area and the priority projects that development contributions should be used towards. It is noted that the previous Sport England consultation response from July 2023 identified contribution figures only based on the Sport England Playing Pitch and Sport Facility calculators whereas the most recent response now identifies specific projects for each individual financial contribution being sought. The applicant has since agreed to the updated figures and the ‘Sport Contributions’ section of Table 3 below has been updated accordingly.

5.15.5 The applicant has agreed to the following obligations and a draft S106 Legal Agreement is well progressed. It is recommended that should Members accept this recommendation and resolve to grant outline planning permission, this should be subject to the completion of the S106 Agreement, with the following obligations:

These obligations are based upon the delivery of 200 units.

Element	Details and Justification	Justification
Affordable Housing	Based on 200 units, on site provision of 40% (approx. 80 units) which should be 65% rented tenure (approx. 52 units) and 35% intermediate tenure (approx. 28 units).	NHDC Developer Contributions Supplementary Planning Document (SPD) Feb 2023 Policy HS2 of the Local Plan.
Nursery Education	Included within the Primary Education contribution.	
Primary Education (HCC)	£2,973,523 (which includes land costs of £41,241) index linked to BCIS 1Q2024.	Towards new primary school provision in Knebworth and/or provision serving the development.
Secondary Education	£2,327,622 (which includes land costs of £55,433) index linked to BCIS 1Q2024.	Towards the delivery of new secondary school provision in Stevenage and/or provision serving the development.
Childcare Service 0-2 years	£157,046 index linked to BCIS 1Q2024.	Towards childcare facilities in the vicinity of the development and/or provision serving the development.
Childcare Service 5-11 years	£3,352 index linked to BCIS 1Q2024.	Towards provision at the new primary school and/or provision serving the development
Special Educational Needs and Disabilities (SEND)	£352,657 index linked to BCIS 1Q2024.	Towards the delivery of new Severe Learning Difficulty (SLD) special school places (EAST) for pupils ages 2 to 19 years old and/or provision serving the development.
Youth Service	£71,745 index linked to BCIS 1Q2024.	Towards the delivery of a new young people's centre serving Stevenage and the surrounding area and/or

		provision serving the development.
Library Services	£57,705 index linked to BCIS 1Q2024.	Towards increasing the capacity of Knebworth Library and/or provision serving the development.
Waste Service Recycling Centre	£1,239 index linked to BCIS 1Q2024.	Towards increasing capacity at Stevenage Recycling Centre and/or provision serving the development.
Waste Service Transfer Station	£57,769 index linked to BCIS 1Q2024.	Towards the new Northern Transfer Station and/or provision serving the development.
HCC Highways – Sustainable Transport Contributions	<p>Strand 1 – Travel pack contribution of £100 per house and £50 per flat. An evaluation and support fee £1,200 per annum. Overall sum of £6,000 and index-linked RPI March 2014.</p> <p>Strand 2 – Contribution of £1,365,200 to be allocated towards Package 4 of HCC’s North Central Growth and Transport Plan (NC GTP, May 2022) – Specific Measure (SM) 93 (B197 sustainable transport corridor) and SM 94 (Improving accessibility from KB1-4 to the Knebworth rail station etc).</p>	<p>Policy SP7</p> <p>Policy SP17</p> <p>Policy D1</p> <p>Developer Contributions SPD</p> <p>HCC LTP4</p> <p>HCC ‘Guide to Developer Infrastructure Contributions’ 2022</p>
Air Quality (NHDC Environmental Protection)	<p>The following has been requested by NHDC’s Environmental Protection team to address Local Plan policy requirements in relation to air quality:</p> <p>£38,610 towards Car Club/Car Hire Scheme</p>	<p>NHDC Air Quality Planning Guidance Document (2018)</p> <p>LP Policy D4</p>

	<p>£15,000 towards cycle vouchers</p> <p>£37,500 towards Travel plan co-ordinator</p>	
Sports Contributions – Adult/Youth/Mini Football (Sport England)	The recommendations in the PPS for Knebworth Recreation Ground for football are that the pitch quality should be improved. The recommended contribution for football would therefore be £49,850 which is the aggregated figure for adult, youth and mini football pitches.	<p>Developer Contributions SPD (2023)</p> <p>Policy SP10</p> <p>Policy NE6</p> <p>North Herts Playing Pitch Strategy</p> <p>North Herts Indoor Sports Facility Strategy</p>
Sports Contributions – Cricket (Sport England)	The PPS identifies that the former cricket square at Knebworth Recreation Ground could be brought back into use to meet future demand or Alternatively, Knebworth Park Cricket Club (based at Knebworth House) are considering relocating to a new site in the Knebworth area that would require investment. It is suggested that the cricket contribution is ring fenced for either of these projects. The recommended cricket contribution would be £29,526 which is the cricket pitch contribution.	<p>Developer Contributions SPD (2023)</p> <p>Policy SP10</p> <p>Policy NE6</p> <p>North Herts Playing Pitch Strategy</p> <p>North Herts Indoor Sports Facility Strategy</p>
Sports Contributions – Rugby Union (Sport England)	There are no rugby clubs in North Hertfordshire district that are in close proximity to Knebworth as the closest facilities in the district are in Hitchin and Letchworth. However, Datchworth Rugby Club is in the next village to Knebworth and would serve the Knebworth area although it is located in East Hertfordshire district. The action plan for the East Herts PPS which has been	<p>Developer Contributions SPD (2023)</p> <p>Policy SP10</p> <p>Policy NE6</p> <p>North Herts Playing Pitch Strategy</p> <p>North Herts Indoor Sports Facility Strategy</p>

	<p>prepared in conjunction with the North Herts PPS has identified that Datchworth Sports Club (where the rugby club are based) are in need of improved rugby pitches and clubhouse facilities. The rugby union contribution should therefore be ring fenced for pitch and clubhouse works at Datchworth Sports Club. The recommended rugby union contribution would be £42,253 which is the aggregate of the rugby pitch and changing rooms contributions.</p>	
<p>Sports Contributions – Hockey (Sport England)</p>	<p>There are no hockey pitches in the Knebworth area. The nearest facilities in North Hertfordshire district are in Hitchin and Letchworth which are not in close proximity to Knebworth. Stevenage Hockey Club which is based at the Nobel School in Stevenage serves the Knebworth area and the priority in the action plan for the Stevenage Playing Pitch Strategy which has been prepared in conjunction with the North Herts PPS has identified that the artificial grass pitch at the Nobel School is in need of a replacement surface to sustain hockey use. The recommended hockey contribution would therefore be £14,049 which is the sand based artificial grass pitch contribution.</p>	<p>Developer Contributions SPD (2023)</p> <p>Policy SP10</p> <p>Policy NE6</p> <p>North Herts Playing Pitch Strategy</p> <p>North Herts Indoor Sports Facility Strategy</p>
<p>Sports Contributions – 3D Artificial Grass Pitch (Sport England)</p>	<p>The Playing Pitch Strategy identifies a need for a 3G AGP in Knebworth but no site has been identified for this. It is unclear whether Knebworth Recreation Ground has potential. Knebworth Recreation Ground could be identified as a site for the contribution to be directed to but in view of the uncertainty of</p>	<p>Developer Contributions SPD (2023)</p> <p>Policy SP10</p> <p>Policy NE6</p> <p>North Herts Playing Pitch Strategy</p>

	<p>whether it is feasible and whether the Parish Council would actually support a 3G AGP in this location contingency should be included to direct a contribution to another site. Outside of Knebworth, the closest potential location for meeting 3G AGP needs would be Stevenage where the new PPS has identified 4 potential sites (Barclay School, Barnwell School Upper, Barnwell School Lower and Thomas Alleyne School) for new 3G AGPs to meet the needs of Stevenage and the surrounding area. The financial contribution recommended would be £55,214 which is the 3G AGP pitch and changing facilities contribution combined as new 3G AGPs will need new changing rooms to support them.</p>	<p>North Herts Indoor Sports Facility Strategy</p>
<p>Sports Contributions – Sports Halls (Sport England)</p>	<p>Whilst the emerging ISFS does not identify a need for new sports halls, it does identify issues with the quality of some of the existing facilities and the reliance on sports halls in the education sector for meeting the community’s needs. The emerging Stevenage ISFS identified similar issues. There are no existing sports halls in Knebworth and no new projects are proposed. Therefore, sports hall demand would need to be met outside of the Knebworth area. The closest potential location for meeting sports hall needs would be Stevenage where the emerging Stevenage ISFS is identifying that the new Stevenage Sports Centre (which will include a 6 court sports hall) would be the top priority project for meeting</p>	<p>Developer Contributions SPD (2023)</p> <p>Policy SP10</p> <p>Policy NE6</p> <p>North Herts Playing Pitch Strategy</p> <p>North Herts Indoor Sports Facility Strategy</p>

	<p>the sports hall needs of Stevenage and the surrounding area. A contribution towards this project is recommended therefore. The recommended contribution would be £94,114 as set out in the Sports Facility Calculator outputs.</p>	
<p>Sports Contributions – Swimming Pools (Sport England)</p>	<p>Whilst the emerging ISFS does not identify a need for new swimming pools, it does identify issues with the capacity and quality of existing facilities. The emerging Stevenage ISFS identified similar issues. There are no existing swimming pools in Knebworth and no new projects are proposed. Therefore, swimming pool demand would need to be met outside of the Knebworth area. The closest potential location for meeting swimming pool needs (which is publicly accessible) would be Stevenage where the emerging Stevenage ISFS is identifying that the new Stevenage Sports Centre would be the top priority project for meeting the swimming pool needs of Stevenage and the surrounding area. A contribution towards this project is recommended therefore. The recommended contribution would be £113,807 as set out in the Sports Facility Calculator outputs.</p>	<p>Developer Contributions SPD (2023)</p> <p>Policy SP10</p> <p>Policy NE6</p> <p>North Herts Playing Pitch Strategy</p> <p>North Herts Indoor Sports Facility Strategy</p>
<p>Sports Contributions – Tennis (Sport England)</p>	<p>The recommendations in the PPS for Knebworth Recreation Ground for tennis are that the providing sports lighting on the unlit tennis court be explored to meet demand. The recommended contribution would be £7,311 as set out in the Sports Facility Calculator outputs.</p>	<p>Developer Contributions SPD (2023)</p> <p>Policy SP10</p> <p>Policy NE6</p> <p>North Herts Playing Pitch Strategy</p>

		North Herts Indoor Sports Facility Strategy
HCC Monitoring Fees	£340 for each distinct trigger point.	
NHDC Monitoring fees	2.5% of NHDC contributions capped at £25,000.	

Table 3: Heads of Terms for S106 Agreement

5.15.6 All the elements of these Obligations are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development. In the light of the detailed evidence, all the elements of the Obligation meet the policy in paragraph 256 of the NPPF and the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).

5.16 Planning Balance and Conclusion

5.16.1 This site is allocated for residential development in the adopted Local Plan. The proposal meets the site-specific criteria for Site KB4, and the proposal is in general conformity with Policy SP9. It is considered that the application is acceptable in principle.

5.16.2 The proposal would deliver up to 200 dwellings (including 40% affordable housing) as part of the local plan housing allocation. The proposal would boost the supply of housing in a sustainable location with access to services and facilities in Knebworth. It is considered that this is a **benefit** to which **substantial** weight should be attributed.

5.16.3 The proposal will provide an above 10% biodiversity net gain (BNG) improvement across the site. As this is not a mandatory requirement, it is a **benefit** to which **moderate** weight should be attributed.

5.16.4 In terms of matters relating to masterplan compliance, heritage, archaeology, highways and transport, flooding and drainage, tree impacts, and environmental impacts, it is considered that each of these elements of the development proposal would have a **neutral** effect in terms of the planning balance. Suitable conditions have also been recommended in respect of each subject area.

5.16.5 The proposal would result in some loss of Best and Most Versatile (BMV) agricultural land. This is considered a **harm** which attracts **moderate** weight in the planning balance.

5.16.6 It is considered that the proposal would have some adverse landscape and visual impacts. However, mitigation planting measures can be secured by conditions, and such measures would be beneficial to the landscape and biodiversity. Overall, it is considered that the identified visual and landscape **harm** should be attributed **moderate** weight in the planning balance.

5.16.7 There would be impact upon the character and appearance of the area through the residential development of a green field site. However, based upon the submitted masterplan and supporting information accompanying the application, and subject to suggested conditions, it is considered that there would not be significant harm to the character and appearance of the area.

5.16.8 There should not be a significant adverse impact upon the living conditions of occupiers of nearby residential properties. Effects in terms of outlook, privacy and overshadowing would be considered at the reserved matters stage.

5.16.9 The application site is an allocated housing site in the adopted local plan and will therefore make an important contribution to the housing land supply. As the Council is currently unable to demonstrate a 5-year housing land supply, the tilted balance of paragraph 11(d) of the NPPF is engaged. The collective benefits of the development as described would be significant. Any adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The scheme therefore benefits from the presumption in favour of sustainable development which is a further material consideration. The proposal would accord with the development plan taken as a whole and there are no material considerations that indicate that the application should be determined otherwise than in accordance with the development plan. Accordingly, it is recommended that planning permission be granted.

6.0 Alternative Options

6.1 None applicable.

7.0 Pre-Commencement Conditions

7.1 I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

8.0 Legal Implications

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

9.0 Recommendation

9.1 That planning permission is resolved to be GRANTED subject to the completion of a satisfactory legal agreement or similar mechanism, with details of delivery of the planning obligations identified at Table 3 and the following conditions and informatives, with any changes to the wording of the conditions or transfer of conditions to S106 planning obligations delegated to the Development and Conservation Manager, and the applicant agreeing to extend the statutory period in order to complete the agreement.

Time Limit

1. Before the development hereby permitted is commenced, approval of the details of the siting, design and external appearance of the development, the means of access (other than the access details shown on Drawing No. 13936/2100 Rev P1; Drawing No. 13936/2101 Rev P1; and Drawing No. 13936/2101 Rev P1) and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 as amended.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission, and the development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall be carried out in complete accordance with the details specified in the application and supporting, approved documents and plans as listed above, together with the Reserved Matters approved by the Local Planning Authority, or with minor modifications of those details or Reserved Matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved.

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

Masterplanning

4. The development hereby permitted shall be carried out in accordance with the masterplan framework and parameter plans listed below:
 - Land Use Parameter Plan – Drawing No. 7521-L-20-G
 - Access Parameter Plan – Drawing No. 7521-L-21
 - Vehicular Hierarchy Framework Plan – Drawing No. 7521-L-22-B
 - Active Travel Framework Plan – Drawing No. 7521-L-23-A
 - Green Infrastructure Framework Plan – Drawing No. 7521-L-24-H
 - Building Heights Parameter Plan – Drawing No. 7521-L-25-A
 - Built Form and Character Framework Plan – Drawing No. 7521-L-26-A

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of planning permission and in accordance with Policy SP9 of the North Herts Local Plan 2011-2031.

Masterplan Compliance

5. Prior to or concurrent with the submission of the first Reserved Matters application, and any subsequent Reserved Matters applications, a Masterplan Compliance Statement shall be submitted to and approved in writing by the Local Planning Authority. The Masterplan Compliance Statement shall provide detailed explanation of how the proposal accords with the Masterplan Framework document approved under application reference No. 23/01552/OP and dated January 2025, and plan numbers 7521-L-20-G – Land Use Parameter Plan; 7521-L-21 – Access Parameter Plan; 7521-L-22-B – Vehicular Hierarchy Framework Plan; 7521-L-23-A – Active Travel Framework Plan; 7521-L-24-H – Green Infrastructure Framework Plan; 7521-L-25-A – Building Heights Parameter Plan; and 7521-L-26-A – Built Form and Character Framework Plan. Where the proposal does not accord with a specific principle or parameter within the approved Masterplan, the Masterplan Compliance Statement must provide clear and robust justification for each departure.

Reason: To ensure that the development as envisaged by the outline application is satisfactorily implemented in accordance with Policy SP9 of the North Hertfordshire Local Plan.

Design Code

6. Prior to the submission of the first reserved matters application(s), a Site Wide Design Code shall be submitted to the Local Planning Authority for approval. No development shall commence except enabling and associated works until the Site Wide Design Code has been approved in writing by the Local Planning Authority in consultation with Hertfordshire County Council (as Highways Authority and LLFA).

The Site Wide Design Code shall be prepared in accordance with the approved parameter and framework plans established in this outline permission and build upon the place-making principles stated in the Strategic Masterplan Report and Design and Access Statement.

The Site Wide Design Code shall be structured as follows:

A: Nature, Open Space and Ecology

Regulating Plan (based on Open Spaces identified in the Green Infrastructure Framework Plan)

Site Wide Landscaping Materials Palette (hard and soft)

Site Wide Tree and Planting Palette

Section on each Open Space (eg. 'Watton Park West') to include:

- Vision Statement
- Illustrative Plan (showing planting, habitats, trees, routes, surfacing, play, character, lighting, SUDs, function/use, etc)
- Illustrative Sketch View
- Play Concept and Objectives
- Planting Plan (based on Site Wide Tree and Planting Palette)

B: Streets, Movement and Parking

Regulating Plan (developing on routes and streets identified in Design and Access Statement and Strategic Masterplan Report).

Site Wide Streets Materials Palette (paving, highways, shared surface, etc)

Site Wide Parking Typologies

Section on each Street Typology (eg. Primary Street) to include:

- Section and Plan (front door to front door) to show carriageway, pavements, planting, verges, street furniture, utility corridors, street trees, play, defensible space, boundary treatments, materials, lighting, parking, adoption, cycling provision, cycle parking, etc.
- Junction design to lower order street (eg. Primary to Secondary Street)

C: Character and Built Form

Regulating Plan (based on Urban Design Framework Plan)

Site Wide Tenure Distribution Principles

Site Wide Built Form Principles

Site Wide Materials Strategy (with contextual analysis of surrounding area)

Design Principles for Rural Edges

Design Principles for Key Buildings

D: Compliance

Table assessing compliance with the North Herts District Design Code

Table assessing compliance with Buildings for Healthy Life Criteria

The Design Code shall be structured as a 'comply or justify' document. All subsequent Reserved Matters applications shall accord with the details of the approved Site Wide Design Code and be accompanied by a statement which demonstrates compliance. There shall be no variation or amendment to the approved Site Wide Design Code unless this is agreed in writing by the Local Planning Authority.

Reason: To ensure high quality design and co-ordinated phased development in accordance with Policy SP9 Design and Sustainability and D1 Sustainable Design in the North Hertfordshire Local Plan and Section 12 of the NPPF, National Design Guide and National Mode Design Code.

Allotment

7. Any Reserved Matters applications which incorporate allotment provision shall, where appropriate, include the following details:
 - a) A plan of the allotments, principles of plot layout and design providing for a range of plot sizes designed to allow flexibility to meet the needs of future plot holders; areas for communal storage of, for example, manure and compost;
 - b) Proposed management arrangements;
 - c) Access and parking arrangements to allow easy and safe access to the proposed allotments and retaining access to the existing allotments;
 - d) Boundary treatment, including security arrangements for the allotments;
 - e) Water supply, including, where appropriate, rain water storage.

The provision of allotments shall be carried out in accordance with the approved details and in accordance with the approved phasing programme.

Reason: To ensure that appropriate allotments are provided in relation to the development of the site in accordance with North Hertfordshire Local Plan Policy NE6.

Waste and Recycling Storage

8. No dwelling shall be occupied until a scheme setting out details of all on-site household storage facilities for waste including waste for recycling and/or composting (including details of any enclosures of screening) to serve each dwelling in accordance with the Council's Waste and Recycling Strategy at the time of submission, has been submitted to and approved in writing by the Local Planning Authority.

Such details shall identify the specific position of where wheeled bins will be stationed, and the specific arrangements to enable collection from the kerbside of the adopted highway/refuse collection vehicles access point in accordance with the walk distances set out in the Council's approved waste collection strategy.

The scheme shall also include arrangements for management of any other waste generated by the development. All such facilities shall be provided in accordance with the approved details prior to the first occupation of the corresponding dwellings and shall be maintained and retained thereafter.

Reason: To facilitate refuse and recycling collection. To protect the amenities of nearby residents and occupiers in the interests of visual amenity and to comply with Policies D1 and D3 of the North Hertfordshire Local Plan 2011-2031.

Site Waste Management

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

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

Landscaping and Biodiversity

Advanced Planting

10. Any reserved matters applications shall be accompanied by details of the structural planting along the Eastern Greenway. This shall include species composition, specification and supporting implementation timetable.

Implementation will need to be carried out prior to development above ground level (except any demolition, site clearance, ground investigation and remediation work) and in accordance with an implementation timetable agreed in writing with the Local Planning Authority.

Reason: In order to ensure key structural / screening landscape planting is carried out at the earliest opportunity, in the interest of screening, landscape character and amenity of the locality. Ensuring compliance with the North Herts Local Plan Policies KB4, SP9, NE2 NE6 and National Planning Policy Framework.

Infiltration Basin Landscape Strategy

11. Any reserved matters applications shall be accompanied by an Infiltration Basin landscape strategy. The strategy shall demonstrate how the proposed infiltration basin will be fully integrated into the landscape. The strategy shall include:
- Detailed layout and cross-sections of the basin, showing gradients, edge treatments, planting zones and relationship with surrounding levels;
 - Planting plans and schedules for all planting, including species, densities and maintenance regimes;
 - Access and safety considerations, including appropriate design of slopes, edge detailing and passive surveillance from public areas;
 - Phasing plan for delivery;
 - Long-term management responsibilities and aftercare proposals.

The SuDS features shall be constructed and maintained in accordance with the approved details and retained thereafter.

Reason: In order to ensure key structural / screening landscape planting is carried out at the earliest opportunity, in the interest of screening, landscape character and amenity of the locality. Ensuring compliance with the North Herts Local Plan Policies KB4, SP9, NE2 NE6 and National Planning Policy Framework.

Landscape and Ecological Management Plan (LEMP)

12. Any reserved matters applications shall be accompanied by a Landscape and Ecological Management Plan (LEMP). The content of the LEMP shall be written in accordance with BS42020:2013 Biodiversity Code of Practice for planning and development.

The LEMP shall include the following:

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;
- c) Appropriate options for achieving management aims and objectives;
- d) Full details of proposed habitat creation and long-term measures to enhance the site for biodiversity;
- e) Preparation of a work schedule and implementation timetable (including an annual work plan capable of being rolled forward over a five-year period);
- f) Details of the body or organisation responsible for implementation of the plan;
- g) Supporting plan showing areas within and outside the management plan area;
- h) Biodiversity Net Gain (BNG) Plan and ongoing monitoring of BNG delivery;
- i) Full details of protection and mitigation measures to be implemented for retained trees, habitats, flora and faunal species including the timings of works;
- j) Demonstrate how the LEMP for that phase has been cognisant of the LEMP(s) for prior phases;
- k) Prior to the commencement of the given phase of the development a timescale for the implementation of these measures.

Details of habitat management practices to be used within the Site including acceptable limits of change, targets and remedial works in regard to habitats and species at the site.

Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

Reason: In the interest of biodiversity and ensuring compliance with the North Herts Local Plan Policies KB4 and NE2 and the National Planning Policy Framework.

Trees

13. Prior to or concurrent with each Reserved Matters application and where there are identified and relevant tree or hedge impacts, the following document(s) shall be submitted to and approved in writing by the Local Planning Authority in accordance with best practice including BS5837 (Trees in relation to construction) –

- (i) Arboricultural Method Statement(s)
- (ii) Tree and Hedge Protection Plan(s)
- (iii) a Veteran Tree Management Plan and a
- (iv) external underground service plan illustrating the routes of all cables and pipes.

Thereafter, the development shall be carried out and completed in accordance with the approved details.

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality.

Soft Landscaping Provision

14. Notwithstanding any details included in the submitted plans, no development above ground level (except any demolition, site clearance, ground investigation and remediation work) shall take place within the relevant phase (or part thereof) until details of soft landscaping for such relevant phase have been submitted to and approved in writing by the Local Planning Authority. These details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/densities and tree pit construction and soil volumes.

The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.

Reason - In the interests of character and visual amenity and ensuring compliance with North Herts Local Plan Policies KB4, SP9 and NE2 and the National Planning Policy Framework.

Hard Landscaping and Boundary Treatment Provision

15. Notwithstanding any details included in the submitted plans, no development above ground level (except any demolition, site clearance, ground investigation and remediation work) shall take place within the relevant phase (or part thereof) until details of hard landscaping and boundary treatments for such relevant phase have been submitted to and approved in writing by the Local Planning Authority.

Hard landscape details should include proposed finished levels and contours showing earthworks and mounding; surfacing materials; hard surfacing material specifications; minor artefacts and structures (for example furniture, refuse and/or other storage units, signs, lighting and similar features); boundary treatments and proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features).

Reason: In the interests of character and visual amenity and ensuring compliance with North Herts Local Plan Policies KB4, SP9 and NE2 and the National Planning Policy Framework.

Biodiversity Net Gain Plan

16. No development above ground levels shall take place until a biodiversity net gain management plan (BNGMP) has been submitted to and approved in writing by the Local Planning Authority. The BNGMP should be informed by up-to-date ecological surveys and a new biodiversity metric (according to the accepted standard methodology at the time the BNGMP is submitted to the Local Planning Authority). The content of the BNGMP shall ensure the delivery of the agreed number of habitat and hedgerow units as a minimum (15.17% and 81.13% increase in habitat and hedgerow units) to achieve a net gain in biodiversity and include the following:
- a) Description and evaluation of habitat parcels to be managed, cross referenced to individual lines in the metric
 - b) Maps of all habitat parcels, cross referenced to corresponding lines in the metric.
 - c) Appropriate management options for achieving target condition for habitats as described in the approved metric.
 - d) Preparation of an annual work schedule for each habitat parcel (including a 30 year work plan capable of being rolled forward in perpetuity).
 - e) Details of the body or organisation responsible for implementation of the plan.
 - f) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.
 - g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met.
 - h) Reporting plan and schedule for informing LPA of condition of habitat parcels for 30 years.

The BNGMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the BNGMP are not being met) how contingencies and/or remedial

action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To deliver a measurable biodiversity net gain in accordance with NHDCLP Policy NE4

Badger Method Statement

17. No development shall take place (including any demolition, ground works, site clearance) until a method statement for badgers has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall be informed by part 4 of the February 2023 Ecological Appraisal and include the;
- a) purpose and objectives for the proposed works;
 - b) detailed working method(s) necessary to achieve stated objectives;
 - c) extent and location of proposed works shown on appropriate scale maps and plans;
 - d) timetable for implementation, including guidance for updated badger checks prior to and within 2 months of construction work commencing, demonstrating that works are aligned with the proposed phasing of construction;
 - e) persons responsible for implementing / supervising vegetation clearance works;

The works shall be carried out strictly in accordance with the approved details.

Reason: In the interests of the protection of badgers and to ensure compliance with North Herts Local Plan Policy NE4.

Badger Licence

18. No works are in any circumstances to commence unless the local planning authority has been provided with either:
- a) a badger licence issued by Natural England authorizing the specified activity/development to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: In the interests of the protection of badgers and to ensure compliance with North Herts Local Plan Policy NE4.

Open Space Management and Maintenance

19. Any reserved matters applications shall include a detailed Open Space Management and Maintenance Scheme for the management and maintenance of all areas of open space (to include parks, greenways, allotments, play areas, informal open space, semi-natural green space, public squares) shall be submitted to and agreed in writing by the Local Planning Authority. Details to be submitted shall include:
- a) Management organisation;
 - b) Details of landscape management and maintenance plans;
 - c) Details of planting, grass cutting, weeding and pruning;
 - d) Management of sustainable urban drainage features;
 - e) Inspection, repair and maintenance of all hard landscaping and structures;

- f) Management, monitoring and operational restrictions; and
- g) Maintenance and planting replacement programme for the establishment period of landscaping.

The open spaces provided shall be retained for their intended purpose and in accordance with the approved management plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate open space and amenity provision as per Policy NE6 of the North Hertfordshire Local Plan.

Energy and Sustainability

- 20. Prior to the commencement of works above ground, a site-wide energy and sustainability strategy shall be submitted and to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation. The development shall thereafter be implemented in accordance with the approved measures, which shall be retained thereafter.

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

Drainage Conditions

- 21. Prior to or in conjunction with the submission of each reserved matters application, in accordance with the submitted Flood Risk Assessment & Outline Drainage Strategy document (prepared by Enzygo, December 2024, REF SHF.1132.269.HY.R.003A) and LLFA Rebuttal (prepared by Enzygo, 20 February 2025, REF SHF.1132.267.HY.LT.001.A), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development. The scheme shall address the following matters:

- (i) Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed infiltration feature/s. As this is SPZ II / III, we have agreed with the applicant that clean roof water would be infiltrating via plot drainage or

If infiltration is proven to be unfavourable, then Greenfield runoff rates for the site shall be agreed with the Lead Local Flood Authority. The post development runoff rates will be attenuated to the equivalent Greenfield rate for all rainfall events up to and including the 1% Annual Exceedance Probability (AEP). The discharge location for surface water runoff will be confirmed to connect with the wider sewer network.

- (ii) Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (1 in 30 year) and 1% AEP (1 in 100) rainfall events (both including allowances for climate change).

- (iii) Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
- 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.
 - 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.
- (iv) The design of the attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance.
- (v) Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.
- (vi) Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
- (vii) A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.
- (viii) At detailed design stage, a clear span bridge needs to be considered prior to the inclusion of box culverts. If proven unfeasible, all culverts must include a trash screen due to the proposed grates (Figure 7 – LLFA Rebuttal, 20 February 2025, REF SHF.1132.267.HY.LT.001 A).
- (ix) At detailed design stage, there must be no land raising for any reason, for the 1% AEP plus 40% climate change area in accordance with NPPF and PPG. Additionally, there must be no development within the area of surface water flood risk in any rainfall return period.
- (x) At detailed design stage, option 2 must be fully developed including but not limited to source control on site, sufficient water quality treatment (2/3 stage) and a full drainage layout. This is to maintain groundwater recharge within this area.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 181,182 and 187 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

22. Prior to or in conjunction with the submission of each Reserved Matters application, a detailed Site SuDS Phase plan which aligns with the site phasing plan shall be submitted to and approved in writing by the Local Planning Authority. This SuDS Phasing plan shall ensure that each phase does not exceed the agreed discharge rates for that phase and that source control measures are installed within each phase to adequately address the phases own surface water runoff. The plan shall ensure that each SuDS component is adequately protected throughout the development of the scheme. The plan shall show all exceedance routes throughout the site clearance and construction of the scheme ensuring flood risk is not increased elsewhere or to the site itself and that the site remains safe for all exceedance event flow routes for the lifetime of the development during rainfall (i.e. greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of North Herts Council.

23. All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment & Outline Drainage Strategy document (prepared by Enzygo, December 2024, REF SHF.1132.269.HY.R.003A) and LLFA Rebuttal (prepared by Enzygo, 20 February 2025, REF SHF.1132.267.HY.LT.001.A),, this includes all new residential dwellings to have a finished floor level raised a minimum of 300mm above any design flood level and 150mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of North Herts Council.

24. No development shall take place until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority.

Reason: To prevent flooding and pollution offsite in accordance with the NPPF

25. No development shall take place until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be carried out in accordance with the approved details.

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

26. Prior to first use of each phase of the development a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include a full set of "as built" drawings plus photographs of excavations (including soil profiles/horizons), any installation of any surface water drainage structures and control mechanisms.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of North Herts Borough Council.

27. Prior to the commencement of the development, no works involving excavations (except for access and intrusive site investigations) shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority:

- An Intrusive Ground Investigation plan prior to the intrusive ground investigation that includes proposals for PFAS alongside other relevant parameters, agreed with Affinity Water to ensure all concerns will be covered.
- Following acceptance of the Intrusive Ground Investigation plan, an Intrusive Ground Investigation that adheres to the plan to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.
- A Remediation Strategy/Report if found to be needed following the results of the intrusive investigation detailing how contamination (if found) will be dealt with. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.
- A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity generation from groundworks.
- A Foundations Works Method Statement and Risk Assessment detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. turbidity monitoring, appropriate piling design, off site monitoring boreholes etc.) to prevent or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.
- A Monitoring Plan for parameters (including turbidity) within a borehole at a location between the site and the abstraction point.
- Acknowledgement of the need to notify Affinity Water of excavation works 15 days before commencement in order to implement enhanced monitoring at the public water supply abstraction and to plan for potential interruption of service with regards to water supply.

Reason: Excavation works such as piling have the potential to cause water quality failures due to elevated concentrations of contaminants through displacement to a greater depths and turbidity generation. Increased concentrations of contaminants, particularly turbidity, impacts the ability to treat water for public water supply.

28. If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- A Remediation Strategy/Report detailing how contamination will be dealt with. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.

Reason: To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water.

29. No drainage systems within the SPZ1, for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 187 of the National Planning Policy Framework.

Archaeology

30. (A) No development shall take place until an Archaeological Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as required by the evaluation
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site Investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

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

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

Reason: To ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological

features of significance, in accordance with North Hertfordshire Local Plan HE4 and Section 16 of the NPPF 2024.

Environmental Issues

31. (A) No development approved by this permission shall take place until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

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

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

C) This site shall not be occupied, or brought into use, until:

- (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
- (ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

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

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

32. No dwelling shall be occupied until a scheme detailing noise mitigation measures, specifically, glazing, ventilation and acoustic fencing for specific plots (including the impact of industrial noise sources) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the submitted "Wardell Armstrong Noise Assessment Report reference GM12535, Version 1.0 dated June 2023". The scheme shall be implemented in accordance with the approved details and maintained thereafter.

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

33. Full details of a Construction Environmental Management Plan (CEMP) for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each phase of development (including any pre-construction or enabling works). The construction of the development shall thereafter be carried out in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The Plan shall include but not limited to the mitigation measures as set out in the Noise Assessment report provided by Wardell Armstrong and the following additional elements:
- a) Details and timing of the removal of any site waste;
 - b) measures to minimise dust during construction;
 - c) site set up and general arrangements for the delivery and storage of plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
 - d) construction traffic route signage, monitoring and enforcement measures;
 - e) any temporary screening and hoarding details to protect neighbouring residents;
 - f) end of day tidying procedures to ensure protection of the site outside the hours of construction. The construction activities shall be designed and undertaken in accordance with the code of best practice set out in British Standard 5228 1997 and with the agreed details unless otherwise agreed in writing by the Local Planning Authority;
 - g) wheel washing facilities for construction vehicles leaving the site;
 - h) storage and removal of building waste for disposal or recycling;

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

Lighting

34. No dwelling hereby permitted shall be occupied unless and until an external lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be designed to minimise the potential adverse effects of external lighting on the amenity and biodiversity of the site and its immediate surroundings. The development shall be carried out in accordance with the approved details.

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

Fire Safety

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

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

Highways

Detailed Highways Plans

36. As part of any reserved matters applications, full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority to detail the following:
- a) Roads.
 - b) Footways.
 - c) Cycleways.
 - d) Foul and surface water drainage.
 - e) Visibility splays.
 - f) Access arrangements.
 - g) Parking provision in accordance with adopted standard.
 - h) Loading areas.
 - i) Turning areas.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Vehicular Access and Surface Water

37. Prior to the first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number (13936/2100 Rev P1) in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

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

Surface Water

38. Prior to the first use of the development hereby permitted, arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

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

Cycle Parking

39. As part of any reserved matters applications, a scheme for the parking of residents' cycles with convenient and minimally obstructed access to the street, including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

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

Construction Traffic Management Plan

40. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:
- a) Construction vehicle numbers, type, routing;
 - b) Access arrangements to the site;
 - c) Traffic management requirements
 - d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e) Siting and details of wheel washing facilities;
 - f) Cleaning of site entrances, site tracks and the adjacent public highway;
 - g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h) Provision of sufficient on-site parking prior to commencement of construction activities;
 - i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
 - k) Phasing Plan.

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

Highway Improvements – Swangley's Lane between North and South Parcels of KB4 (The Swangley's Lane Mobility Filter)

41. A) Design Approval

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the highway improvement works as indicated on drawing number (13936/2101 Rev P1) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction

Prior to occupation of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Spine Road Delivery – Prior to the Swangley's Lane Mobility Filter (Condition 41 above)

42. A) Design Approval

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the construction of the development Spine Road between Swangley's Lane and Watton Road as indicated on drawing number (7521-L-03 Issue AB) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction

Prior to occupation of the development hereby permitted, works referred to in part A of this condition shall be delivered in accordance with the approved details and be to a standard that can be adopted by the Highway Authority.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Improvements – Watton Road Footway

43. A) Design Approval

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the construction of a Footway along Watton Road from the hereby permitted site to at least the Public Right of Way (Knebworth 003) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction

Prior to occupation of the development hereby permitted, works referred to in part A of this condition shall be delivered in accordance with the approved details and be to a standard that can be adopted by the Highway Authority.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Improvements – Footpath between southern KB4 parcel and the Knebworth Primary School

44. A) Design Approval

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence on the southern parcel of the development hereby permitted (south of Swangley's Lane) until a detailed scheme for a footpath between the southern parcel and the existing Knebworth Primary School has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction

Prior to occupation of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Improvements – Swangleys Lane between development site and London Road

45. A) Design Approval

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the highway improvement works as indicated on drawing number (P22042-SMCE-ZZ-XX-D-H-0300 P04 in the March 2024 Transport Assessment) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The finalised design will improve the footways adjacent to the school and will reconfigure the school vehicle access to be a 'Copenhagen Style Crossing' to establish an effective continuous sustainable transport corridor from the hereby permitted site to London Road, Knebworth.

B) Implementation / Construction

Prior to occupation of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Improvements – Old Lane between Watton Road and Dene House

46. A) Design Approval

Notwithstanding the details indicated on the submitted drawing number (7521-L-03-Issue AB), no on-site works above slab level shall commence until a detailed scheme for the downgrading of Old Lane to establish a 'Walking and Cycling Friendly Corridor' has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction

Prior to occupation of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Improvements – Bell Close pedestrian / cycle access

47. A) Design Approval

Notwithstanding the details indicated on the submitted drawing number (13936/2102 Rev P1), no on-site works above slab level shall commence until a detailed scheme for the proposed pedestrian / cycle access and crossing of Watton Road in the vicinity of Bells Close has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction

Prior to occupation of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Travel Plan

48. At least 3 months prior to the first occupation of the approved development a detailed Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan Statement shall be implemented in accordance with the timetable and target contained in therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

Active Travel England

Infrastructure

49. No development shall commence until general arrangement plan(s) to a scale of 1:200 showing details of the walking/cycling infrastructure including works to the adopted highway have been submitted to and approved in writing by the Local Planning Authority. The details shall be submitted in accordance with guidance contained in LTN 1/20 on Cycle Infrastructure Design and Manual for Streets and where applicable indicate proposals for:
- Existing levels of the finished highway tying into building threshold levels
 - Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works
 - Signing, street furniture, street trees and pits
 - Structures on or adjacent to the highway
 - Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement)

The development or any phase of the development, whichever is the sooner, shall not be occupied until the walking and cycling infrastructure for the development or phase of development has been constructed and completed in accordance with the approved details.

Reason: To comply with the guidance in LTN 1/20 on Cycle Infrastructure Design and in Manual for Streets.

Proactive Statement:

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

Informatives:

Highways

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

AN2) 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN4) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit

dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN5) Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

AN6) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

AN7) Roads to remain private: The applicant is advised that all new roads associated with this development, other than the development Spine Road that links Swangley's Lane to Watton Road, will remain unadopted (and shall not be maintained at public expense by the highway authority). At the entrance of the new estate the road name plate should indicate that it is a private road and the developer should put in place permanent arrangements for long-term maintenance.

AN8) Estate road adoption (section 38): The applicant is advised that if it is the intention to request that Hertfordshire County Council as Highway Authority adopt any of the highways included as part of this application as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways, together with all the necessary highway and drainage arrangements, including run off calculations must be submitted to the Highway Authority. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place. The applicant is further advised that the County Council will only consider roads for adoption where a wider public benefit can be demonstrated. The extent of adoption as public highway must be clearly illustrated on a plan. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

AN9) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other

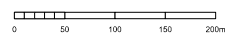
nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN10) Abnormal loads and importation of construction equipment (i.e. large loads with: a width greater than 2.9m; rigid length of more than 18.65m or weight of 44,000kg - commonly applicable to cranes, piling machines etc.): The applicant is directed to ensure that operators conform to the provisions of The Road Vehicles (Authorisation of Special Types) (General) Order 2003 in ensuring that the Highway Authority is provided with notice of such movements, and that appropriate indemnity is offered to the Highway Authority. Further information is available via the Government website www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms or by telephoning 0300 1234047.

AN11) Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> OR by emailing travelpans@hertfordshire.gov.uk

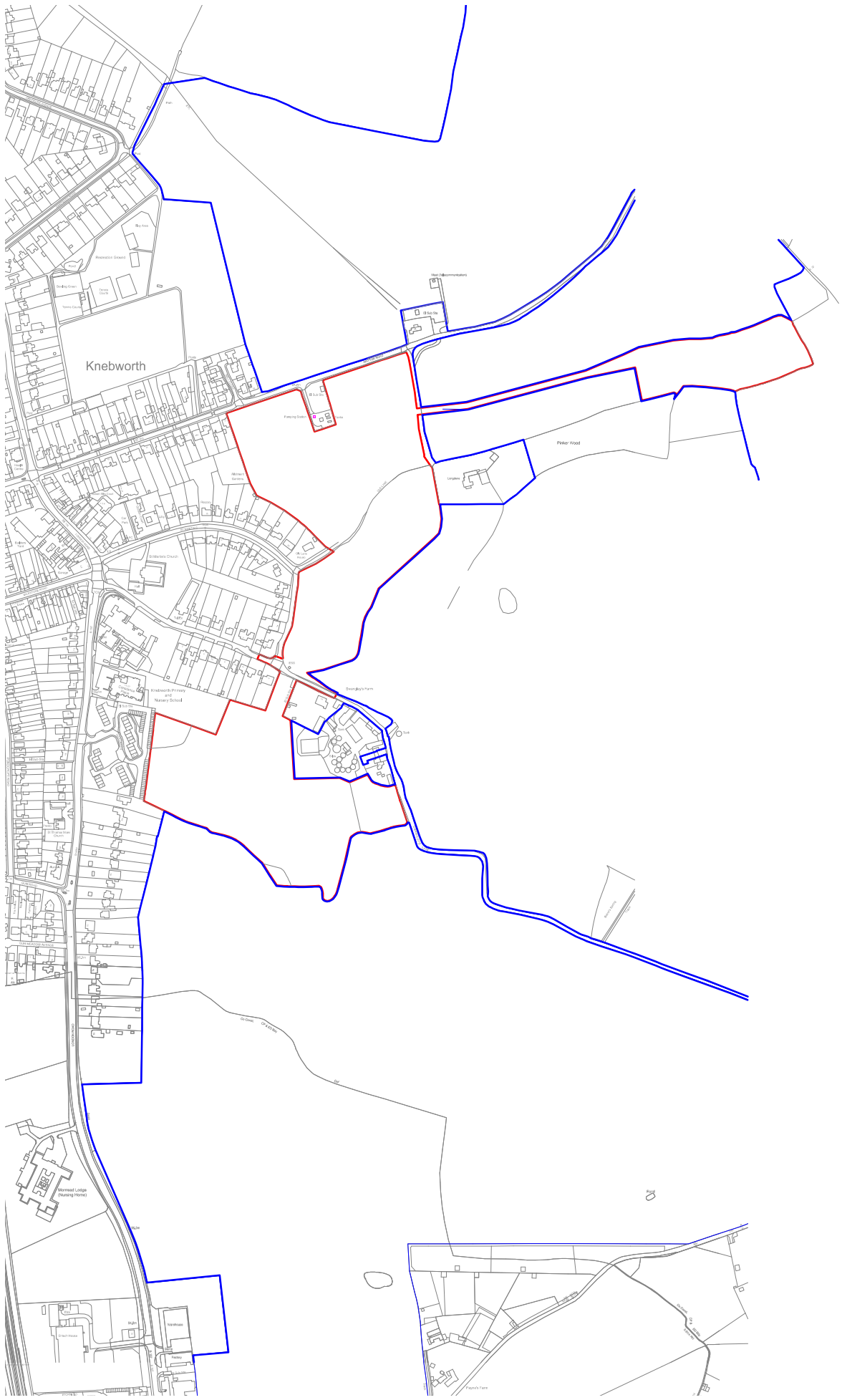
10.0 **Appendices**

- 10.1 Appendix A – [\(Public Pack\)Agenda Document for Planning Control Committee, 17/07/2025 19:00](#)
- 10.2 Appendix B - [\(Public Pack\)Supplementary Document Agenda Supplement for Planning Control Committee, 17/07/2025 19:00](#)



KEY

	Site Boundary	14,74Ha
	Other land under landowner's control	



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