

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00392/FP	Erection of one self-build dwelling including ancillary annexe following demolition of existing dwelling to including parking, hard and soft landscaping and installation of rear swimming pool.	Annexe At Cuckoo Hall 73 Park Lane Old Knebworth Hertfordshire SG3 6PP

Submitted Plan Nos

568925-60 568925-61 568925-62 568925-63 REV A 568925-64 REV A 568925-65 568925-66 REV A
568925-67 568925-68 568925-69 567225-50

1.0 **Policies**

1.0 Policies

1.1 National Planning Policy Framework

1.2 North Herts Local Plan -

SP1 Sustainable development in North Hertfordshire

SP5 Countryside and Green Belt

SP6 Sustainable transport

SP9 Design and Sustainability

SP12 Green Infrastructure, landscape and biodiversity

NE1 Strategic green infrastructure

NE2 Landscape

NE4 Biodiversity and geological sites

D1 Sustainable design

D2 House extensions, replacement dwellings and outbuildings

D3 Protecting living conditions

T2 Parking

1.3 **Knebworth Neighbourhood Plan**

KBDS1 Knebworth Village Character

KBLE5 Home Working

KBBE4 Design

KBEF2 Energy Conservation

2.0 **Planning History**

2.1 25/01330/FPH Single storey extension and repositioning of porch. Approved

24/01662/LDCE Certificate of Lawfulness for the existing use of the outbuilding as a self-contained residential unit Approved

24/02399/PNAA Enlargement of detached bungalow by the construction of an additional storey to result in an overall height of 6.45 metres. Approved

24/02401/LDCP Replace 3no garage doors with windows to facilitate conversion of existing detached garage into habitable accommodation Approved

24/02400/LDCP Erection of single storey side and rear extension Approved

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation** – None received.

3.3 **Hertfordshire Highways** – Following the submission of further information as requested, no objections raised subject to conditions relating to access work/drainage plans and the provision of appropriate visibility splays.

3.4 **Environmental Health** – No objections to the proposal on noise or air quality grounds and subject to a provisional contamination condition.

3.5 **Hertfordshire Ecology** – No objection subject to informatives relating to bats and nesting birds.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site contains The Cottage, a former outbuilding that was granted a certificate of lawfulness under reference 24/01662/LDCE as a self-contained dwelling. This single storey dwelling also has consent under reference 24/02401/LDCP for the conversion of the adjoining garage into residential floorspace, as well as single storey extensions under references 25/01330/FPH and 24/02400/LDCP.

4.2 **Proposal**

4.2.1 Planning permission is sought for the erection of one self-build dwelling including ancillary annexe following demolition of existing dwelling to including parking, hard and soft landscaping and installation of rear swimming pool.

4.2.2 The proposed replacement dwelling would be located on the same footprint as the existing dwelling. It would also utilise the existing access, along with a parking area to the front of the property. There would be a large garden to the rear including a proposed swimming pool.

4.3 **Key Issues**

4.3.1 The key considerations are the principle of development in Greenbelt terms, design, impact on the character of the area, impact on the amenities of neighbours/future occupiers, highways, access and parking, landscaping, ecology/BNG, contaminated land, sustainability.

Principle of Development

4.3.2 The site is in the Green Belt. Policy SP5 of the Local Plan states that the Council will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated. Policy SP5 refers to the National Planning Policy Framework (NPPF) which sets out exceptions to inappropriate

development in the Green Belt in paragraphs 154 and 155 (December 2024 version). Para. 154 is:

154. Development in the Green Belt is inappropriate unless one of the following exceptions applies:

a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

i. mineral extraction;

ii. engineering operations;

iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;

iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;

v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

- 4.3.3 In assessing the proposal against the above criteria, the proposal is a replacement dwelling and landscaping, therefore it complies with para. 154(d) ***the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;***

- 4.3.4 The proposal is considered to comply with para. 154 of the NPPF, and would not be inappropriate development. The proposal is acceptable in principle, and complies with Policy SP5 of the Local Plan and Section 13 of the NPPF.
- 4.3.5 The site is outside of a settlement, however the settlements of Old Knebworth, and Knebworth, are approx. 0.5 miles away to the west and east respectively. Knebworth has a railway station and shops and services that are considered sufficient for the day-to-day needs of any occupants. There is a footway outside the site that leads to both settlements, and bus stops a short walk to the east and west. Recent planning permissions in Old Knebworth) for a single new dwellings on a site were considered a sustainable location. The application site is more accessible to the larger settlement of Knebworth, and it is not inconceivable that some journeys to Knebworth could be made by foot or bicycle. Traffic generated from the development would in any case be small, with an electric vehicle charging point proposed encouraging more sustainable travel. I do not therefore consider the site unsustainable with regards to its location for a replacement dwelling.

Design

- 4.3.6 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 D2 states that planning permission for replacement dwellings will be granted where the proposal does not harm the character and appearance of the site or street scene. These considerations are echoed in Policy SP9 of the Local Plan and Section 12 of the NPPF.
- 4.3.7 The proposed dwelling would have a modern, flat roof design, with external materials that would include vertical metal slats, black aluminium cladding, stone cladding, and timber cladding. The building would be predominantly single storey, measuring 2.8m to the roof, along with some first floor accommodation and an open balcony area. The first floor would be a further 2.8m in height, and all areas of the flat roof would be a green roof.
- 4.3.8 It is considered that, seeing as the proposed development is very similar in scale to the existing and with the fall back position of the extensions to the existing property, albeit with a change to more modern external appearance with choice of materials of significant glazing, flat green roofs and stone cladding, the proposed is acceptable in design terms. There is a wider variety of architectural styles and general scales of development including modest and very sizable properties, and materials on this street scene including various brick and render finishes. Given the set back distance from the highway, the existing landscaping on the front and side boundaries and the modern design, the scheme will not result in any harm to the character and appearance of the site or street scene
- 4.3.9 The proposal is therefore deemed acceptable in design terms and in accordance with Policy D1, D2 and SP9 of the Local Plan and Section 12 of the NPPF.

Impact on the Character of the Area

- 4.3.10 Policy D1 of the Local Plan states that, amongst other things, development proposals should meet or exceed the nationally described space standards. Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions. These considerations are echoed within Section 12 of the NPPF.
- 4.3.11 It is accepted that the proposed development will have some impact upon the outlook and amenities of neighbouring dwelling, due to its modern design and scale on a site where there is currently a small modest former annexe building. However, the proposed dwelling is replacing a building which already has a visible presence in the streetscene.
- 4.3.12 Therefore, given the dwellings position set back from Park Lane behind established front boundary and trees to the side the proposal would not result in an overbearing impact upon this immediate neighbours. In my view, given the orientation and window location, there would not be any adverse levels of overlooking towards the neighbours.
- 4.3.13 The proposed would have sizable rear private amenity space, and would see all habitable rooms achieve suitable levels of natural light. It is therefore my view that the proposal would not result in any harm to the reasonable living conditions and well-being of future occupiers.
- 4.3.14 As such, the scheme will not give rise to any materially adverse impacts upon the reasonable living conditions and well-being of neighbouring properties. This is in accordance with Policies D1 and D3 of the Local Plan.

Impact on the Amenities of Neighbours/Future Occupiers

- 4.3.15 Policy D1 of the Local Plan states that, amongst other things, development proposals should meet or exceed the nationally described space standards. Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions. These considerations are echoed within Section 12 of the NPPF.
- 4.3.16 The replacement dwelling in in a similar position within the site as the existing dwellinghouse. The majority of the window placement are to the rear of the properties therefore will not will not cause any overdominance, loss of daylight/sunlight or loss of privacy to Wood Cottage , such that it would not result in any harm to the amenities and reasonable living conditions of neighbouring properties, in line with Policy D3 of the Local Plan.
- 4.3.17 In terms of future occupiers, the proposed dwelling would exceed the national space standards for a dwelling of this size, would provide exceptional private amenity space for occupiers, and the dwelling has been comprehensively designed to ensure that all habitable rooms benefit from suitable natural light, in line with Policy D3 of the Local Plan.

Highways, Access and Parking

4.3.18 Policy T1 of the Local Plan states that Planning permission will be granted provided that development would not lead to highway safety problems or cause unacceptable impacts upon the highway network. Policy T2 of the Local Plan and the Council's Vehicle Parking at New Development SPD sets out that parking provision must have regard for the standards set out in said documents.

4.3.19 The scheme would result in no changes to the parking or access arrangements for the site, with the access being retained onto Park Lane and there being an area for parking in front of the dwelling. There would be space for at least 3x cars to park on the site, as well as areas for vehicles to manoeuvre and exit in a forward gear. The space is sufficient to accommodate several cars, in line with Policy T2 of the Local Plan.

Ecology/Biodiversity Net Gain

4.3.20 This is a form of development which is exempt from BNG Legislation, defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 due to it being a self-build scheme.

Waste and Recycling

4.3.21 It is proposed to store bins in the storage and place these out to the kerbside for collection which is the current situation. This is considered acceptable.

Other Matters

4.3.22 It is considered reasonable to remove Permitted Development Rights through Classes A, B, C, D and E, given the size of the site which is in the Green Belt and the scale of the new dwelling.

4.4 **Conclusion**

4.4.1 The proposal is considered acceptable in planning terms and in accordance with Policies SP9, D1, D2, D3, T1 and T2 of the Local Plan, as well as Section 12 of the NPPF.

4.5 **Alternative Options**

4.5.1 N/A

4.6 **Pre-Commencement Conditions**

4.6.1 The applicant is in agreement to the proposed pre-commencement conditions.

5.0 **Recommendation**

5.1 That planning permission be **GRANTED** subject to the following conditions

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. During the construction phase no noisy 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 noisy work at any time.

Reason: To protect the residential amenity of existing residents

4. In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with BS10175:2011. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

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

5. 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.

6. Prior to the first occupation of the development hereby approved, details of the bin stores and the details of external cycle parking shall be submitted to and approved in writing by the LPA. The approved scheme shall be installed prior to occupation and the development and thereafter retained.

Reason: To ensure acceptable design and provision of cycle parking in accordance with Policies D1 and T2 of the adopted North Hertfordshire Local Plan 2011 - 2031.

7. 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.

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

8. Prior to any above ground works being commenced, full details of all external lighting for the development shall be submitted to and approved in writing by the Local Planning Authority. This should include non-intrusive light fittings and locations designed to minimise light spill into adjoining residential properties. Thereafter, the development shall be completed in complete accordance with the approved details.

Reason: In the interests of residential amenity and to minimise light nuisance

9. Prior to the commencement of above ground construction works 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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, B, C, D and E 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

Biodiversity Net Gain

1. This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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 website

<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 public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to

wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Further information is available via the website:

<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) 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.

2. 1) EV Charging Point Specification:

A charging point 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). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).

- 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.

- o A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>

- o UK Government issued legislation in 2021 to require domestic EV charge points to be smart, thus we recommend that all charge points will be capable of smart charging,

as detailed in UK Gov regulations.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 22 April 2026	