

<u>Location:</u>	66 Park Lane Knebworth Hertfordshire SG3 6PW
<u>Applicant:</u>	Mr Withers
<u>Proposal:</u>	Reserved matters (appearance, landscaping, layout, scale and internal access) for the erection of 9 dwellings with associated landscaping, parking and amenity space pursuant of outline permission 23/02946/OP granted 19.06.2025.
<u>Ref. No:</u>	25/01658/RM
<u>Officer:</u>	Thomas Howe

Date of expiry of statutory period: 24 September 2025

Extension of statutory period: 27 November 2025

Reason for Delay: To undertake design amendments, and to find a suitable committee date.

Reason for Referral to Committee: This application has to be determined at Planning Control Committee as per the constitution given that it is:

(a) any residential development with a site area of 0.5 hectares or greater;

1.0 **Site History**

- 1.1 23/02946/OP - Outline planning application for the erection of up to 9 dwellings (all matters reserved except means of access). – Conditional Permission

2.0 **Policies**

2.1 **North Hertfordshire District Local Plan (The Local Plan) 2011 – 2031**

Policy SP1: Sustainable Development in North Hertfordshire
 Policy SP9: Design and Sustainability
 Policy HS3: Housing mix
 Policy D1: Sustainable Design
 Policy D3: Protecting living conditions
 Policy D4: Air quality
 Policy NE2: Landscape
 Policy NE4: Biodiversity and geological sites
 Policy HE1: Designated Heritage Assets
 Policy HE4: Archaeology

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

Section 2: Achieving sustainable development

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 and beautiful places

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

Section 16: Conserving and enhancing the historic environment

2.3 **Vehicle Parking at New Development SPD**

2.4 **Knebworth Neighbourhood Plan**

KBBE1 Housing Mix

KBBE2 Sustainable Buildings

KBBE4 Design

KBEF1 Biodiversity

3.0 **Representations**

3.1 **Neighbouring Representations:**

2x Representations received. Raises queries relating to Swift Bricks and recommends alterations to their locations.

3.2 **Parish Council:** No Objection. Requests consideration and application of Neighbourhood Plan Policies.

3.3 **Environmental Health:**

Contamination: Recommends inclusion of relevant contamination conditions. Otherwise, no objection.

Noise: *"The planning statement advises that details of the noise mitigation measures are to be submitted under separate cover. I have no objections nor comments on this application but look forward to the noise mitigation details in due course."*

3.4 **Hertfordshire Highways** – *Does not wish to restrict grant of permission.* No objection subject to advisory notes.

3.5 **Waste and Recycling** – None received.

3.6 **County Archaeology** – No objection subject to condition.

3.7 **Hertfordshire Ecology** – None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site comprises land surrounding and to the rear of Martlets, No. 66 Park Lane, Knebworth. The site is neighboured by KB1 to its northern and eastern boundaries, a site allocated for development in the Local Plan 2011-2031. The total land within the red line measures approximately 0.8 hectares in total area.

4.1.2 The site is within the Knebworth Settlement Boundary. No heritage assets are present on site and at present, the site comprises the residential curtilage of No. 66, featuring a large lawn area, garaging, storage sheds and woodland. Access is provided by an existing gravel track off Park Lane.

4.2 **Proposal**

4.2.1 The approval of reserved matters is sought relating to the appearance, layout, scale and landscaping relating to outline planning permission that was granted for nine dwellings.

4.2.2 Members resolved to grant Outline Planning Permission (reference 23/02946/OP) subject to conditions and S106 obligations on 26 September 2024. Planning permission was issued following acceptance of a S106 Unilateral Undertaking in June 2025. This permission included details of the access to the site. Regarding the S106 obligations, the Unilateral Undertaking has secured these contributions of £61,434 (Index Linked) towards highways works and £340 monitoring fee.

4.2.3 Therefore, this report does not address the principle of the development which was accepted by the grant of planning permission, but addresses the details submitted that were reserved for approval – the reserved matters.

4.2.4 Six of the proposed dwellings (Plots 1, 3, 4, 5 and 9) would have four bedrooms with attached double garages, and three of the dwellings (Plots 6, 7 and 8) would have three bedrooms with attached single garages.

4.3 **Key Issues**

4.3.1 The following matters were reserved at the outline stage, and are considered at this point:

- Appearance,
- Layout,
- Scale, and
- Landscaping

Appearance, Layout and Scale

4.3.2 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. Policy HS3(b) also requires schemes to provide a density, scale and development character appropriate to its location and surroundings. Policy SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context. These considerations are echoed in Section 12 of the NPPF.

4.3.3 The proposed dwellings comprise three house types, though 2, 3, 6-9 would be similar in appearance save for some alterations to fenestration and garage design. Gables would be to their side elevations, though plots 1,4 and 5 would comprise an 'L Shaped' dwelling wherein a double garage and gable would be present to their principal elevations. Materials of construction would comprise red facing brick and plain tiles. PV

panels are proposed to roof slopes where they would face the sun and each dwelling would benefit from an air source heat pump unit to their rear garden. The host dwelling, comprises a large, detached two-storey dwelling of traditional character with gables and is located to the front portion of the site.

- 4.3.4 The proposed layout would comprise 9 dwellings sited to the rear of the primary/existing dwelling. They would be accessed off a central track leading from the public highway, predominantly presenting a primary elevation to the highway, and Plots 1, 4 and 5 would have an 'L Shape' footprint, which would reflect their location to corners of the site. Each dwelling would benefit from a double driveway, and either a single or double garage. The dwellings would be set in relatively generous plots, with a front and rear garden spaces. The roadway would be bound by a footpath to its eastern edge. The layout is considered to be acceptable, that would respond to the shape of the site and would not result in an overly cramped or dense form of development within its edge of village context.
- 4.3.5 The dwellings would be relatively large end, comprising 3 and 4 bed dwellings. The Knebworth Neighbourhood Plan encourages smaller dwellings, with 2 and 3 bed dwellings being the focus. However, approach is set out within the supporting text to Policy KBBE1 (Housing Mix) and relates to affordable housing. The Policy indicates that housing development proposals should demonstrate the extent to which they address current and future housing needs in the Neighbourhood Plan area, whilst providing a range of types and sizes of homes. The proposal would comprise 3x 3 bed dwellings and 6x 4 bed dwellings. Given the quantum of development proposed within the site in the context of local allocations for sites, and that the proposal includes some 3-bedroom dwellings, I consider that the proposed housing mix and scale of these dwellings would be acceptable. The proposed introduction of microgeneration and sustainability features is welcomed and is welcomed by Knebworth Neighbourhood Plan Policy KBBE2.
- 4.3.6 The external materials proposed is a red multi-brick for the walls and a red-brown plain tile to the roof. These materials are considered to be acceptable and reflect the materials used on dwellings in the vicinity, which include a mix of red and buff coloured brick, as well as render, along with brown and red plain tiles. As such, the reserved matters for appearance, layout and scale of the proposed dwellings are acceptable in planning terms. This is in accordance with Policies SP9, D1 and D3 of the Local Plan and Section 12 of the NPPF. Policies KBBE1 (Housing Mix), KBBE2 (Sustainable Buildings) and KBBE4 (Design).

Standard of Amenity for future occupiers:

- 4.3.7 The proposed dwellings would provide internal floor areas that would exceed the minimum required by the Nationally Described Space Standards. Sufficient built-in storage space would be provided for each dwelling. Each dwelling would benefit from garden spaces, and amenities in the relative vicinity including a public house, village hall, school and other leisure amenities. The outline permission was granted subject to the suitable implementation of acoustic mitigation measures, and I consider that these would be beneficial for future occupants to the site. The dwellings would not be overlooked by the existing dwelling, Martlets, and their layout is not considered to allow for overlooking of other plots from first-floor vantage points. Their layout, together with their levels is not considered to result in dominance or losses of light harmful to the amenity of these occupiers. It is noted that some trees are present to plots, however, these are not considered to be overbearing to garden areas. Policy D3 would therefore be complied with.

Landscaping

- 4.3.8 The submitted landscape plan indicates that the roadway would be paved with permeable tarmac, with pavers and block paving to other areas of hardstanding. Grass and other green-scaping would be present to the areas between driveways, to the gardens, and the tree group to the eastern boundary at the southern portion of the site.
- 4.3.9 The proposed extent, siting and layout of hard landscaping is considered to be acceptable and would comprise a traditional materials pallet, complementing other developments within the district. The provision of a dedicated footpath is welcomed to the eastern side of the roadway. The extent of driveways areas is considered acceptable and would provide scope for visitor parking to each dwelling together with parking provision for residents. It is noted that an area of the site is allocated for storage during construction, and that this will be made good once completed. This is considered acceptable, and it was advised that this will be removed once the development is complete.
- 4.3.10 The wooded area to the front of the site, together with trees to the side boundaries would be retained. This is welcomed and is considered to provide suitable screening of the development from nearby public vantage points. The provision of grassed areas to the garden areas of dwellings is considered to be acceptable, with some dwellings benefiting from trees to their garden spaces. The extent of these trees is not considered to be overbearing or to the detriment of these amenity spaces.
- 4.3.11 This application is exempt from BNG Legislation, defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, due to the previous outline application being submitted (22 December 2023) prior to the mandatory date being introduced on 12 February 2024.
- 4.3.12 As such, the proposed landscaping is considered acceptable and appropriate to the form and scale of development proposed. This is in accordance with Policy NE4 of the Local Plan and Policy KBEF1 (Biodiversity) of the Knebworth Neighbourhood Plan.

Other Matters

Access

- 4.3.13 The Highway Authority were consulted on the previous outline application and raised no objections subject to informatives. The previous application left all matters reserved except for access. The Highway Authority have also been consulted on this application and have responded with no objections, subject to the addition of advisory notes.
- 4.3.14 Overall, subject to the above conditions, the proposed access approved under the outline permission is considered acceptable in accordance with Policy T1 of the Local Plan.

Archaeology

- 4.3.15 The County Councils Archaeological Team have recommended that a condition be added to any decision, covering a WSI prior to commencement. This is considered reasonable and has been agreed by the applicant, in accordance with Policy HE4 of the Local Plan, which is related to the layout of the development.

Contamination

- 4.3.16 Environmental Health, Contamination have recommended a contamination condition, which is related to the layout of the development. This has been agreed by the applicant.

Permitted Development Rights:

- 4.3.17 Given the proximity of trees to the boundaries of the site, I consider it is prudent to restrict the Class E and F permitted development rights in the interest of mitigating harm to these trees and to retain the soft landscaped areas of the site, to comply with Policies D1 and SP12.

Ecology:

- 4.3.18 It is noted that no representation has been received from Hertfordshire Ecology on this application. The previous application did not receive objections, and submitted information concluded that the site was unlikely to benefit from protected species. The proposal is exempt from nationally required BNG due to its submission date being before the introduction of these requirements. The previous permission was granted subject to a condition requiring the submission of enhancements be undertaken on-site. The submitted document details various enhancements across the site and a condition is attached to this decision requiring their implementation prior to occupation.

4.4 **Conclusion**

- 4.4.1 The proposal is considered acceptable in planning terms in accordance with the relevant local and national planning policies. Recommend Conditional Approval of details.

4.5 **Alternative Options**

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

- 4.6.1 The applicant/agent are in agreement with the proposed pre-commencement conditions.

5.0 **Recommendation**

- 5.1 That the reserved matters be given **Conditional Approval of Details** subject to the following conditions:

1. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

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

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

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

3. Prior to the first occupation of the dwellings hereby approved, details of the Air Source Heat Pumps shall be submitted to the LPA and approved in writing and installed on site in accordance with the approved details. Such details shall include siting, size, appearance, manufacturer's specifications, and noise generation levels.

Reason: To ensure that there are no adverse impacts on the design of the dwellings hereby approved or adverse harm on the amenities of the neighbouring occupiers. To comply with Local Plan Policies D1 and D3.

4. Prior to the commencement of the development hereby permitted full details of a comprehensive hard and soft landscaping scheme (including planting details) and all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.

All approved hard standing and boundary treatments shall be completed prior to the first occupation of the development.

The approved soft landscaping / planting details shall be carried out before the end of the first planting season following either the occupation of the (first) dwelling or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To ensure the development is comprehensively landscaped in the interests of visual amenity. Local Plan Policies D1 and N2.

5. No development shall take place before details of the proposed finished floor levels; ridge and eaves heights of the building hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels details shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of surrounding properties/ neighbour number XX. The development shall be carried out as approved.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to comply with Policy D1 of the Local Plan

6. No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:
- A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination;
 - A Phase 2 Site Investigation (where shown as necessary the Phase 1 Desk Study);
 - A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation)

All such work shall be undertaken in accordance with BS:10175:2011 or other appropriate guidance issued by the regulatory authorities. The work shall be sufficient to ensure that measures will be taken to mitigate any risks to human health and the wider environment.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

7. Details and/or samples of materials and appearance of all windows and doors of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site. Unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

8. A No demolition/development shall take place/commence 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 results
 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 www.hertfordshire.gov.uk
 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.
9. B The demolition/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)
10. C The 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.

11. No gates shall be provided across the access to the site.

Reason: In the interests of local visual amenity and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes E and F of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area and to comply with Policy D1 and/or Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

13. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

14. Before the commencement of any other works on the site, trees to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations, unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building works. No building materials shall be stacked or mixed within 10 metres of the tree. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.

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, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

15. Prior to first occupation of the dwellings hereby permitted, the ecological enhancements detailed within the Ecological Enhancement Plan reference WCL/EEP/GW/7225, and prepared by Wildlife Consultants Limited, dated 7th February 2025, shall be implemented on site.

Reason: In the interest of enhancing biodiversity, to comply with Policy NE4 of the Local Plan 2011-2031.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage 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.

Informative/s:

1. AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
Further information is available via the 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.
AN2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the 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) New or amended vehicle crossover access (section 278): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.
Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.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.

AN7) Planning Obligations and Agreements

It is Hertfordshire County Councils policy to seek a planning obligation in respect of Sustainable Transport including for all developments. The revised NPPF -July 2021 promotes accessibility by sustainable means including bus, cycling, and walking, and the provisions of S106 of the Town and Country Planning Act-1990 allows that planning obligations, governed by the guidance within CIL Regulations may be used to mitigate the impact of development. On 22 June 2021, HCC adopted a new toolkit to seek planning obligations towards sustainable transport. Full details on HCC's policy towards planning obligations may be found at the following web address <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/property/planning-obligations-guidance.aspx#developercontributions>.