

ITEM NO:

<u>Location:</u>	Odyssey Health Club Old Knebworth Lane Knebworth Hertfordshire SG2 8DU
<u>Applicant:</u>	Odyssey Group Holdings Ltd
<u>Proposal:</u>	Redevelopment of the site to provide 86 dwellings (12 x 2 bedroom houses, 12 x 3 bedroom houses, 18 x 4 bedroom houses, 25 x one bedroom apartments, and 19 x 2 bedroom apartments), associated landscaping, car-parking, the provision of a large new public open space and the creation of a new vehicular access off the B197 Stevenage Road following demolition of the former indoor bowling building and several ancillary buildings. Rearrangement of the existing car parking provision for existing Odyssey Health and Racquet Club to provide 141 car parking spaces and alterations to existing vehicular access to Odyssey Health Club from Old Knebworth Lane.
<u>Ref. No:</u>	19/01244/FP
<u>Officer:</u>	Tom Rea

Date of expiry of statutory period: 25th October 2019

Reason for Delay

Negotiations regarding the economic viability of the scheme, delivery of affordable housing and agreement on other infrastructure matters.

Reason for Referral to Committee

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

1.0 Site History

- 1.1 16/00813/1: Residential redevelopment of the site to provide 70 dwellings (14 x 2 bedroom houses; 19 x 3 bedroom houses and 9 x 4 bedroom houses; 16 x one bedroom apartments; 12 x 2 bedroom apartments), associated landscaping, car parking and the creation of a new vehicular access off the B197 Stevenage Road following demolition of the former indoor bowling building and several ancillary buildings. Re-arrangement of the existing car parking provision for existing Odyssey Health and Racquet Club to provide 141 car parking spaces and alterations to existing vehicular access to Odyssey Health Club from Old Knebworth Lane.

Granted 12.05.17

- 1.2 15/02518/1: Residential redevelopment of site to provide 80 dwellings comprising 16 x 1 bedroom apartments, 12 x 2 bedroom apartments and 16 x 2 bedroom dwellings, 29 x 3 bedroom dwellings and 7 x 4 bedroom dwellings, associated car parking spaces, new vehicular access onto the B197 Stevenage Road, landscaping and ancillary works following demolition of the former indoor bowling building and several ancillary buildings. Rearrangement of existing car parking provision for existing Odyssey Health and Racquet Club to provide 144 car parking spaces and alterations to existing vehicular access to Odyssey Health Club from Old Knebworth Lane. Withdrawn 10.02.16

2.0 Policies

2.1 North Hertfordshire District Local Plan No. 2 with Alterations (Saved Policies)

- Policy 2: Green Belt
- Policy 14: Nature Conservation
- Policy 16: Areas of archaeological significance and other archaeological areas
- Policy 26: Housing proposals
- Policy 29A: Affordable Housing for Urban Local Needs
- Policy 51: Development effects and planning gain
- Policy 55: Car Parking Standards
- Policy 57: Residential Guidelines and Standards

Supplementary Planning Documents

Design SPD

Planning Obligations SPD

Vehicle Parking Provision at New Development SPD (2011)

2.2 National Planning Policy Framework (February 2019)

- Section 2: Achieving sustainable development
- Section 5: Delivering a sufficient supply of homes
- Section 6: Building a strong competitive economy
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment

2.3 North Hertfordshire District Local Plan 2011 – 2031 Proposed Submission (Incorporating the Proposed Main Modifications November 2018)

- Policy SP1: Sustainable Development in North Hertfordshire
- Policy SP2: Settlement Hierarchy
- Policy SP5: Countryside and Green Belt
- Policy SP7: Infrastructure requirements and developer contributions
- Policy SP8: Housing
- Policy SP9: Design and sustainability
- Policy SP10: Healthy communities
- Policy SP11: Natural resources and sustainability
- Policy SP12: Green infrastructure, biodiversity and landscape
- Policy T1: Assessment of transport matters
- Policy T2: Parking
- 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 NEx: Strategic Green Infrastructure
Policy NE1: Landscape
Policy NEx: Biodiversity and geological sites
Policy NEx: 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 HE4: Archaeology

2.4 Hertfordshire County Council

Local Transport Plan (LTP4 – adopted May 2018)

2.5 National Planning Practice Guidance

Provides a range of guidance on planning matters including flood risk, viability, design and planning obligations.

2.6 Knebworth Neighbourhood Plan

The Knebworth Neighbourhood Plan Area was designated by North Hertfordshire District Council on 14th June 2016. The NP Area includes the application site.

3.0 Representations

3.1 Knebworth Parish Council:

The Parish Council objects to this application on the following grounds:

1. The affordable housing provision at 25% does not meet the emerging Local Plan requirement of 40%.
2. The parking provision for dwelling (128) and visitor (15) parking falls well below the requirement of NHDC SPD Vehicle Parking at New Development of 150 and a minimum 22 visitor spaces.
Car ownership in Knebworth is higher than average across the district and therefore there should be no reduction in parking provision. The development has narrow roads which will result in vehicles, unable to find a space, parking on footpaths and verges to allow access for other vehicles. This can be seen at Knebworth Gate, a development of 24 dwellings within 250m of the site.
3. The proposed parking barns are too small to accommodate vehicles and leave sufficient room for people to get out of their vehicles.

On Section 106 Obligations the PC seeks contributions towards the following:

Provision of all-weather football pitch (£50,000)
Sustainable Transport contribution (£160,000)
Contribution towards new car park (£20,000)
Contribution towards Play facilities (£35,000)
Allotments contribution (£35,000)
Transfer of open space to Knebworth Parish Council

3.2 Stevenage Borough Council:

Acknowledges that the site is previously developed land, therefore, NHDC, in conjunction with Hertfordshire County Council, (HCC) as the Highways Authority need to consider that the proposed development does not significantly affect the operation of the highway network and/or generate highway safety issues.

3.3 Lead Local Flood Authority (Hertfordshire County Council):

Advises that the LLFA have no objection in principle on flood risk grounds and can advise the Local Planning Authority (LPA) that the proposed development site can be adequately drained and can mitigate any potential existing surface water flood risk if carried out in accordance with the submitted drainage strategy. Recommends the attachment of conditions.

3.4 Hertfordshire Highways

Raises no objections subject to conditions, informatives and Section 106 contributions in respect of bus stop upgrades and travel plan management costs.

3.5 Hertfordshire Ecology

Recommends an Outline Great crested newt Mitigation and Compensation Strategy is prepared and conditions.

3.6 Network Rail

Advises no objection in principle subject to a number of requirements in order to ensure the safety, operational needs and integrity of the railway. Recommends conditions in respect of drainage, boundary fencing, safety barriers, method statements / contact with NR asset protection manager, soundproofing, lighting and landscaping.

3.7 Environment Agency

Advise that the Agency are not providing specific advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals. Recommends that the requirements of the National Planning Policy Framework and National Planning Policy Guidance (NPPG) are still followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be in addition to the risk to human health that NHDC Environmental Health Department will be looking at. Reiterate their comments provided in response to the previous application (18/01622/FP).

3.8 NHDC Environmental Health officer (Environmental Protection/Contamination)

Advises that a land contamination condition (Phase II Environmental Risk Assessment) will be required. Requires Electric Vehicle (EV) Recharging Infrastructure conditions for houses and flats. Recommends contaminated land informatives in view of Environment Agency advice.

3.9 NHDC Environmental Health officer (Noise)

Requires various assurances over glazing and ventilation mitigation measures. Requests a further information of earth bunds and boundary screenings.

3.10 NHDC Housing Supply Officer

Concern at level of affordable housing and whether the proposals meet housing need. Viability assessment will need to be independently assessed.

3.11 NHDC Waste Services Manager

Provides technical guidance on various aspects of waste storage / collection requirements. Queries the refuse freighter dimensions used in the Transport Assessment.

3.12 Hertfordshire County Council (Growth & Infrastructure team)

Requests financial contributions toward primary and secondary education, library and youth services.

3.13 Hertfordshire County Council (Fire & Rescue Service)

Advises that public adoptable fire hydrant provision will be required in accordance with Planning Obligations Guidance.

3.14 NHS East & North Hertfordshire Commissioning Group

Requests contributions towards GP Primary Care services, Acute, Community and Mental health care provision. Raise an objection if the requested health care contributions are not secured via a Section 106 Legal Agreement.

3.15 NHDC Urban Design and Landscape officer

No objections to scheme in terms of layout and building design. Some concerns re open space and landscaping that should be addressed through conditions or additional plans.

3.16 Site Notice / Neighbour consultation:

No comments have been received from Members of the public regarding this planning application.

3.17 Other correspondence

CPRE Hertfordshire

Note that the development is enabling development for the refurbishment of the Odyssey Health Club. NHDC will need to determine the validity of the quantum of housing proposed before determining the planning balance.

4.0 Planning Considerations

4.1 Site & Surroundings

4.1.1 The application site consists of part of Odyssey Health Club located to the west of the B197, south of the Hertford Loop railway and east of the East Coast Main Line railway. The site is just south of Stevenage and south east of the GSK pharmaceutical site. The application site comprises 3.94 hectares of land.

4.1.2 The planning application site consists of most of the Health Club grounds, including the disused bowls club, five-a-side football area, car parks and disused land and buildings. The site excludes the existing main health club building and outdoor tennis courts which remain in full operation.

4.1.3 The whole of the application site is within the Green Belt.

4.2 **Proposal**

- 4.2.1 Full planning permission is sought for the complete redevelopment of the application site (excluding the main health club building and outdoor tennis courts) to provide 86 no. dwellings, associated infrastructure, open space and a new vehicle access to the site from the B197.
- 4.2.2 The key elements of the development scheme include:
- A new replacement car park for the remaining Health Club facility which would be located in the position of the former lawn bowls club, this would involve the creation of new hard standing and provision of a 141 space car park.
 - Residential development comprising 44 one and two bedroom flats in two four storey blocks adjacent to the Health Club building and its replacement car park in addition to 42 two, three and four bedroom houses on the eastern part of the site.
 - The proposal also involves the provision of a new access road off Stevenage Road to serve the new residential development only.
 - Provision of public open space and an equipped children's play area

4.3 **Key Issues**

- 4.3.1 The key issues are the principle of the development, design and layout, living conditions, highway and parking considerations, affordable housing, environmental matters and planning obligations.

The report will now address these key issues in turn.

4.3.2 **The Principle of Development**

The planning history of this site shows that the principle of a residential redevelopment of part of this site, on the basis of its previously developed status, has been accepted by the previous grant of planning permission under ref: 16/00813/1. This permission is still extant.

The current proposal seeks permission for a variation in the form and appearance of residential development on a similar area of the site and served by a similar means of access from Stevenage Road, albeit increasing the number of units from 70 to 86 dwellings.

The development now proposed does not expand beyond the area of previously developed land that was used to achieve the previous planning permission. The application is presented as a more intensive residential scheme that will deliver the funds needed to maintain and upgrade the existing health club facilities and to secure its longer term future as well as providing an enhanced form of residential layout and design than the consented scheme.

Since the grant of planning permission for the earlier application in 2017 there has been some changes to the NPPF (a revised version was published in February 2019) and the Emerging Local Plan (ELP) has been progressing through its Examination in Public stage. It is therefore necessary to take account of the updated national policy guidance and ELP in assessing this revised application.

4.3.3 Paragraph 145 of the NPPF states that a local planning authority must regard the construction of new buildings as inappropriate development in the Green Belt. It then lists a series of exceptions to inappropriate development including the following:

'Limited in-filling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority'

4.3.4 The definition of 'previously development land' is set out in Annex 2 of the NPPF which states the following:

'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape'.

4.3.5 As was concluded with the previous application, it is considered that the application site (excluding the green space to the south of the existing five-a-side football pitches) can be classified as previously developed land. The majority of the area proposed for built development and hardsurfacing is already covered in permanent buildings, artificial pitches, parking areas, roads and footpaths. I am satisfied that the site meets the definition of PDL as set out in Annex 2 above.

4.3.6 Having established that the site is PDL the next question is whether the proposed development would have a materially greater impact on the openness of the Green Belt than the existing development or cause substantial harm to the openness of the Green Belt if affordable housing forms part of the scheme. As was concluded previously openness relates to the extent of built development on land rather than the visual impact of height and mass of buildings. In this case, as with the previous application, there would be a considerable increase in volume (primarily through the provision of the blocks of flats) however there would be virtually no encroachment onto current open, undeveloped land. Therefore it is my opinion that there would be both no materially greater impact on the openness of the Green Belt nor any substantial harm to the openness of the Green Belt.

- 4.3.7 The main additional intervention as a result of this development proposal is the proposed new vehicle access and associated junction changes to access the site off the B197. This would extend the extent of development beyond the confines of the site and lead to the loss of hedgerows close to the new junction. Moreover, this stretch of road would arguably become more urban, although the main housing development would remain behind the hedgerow and would not have a new street frontage onto the B197.
- 4.3.8 To consider why it is necessary to create a new vehicular access off the main road it is necessary to assess the suitability of the existing and only vehicular access to the site at present. This access off Knebworth Lane to the north of application site has a very steep gradient and would continue to be the main vehicular access to the Health Club. In my view the access would not be safe to be used as the main access to the Health Club and the proposed housing development. On this basis if the principle of new housing is accepted on this previously developed site it becomes apparent that a new and separate vehicular access to the existing Health Club access is required.
- 4.3.9 To conclude therefore on whether the development proposal amounts to inappropriate development; I consider that on balance, and even with the greater volume of development proposed in this current application, the proposal is not inappropriate development in the Green Belt.
- 4.3.10 I do however consider that the proposed new access onto the B197 is inappropriate development in the Green Belt which is harmful to the purposes of the Green Belt by reason of inappropriateness. Inappropriate development can only be permitted where there are 'very special circumstances'. I consider that the necessity to provide a safe and convenient new vehicular access to this housing development amounts to very special circumstances in respect of the access. Very special circumstances must be unique to the development and not repeatable. It is in my view the particular circumstances of poor existing access to the site that make this argument unique to this development proposal. These very special circumstances are not needed to justify the housing development itself in my view which as I conclude above is not inappropriate development. However, it is clear to me that if housing is to be permitted anywhere on this site it is necessary to create a new, separate and safe vehicular access rather than relying on the existing access. This in my view justifies the new access which is inappropriate development in itself. This conclusion was agreed by the Local Planning Authority in determining the previous scheme and maintains relevant to this application.
- 4.3.11 On this basis I conclude that the proposed development is acceptable in principle and in compliance with national Green Belt policy. In terms of the ELP, Policy SP5 ('Countryside and Green Belt') explains that proposals within the Green Belt will be judged against the policies of the NPPF to determine whether they are acceptable in principle. In this regard it has been found that the proposals do not conflict with paragraph 145 of the NPPF.

4.3.12 **Design and Layout**

- 4.3.13 There are two distinct elements to this proposal as they were with the approved scheme – i.e. two blocks of flats adjacent to the Heath Club facilities and to the south east a lower density housing layout. It was considered appropriate with the extant scheme to locate the higher density part of the development close to the retained Health Club building and this is repeated in this application. The main differences are that the two apartment blocks have a greater footprint and an additional storey height and this is where the additional residential units are achieved. Although more bulkier than the approved flatted blocks the additional storey is provided for both new apartment blocks within a mansard roof set back from all elevations. The mansard roof material would be in grey metal finish and the elevations of a buff coloured brickwork. Although approximately 3 metres taller than the approved apartment buildings the set back of the roof accommodation minimises the perceived increase in height in my opinion and this together with the use of balconies and well proportioned brick to window elevations results in a form of development that fits contextually well into this part of the site. Car parking is provided at ground floor level in the rear block and also between the two blocks and therefore the impact of car parking on the wider appearance of the site is limited.
- 4.3.14 The proposed 42 dwelling houses making up the remainder of the development on the south eastern part of the site together with the vehicular access are sited on a similar footprint as the approved scheme and the houses are of a similar scale of two and two and half storey development. The main differences are the more spacious character of the development as it faces the open space, less hard surfacing through a reduction in access road and a range of house types that are more reflective of local vernacular. A mixture of gabled and hipped roof designs and the use of a limited palette of external materials provides for a high quality of design. Furthermore, car parking spaces are discreetly located in side driveways, rear garages and car parking courts that again limit the visual impact of parked vehicles on the development as viewed from the main access drive and the public open space.
- 4.3.15 The access road serving the development is on a similar alignment as the approved access road. The road is provided through a cutting as it enters the site then levels out to a similar level as the adjacent open space. A footpath is provided off Stevenage Road along the access road into the centre of the site and thereby achieves good pedestrian connectivity both into and out of the site.
- 4.3.16 A significant feature of the development is the provision of the open space with equipped play area opposite the new development. Whilst all of the new houses have private gardens and the flats have balconies the open space complements the private amenity space, provides an attractive setting for the development and delivers additional recreational space for the benefit of the wider community.
- 4.3.17 The submitted landscape masterplan envisages new tree planting around the site including tree planting along the access road adjacent to the open space which will filter views of the new development over time. Buffer planting is proposed along the railway boundary. The open space will contain a walkway through a new orchard and wildflower meadow. New tree planting will be provided adjacent the access point onto Stevenage Road and garden trees and shrub planting is proposed around the parking areas. The hard surfacing will contain a variation of materials including permeable paving and asphalt. Boundaries between plots and the rear of the site with the Stevenage Road / railway will be delineated by timber fencing and brick walls.

4.3.18 In conclusion I consider that the overall design and layout of the scheme is of a sufficiently high standard that takes account of the context of the site and the surrounding pattern of development. The site is well connected to the surrounding highway and footway network and the provision of new landscaping and public open space will achieve a quality environment. Overall the development has the potential to enhance the character and appearance of the locality.

4.3.19 **Living Conditions**

4.3.20 In my view the proposal would provide sufficient private, semi-private and public open space for future residents. The layout and spacing of buildings is such that reasonable standards of privacy and outlook would be maintained within the development scheme. The submitted Noise assessment concludes that with the inclusion of standard external building envelope treatment (e.g. cavity walls, double glazing and roof insulation) and boundary fencing adequate mitigation can be made against background noise levels. The Council's Environmental Health officer raises no objections on noise grounds and suitably worded conditions can be attached to ensure compliance with noise mitigation measures. The site is not at risk to flooding or contamination and appropriate conditions are proposed in respect of these matters. In conclusion it is considered that the proposed development can deliver a safe and suitable living environment for future residents.

4.3.21 **Highway and parking considerations**

4.3.22 Access

The principle of a new access road and roundabout junction on Stevenage Road was approved with the previous application. The submitted Transport Assessment advises that the new roundabout will serve to reduce traffic speeds on Stevenage Road but not affect traffic flows or have any other adverse impact on the highway network. There will be a slight increase in peak time traffic in and out of the development site (36 – 37 vehicles in peak hour) compared to the approved scheme (31 – 33 in peak hour) therefore the additional traffic impact will be negligible. Overall the Assessment says that there will only be a nominal proportional increase in traffic on the network (around 2%). A significant benefit of the roundabout junction apart from its speed reduction effect will be to provide safe and convenient access for future residents and users of the Health Club.

A swept path analysis undertaken by the applicants transport consultants has confirmed that all vehicles (including refuse and servicing) can move efficiently within the internal road system controlled by two turning heads at the north of the site.

Transport improvements

Two new bus stops are proposed adjacent to the new roundabout access on Stevenage Road. Improvements are proposed to the Old Knebworth Lane access but with no increase in traffic via that route. Pedestrians and cyclists travelling to the Health Club from Knebworth will be able to gain access to the club via the new access road and footway rather than using Old Knebworth Lane.

Parking

A total of 128 allocated car parking spaces are provided for the residential units within the development which will be provided in the form of integral garages, car barns, undercroft parking and on-street parking bays. This provision allows for 2 car parking spaces for each of the larger 3 and 4-bedroom dwellings, 1.5 car parking spaces for each of the 2 bedroom houses, 1.25 spaces for each of the 2 bed apartments and 1 space for each of the 1-bed apartments.

In acknowledging the concerns of Knebworth Parish Council it is accepted that this level of provision falls 22 spaces short of the Council's adopted SPD on car parking standards however it is a similar level of provision applied to the consented scheme. The Council's SPD does allow for reductions on these standards where it can be demonstrated that the accessibility, type, scale, mix and use of the development, the availability of and opportunities for public transport, local car ownership and on-street conditions justify such variations. The applicant has referred to census data which indicates low levels of car ownership for apartment occupiers. In addition there are opportunities for alternative modes of transport with the site immediately adjacent to the cycle network and footpaths, bus services and two major railway stations within short distances from the site. The approach to parking taking here reflects the site's relatively sustainable location close to a range of facilities and the emphasis in the Hertfordshire County Council's Local Transport Plan (LTP4) which encourages new developments to support the use of more sustainable modes of travel. As an indication of this commitment secure cycle parking is provided to all dwellings either in garages, storage sheds or internal storage areas within the apartment blocks.

In addition, the proposed development seeks to provide 15 visitor car parking spaces, which equates to 1 additional space for every 6 dwellings. This provision is much improved from the approved scheme which provided 1 additional space for every 10 dwellings (7 visitor spaces in total).

There would also remain a 141 space car park for the proposed health club.

No objections are raised by the Highway Authority and together with the package of measures to encourage alternative modes of transport I consider that the level of allocated and visitor parking is acceptable.

4.3.23 **Affordable Housing**

As with the previous application this application is accompanied by a Viability assessment which supports the applicant's case that the development costs associated with this enabling development prevent the provision of a level of affordable housing required by Policy HS2 of the ELP – i.e. 40% of all units to be affordable. The viability assessment has been reviewed by the Council's consultants and this has resulted in some of the assumptions over build costs, profit levels, sales values, rental income etc. being queried. Negotiations have been on-going between the applicant's consultants, the Council's viability consultants and officers to establish an agreed level of affordable housing provision. Having carefully and independently interrogated the applicant's evidence on viability the Council's consultants have concluded that by and large the maximum proportion of affordable housing that can reasonably be delivered on site from this scheme is 25%.

4.3.24 Following further discussions over viability the applicants have agreed to provide a higher percentage of affordable rented accommodation (16 units or 72.7% of the overall total) than would normally be required (i.e. a 65% rented and 35% shared ownership / equity split). The affordable housing breakdown is as follows:

- 6 x 1 bed flats for affordable rent
- 10 x 2 bed flats for affordable rent
- 5 x 1 bed flats intermediate tenure
- 1 x 2 bed flat intermediate tenure

22 affordable flats in total out of 86 units overall, equivalent to 25%

This level of affordable housing has been agreed by the applicant and accepted by the Council's viability consultants as the most that can be expected given the viability of the scheme. Furthermore, the affordable housing will be provided in one block as opposed to the approved scheme which involved some mixed tenure accommodation. The current proposal will be easier to administer by a registered provider in terms of management and services charges etc.

4.3.25 Policy HS2 of the ELP would require 40% affordable housing. The ELP is still however subject to the Examination in Public process and therefore full weight cannot be attached to the policies in the Plan at this stage. The supporting text of the policy does however state that:

'On most sites, targets to provide up to 40% affordable housing can be supported. Policy SP7 sets out our approach where developers consider that the policy requirements of our plan will adversely affect viability. We will robustly examine any schemes which seek to make affordable housing provision at below target levels.'

4.3.26 Through extensive dialogue and detailed advice I have received from the Council's independently appointed viability consultants I consider that the applicant's viability evidence has been robustly examined. Moreover, the eventual offer does actually comply with the saved Local Plan affordable housing policy. On this basis and giving some weight to the emerging affordable housing policy I am satisfied that the affordable housing proposal which has been negotiated is the best that can be achieved for this development scheme.

4.3.27 Planning Obligations

4.3.28 In considering Planning obligations in relation to this development the Framework (paragraph 56) 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.

The Community Infrastructure Regulations 2010 (regulation 122) (as amended 2019) coincides with the above requirements of the Framework.

4.3.29 In this case the applicants are aware of a number of infrastructure requirements that will need to be secured by way of a Section 106 Agreement to mitigate the impact of the development as was the case with the previous application that was granted following the completion of a legal agreement. The submitted viability assessment has taken into account that the current application will be subject to infrastructure requirements and associated contributions however the economics of the development are such that each obligation sought by NHDC and the District Council needs to ensure that they are fully justified and meet the tests.

4.3.30 As stated in paragraph 3.1 above Knebworth Parish Council have requested contributions towards a number of projects and to take over management of the open space. These matters have been considered in consultation with the applicants. The applicant has agreed to provide contributions towards play space and open space enhancements in Knebworth. The applicant intends to maintain control over the open space in perpetuity for the benefit of residents and the wider community. The sustainable transport contribution has been agreed with the highway authority who have not requested improvements to the cycleway network towards Knebworth station. It is not considered that the sum of £20,000 towards a car park at Knebworth Station has been justified with evidence or how the land will be assembled to create the car park. This contribution was not included in the previous S106 Agreement. A contribution towards allotments is considered excessive and not a critical consideration in mitigating the impact of the development. Such a contribution was not requested previously or included in the previous S106. Lastly the request for a contribution towards an all weather pitch in lieu of the loss of playing pitches does not recognise that the playing pitches on site have not been used for a number of years and that their loss would have little if any impact on the current usage of playing pitches in the area. Such a contribution was also not deemed necessary on the previous application. Several of the requests for contributions by the Parish Council would, in the light of the above, not meet the tests set out in paragraph 56 of the NPPF.

4.3.31 Including the affordable housing element detailed above I set out below for ease of reference a table incorporating the complete elements of the agreed heads of terms between the applicant and officers for a proposed S106 Obligation should Members be minded to grant planning permission for this scheme:

Element	Detail and Justification	Condition/Section 106
Affordable Housing	Provision on site of affordable housing units comprising 25% of the total number of units to include 16 units for affordable rent and 6 units for shared ownership. All 22 dwellings in one block (Plots 65 – 86) NHDC Planning Obligations Supplementary Planning Document Emerging Local Plan Policy HS2 'Affordable Housing'	S106
Primary Education	Contribution towards the expansion of Shephalbury Park Primary from 1fe to 2fe (£131,550.00) NHDC Planning Obligations SPD and HCC Toolkit	S106

Secondary Education	Contribution towards the expansion of The Barclay School from 6.5fe to 7fe (£129,110.00) NHDC Planning Obligations SPD and HCC Toolkit	S106
Youth Services	Contribution towards the increased capacity of Bowes Lyon Young People's Centre by reconfiguring the kitchen to include a group work area (£2,552.00) NHDC Planning Obligations SPD and HCC Toolkit	S106
Library Services	Contribution towards the improvements to the ICT provision to meet increased demand at the Knebworth Library Amount before index linking: £12,400.00 NHDC Planning Obligations SPD and HCC Toolkit	S106
Waste Collection & Recycling	Full contribution based on NHDC Planning Obligations SPD. Amount total before index linking: £4126.00 Policy 51 of the North Hertfordshire District Local Plan No. 2 with Alterations. Planning Obligations SPD	S106
Sustainable Transport	Contribution towards bus stop enhancements : £25,000.00 HCC – LTP4 NHDC – Policy T1 of Emerging Local Plan	S106
Open Space	Contribution towards open space enhancements in Knebworth in accordance with NHDC Planning Obligations SPD document: £21,056.95	S106
Play Space	Contribution towards playspace and equipment improvements in Knebworth in accordance with NHDC Planning Obligations SPD document : £31,408.44	S106
Health Care	Contribution towards General Medical Services GP provision : £60,871.07 NHDC - Policy SP10 in the Emerging	S106

	Local Plan NHS East & North Herts Clinical Commissioning Group formula for meeting the impact of new development on local health care provision	
Fire Hydrants	Provision within the site in accordance with standard wording Policy 51 of the North Hertfordshire District Local Plan No. 2 with Alterations. Planning Obligations SPD and HCC Toolkit	S106
On site Management of Open Space / Play Area / SUD's	Management agreement clause Private management company to secure timing, delivery and maintenance arrangements within an agreed scheme for entire open space on site including field adjacent to housing development. Include provision of public open space in perpetuity Policy 51 of North Hertfordshire District Local Plan No. 2 – with Alterations, Planning Obligations SPD	S106

4.3.32 The secure delivery of these elements of a comprehensive S106 Obligation between the applicant, North Hertfordshire District Council and Hertfordshire County Council would in my view ensure that the impacts of this development scheme on local infrastructure would be mitigated. On this basis the development scheme would be sustainable.

4.3.33 Environmental **Implications**

4.3.34 There are a number of environmental aspects to this development.

4.3.35 Previously developed land

The development involves PDL the re-use of which is encouraged in the NPPF particularly in terms of making effective use of land including brownfield land and ensuring that developments make the optimum use of available land avoiding homes being built at low densities.

Sustainability

In accessibility terms the site is in a sustainable location close to transport corridors including the Stevenage Road which is served by buses and two mainline railway stations. A number of facilities and services are within relatively short walking and cycling distances from the site.

The application is supported by Sustainability statement and Energy Assessment reports which recognises the Council's sustainable aims, sets out the relevant policies in the ELP (e.g. SP9, SP11 and D1) and sets out a number of objectives to enhance the environmental performance of the development with the aim of minimising carbon emissions. The measures proposed to achieve the sustainable design include the following aspects:

Site layout: minimising hard surfacing e.g. undercroft parking areas and maximising undeveloped land e.g. over 50% of the site will be public open space including play areas and open grassland, wildflower meadows and an orchard.

Renewable energy and building design: use of roof mounted solar panels, temperature controls, draft-proofing and orientation of buildings, low energy lighting, passive solar design, super insulated and air tight building fabric and ground source heat pumps

Water conservation: dual flush and flow restricted toilets and low water consumption appliances

Biodiversity and landscaping: timing of construction to minimise impact on breeding birds, specifying native, species rich plants and shrubs to enhance biodiversity, provision of bat and bird boxes and invertebrate habitat features

Flood mitigation and drainage: a detailed drainage design to incorporate SUD's features will be required

Green infrastructure and transport: residents green travel pack, regular travel pack updating and secure, covered, cycle storage

Building materials: selected in accordance with Building Research Green guide, use of recycled materials and green, FSC approved timber and British Standard accredited materials

Construction site waste management plan: on site separation, storage, collection and recycling of waste

Biodiversity

The development has potential to significantly enhance biodiversity with the new orchard and wildflower meadow planting, individual tree planting and creating of wildlife corridors along the railway boundary.

Electric vehicle (EV) re-charging infrastructure

All 42 dwelling houses will be required to have installed an EV charging point and each apartment block will have a dual EV charging point.

Taking into account the application site's accessibility and connections to the transport network, together with the package of measures outlined in the submitted sustainability and energy statements, it is considered that the development will help to reduce greenhouse gas emissions through its location, orientation and design in accordance with the climate change objectives set out in the NPPF. The development would therefore be consistent with this authority's Climate Change Strategy.

4.4 **Planning balance and conclusion**

- 4.4.1 Following careful negotiations between the applicant, officers, external consultees and appointed independent consultants over a prolonged period I consider that this development proposal is acceptable in principle, on the basis that it represents a redevelopment of previously developed land in the Green Belt, which is not inappropriate. The element of the scheme that is inappropriate is necessary on the basis of very special circumstances. The scheme in of itself is of a sufficiently high standard of design and layout and agreed affordable housing deliver is the most that can be achieved following a robust examination of the applicant's viability evidence by the Council's appointed consultants. On this basis, on balance, I recommend that planning permission be granted for this important residential scheme that can deliver 86 much needed dwellings in this sustainable, edge of urban location.

Alternative Options

None applicable

Pre-Commencement Conditions

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

5.0 **Legal Implications**

- 5.1 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.

6.0 **Recommendation**

- 6.1 That planning permission be **GRANTED** subject to the following conditions; to the applicant entering the necessary S106 Obligation with the Council to secure the delivery of additional services and infrastructure set out in the table above and to the applicant agreeing any necessary extensions to the Statutory determination period to allow the completion of the S106 Obligation:
- 6.2 In the event that the applicant fails to agree any necessary extensions to the statutory determination that powers are delegated to the Development and Conservation Manager to refuse planning permission on the basis of absence of completed S106 Obligation:
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

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

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

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

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

4. Prior to the commencement of the development hereby permitted full details of hard and soft landscaping associated with the development shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the following:

- a) which, if any, of the existing vegetation is to be removed and which is to be retained

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

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

- d) details of any earthworks proposed

All associated hard landscaping shall be laid out in accordance with the approved details or particulars prior to the first occupation of the development hereby permitted and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

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

5. The approved details of soft landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings 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 safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

6. 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.

7. Before the occupation of any of the dwellings hereby permitted, the car parking facilities shown on the approved plan shall be marked out and made available, and shall thereafter be kept available solely for the parking of motor vehicles.

Reason: To ensure the provision of satisfactory car parking facilities clear of the public highway to meet the needs of the development.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Class (es) A-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.

9. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage strategy. The surface water drainage scheme should include;
1. Implementing the appropriate drainage strategy based on attenuation and discharge into the ordinary watercourse.
 2. Limiting surface water discharge to a maximum of 14.75l/s for the 1 in 100 year event plus 40% for climate change.
 3. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
 4. Undertake the drainage to include filter trenches, swales/ditches, porous paving and attenuation basins.

Reason: To prevent flooding by ensuring the satisfactory storage of surface water from the site.

10. No development shall take place until the final design of the drainage scheme has been submitted to, and approved in writing by, the local planning authority. The scheme shall also include:
1. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
 2. Providing the appropriate levels of treatment train
 3. All calculations/modelling and drain down times for all storage features.
 4. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage.
 5. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of surface water from the site.

11. Upon completion of each phase of the drainage works, a complete set of as built drawings for the site drainage management should be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:
1. Final confirmation of management and maintenance requirements
 2. Provision of complete set of as built drawings for both site drainage and overland flow route management.
 3. Details of any inspection and sign-off requirements for completed elements of the drainage system.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

12. Prior to the commencement of the development, the developer shall submit a scheme of sound insulation and noise control measures for the Council's written approval based on the findings of the Entran Limited report dated 7th May 2019 (Odyssey Group Holdings Ltd, Old Knebworth Lane, Stevenage, SG2 8DU- Noise Assessment). The approved scheme shall be fully implemented prior to first occupation and once implemented, the scheme of measures shall be maintained in accordance with the details in perpetuity.

Reason: To protect the amenities of future residents.

13. A detailed lighting scheme shall be undertaken and submitted to the Local Planning Authority for approval with details of all external lighting required for the re-arranged car park serving the Odyssey Health and Racquet Club and there shall be no external illumination erected, installed or operated on any part of this area other than in accordance with these approved details.

Reason: To protect the amenities of future residents.

14. The following limits shall not be exceeded by the exterior light installations for the re-arranged car park serving the Odyssey Health and Racquet Club:

Sky Glow ULR (Max%) 5.0

Max light into windows Ev (lux)

07.00- 23.00hrs 10

23.00- 07.00hrs 2

Source Intensity I (kcd)

07.00- 23.00hrs 10

23.00- 07.00hs 1

Building Luminance 07.00- 23.00hrs

Average, L (cd/m²) 10

Reason: To protect the amenities of future residents.

15. The development hereby permitted shall not commence until the proposed roundabout access works have been provided as identified on the 'in principle' roundabout access arrangement drawing numbered SK 13 revision A which shall include proposed additional bus stops that are to be placed along the Stevenage Road as part of the application. These will need to be connected to the development's footways with easy access kerbs and shelters are provided as appropriate. The exact location of the bus stops and accommodating works such as additional footways, crossing points, white lining and directional signing will need to be agreed in conjunction with appropriate parties these facilities shall meet appropriate accessibility standards and be constructed as in accordance with the details as contained on the Herts Direct web site. These works shall be secured and undertaken as part of the S278 works with the ultimate design being technically approved prior to commencement on site to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction.

Reason: To ensure satisfactory development and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in order to meet accessibility requirements for passenger services for the development in accordance with Roads in Hertfordshire 'A Guide for New Developments.(section 2 part 1 chapter 9 para 9.4) and to further encourage sustainable modes of transport. In accordance with Policies 5 and 22 of Hertfordshire's Local Transport Plan (adopted 2018)

16. No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed streets within the development. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Reason: To ensure satisfactory development and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policies 5 and 22 of Hertfordshire's Local Transport Plan (adopted 2018)

17. The development hereby permitted shall not be brought into use until the proposed access roads and footways have been constructed to wearing course as identified on drawing number P101 revision K and connected to the proposed roundabout and the existing carriageway has been reinstated to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction.

Reason: To ensure satisfactory access into the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

18. No development shall commence until a Construction Management Plan (or Construction Method Statement) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan.

The Construction Management Plan / Statement shall include details of:

1. Construction vehicle numbers, type, routing;
2. Access arrangements to the site;
3. Traffic management requirements
4. Construction and storage compounds (including areas designated for car parking,

- loading / unloading and turning areas);
- 5. Siting and details of wheel washing facilities;
- 6. Cleaning of site entrances, site tracks and the adjacent public highway;
- 7. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- 8. Provision of sufficient on-site parking prior to commencement of construction activities;
- 9. Post construction restoration/reinstatement of the working areas and temporary access to the public highway and:
- 10. 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.

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).

19. The development hereby approved shall be carried out in accordance with the sustainability, energy efficiency and carbon reduction measures set out in the submitted Sustainability Statement and Energy Assessment reports by Sol Environmental, May 2019.

Reason: To ensure compliance with Section 14 of the NPPF and the District Council's Climate Change strategy.

20. Prior to the commencement of development, a Reptile Mitigation Strategy should be submitted to and approved in writing by the Local Planning Authority. It should include measures which will be undertaken to safeguard reptiles including the identification of a suitable receptor site if required.

Reason: In the interest of biodiversity and species protection.

21. (a) No development approved by this permission shall be commenced 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 (a) 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.

22. Prior to the commencement of the development hereby permitted, full details of measures to achieve Secure By Design accreditation shall be submitted to and approved in writing by the Local Planning Authority. Such measures shall thereafter be carried out in complete accordance with the approved details or particulars unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests minimising crime associated with the development.

23. No development shall take place until an ecological design strategy (EDS) addressing the implementation of the recommendations in the submitted ecological report (Greengage Environmental Limited, April 2019) has been submitted to and approved in writing by the local planning authority.
The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.
 - b) Review of site potential and constraints.
 - c) Detailed design(s) and/or working method(s) to achieve stated objectives.
 - d) Extent and location/area of proposed works on appropriate scale maps and plans.
 - e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - g) Persons responsible for implementing the works.
 - h) Details of initial aftercare and long-term maintenance.
 - i) Details for monitoring and remedial measures.
 - j) Nesting bird mitigation strategy
 - k) Details of a bat sensitive lighting scheme
 - l) Native species and habitats landscaping scheme with establishment and management protocols
 - m) Integrated bat and bird box strategy to include model and location of boxes. All buildings bordering open space will require a box.
- The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.'

Reason: To conserve and enhance biodiversity in accordance with NPPF and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

24. (a) Prior to occupation, each house within the development (42 in total) shall incorporate an Electric Vehicle (EV) ready domestic charging point.
- (b) Prior to occupation, 1 dual plug post or wall mounted electric vehicle charging point shall be installed per parcel (2) of apartments to serve the residents of those apartment blocks. There shall be dedicated, marked up and signed parking bays, positioned adjacent to those charging points and a process will be put in place to ensure the ongoing maintenance and management of the charging points.
- (c) A minimum of 2 dual plug post or wall mounted electric vehicle charging points shall be installed to serve the users of the Health Club. There shall be dedicated, marked up and signed parking bays, positioned adjacent to those charging points and a process will be put in place to ensure the ongoing maintenance and management of the charging points

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

25. Prior to the removal of any habitat identified to have potential to support Great crested newts (ref: Preliminary Ecological Appraisal by Greengage, April 2019) an assessment of the pond adjacent to the southern boundary should be undertaken (access permitting) during the optimal survey season to determine whether Great crested newts are present and, should this be the case, the outline mitigation measures (ref: Outline Mitigation and Compensation Strategy by Greengage 2019) should be modified as appropriate based on the results and then be submitted in writing to the Local Planning Authority. Thereafter the development shall be carried out in accordance with these approved details (and under the constraints of a mitigation licence, if required).

Reason: To ensure the continued ecological functionality of Great crested newts is maintained in accordance with European and national legislation.

Proactive Statement:

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

Informative/s:

Environmental Health Informatives:

EV Recharging Infrastructure Informative

EV Charging Point Specification:

Each charging point, whether wall or post-mounted shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments)

- o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
- o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF)
- o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

Contaminated Land Informatives

In order to protect groundwater quality from further deterioration:

- o No infiltration-based sustainable drainage systems should be constructed on land affected by contamination, as contaminants can remobilise and cause groundwater pollution.
- o Piling, or any other foundation designs using penetrative methods, should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.
- o Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies, in line with paragraph 170 of the National Planning Policy Framework.

Noise informatives:

During the demolition and construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.

During the demolition and construction phase no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

Prior to the commencement of demolition of the existing buildings, a survey should be undertaken in order to identify the presence of asbestos containing materials. Any asbestos containing materials should be handled and disposed of appropriately. Where necessary this should include the use of licensed contractors and waste disposal sites licensed to receive asbestos.

Highway Informatives:

HCC recommends inclusion of the following highway informatives to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

1. Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall contact

hertsdirect@hertscc.gov.uk or for information use the HCC website www.hertsdirect.org. or call on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out.

Reason:

To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway.

2. Prior to commencement of the development the applicant is advised to contact the 0300 1234 047 to arrange a site visit to agree a condition survey of the approach of the highway leading to the development likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development. Herts County Council may require an Officer presence during movements of larger loads, or videoing of the movements may be considered.

Ecology Informative(s)

The removal of trees & shrubs should be avoided during the bird breeding season (March to September inclusive.) If this is not possible then a search of the area should be made by a suitably experienced Ecologist and if active nests are found, then clearance must be delayed until the last chick has fledged."

Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites."

New trees and shrubs should be predominantly native species, particularly those that bear blossom, fruit (berries) and nectar to support local wildlife. Where non-native species are used they should be beneficial to biodiversity, providing a food source or habitat for wildlife.

Environment Agency Informatives:

The developer's attention is drawn to the comments of the Environment Agency in their letter dated 20th June 2019 particularly in relation to infiltration based sustainable drainage systems, piling or other foundation designs using penetrative methods and decommissioning of investigative bore holes. A copy of the letter is placed on the Council's web site and a copy is available on request from the LPA.