DELEGATED FILE NOTE

CASE OFFICER: ...Kate Poyser.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00989/FP	Creation of vehicular crossover (as amended by drawings received 12/10/2018)	Park Gate House Park Lane Old Knebworth Knebworth Hertfordshire SG3 6QD

Submitted Plan Nos

Location plan Site plan 9482H - 100(1)B

1.0 Policies

LP2 Green Belt

SECN13	Protecting Green Belt Land
XSP5	Countryside and Green Belt
LP14	Nature Conservation
SECN9	Promoting sustainable transport
SECN15	Conserve + enhance natural environment
SECN16	Conserve + enhance historic environment
XSP5	Countryside and Green Belt
XT1	Assessment of Transport Matters
XNE1	Landscape
XNE2	Green Infrastructure
XNE6	Designated Biodiversity/Geological Sites

2.0 Site History

2.1 Please see site history on file.

3.0 Representations

3.1 Highway Authority – following the submission of further information, no objections are raised, subject to a condition relating to visibility splays.

3.2 Knebworth Parish Council – no objection.

3.3 Local Residents/Site Notice - 3 letters have been received, from the occupiers of Highfield Cottage', 'Sheepshearers' and 'Slip Cottage'. Two object for the following reasons:

- By dangerous junction with Slip Lane;
- No footway here;
- Detrimental to Conservation Area;
- Compromise privacy and security of 'Sheepshearers'.

One letter raised no objections, but suggests that there should be improvements to the speed limit signage.

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 The field, the subject of this application, is located between Park Gate House and Hatch Lane on the northwest side of Park Lane. The site does not lie within Old Knebworth Conservation Area, but does abut it. It lies within the Green Belt. The field measures 2.67 hectares and is used for grazing

4.2 Proposal

4.2.1 The proposal is to create a new vehicular access into the field from Park Lane. The applicant considers this would be an improvement on the current situation, where access is gained via the driveway to the Paddocks Flat, which is also the rout of Knebworth Footpath 41. The development would include a 7.5 metre deep hard surface at the entrance and the trimming back of vegetation to provide visibility splays. An ecology and arboricultural report is also submitted.

4.3 Key Issues

4.3.1 The key planning considerations related to:

- The principle of the development within the Green Belt;
- Highway safety and amenity;
- Any impact on the Conservation Area;
- Any impact on the natural environment.

4.3.2 The formation of a new vehicular access constitutes engineering works, which is not inappropriate in the Green Belt provided it would preserve the openness and does not conflict with the purposes of including land within it (para 146 of revised NPPF). There is sporadic development along this part of Park Lane and the small size of the development is such that I consider it would preserve the openness of the Green Belt and would not conflict with the purposes of including the land within it.

4.3.3 The County Highway Authority has been consulted. Negotiations have taken place and further information provided. The depth of the hardstanding has been increased from 5 metres to 7.5 metres to provide adequate space for anticipated vehicles to stop before

opening any gates that might be provided. Gates do not form part of the application, but I consider a condition controlling the position and appearance of any future gates would be appropriate in this case.

4.3.4 The field or proposed hardstanding would not fall within the Conservation Area. However, the boundary of the Conservation Area includes the carriageway up to the boundary with the field, buildings on the opposite side of the road and Park Gate House and Sheep Shearers either side. The road frontage of the field is lined with an informal and poorly maintained hedge and dotted with trees of indigenous species. The access would be 3.5 metres wide and would not necessitate the removal of any trees. A tree survey has been carried out along this stretch including the visibility splays. It also seems that the splays would not require the felling of any trees, but would require vegetation to be trimmed back. A survey of the trees has found several in poor condition and a total of 4 are recommended to be felled: a Hornbeam, Field Maple and 2 Hawthorns.

4.3.5 I personally consider that the removal of 3.5 metres of vegetation and the trimming back of vegetation for the visibility splays would not have a harmful effect on the character and appearance of the Conservation Area. Several trees are proposed to be felled, but this would not be as a result of the new access, but the poor condition of the trees. As they grow on land outside the conservation area, the permission of the LPA is not required for their removal. There is also the matter of public safety given their closeness to the highway.

4.3.6 There is a possibility that nesting birds and bats could be disturbed by the development and the ecology survey suggests that the trees/hedgerow should be inspected if the work is to be carried out during the nesting season and a further survey be carried out for bats high in the canopy as this was not visible at the time of the survey.

4.3.6 Other Matters – 'Sheep Shearers' is a house which lies adjacent to the field, as can be seen from the location plan. The occupier is concerned that the proposal would result in a loss of privacy and security to their property. I consider the provision of access to this field would not have such a significant effect on the living conditions of 'Sheep Shearers' to justify withholding planning permission.

4.4 **Conclusion**

4.4.1 I can see no objections to the proposed work, subject to the following conditions.

5.0 **Recommendation**

That 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. Visibility Splays, as dimensioned on Approved Plans drawing number 100(1)B shall be provided prior to the first use of the access hereby permitted. The splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway .

   Reason: In the interests of highway safety.

4. Prior to the commencement of the use hereby permitted the vehicular access (indicated for improvement on drawing number 100(1)B) and the other necessary highway works shall be completed in accordance with the Hertfordshire County Council access construction specification. Prior to use arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

   Reason: In the interest of highway safety and traffic movement.

5. No trees or hedging plants shall be removed from site or deadwood removed from September to February unless a suitably qualified ecologist has carried out an inspection for nesting birds and has confirmed them to be absent. If any active nests are discovered prior to or during the works, all work should stop and a suitable exclusion zone (minimum of 5 metres) shall be put in place until such time as the nest can be confirmed as no longer active.

   Reason: In the interest of protected species.

6. In the event that evidence of roosting bats is found along the hedgerow/trees shown on drawing number 9482/H 100(1)B, no further work shall be carried out until mitigation measures are submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved mitigation measures.

   Reason: In the interest of protected species.

7. Surfacing of the proposed access shall not be carried out until details of the proposed surface material has been submitted to and approved in writing by the Local Planning Authority. Surfacing of the access shall then be carried out as approved.

   Reason: in the interest of the appearance of the completed scheme and highway amenity.

8. No gates shall be installed until details of their design and position have been submitted to and approved in writing by the Local Planning Authority The gates shall be installed as approved.

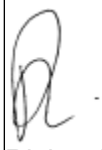
   Reason: In the interests of highway safety and the character and appearance of Old Knebworth Conservation Area.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

Construction standards for new vehicle access: Where works are required within the public highway to facilitate the new vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website. https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx or by telephoning 0300 1234047

Signed  Richard Tiffin Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 19 October 2018	