

<u>Location:</u>	Land South Of Walton 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 of 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 18 July 2025

Reason for Delay

Discussions and negotiations on various technical aspects, further information received and additional consultation exercises that was undertaken as a result.

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 This application was withdrawn in July 2023.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 **NHDC Environmental Health (Contaminated Land)** – No objection regarding contamination, subject to condition requiring a Phase II Site Investigation environmental risk assessment report to be undertaken and any subsequent phases and remediation, if necessary.
- 3.2 **NHDC Environmental Health (Noise)** – No objection (subject to three conditions including a condition requiring full details of a construction management plan for the development to be submitted to the LPA prior to the commencement of works).
- 3.3 **NHDC Environmental Health (Air Quality)** – No objection subject to three conditions including a condition requiring a Full Travel Plan to be agreed with Hertfordshire County Council and NHDC Planning Department demonstrating the introduction of specific measures to promote and deliver sustainable transport.
- 3.4 **NHDC Waste and Recycling** – No objection subject to conditions requiring suitable waste and collection facilities.
- 3.5 **NHDC Leisure Manager** – No objection.
- 3.6 **NHDC Greenspace Manager** – No objection.
- 3.7 **NHDC Housing Supply Officer** – Based on 200 dwellings overall and a 40% affordable housing requirement, in accordance with the Local Plan, this equates to the provision of 80 affordable dwellings.
- Within the overall 40% affordable housing requirement, a 65%/35% rented/other intermediate tenure split is required in accordance with the Council's Planning Obligations SPD and the 2023 Strategic Housing Market Assessment (SHMA). This, of the 80 affordable units: 52 rented units and 28 intermediate tenure units should be provided to meet housing need.
- 3.8 **NHDC Urban Design Officer** – No objection subject to conditions to secure master planning and design code condition.
- 3.9 **HCC Highways** – No objection subject to conditions.
- 3.10 **HCC Growth and Infrastructure** – No objection subject to financial contributions via a S106 legal agreement towards Primary Education, Secondary Education, Childcare Services, SEND Services (Special Educational Needs and Disabilities), Library Services, Youth Services and Waste Services.
- 3.11 **HCC Lead Local Flood Authority (LLFA)** – No objection subject to six conditions.

- 3.12 **HCC Historic Environment (Archaeology)** – No objection, subject to conditions requiring submission of a Written Scheme of Investigation incorporating a programme of archaeological works. involving a further programme of strip, map and sample excavation. This is required as the proposal is likely to have impacts on heritage assets of archaeological interest.
- 3.13 **HCC Minerals & Waste** – No objection subject to a condition requiring the submission and agreement of a Site Waste Management Plan.
- 3.14 **HCC Public Health** – No objection subject to condition requiring the submission and agreement of a Health Impact Assessment.
- 3.15 **HCC Fire and Rescue Services** – No objection, subject to a s106 obligation for the provision of fire hydrants on site.
- 3.16 **HCC Countryside and Rights of Way Officer** – No objection.
- 3.17 **Environment Agency** – No objection subject to conditions to ensure that the development will not present unacceptable risks to groundwater resources.
- 3.18 **Hertfordshire Ecology** – No objection subject to condition requiring the submission and agreement of a Biodiversity Net Gain Management Plan.
- 3.19 **Herts and Middlesex Wildlife Trust** – Recommendations made requesting conditions to be imposed requiring the submission of a biodiversity net gain plan and for integrated swift boxes and bat boxes to be delivered by the development.
- 3.20 **Natural England** – No objection.
- 3.21 **Historic England** – No objection.
- 3.22 **Active Travel England** – Recommends approval of the application, subject to the agreement and implementation of planning conditions and/or obligations as set out in their response.
- 3.23 **NHS IBC** – No comments.
- 3.24 **Sport England** – Initial objection has been addressed through s106 contributions towards off-site sports pitch and sports facilities expansion and improvements.
- 3.25 **Anglian Water** – No comments.
- 3.26 **Affinity Water** – No objection subject to conditions.
- 3.27 **CPRE Hertfordshire (Campaign to Protect Rural England)** – No comments.

Neighbour and Local Resident Representations

3.28 The application has been advertised via neighbour notification letters, the display of site notices and a press notice. At the time of finalising this report, a total of 195 comments have been received including 186 objections, 3 submissions in support and 6 neutral comments.

3.29 Neighbours objections and concerns are summarised as follows:

- Traffic and Congestion
- Inadequate Masterplan documentation
- Poor design
- Inadequate existing road infrastructure
- Will add more traffic on surrounding roads adding to congestion
- The effect of the closure of Swangleys Lane upon residents in Datchworth
- The effect of the closure of Swangleys Land upon Watton Road and London Road due to increased traffic and congestion
- Inadequate primary school and pre-school provision
- Inadequate existing public transport services
- Capacity of existing local infrastructure, services and facilities
- Lack of existing parking especially in the village centre
- Concerns around the existing capacity of local utilities infrastructure
- Harmful to residential amenity
- Flooding and drainage concerns
- Increased noise, pollution and crime
- Impact of vehicles, tools and machinery associated with the construction phase
- Impact of noise and disturbance during the construction phase
- Loss of Green Belt
- Loss of wildlife
- Loss of agricultural land
- Inadequate primary healthcare provision
- Loss of green space and habitats for wildlife and birds

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 The application is accompanied by the following plans and documents:
- Watton Road and Bell Close Junction Active Travel Access Sketch Layout (Drawing Number P24028-SMCE-01-XX-SK-H-0001 P01)
 - Pedestrian and Cyclist Provision on Swangleys Lane (Drawing Number P22042-SMCE-ZZ-XX-D-H-0301 P05)
 - Proposed Simple Priority T-Junction Watton Road Drawing (Drawing Number P17033-04-10D)
 - Illustrative Masterplan
 - Land Use Parameter Plan
 - Access Parameter Plan
 - Vehicular Hierarchy Framework Plan
 - Active Travel Framework Plan
 - Green Infrastructure Framework Plan
 - Building Heights Parameter Plan
 - Built Form and Character Framework Plan
 - Masterplan Framework
 - Design and Access Statement

- Flood Risk Assessment and Outline Drainage Strategy
- LLFA Rebuttal Letter
- Design and Access Statement
- Air Quality Assessment
- Noise Assessment Report
- Arboricultural Assessment
- Ecological Appraisal
- Biodiversity Net Gain Report
- Biodiversity Metric
- Bird Report
- Bat Survey Report
- Landscape and Visual Appraisal
- Statement of Community Involvement
- Socio-Economic Benefits Statement
- Transport Assessment
- Framework Travel Plan
- Heritage and Archaeology Desk Based Assessment
- Phase 1 Environmental Risk Assessment
- Planning and Affordable Housing Statement

4.2.4 This is an outline application with all matters reserved for future consideration, except for the means of access to the site. Therefore, matters relating to appearance (aspects of the building or place that determine its visual impression), landscaping (the treatment of the land to enhance or protect the amenities of the site and the surrounding area (including screening and tree planting), layout (the location, height, width, and length of the proposed buildings, streets and spaces) and scale (the height, width, and length of the proposed buildings), do not form part of this application. These matters would be secured by conditions requiring submission of reserved matters applications in the event of approval. For the avoidance of doubt, where details of these reserved matters are set out in supporting documents and plans, these are illustrative only.

5.0 Key Issues

5.1 The key issues for consideration for this planning application are as follows:

- 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

5.2 Principle of the development

- 5.2.1 The recently updated NPPF sets out the national planning policy position. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development, meeting the three overarching objectives (economic, social and environmental) in a mutually supportive way. The application proposals have been formulated and evolved with this objective, of promoting the most effective use of the site to achieve a development that promotes healthy and sustainable life choices.
- 5.2.2 Central to the NPPF is a presumption in favour of sustainable development (paragraph 10), which relates to both plan-making and decision-taking within the context of town planning (paragraph 11). With specific reference to decision-taking (the determination of planning applications), the presumption in favour of sustainable development means “approving development proposals that accord with an up-to-date plan without delay”. Paragraph 11 adds that where policies are considered out-of-date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing a development, or where any adverse impact would ‘significantly or demonstrably outweigh the benefits’ when assessed against the Framework as a whole.
- 5.2.3 Part 5 of the NPPF Delivering a sufficient supply of homes confirms that in achieving the Government’s objective of significantly boosting the supply of homes it is important that a sufficient amount and variety of land can come forward where it is needed, that meets the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. This includes the delivery of affordable housing (paragraphs 63, 64 and 66 refer).
- 5.2.4 There are also a number of strategic local plan policies which are relevant to the proposal. Local Plan Policy SP1 Sustainable Development in North Hertfordshire supports the role of key settlements within the district whilst ensuring the long-term vitality of its smaller villages. The policy supports proposals that deliver an appropriate mix of homes, jobs and facilities of high quality, that respect and improve their surroundings and provide all necessary infrastructure.
- 5.2.5 Local Plan Policy SP2 identifies a significant housing need in the district which is for ‘at Least 13,000 new homes over the plan period. Knebworth is planned to accommodate around 731 new homes.
- 5.2.6 Local Plan Policy SP5 on the Countryside and Green Belt supports the national approach taken to principles for developing in the Green Belt through the NPPF. The supporting text to the policy in the LP provides the background to how and why Green Belt boundaries have been altered through the NHLP. It was considered that relevant circumstances exist ‘to review the boundaries and enable development to meet locally identified needs’.

- 5.2.7 Local Plan Policy SP8 sets out the housing growth targets across the district. The policy acknowledges the requirement to release sufficient land to deliver at least 11,600 net new homes for North Hertfordshire's own needs and the provision of additional land within the Luton Housing Market Area (HMA) for a further 1,950 net new homes. The policy seeks to provide long-term certainty in the five-year housing land supply and to support a range of housing tenures, types and sizes measured against targets.
- 5.2.8 The site is allocated for housing in the North Hertfordshire Local Plan 2011-2031 under Policy HS1 as KB4. 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. The NPPF confirms that development proposals that accord with an up-to-date development plan should be approved without delay.
- 5.2.9 Under Policy HS1, the site KB4 is allocated for the provision for an estimated 200 homes.

Site Allocation KB4

- 5.2.10 As indicated at paragraph 2.4, there are seven site specific criteria that need to be met to comply with this policy and these are considered in detail later in this report.
- 5.2.11 Local Plan Policy HS2 is the over-arching LP policy relating to the provision of affordable housing. On a proposal of this size, 40% affordable housing would be required subject to viability. The policy sets out certain requirements including the size, type and tenure of housing and to safeguard occupation for first and subsequent occupiers. The council's Developer Contributions SPD includes further guidance on matters relating to affordable housing.

Housing need and delivery

- 5.2.12 As set out in the Council's most recent Housing Land Supply Update (May 2024), the total requirement for housing delivery in the District from 1 April 2024 – 31 March 2029 is 5,990 dwellings. Currently there is a deficit of 1,359 dwellings over the five-year period of 2024/25 – 2028/29. The Council therefore can only demonstrate a five-year land position of 3.9 years against our adopted housing requirement. This figure falls below the five-year figure as required in the NPPF. Where a five-year supply of deliverable housing sites cannot be demonstrated, Paragraph 11 (d) of the NPPF confirms that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (including the housing land supply) and (i) unless there are protected areas or assets of particular importance (i.e. Green Belt and heritage assets) which provide 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination – permission should be granted. This matter is considered further in the Planning Balance section at the end of this report.

Affordable Housing

- 5.2.13 The supporting documentation confirms that the site will deliver 40% affordable housing as required by LP policy. Within this requirement, a 65% rented (social and affordable) and 35% (discounted market sale housing and other affordable routes to home ownership

including shared ownership, shared equity and rent to buy) intermediate affordable housing tenure split is required, in accordance with the Local Plan and the Council's Developer Contributions SPD, supported by the 2023 Stevenage and North Hertfordshire Strategic Housing Market Assessment (SHMA) Update. Based on the provision of 200 dwellings the affordable housing requirement would be 80 dwellings – 52 rented and 28 intermediate affordable tenure.

- 5.2.14 Within the 65% rented affordable housing element, NHDC's Housing Supply Officer has confirmed the following mix best meets housing needs, as identified in the 2023 SHMA:

Tenure %	Number of housing units
7% x 1 bed flats	4
9% x 2 bed flats	5
22% x 2 bed houses	11
50% x 3 bed houses	26*
10% x 4 bed houses	5
2% x 5+ bed houses	1
Total	52

Table 1: Affordable housing tenure mix (rented)

*Evidence from the housing register suggests the number of three bed houses recommended in the SHMA is greater than required and there is higher need for two-bedroom family homes and some need for larger (4+ beds) family homes. A reduction in the number of three-bedroom houses and the provision of more two-bedroom houses would therefore be considered favourably.

- 5.2.15 For the 35% affordable home ownership tenure, NHDC's Housing Supply Officer has confirmed the 2023 SHMA shows the following mix best meets housing needs:

Tenure %	Number of housing units
22% x 1 bed flats	6
15% x 2 bed flats	4
43% x 2 bed houses	12
20% x 3 bed houses	6
Total	28

Table 2: Affordable housing tenure mix (intermediate)

- 5.2.16 *Local Plan Policy HS5: Accessible and adaptable housing* requires applicants to demonstrate that at least 50% of homes can be built to the M4(2) Accessible and Adaptable standard; and on schemes where 10 or more affordable units will be delivered, 10% of the units can additionally be built to the M4(3) wheelchair user standard. There is a growing need for larger (3 and 4 bed) M4(3) wheelchair adapted homes for rent, for families with a member with a disability and/ or limited mobility, which should be secured through the Design Code and s106.
- 5.2.17 *Local Plan Policy HS4: Supported, sheltered and older persons housing* is also a relevant policy consideration. There will be a substantial increase in the number of and proportion of older residents in North Hertfordshire over the plan period. Older people are living longer, and government policy seeks to support people living at home for as long as possible. Other groups will also have support needs, including people of all ages with physical or learning disabilities.
- 5.2.18 In accordance with *LP Policy HS3: Housing mix* a modest proportion of sheltered and/ or supported housing should be provided on the site to contribute towards the modelled demand for older persons housing. This should include affordable housing provision where appropriate.
- 5.2.19 The affordable homes should be owned and managed by a registered provider (RP). No RP has been identified for the affordable housing on the site to date. Details of this and other matters would be secured as part of the s106 agreement. The council's Housing Supply Officer has confirmed a preference for Social Rented tenure as the 2023 SHMA Update shows that there is high need for social housing for rent, and this is confirmed by the Council's experience of Affordable Rents being increasingly unaffordable even for smaller one and two bed units. Affordable Rents for 1 and 2 bed homes should be up to 80% of market rents (including service charges, where applicable) and 3 bed homes at up to 70% of market rents (including service charges, where applicable) to ensure affordability. For 4-bedroom and 5-bedroom homes, the Council will only accept Social Rents as evidenced by the 2023 SHMA and all rents must be within LHA caps in accordance with the Council's Developer Contributions SPD and the Council's Tenancy Strategy.
- 5.2.20 Affordable housing should be spread across the site in small clusters rather than be situated on one or two parts of the site and should be physically indistinguishable from the market housing. These matters can be secured as part of the site wide Design Code condition and subsequent Reserved Matters applications.
- 5.2.21 The site is an allocated housing site for approximately 200 homes. Overall, the proposal complies with LP Policies SP1, SP2, SP5 and SP8. Compliance with LP Policy SP9 is considered in a later section of this report. 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

- 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. Therefore, it is

necessary to assess the effect of the drainage basin upon the Green Belt and Local Plan Policy SP5 applies which states:

“We support the principles of the Green Belt and recognise the intrinsic value of the countryside. Green Belt and Rural Areas Beyond the Green Belt are shown on the Policies Map.”

5.3.2 Part c) of Local Plan Policy SP5 is also relevant and states:

“We only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated.”

5.3.3 Policy SP5 is consistent with the approach to Green Belt in National Policy as set out at Section 13 of the National Planning Policy Framework (NPPF). Paragraph 142 of the NPPF confirms the Government attaches great importance to Green Belts, where the fundamental aim of policy is to prevent urban sprawl by keeping land permanently open.

5.3.4 The Green Belt serves five purposes. These are set out at paragraph 143 of the NPPF and are:

- (a) To check the 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.

5.3.5 Paragraph 152 of the NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

5.3.6 Paragraph 154 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. However, there are several exceptions to this which are clearly set out in parts a) to g) of Paragraph 154.

5.3.7 Further to the above, Paragraph 155 of the NPPF states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- (a) Mineral extraction;
- (b) Engineering operations;
- (c) Local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- (d) The re-use of buildings provided that the buildings are of permanent and substantial construction;
- (e) Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- (f) Development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order

- 5.3.8 The applicant has stated that the proposed drainage basin is a key feature of the site's drainage solution, which is based on infiltration. The basin will therefore not be a 'wet' feature, except potentially and temporarily during a flood event. It would also not contain buildings or structures. The basin would be a depression in the ground, that as noted in the Masterplan Framework document (Biodiversity and Landscape Framework Plan) would include a mix of native scrub and species rich semi-natural grassland. Such a feature is already present on land adjacent to the proposed drainage basin location, which serves as a functioning highway drain and equally appears as a depression in the ground surrounded by vegetation. The new drainage basin will also enable the creation of a new biodiverse habitat for local flora and fauna.
- 5.3.9 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

- 5.4.1 Chapter 15 of the NPPF Conserving and enhancing the natural environment confirms that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing...soils (in a manner commensurate with their statutory status or identified quality in the development plan) and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land (defined as land in Grades 1, 2 and 3a).
- 5.4.2 Paragraph 188 confirms that when allocating land in development plans, there should be a preference to identify land with the least environmental or amenity value, where consistent with other policies in this Framework and in a footnote that 'Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.'
- 5.4.3 The Natural England classification maps show the land to the east of Knebworth to fall within the 'Grade 3 – good to moderate' category.
- 5.4.4 In conclusion, the proposal would result in some loss of 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 is considered to be a harm which attracts moderate weight in the planning balance.

5.5 Masterplanning and site-specific requirements

Masterplanning

- 5.5.1 A key policy consideration is Local Plan Policy SP9, which addresses design and sustainability, and in line with the NPPF, requires a strategic masterplan for larger housing applications generally over 100 dwellings. The policy also supports new development where it is well designed and located and responds to its local context.

- 5.5.2 Local Plan Policy SP9 allows for masterplans to be agreed “prior to **or as part of** the grant of planning permission” (emphasis added). A Strategic Masterplan Framework document with supporting framework and parameter plans was submitted with the application in July 2023. Since then, the applicant has worked positively with officers to revise several aspects of the framework and parameter plans and agree a Strategic Masterplan that meets the policy and design requirements of Policy SP9.
- 5.5.3 The latest version of the Masterplan document and supporting plans were submitted in February 2025 and there was a general re-consultation following their submission. The Council’s Principal Urban Design Officer has considered these and confirms that the Masterplan document and supporting framework and parameter plans demonstrate general conformity with Policy SP9.
- 5.5.4 The masterplan document sets out the following:
- A clear and site-specific distinctive vision and place-making objectives based around a landscape-led design.
 - Contextual and character analysis to ensure proposals are in accordance with the National Design Guide and Policy SP9.
 - Understanding of how the site can effectively integrate with the green infrastructure network and walking, cycling and public transport routes and hubs.
 - Understanding of site constraints and opportunities which have informed the masterplan development.
 - Robust set of framework and parameter plans which fix the structure of the masterplan in terms of land use, movement, green infrastructure, biodiversity and landscape and urban design parameters.
 - Design Principles to inform the detailed design and any future reserved matters.
 - Illustrative Masterplan to provide an example of how the site could be developed within the parameters and principles set out in the Strategic Masterplan Framework to achieve design quality and SP9 compliance (detailed layouts will be assessed and determined through reserved matters).
- 5.5.5 Comments on the application by the Council’s Principal Urban Design & Planning Officer are available in Appendix 1 of this report. The Strategic Masterplan Framework meets the following design objectives of Policy SP9:
- i) *Create buildings, spaces and streets which positively reflect and respond to the local landscape, townscape and historic character;*
- 5.5.6 The masterplan has successfully integrated the character of Knebworth to create a contextually responsive development. A comprehensive appraisal of the historic development of the site and surroundings and character study have been undertaken to inform the masterplan and ensure it responds to local character.

Key measures include:

- Delivering a mixture of housing offering 1-5 bedroom properties comprising a range of house types, from terrace/ linked mews cottages to detached properties. The housing mix will include a proportion of affordable housing.

- Creating a series of character streets (Primary Street, Secondary Street and Lanes) that will deliver changes in street design.
- Providing a high-quality built environment and landscape design that incorporates best practice design principles detailed in 'Manual for Streets' and 'Building for a Healthy Life'.
- The creation of feature spaces at key locations within the residential area e.g. through set-backs of buildings, tree planting.
- Establishing a legible environment with a choice of interconnecting, attractive streets and pedestrian routes which provide excellent connectivity across the site and into the surrounding context.
- Incorporating the use of public spaces at key intersections to reinforce legibility and provide focal areas within the layout as a place to meet.
- Dwellings will face onto open spaces to provide active surveillance.
- Equipped children's play areas will be provided that are accessible, overlooked and integrated with existing and proposed green infrastructure.
- Green infrastructure will encompass a network of integrated green spaces with links to the surrounding area.
- Native specimen trees are to be integrated into the design, either by retaining suitable tree or reserving sufficient space for new tree planting, including mature specimen trees where appropriate.
- Creating drainage attenuation features that are designed to provide habitat for wildlife and amenity benefits e.g. attractive, naturalistic design and marginal planting.
- Providing landscape buffer planting along the boundaries of the site to provide a visual mitigation and to help integrate built form with the wider landscape setting.
- Conserving existing landscape and habitat features to deliver an immediate mature landscape setting for the built development, where possible.
- Encouraging the use of sustainable materials and techniques including measures to deliver energy efficiency and water conservation.

5.5.7 These measures will be secured through a combination of the masterplan, the Design Code condition, other conditions and future reserved matters applications.

- ii) *Create integrated, accessible and sustainable transport systems with walking, cycling and public transport designed to be the most attractive forms of transport and effectively linking into the surrounding areas;*
- iii) *provide a clear structure and hierarchy of pedestrian friendly streets and well-connected footpaths and cycleways integrate with the wider built and natural environment and communities;*

5.5.8 The site has good connections via existing footpaths to the rest of Knebworth. The site is less than five minutes' walk to Knebworth Primary School and a safe route to the school will be encouraged by further enhancing the footpath access and linkages directly to the school to encourage walking and cycling. The proposed repurposing of Old Lane to an active travel route will be a strong desire line to the south from the northern and central parts of the site which will also encourage active travel and social interaction.

5.5.9 The site will create a hierarchy of higher and lower order streets that are designed as primary and minor movement routes. This will include a network of well connected, attractive and inclusive street and footpath which will deliver a choice of different

movement routes. Footpath links will be introduced into existing surrounding residential areas and at locations around the perimeter of the development for formal recreational routes. Streets will be designed principally for people, with priorities where possible for pedestrians and cyclists e.g. varied surface treatments and tree planting.

- iv) *Plan for integrated and mixed-use communities with walkable locally accessible community, employment and retail facilities;*

5.5.10 The proposed development is too small to require any community facilities but has been designed to maximise pedestrian connections to surrounding facilities within Knebworth and the wider Rights of Way and cycle network. Enhancing pedestrian access directly from the site to the existing village will support active travel.

- v) *Positively integrate with adjacent rural and urban communities and positively contribute to their character and the way the area functions, including addressing cumulative, cross boundary planning and infrastructure matters;*

5.5.11 The Strategic Masterplan proposes a development that will provide a sensitive eastern extension to Knebworth that reflects the prevailing character of Knebworth. It will strengthen and connect to the wider green infrastructure network.

- vi) *Create an accessible multi-functional green infrastructure network that provides:*
- *A key structuring and functional placemaking feature supporting healthy lifestyles, sport, play and recreation, linking into the wider Green Infrastructure*
 - *A high-quality integrated network to support ecological connectivity, biodiversity net gain, climate adaptation and mitigation linking into the Ecological Network*

5.5.12 The Green Infrastructure Network has been designed to retain and enhance existing site feature and to link these to new green links and spaces within the development providing access to good quality multi-functional green space for residents. The key spaces comprise:

- Two park areas at the northern end of the site incorporating a parkland character with grassland and tree planting, suitable for recreational activities. This will deliver an attractive entrance to the site for pedestrians and cyclists accessing the site from Watton Road. This space will also incorporate the existing trees and hedgerows on Watton Road and a Local Area of Equipped Play (LEAP).
- A park in the south-west corner of the site incorporating a LEAP play area. Existing trees and hedgerows will be retained and enhanced.
- Repurposing of Old Lane into a greenway with access for pedestrian and cycle movements only. Existing trees and hedgerows will be enhanced with additional planting.
- A linear park will be created along the eastern boundary of the site incorporating the structural buffer to the Green Belt. This will provide a space for woodland planting, individual tree planting and species-rich grassland, providing recreational and ecological value.
- A linear green space will follow the alignment of the retained hedgerow and proposed structural buffer planting to the southern boundary. Species-rich grassland and tree and hedgerow planting will enhance and reinforce the existing

trees and hedgerows. A new footpath is proposed along this green space which will provide a connection to other parts of the southern parcel of the site. An area of rough grassland will be retained in the south-eastern extents of the site as an ecological conservation feature with access for maintenance only.

- A new allotment is proposed in the north-east corner of the site adjacent to the existing allotments. The allotment area will be approximately 0.13 hectares in size. A range of plot sizes will be provided with facilities such as accessible pathways, parking, mains water and storage areas. Management arrangements will need to be agreed.

vii) *Ensure the effective use of sustainable urban drainage and sustainable water management;*

5.5.13 Surface water is proposed to be managed on-site and held in an infiltration basin and water will be discharged into the surrounding ditch network at greenfield run-off rates. Conditions have been recommended to agree and secure the full details of the SUDs strategy.

5.5.14 A foul sewer, a storm water drawing and a water main run through part of the site, with a proposed planting easement of 12m for the former and 6m easements for the water mains and water drain.

5.5.15 A maintenance and management plan for the water feature that form the SUDs system will need to be generated and agreed prior to construction in order that good maintenance practices are followed for the lifetime of the development.

viii) *Ensure a hierarchy of linked, high quality and attractive public spaces and public realm that is safe, attractive and supports social interaction for all age groups*

5.5.16 The proposed development incorporates a hierarchy of linked public spaces as described in the masterplan.

5.5.17 The Urban Design Framework sets out a series of place-making principles to support the high-quality design of public space and public realm. These include:

ix) *Design to last with clear stewardship, management and maintenance plans*

5.5.18 The management and maintenance of green spaces, play areas, SUDs and other components of public realm will need to be agreed to support the lifetime of the development and that green space is sustainably managed to a suitable level of quality and condition for all residents. Further discussion on the most appropriate management organisation, financial requirements and community involvement is required.

5.5.19 Other policies relevant to this proposal are set out in Paragraph 2.1 of this report. These may be relevant to key issues raised later in this report. The proposed development has been considered against these policies and the development plan as a whole.

5.5.20 As this site and the proposed development has been through the formal, collaborative masterplanning exercise with extensive negotiations and improvements, it is officers' view that the proposals represent a high standard of urban design, in keeping with its context and which would include high quality green infrastructure and multi-functional green

spaces. As such, it is considered that an effective masterplan has been secured which would comply with Local Plan policy SP9.

Site Allocation KB4

5.5.21 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 – 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.

5.5.22 The above criteria will be addressed in detail in this report. However, in brief, the application addressed the above in the following way:

- The application is accompanied by a Transport Assessment detailing the proposed access strategy. These matters are addressed later in this report.
- Landscaping is a reserved matter. However, initial details are set out in the Green Infrastructure Framework Plan and the Built Form and Character Framework Plan. A condition has also been recommended specifically in relation to the details of the structural planting along the eastern edge of the site.
- The land to the north of Watton Road remains reserved for long-term secondary education needs. The delivery of this school site is dependent on other factors, such as the delivery of the other two allocated Knebworth housing sites KB1 and KB2.
- A comprehensive internal network of footpaths and cycleways have been designed to link both into the existing road system and provide access to the Recreation Ground, which itself is the linkage point into Bridleway 001 and beyond.
- The application is accompanied by a Flood Risk Assessment and Outline Drainage Strategy. Herts Local Lead Flood Authority (LLFA) have recommended conditions to agree and secure the full details.
- Layout and landscaping are reserved matters. However, the framework and parameter plans show that large open green spaces will be created at the northern end of the site (south of Watton Road)
- Initial drainage strategy details accompany the application submission. Conditions have been recommended to agree and secure the full details of the drainage strategy.

5.5.23 It is considered that the proposal adequately addresses the site-specific criteria of Policy KB4, where appropriate given the outline nature of the site, and the submitted Strategic Masterplan indicates that these matters can be met at reserved matters stage.

5.5.24 In conclusion, 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 Strategic Masterplans.

5.6 Highway Matters

5.6.1 *Chapter 9 Promoting sustainable transport* of the NPPF sets out the overarching objectives and considerations to ensure development provide sustainable options for travel i.e. travel by foot, bicycle and public transport. Paragraphs 110, 115 and 116 confirm the following:

- *Paragraph 110 – The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.*
- *Paragraph 115 – In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*
 - a) *sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
 - b) *safe and suitable access to the site can be achieved for all users;*
 - c) *the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 48; and*
 - d) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.*
- *Paragraph 116 – Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.*

5.6.2 *Local Plan Policy SP6: Sustainable transport* confirms that the Council will seek to secure accessibility improvements and promote the use of sustainable transport modes insofar as reasonable and practicable. *Local Plan Policy T1 Assessment of transport matters* and *Policy T2 Parking* are also relevant considerations.

5.6.3 The application is accompanied by a Transport Assessment prepared by Stirling Maynard (dated March 2024). These have identified the anticipated transportation and highways matters associated with the proposed development.

- 5.6.4 In terms of vehicular access to the application, an access is proposed at the northern end of the site. This would facilitate a spine road into the site running from north to south down to the point it meets Swangleys Lane and further south into the southern parcel of the site. It is also proposed to divert the existing Swangleys Lane route into the site via the proposed internal spine road to the new priority junction at the northern end of the site on Watton Road. Access to the existing Swangleys Lane west of this point (the development spine road) would be restricted to pedestrians and cyclists. Further details are provided in the accompanying technical drawings 'Pedestrian and Cyclist Provision on Swangleys Lane' (Drawing Number 0301 P05) and 'Proposed Simple Priority T-Junction Watton Road Drawing' (Drawing Number P17033-04-10D).
- 5.6.5 The applicant is also proposing to improve the Swangleys Lane footways in the vicinity of London Road to the existing Knebworth Primary School vehicle access. Further details are provided in the technical drawing 'Pedestrian Facilities Near Primary School' (Drawing Number P22042-SMCE-ZZ-XX-D-H-0300 P05), which is attached to appendix 1 of the Transport Assessment. HCC Highways consider that with the addition of a 'Copenhagen Style Crossing' across the existing school bell mouth junction in order to promote pedestrian priority that the proposals will establish an effective walking and cycling corridor that will help to unlock the site sustainably in line with the policy requirements of LTP4.
- 5.6.6 The development also proposes an active travel route/crossing at the north-west corner of the site adjacent to the junction of Watton Road and Bell Close. Further details are provided in the accompanying technical drawing 'Watton Road and Bell Close Junction Active Travel Access Sketch Layout' (Drawing Number P24028-SMCE-01-XX-SK-H-0001 P01).
- 5.6.7 HCC Highways have also made further recommendations in order to provide a fully LTP4 compliant site. In this regard, conditions have been recommended as part of the Strand 1 mitigation.
- 5.6.8 In relation to proposed car and cycle parking details, this is an outline application with all matters reserved except for the means of access, therefore, no parking details are provided at this stage. Notwithstanding this, general principles for site wide car parking will be secured via the Design Code condition. Any future reserved matters applications will need to demonstrate that adequate provision is made for car and cycle parking for the relevant uses having regard for the relevant guidance and policies at the time of submission.
- 5.6.9 In terms of walking and cycling (active travel), initial details and design principles have been set out in the relevant masterplan framework and parameter plans including the repurposing of Old Lane to an active travel route which will connect the central and northern parcels of the site to St Martin's Road and Swangleys Lane. These are vital in terms of incorporating the active travel infrastructure required to encourage sustainable methods of transport and successfully connecting the site with the village centre of Knebworth, nearby local facilities and services, and to areas beyond the settlement boundary of Knebworth, particularly to the north and east of the site. Further details will be secured through the Design Code condition, other recommended conditions and future reserved matters submissions.

- 5.6.10 The issue of highway capacity is of great concern to many local residents, and this has been raised in many of the objections received on this proposal. Concerns have been raised about the levels of congestion currently experienced in and around the village centre of Knebworth and how this would be impacted by the introduction of the proposed development. Concerns have also been raised around the closure and diversion of Swangleys Lane into the application site and along the new spine road up to Watton Road. Specifically, concerns have been raised about the knock-on effect this would have in terms of an increase in vehicular traffic on Watton Road, and access and lengthened journey times for road users going to and beyond Swangleys Farm towards Datchworth, and for road users coming from this direction into Knebworth.
- 5.6.11 In terms of the analysis of the submitted Transport Assessment, HCC Highways notes that the traffic analysis presented in the Transport Assessment utilises older TRL Junctions 8 traffic models (ARCADY8 and PICADY8) and examines the junctions in isolation, whilst the newer Junctions 9 and consideration of linked junctions would have been preferable; the basic traffic capacity formulas have remained constant and given that there are no complicated multi lane approaches within Knebworth, HCC Highways are content to proceed with analysis using the presented models.
- 5.6.12 The analysis indicates that the B147 with Swangleys Lane and St. Martin's Road have modest Ratios of Flow to Capacity (RFC's) with plenty of spare capacity and on review of the modelling results HCC Highways accepts this analysis. The Transport Assessment shows slightly more impact on the Watton Road/B197 roundabout in the peak hours, but it is noted that the roundabout is significantly over capacity without the development (maximum RFC's of 1.05 AM and 1.01 PM, without development, rising marginally to 1.08 AM and 1.07 PM. In line with policy it is considered appropriate to mitigate this by encouraging a modal shift (reducing vehicle trips) via the schemes mentioned when considering the sustainable transport access.
- 5.6.13 As previously mentioned, the main vehicle access at the northern end of 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 60mph section). The applicant's Transport Assessment, however, presents Monday 05th – Tuesday 13th October 2020 Automatic Traffic Counter (ATCs) that observed 85% speeds of circa 40mph and it is considered the junction can operate safely. However, the applicant's Transport Assessment also proposes to reverse the existing Bell Close Watton Road junction (where Watton Road cedes priority to the Bell Close cul-de-sac. The current arrangement, however, presents an effective gateway feature for the village, which is evidenced by this section of Watton Road seeing no reported road traffic collisions in the last 5 years. Therefore, HCC Highways would insist that the priorities of Bell Close and Watton Road are not reversed which would have the potential to dangerously elevate the observed speeds which would make the proposed junction unacceptable to HCC Highways and the layout must be unchanged as shown in accompanying technical drawing 'Watton Road and Bell Close Junction Active Travel Access Sketch Layout' (Drawing Number P24028-SMCE-01-XX-SK-H-0001 P01).
- 5.6.14 There is also a second vehicle entry to the site via Swangleys Lane east as previously mentioned, however, through traffic entry to Swangleys Lane west of the development spine road would be restricted to pedestrians and cyclists. Whilst as commented previously this establishes the required sustainable transport corridor that will help unlock the site sustainably, it is essential that the vehicle link (spine road) connection to Watton

Road is constructed to adoptable standards prior to the mobility filter being implemented. Further details are provided in recommended condition numbers 40 and 41.

- 5.6.15 The HCC Highways Travel Plan team have reviewed the Framework Travel Plan that supported the original application. Whilst it has not been updated, it was noted it was acceptable at this stage subject to the recommendation of a planning condition for a full Travel Plan at least 3 months prior to the first occupation of the development.
- 5.6.16 HCC Highways operate two levels of mitigation agreements (Strand 1 and Strand 2). Strand 1 mitigation works being works that are directly required to unlock the development and solely the responsibility of the development. Strand 2 mitigation works being works that address the wider cumulative impact of the development for which the development isn't solely responsible for but does derive benefit from.
- 5.6.17 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 aforementioned Travel Plan.
- 5.6.18 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.
- 5.6.19 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).
- 5.6.20 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.
- 5.6.21 In conclusion, 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 highways perspective and to secure mitigation measures. The applicant has agreed to pay the requested financial contributions. The proposal is considered to be acceptable from a highways perspective, and the absence of harm weighs neutrally in the planning balance.

5.7 Landscape and visual impacts

- 5.7.1 This is a large-scale housing development. Given its nature and scale there will inevitably be impact on the landscape. Within the context, national and development plan policies adopt an approach where development should only be approved where the harm would be outweighed by the benefits of the development.

5.7.2 *Landscape character*

Paragraph 187 of the NPPF indicates that the intrinsic character and beauty of the countryside should be recognised. The NPPF does not seek to protect the countryside for its own sake from development, rather it concentrates on seeking to protect valued landscapes. The site does not form part of any designated landscape.

- 5.7.3 The NPPF does not define what is a valued landscape, albeit most landscapes are valued in one form or another, but case law demonstrates that value lies in it being considered more than just open countryside. North Herts Local Plan Policy NE2 confirms that planning permission will be granted for development proposals that respect the sensitivities of the relevant landscape character, do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this, 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.

Landscape character assessment

- 5.7.4 The application site is located in the northernmost end of National Character Area (NCA) 111 for the Northern Thames Basin. NCA111 is a large area extending from Hertfordshire in the west, to the Essex coast in the east. It is separated from the North Sea and Thames Estuary by the narrow Greater Thames Estuary (NCA81). This NCA contains the suburbs of North London and historic towns and cities including St. Albans and Colchester. It also includes new and planned towns such as Welwyn Garden City, Hatfield and Basildon. NCA111 is described as '*rich in geology, archaeology and history. Its diverse landscapes included wooded plateaux and river valleys in Hertfordshire, and open and largely arable areas in the Essex heathlands*'.

- 5.7.5 The Council published the North Herts Landscape Study as part of the Local Development Framework in 2011 which is based on the Hertfordshire Landscape Character Assessment and subsequent sensitivity and capacity work. The site is within Region 5 The Central River Valleys, and detailed LCA 37 Datchworth Settled Slopes area. The key characteristics of the Datchworth Settled Slopes LCA are listed as: '*large scale open arable farmland; parkland in the north; edges of Knebworth settlement; and prominent in the landscape*'.

- 5.7.6 The built development guidelines for the character area LCA 37 include:
- *Strict control of development around the setting of Old Knebworth and Knebworth Park is a priority;*
 - *Encourage the use of woodland planting to screen new development and to provide ecological diversity;*

- *Ensure that any new development of the edge of Stevenage is well contained by vegetation to improve the extent of visual intrusion from the major urban area into the Character Area;*
- *Ensure that new development does not lead to coalescence of the settlements of Stevenage and Knebworth;*
- *Ensure that new development does not necessitate the removal of existing woodland blocks of hedgerows;*
- *Ensure that lighting associated with new development does not create additional urbanising influences on the Character Area through carefully designed earthworks and planting schemes; and*
- *Use the opportunity of any new developments to create new accessible green infrastructure for the local population.*

Review of the submitted Landscape and Visual Appraisal (LVA)

- 5.7.7 The application is accompanied by a Landscape and Visual Appraisal document produced by FPCR Environment and Design Ltd, which identifies the landscape and visual effects of the proposed development. In applying a standard methodology and professional judgement, the LVIA sets out conclusions.
- 5.7.8 The LVIA identifies the sensitivity/value of landscape elements, landscape character and visual receptors, the magnitude of impact on each of these assessed, and then the significance of these impacts were evaluated. The LVIA also undertakes an assessment of visual and landscape effects during the construction phase, and operational phase.
- 5.7.9 The identified residual effects and conclusion in the LVIA indicate that there would be moderate adverse effect upon the immediate landscape and its setting. In time, as the proposed green infrastructure establishes, this may reduce to moderate/minor adverse as new landscape elements are introduced, and the new publicly accessible footpaths and cycle paths are created, connecting with existing rights of way.
- 5.7.10 In terms of the visual effect, the report concludes that during construction, adverse effects on visual amenity will occur due to the construction of roads, houses and attenuation features. This level of effect is judged to be no worse than the effect upon completion. Following completion, the effects on visual amenity will reduce over time, because of proposed planting and areas of green infrastructure, helping the built development assimilate more readily with its surrounding, and filtering view from nearby receptors.
- 5.7.11 Initial mitigation details are set out in the Masterplan Framework document, the Green Infrastructure Framework Plan, the Built Form and Character Framework Plan, the Design & Access Statement, the LVA and supporting drainage and ecology reports. Together, these documents are considered positive steps toward addressing potential visual and landscape impacts. The documents express a broadly landscape-led approach and demonstrate an intention to deliver a high-quality and multifunctional green infrastructure network.
- 5.7.12 The Green Infrastructure Plan divides the GI network into a series of clearly defined spaces. The GI areas are configured around the edges of the three residential parcels, with structural green buffers proposed to the east and south. These green edges are particularly important given the site's location adjacent to the Green Belt, and the potential adverse impact on the wider rural landscape and visual impacts from PROWs and rural

lanes. Their treatment is a critical part of achieving a sensitive urban-rural transition and have been conditioned accordingly.

- 5.7.13 Conditions have been recommended to ensure the future implementation of a comprehensive Green Infrastructure network which include a Design Code condition, an advanced planting condition, a Landscaping Ecological Management Plan (LEMP) condition, and a soft landscaping provision condition.

Conclusion on the impact on wider landscape and visual setting

- 5.7.14 In conclusion, 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

- 5.8.1 The application submission is accompanied by a Heritage & Archaeology Desk-Based Assessment prepared by CSA Environmental, that identify the designated heritage assets, potential archaeological interest within the site and the significance of these assets.

Heritage

- 5.8.2 The site is not subject to any local or national designations. Designations within the local area include Deards End Lane Conservation Area at the north-west end of Knebworth, Stockens Green Conservation Area to the south-west, and Old Knebworth Conservation Area to the west of Knebworth village. None of these areas are in immediate proximity to the site. It is therefore considered there is no intervisibility between these designated areas and the site.

- 5.8.3 The nearest listed building to the site is the Grade II* listed Church of St. Martin which is located around 180m from the western boundary of the site. It is considered that the current agricultural land within the application site does not contribute to the significance of the church and views to/from the site do not contribute to the architectural interest of the church. On this basis, it is considered that the development proposal would not adversely impact the significance of the Grade II* listed Church of St. Martin.

- 5.8.4 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.

Archaeology

- 5.8.5 North Herts Local Plan Policy HE4 on Archaeology states that permission for development proposals affecting heritage assets with archaeological interest will be granted provided that: a. developers submit an appropriate desk-based assessment and, where justified, an archaeological field evaluation. Policy HE4 as modified also states that '*Areas of as yet, unknown archaeology may be identified during research, or through the planning or plan making process. These sites or areas should be treated in the same way as archaeology areas and areas of archaeological significance*'. The NPPF paragraph 212

sets out the same approach to sites of archaeological significance as other heritage assets, in that 'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)'. Paragraph 216 also requires 'in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

- 5.8.6 The site has been subject of a desk-based assessment which has identified previous archaeological works within the site including a watching brief on a gas pipeline in 1991, which recorded a single prehistoric struck flint, and a geophysical survey across the majority of the site in 2017 which did not identify any anomalies of probable archaeological interest. Prehistoric and Roman period activity is recorded in the study area, but there is no current evidence to indicate any significant remains are present within the site.
- 5.8.7 HCC Historic Environment have confirmed they do not object to the proposal and consider the impact of the proposed development can be adequately addressed by planning conditions. This would require the submission and agreement of an Archaeological Written Scheme of Investigation which would also require a new geophysical survey to be submitted and for the scope of works relating to an archaeological trial trench evaluation of the site to be agreed.
- 5.8.8 In conclusion, 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

- 5.9.1 *Chapter 15 Conserving and enhancing the natural environment of the NPPF requires decisions to contribute to and enhance the natural environment. Local Plan policies SP1 – Sustainable development in North Hertfordshire, SP12 – Green infrastructure, biodiversity and landscape, NE4 – Biodiversity and geological sites and NE6 – Designated biodiversity and geological sites and NE8 Sustainable drainage systems seek to protect, enhance and manage the natural environment.*
- 5.9.2 The 2021 Environment Act introduced an automatic requirement for every planning permission granted to achieve a 10% Biodiversity Net Gain (BNG). The current application was submitted in July 2023 which was prior to the mandatory BNG requirements being enacted in February 2024. However, the application includes a BNG assessment. This is considered below.
- 5.9.3 The associated features of the land, such as hedgerows are likely to contain at least some features of biodiversity interest and value and are sought to be retained and incorporated into the masterplan as far as possible. An Ecological Appraisal, Bat Survey report, Bird report, together with a Biodiversity Metric and a Biodiversity Net Gain report which demonstrates that the site would result in a measurable net gain in biodiversity, compared to the current situation
- 5.9.4 Whilst the proposals would result in the loss of agricultural fields, these score relatively low, in terms of biodiversity and habitats. The proposals would also result in some loss of existing hedgerows most notably to accommodate new internal road infrastructure. The

results of the Biodiversity Metric calculation show that overall, the development is capable of achieving 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 be through:

- Establishment of informal grassland areas;
- Significant areas of buffer planting along some of the site boundaries;
- Areas of scattered scrub habitat within the southern area of public open space;
- Proposed allotment in the north-west corner of the site;
- Planting of 326 urban trees across the site;
- Introduction of dry SUDs feature to the east of the site which will support a mix of other neutral grassland and scrub;
- Creation of new native hedgerows along several of the site boundaries; and
- Planting of ornamental non-native hedgerows in residential areas.

5.9.5 The retention and creation of new on-site habitat will enhance the existing ecological network by strengthening wildlife corridors and habitats to improve habitat functionality and connectivity.

5.9.6 Officers consider that there would not be any harm to biodiversity and ecology. In addition, in order to seek to ensure the delivery and longer-term viability of the on-site mitigation (landscaping, natural grasslands etc), a suitable planning condition would also require the management and maintenance of these features.

5.9.7 Overall, 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

5.10.1 *Chapter 15 of the NPPF – Conserving and enhancing the natural environment* – confirms that proposals should protect and enhance the natural environment. *Local Plan Policy SP1: Sustainable development in North Hertfordshire* seeks to protect key elements of North Hertfordshire's environment. *Local Plan Policy NE2 Landscape* seeks to ensure the health and future retention of important landscape features and their long-term management and maintenance.

5.10.2 The site contains some areas of existing trees and hedgerows throughout the site, most notably trees at the northern end of the site along Watton Road, and hedgerows along Old Lane, St. Martins Road, Swangleys Lane, and along the boundary perimeter of the southern parcel of the site. The application is supported by an Arboricultural Assessment prepared by FPCR Environment and Design Ltd. This sets out tree constraints, impacts and preliminary mitigation measures arising from the development. It identifies that some small sections of hedgerow on Old Lane, Swangleys Lane and in the southern parcel of the site are proposed to be removed to facilitate internal access infrastructure for the development. The report also confirms no trees are proposed to be removed.

- 5.10.3 Conditions to secure appropriate Tree Protection Plans, Arboricultural Method Statements and other relevant tree impact related information are both necessary and reasonable. This information will need to adhere to the recognised standard BS 5837: Trees in Relation to Construction.
- 5.10.4 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

- 5.11.1 National policy on issues relating to flooding is set out in the NPPF at paragraphs 170 to 182. This emphasises the importance of considering the potential for flooding for new developments, particularly in areas identified at high risk. It also requires the consideration of incorporating sustainable drainage solutions where necessary and appropriate.
- 5.11.2 *Local Plan Policies SP11, D1, NE7 and NE8* collectively seek to ensure that development does not result in unacceptable flood risk, prioritises the development of land at low risk from flooding and the use of sustainable drainage systems (SuDS).
- 5.11.3 The site lies within flood risk zone 1, where there is a low probability of flooding. However, given the size of the application site and that residential development is proposed, the application is accompanied by a Flood Risk Assessment (FRA).
- 5.11.4 Since the submission of this application in July 2023, Herts Local Lead Flood Authority (LLFA) have maintained an objection to the development proposal. The applicant has worked proactively with the LLFA to address the issues and concerns raised and this culminated with the submission of a new Flood Risk Assessment & Outline Drainage Strategy document in December 2024 and a subsequent Rebuttal letter in February 2025, both prepared by Enzygo Environmental Consultants.
- 5.11.5 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.
- 5.11.6 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.
- 5.11.7 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.
- 5.11.8 The LLFA 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.

- 5.11.9 One matter raised by the LLFA in their latest consultation response was an advisory note to the Local Planning Authority, to ensure that this application passes the sequential test, especially for surface water flooding. In response, the Council's Strategic Planning team has produced a site-specific flood risk sequential test consideration supporting note to set out the Council's formal position on this matter. The supporting note concludes the following:

"The issues of reasonable alternatives and mitigations (in terms of flood risk and other constraints) were comprehensively considered through the Strategic Flood Risk Assessment and the Plan making process which demonstrated that there are no meaningful 'reasonable alternatives' to the allocated sites.

The Council has applied the sequential test in accordance with NPPF and PPG requirements by assessing all potential SHLAA sites and the various constraints (Green Belt, environmental, heritage and flood risk). The housing background paper established that there is an acute OAN and the District is severely constrained by the Green Belt.

Whilst the majority of sites are within fluvial Flood Zone 1, most of the sites have potential surface water flood risk (according to the SFRA and the EA's mapping data). The NHLP seeks to address this issue by through Plan policies seeking SuDS, sustainable drainage strategies and site specific FRAs.

The PPG states that applicants do not "need to do a sequential test if one has already been carried out for a development of the type you're planning (e.g. a residential development) for the site. Adding that, in such cases applicants need to ask their LPA for the site allocation reference in their Local Plan and include that in their planning application.

In conclusion, it is considered that the approach taken by NHC is appropriate and in accordance with the requirements. Further sequential approaches to design and layout will be part of the masterplanning process for strategic sites allocated in the Local Plan and NHDC will continue working with the LLFA on any unforeseen issues that may arise.

In view of the above, the Council (as the LPA) considers that further sequential testing is not required either in overall terms or on a site-by-site basis."

- 5.11.10 A full copy of the supporting note is attached to this report at appendix 2.

- 5.11.11 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

- 5.12.1 *Chapter 15 Conserving and enhancing the natural environment* of the NPPF requires decisions to contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should also seek to improve local environmental conditions such as air and water quality (paragraph 187). *Local Plan Policy D3 Protecting Living Conditions* confirms that new development should protect residential amenity for existing

local residents. *Local Plan Policy D4 Air Quality* requires developments to consider air quality impacts arising from development, carry out assessments and identify mitigation measures where necessary.

Noise

- 5.12.2 The application is accompanied by a Noise Assessment Report prepared by Wardell Armstrong (dated June 2023). The assessment considers the site suitability in terms of noise impacts from existing sources and has been informed by previous noise survey data previously obtained in 2017, 2018 and 2021.
- 5.12.3 The report confirms that the development will require mitigation in the form of acoustic glazing and ventilation for some plots located closest to existing and proposed roads and it is advised that careful design of the proposed development is considered during the detailed design stages to ensure the most affected facades of proposed dwellings are screened where possible, with bedrooms and living rooms located on lesser impacted facades. In respect of industrial noise from Swangleys Farm, noise mitigation will be required in the form of a 4.0m high acoustic barrier around the southern and western boundaries of the farm. A noise mitigation scheme condition has been recommended to address all the above matters.
- 5.12.4 In respect of the construction phase of the development, the report confirms that enabling and construction works are likely to be restricted to daytime hours between 8am to 5pm on Mondays to Fridays, 9am to 12pm on Saturdays, with no work on Sundays and Bank Holidays. These hours would be in accordance with expectations of the Council's Environmental Health Protection team. This and other noise mitigation measures for managing noise during the construction phase can be secured through a Construction Environmental Management Plan (CEMP) condition.

Land Contamination

- 5.12.5 The application is accompanied by a 'Phase 1 Geoenvironmental Assessment (Desk Study)' prepared by Lees Roxburgh Consulting Engineers. The Council's Environmental Health Officer confirmed they did not object to the application with respects to contamination on land. However, given the report recommends that given the sensitive nature of the proposed use (residential), and the potentially contaminative former use of the site (agricultural), intrusive investigation should be undertaken at this site. A condition has therefore been recommended relating to a Phase II environmental risk assessment being undertaken and appropriate remediation if required undertaken, all pre-commencement of development.

Air Quality

- 5.12.6 Paragraph 110 of the NPPF states that *'The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health'*. NPPF paragraph 199 (under section 'Ground conditions and pollution') states that *'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality*

Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement’.

- 5.12.7 The application is accompanied by an Air Quality Assessment prepared by Wardell Armstrong (dated May 2023). The report confirms there are up to 100 receptors within 50m of dust generating activities from the proposed construction. There is no proposed demolition. The conclusion of the dust assessment is medium risk from Earthworks and Construction, and Low Risk from dust soling, and human health effects from all activities. For the operation phase, there are predicted to be negligible impacts from air pollution (nitrogen dioxide and particulate matter).
- 5.12.8 NHDC’s Environmental Health Officer has confirmed that air quality mitigation measures will be necessary for both the construction and operational stages of the development. Air quality impacts can be suitably controlled and mitigated through a Construction Environmental Management Plan (CEMP) which can be secured by condition. In relation to operational impacts, the main forms of mitigation would include electric vehicle charging points for dwellings, together with a site wide Travel Plan to encourage travelling by non-car modes. These matters are considered elsewhere in this report and will be secured by conditions.

Conclusion on environmental impacts

- 5.12.9 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

- 5.13.1 Chapter 2 of the NPPF Achieving sustainable development requires the sustainability credentials of proposals to be considered. Paragraph 8 requires that all three objectives – *economic, social and environmental* – of the planning system would be met. Chapter 14 Meeting the challenge of climate change, flooding and coastal change confirms that the planning system should support the transition to a low carbon future in a changing climate.
- 5.13.2 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 2030. The Council has adopted a Climate Change Strategy to promote carbon neutral policies. *LP Policy SP1: Sustainable development in North Hertfordshire is an overarching policy whereas LP Policy SP11 Natural resources and sustainability* gives broad support for proposals for renewable and low carbon energy development in appropriate locations.
- 5.13.3 Local Plan *Policy DE1 Sustainable Design* requires developments to consider a number of criteria including the need to reduce energy consumption and waste. *LP Policy NE12 Renewable and low carbon energy development* supports the principle of renewable energy subject to a technical impacts being satisfied. Local Plan *Policy SP9* relates to Design and Sustainability and seeks the inclusion of a broad range of sustainability measures in developments.

5.13.4 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**

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 **Other Matters**

Health Impact Assessment

5.15.1 HCC's Public Health Healthy Places Officer has recommended in their consultation response that given the scale of the proposed development, Public Health will require the developer to undertake a Health Impact Assessment to assess the potential positive and negative health impacts of this development. The response also comments on ten specific subject areas in relation to the development proposal.

5.15.2 Although a condition can be recommended requiring the applicant to submit a Health Impact Assessment, it is considered that this would be overly excessive in this instance. The reasons below demonstrate how the ten subject areas have either been considered or addressed as part of the current outline application submission:

- **Air quality** – The application is accompanied by an Air Quality Assessment report. This matter is fully addressed in the relevant section of this report. Conditions have also been recommended for a Construction Environmental Management Plan (CEMP) and a noise mitigation scheme.
- **Indoor air quality** – The application is accompanied by a Noise Impact Assessment report. A condition has been recommended for a noise mitigation scheme. The final site layout of the proposed development as well as the design, appearance and internal layout of the proposed dwellings are reserved matters and would be fully assessed at that stage.
- **Creating access for all** – Details have been set out in the masterplan framework and parameter plans detailing the main active travel routes within and beyond the

application site. Measures to cater for the needs to the ageing population and individuals with physical disability and limiting illnesses can be incorporated into the scheme. The final site layout would be assessed at the reserved matters stage. In addition, a hard landscaping and boundary treatment provision condition has been recommended.

- **Adoption of active travel behaviours from the new occupants** – The Highways Authority have assessed the current application and confirmed the proposed access strategy is acceptable. NHDC officers have also worked collaboratively with the applicant on the masterplan framework and parameter plans to formulate an active travel strategy for the site to encourage sustainable modes of transport amongst residents. The details would be finalised through the Design Code and any subsequent reserved matters submissions.
- **Active Design** – In addition to the on-site active travel strategy, the development proposes the introduction of several multi-functional green spaces and play spaces throughout the site for leisure and recreation purposes. Sports England have also sought financial contributions for infrastructure in relation to sports pitches, changing rooms, sports halls and swimming pools which the applicant has agreed to.
- **Contributions towards modal shift and active recreation** – Financial contributions have been sought towards a Travel Plan, a Travel Plan co-ordinator, a car club scheme and cycle vouchers. The applicant has agreed to all these contributions.
- **Charging points for electric vehicles** – A condition has been recommended requiring the installation of an EV charging point for each dwelling.
- **Car Club** – A contribution of £38,610 has been sought towards setting up a car club scheme. This has been agreed to by the applicant.
- **Safe crossing points beyond site perimeter** – The Highways Authority have assessed the current application and confirmed the proposed access strategy is acceptable. The proposed development includes measures to improve infrastructure beyond the application and promote better highway safety for pedestrians through the closure of Swangleys Lane and upgrades outside Knebworth Primary School and on Watton Road by Bell Close.

5.16 Planning Obligations

5.16.1 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”*

5.16.2 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.

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

5.16.4 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:

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)	£2,478,515 (which includes land costs of £41,241) index linked to BCIS 1Q2022.	Towards new primary school provision in Knebworth and/or provision serving the development.
Secondary Education	£2,386,053 (which includes land costs of £55,433) index linked to BCIS 1Q2022.	Towards the delivery of new secondary school provision in Stevenage and/or provision serving the development.
Childcare Service 0-2 years	£165,001 index linked to BCIS 1Q2022.	Towards childcare facilities in the vicinity of the development and/or provision serving the development.
Childcare Service 5-11 years	£2,685 index linked to BCIS 1Q2022.	Towards provision at the new primary school and/or provision serving the development
Special Educational Needs and Disabilities (SEND)	£247,934 index linked to BCIS 1Q2022.	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	£67,506 index linked to BCIS 1Q2022.	Towards the delivery of a new young people's centre serving Stevenage and the surrounding area and/or provision serving the development.
Library Services	£47,008 index linked to BCIS 1Q2022.	Towards increasing the capacity of Knebworth Library and/or provision serving the development.
Waste Service Recycling Centre	£19,388 index linked to BCIS 1Q2022.	Towards increasing capacity at Stevenage Recycling Centre and/or provision serving the development.
Waste Service Transfer Station	£34,344 index linked to BCIS 3Q2022.	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)	The following has been requested by NHDC's Environmental Protection team to address Local Plan policy	NHDC Air Quality Planning Guidance Document (2018)

	<p>requirements in relation to air quality:</p> <p>£38,610 towards Car Club/Car Hire Scheme</p> <p>£15,000 towards cycle vouchers</p> <p>£37,500 towards Travel plan co-ordinator</p>	LP Policy D4
Knebworth Parish Council	£100,000 contribution towards sports pitches (can be covered by Sports England sports pitches contribution – see below)	<p>Developer Contributions SPD (2023)</p> <p>Policy SP10</p> <p>Policy NE6</p> <p>North Herts Playing Pitch Strategy (2018)</p> <p>Indoor Sports Facility Strategy (2018)</p>
Sports Contributions (Sport England)	<p>£131,092 capital costs of providing sports pitches. No specific projects have been identified by Sports England at this stage. Knebworth Parish Council have requested a contribution of £100,000 towards sports pitches</p> <p>£194,309 capital costs of providing changing rooms</p> <p>£97,549 towards sports halls</p> <p>£108,307 towards swimming pools (no specific projects identified – agreed with applicant that this can be allocated to Leisure Contribution projects listed below)</p>	<p>Developer Contributions SPD (2023)</p> <p>Policy SP10</p> <p>Policy NE6</p> <p>North Herts Playing Pitch Strategy (2018)</p> <p>Indoor Sports Facility Strategy (2018)</p>
Leisure Contributions (NHDC)	<p>£108,307 towards the following projects at Hitchin Swim Centre:</p> <ul style="list-style-type: none"> • Toilet refurbishment • Boiler refurbishment • Change village refurbishment 	

HCC Monitoring Fees	£340 for each distinct trigger point.	
NHDC Monitoring fees	2% of NHDC contributions capped at £25,000.	

Table 3: Heads of Terms for S106 Agreement

5.16.5 It is of note that on 25 June 2025, Herts Growth and Infrastructure Unit provided an updated consultation response with revised figures for the financial contributions being sought. The updated response considers Herts County Council's updated guidance on Developer Infrastructure Contributions. The updated figures also take into consideration an update of indexation base costs from 2022 to 2024; an update of population and service user yields to reflect Census 2021 data; and a further refinement of pupil yield projections to align with recent observations from the Pupil Yield Study and Census 2021 data. A copy of the response letter and updated figures is attached to appendix 3 of this report. As of the date of the publication of this report, the applicant has not yet agreed to the updated figures.

5.16.6 Discussions are ongoing regarding the wording of the s106 Agreement, such as trigger points. However, it is considered that the s106 Agreement is advanced enough to refer this matter to Planning Committee and that the outstanding issues are minor in nature and can be resolved prior to issue of the decision.

5.16.7 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).

5.17 Planning Balance and Conclusion

5.17.1 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.

5.17.2 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.

5.17.3 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.

5.17.4 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.

- 5.17.5 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.
- 5.17.6 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.
- 5.17.7 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.
- 5.17.8 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.
- 5.17.9 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 (see 'Key Issues' section of this report above).

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 the access details shown on Drawing No. P24028-SMCE-01-XX-SK-H-0001 P01; Drawing No. P22042-SMCE-ZZ-XX-D-H-0301 P05; and Drawing No. P17033-04-10D) 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.

Master planning

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 2005, 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 (e.g. '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 (e.g. 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 (e.g. 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 Model 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 or 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 FRA and Drainage Strategy (Flood Risk Assessment, prepared by Lee Roxburgh, June 2023, REF 6204/R3 / Surface Water Drainage Strategy, prepared by Lee Roxburgh, March 2024, REF 6204-01-02-A) 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 (dated June 2023, REF 6204/R3), 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 2021.

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 / residential use of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number (P17033-04-10D) 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 (P22042-SMCE-ZZ-XX-D-H-0301 P05) 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-L03 Issue AA) 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) 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 (P22042-SMCE-ZZ-XX-D-H-0303 P02), 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 (P24028-SMCE-01-XX-SK-H-0001 P01), 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 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 travelplans@hertfordshire.gov.uk

10.0 **Appendices**

- 10.1 Appendix 1 – Urban Design Statement produced by Sohanna Srinivasan – Principal Urban Design & Planning Officer
- 10.2 Appendix 2 – Flood Risk & Sequential Test Considerations for NHLP Site KB4 (Land East of Knebworth) – Supporting Note produced by NHDC Strategic Planning Team
- 10.3 Appendix 3 – Herts Growth & Infrastructure Consultation Response with updated financial contribution figures (dated 25 June 2025)