

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01864/FP	Conversion of existing dwelling into 6 self-contained flats (5 x 1-bed and 1 x 2-bed) to include two storey side extension; landscaping; fencing; parking; refuse and cycle storage and boundary treatments following demolition of existing garage.	Caxton Villa 14 Park Lane Knebworth Hertfordshire SG3 6PF

Submitted Plan Nos

NA-24045-PL-101 NA-24045-PL-201 NA-24045-PL-202

1.0 Policies

- 1.0 **Site History**
- 1.1 **23/00009/FPH** Installation of additional vehicular crossover. Conditional Permission
- 1.2 **23/01682/OP** Outline application (all matters reserved) for the conversion of the existing 3 storey detached dwelling into four 1-bed flats. Withdrawn
- 2.0 **Policies**
- 2.1 **National Planning Policy Framework (NPPF) (December 2023)**
 - Section 2: Achieving sustainable development
 - Section 4: Decision making
 - Section 5: Delivering a sufficient supply of homes
 - Section 8: Promoting healthy and safe communities
 - Section 9: Promoting sustainable transport
 - Section 11: Making effective use of land
 - Section 12: Achieving well-designed places and beautiful places
 - Section 14: Meeting the challenge of climate change, flooding, and coastal change
 - Section 15: Conserving and enhancing the natural environment
 - Chapter 16: Conserving and enhancing the historic environment
- 2.2 **North Hertfordshire District Local Plan (The Local Plan) 2011 – 2031**
 - Policy SP1: Sustainable Development in North Hertfordshire
 - Policy SP2: Settlement Hierarchy and Spatial Distribution
 - Policy SP6: Sustainable Transport
 - Policy SP8: Housing
 - Policy SP9: Design and Sustainability
 - Policy SP10 - Healthy Communities
 - Policy SP11: Natural Resources and Sustainability
 - Policy SP12: Green Infrastructure, Landscape and Biodiversity
 - Policy HS3: Housing mix
 - Policy T1: Assessment of Transport Matters
 - Policy T2: Parking
 - Policy D1: Sustainable Design
 - Policy D3: Protecting Living Conditions
 - D4 – Air Quality
 - Policy NE4: Biodiversity and geological sites
 - NE7 - Reducing flood risk;
 - NE8 - Sustainable drainage systems;
 - Policy NE12: Renewable and Low Carbon Energy Development

- 2.3 Knebworth Neighbourhood Plan (Made in May 2022)
Policy KBBE4 Design
Policy KBBE2 Sustainable Buildings
Policy KBEF4 Important Views and Character Areas
- 2.4 Supplementary Planning Documents

SPD – Vehicle Parking at New Developments;
SPD – Design
SPD - Sustainability
- 3.0 **Representations**
- 3.1 **Site Notice and Neighbour Consultation** – None received.
- 3.2 **Knebworth Parish Council: ‘No objections’** Whilst the Parish Council observed no objections to the application, they wished for it to be noted that this property falls into Character area 2 within Section 8.5 of our Neighbourhood Plan under Policy KBEF4 Important Views and Character Areas.
- 3.2 **Hertfordshire Highways:** ‘Does not wish to restrict the grant of permission subject to conditions and informatives’
- 3.3 **NHDC Waste Services:** Provides advice on waste and recycling storage and collection.
- 3.4 **NHDC Environmental Health:**

Contamination – No objections. Recommends a condition

Noise – No objections. Recommends conditions

Air Quality – Recommend an EV charging condition and Informative
- 4.0 **Planning Considerations**
- 4.1 **Site and Surroundings**
- 4.1.1 Caxton Villa (14 Park Lane) is a detached property situated on the junction between Park Lane and Deards Wood. The application site is within a predominately residential area of Knebworth and is not within a Conservation Area.
- 4.2 **Proposal**
- 4.2.1 Planning permission is sought for the conversion of existing dwelling into 6 self-contained flats (5 x 1-bed and 1 x 2-bed) to include two storey side extension; landscaping; fencing; parking; refuse and cycle storage and boundary treatments following demolition of existing garage.
- 4.2.2 7 parking spaces have been proposed with 3 visitor parking spaces. Cycle store provides 6 secure spaces on the front boundary and communal bin stores on the eastern boundary with easy access for collection at the front of the property.

4.3 **Key Issues**

4.3.1 The key issues for consideration are the

- ☐ The Principle of Development
- ☐ Sustainability
- ☐ Design and Layout
- ☐ Living Conditions
- ☐ Highways and Parking
- ☐ Biodiversity and Ecology
- ☐ Waste and Recycling
- ☐ Planning Balance

Principle of Development

- 4.3.2 The North Hertfordshire Local Plan was adopted in November 2022 and is now part of the development plan, where full weight shall be given to relevant policies. The National Planning Policy Framework (NPPF) is a material consideration and is considered to be consistent with the Local Plan, also attracting significant weight.
- 4.3.3 Policy SP1 of the Local Plan supports the principles of sustainable development and seeks to maintain the role of key settlements as the main focus for housing and to ensure the long-term vitality of the villages by supporting growth which provides opportunities for existing and new residents and sustains key facilities. The policy elaborates on this stating that planning permission will be granted for proposals that deliver an appropriate mix of homes, create high quality development that respects and improves their surroundings and provides for healthy lifestyles, provides for necessary infrastructure to support an increasing populations, protects key elements of the District's environment including biodiversity, important landscape, heritage assets and green infrastructure, the mitigates the impact on climate change.
- 4.3.4 Policy SP2 of the Local Plan sets out the settlement hierarchy and states that the vast majority of new housing development in the district will be located within the settlement boundaries of the districts main towns and larger villages (Category A and above). The site is within the defined settlement boundary of Knebworth. As such, the proposed development for 6 dwellings complies with Policy SP2 of the Local Plan
- 4.3.4 Given the accessible location of the site within the village boundary and within an established built up frontage of residential properties it is considered that there can be no objection in principle to the proposal for new dwellings which would be in general conformity with Policy SP2 of the Local Plan.

- 4.3.3 Policy KBBE1 of the NP states ‘the provision of 1, 2 and 3 bedroom homes should be a priority’. This proposal will deliver a five 1 bed and one 2 bed flats in compliance with that policy.

Sustainability

- 4.3. The overarching purpose of the planning system is to contribute to achieving sustainable development, as stated in Section 2 of the NPPF. This is considered against the three objectives of sustainable development, the economic, social, and environmental objectives.
- 4.3. In terms of the economic objective, the proposed development would deliver considerable benefits through the creation of employment during the construction phase and the use of nearby services by future occupiers. These benefits would be moderate in context and would therefore attain moderate weight.
- 4.3. In terms of the social objective, the proposed development would deliver 6 dwellings towards the districts housing supply which could be delivered in a relative short period. Therefore, significant weight is attributed to the social benefits that would arise from a development of the scale proposed.
- 4.3. In terms of the environmental objective, the proposed development would deliver some benefits. The scheme would provide EV charging points.

Design and layout

- 4.3. 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 SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context. These considerations are echoed in Section 12 of the NPPF.
- 4.3. The site is currently a single large detached dwellinghouse. A modest two storey extension on the eastern and rear elevation to provide additional living space for two flats is proposed.
- 4.3. Overall, it is considered that the design of the proposed extension given that matching materials are proposed and that the roof form would reflect the existing rear projection and that the layout of the proposed conversion to flats is acceptable.
- 4.3. As such, the proposal would accord with Policies SP9 and D1 of the Local Plan and Section 12 of the NPPF in terms of the design and layout of the scheme.

Living Conditions

- 4.3. 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.
- 4.3. In terms of potential future occupiers, the proposed development provides three 1 bed flats on the ground floor, 2 one bed flats on the first floor and a single 2 bed flat in the roof space. Five of the 1 bed flats would be limited to 1 person meeting the national space standards of a minimum of 39 sq metres. One of the 1 bed flats would meet the national space standards for a

2 person flat of 50 sq metres and the proposed 2 bed flat would meet the 3 person standards. All habitable rooms would benefit from acceptable levels of natural light. Therefore, the proposal would not result in unacceptable harm to the reasonable living conditions of future occupiers.

- 4.3. No neighbour representations have been received. No additional windows on the existing property have been proposed. New windows on the ground floor and first floor rear elevation on the extension would face the rear of the site and given that the eastern boundary borders a garage court, it is my view that no additional harm to neighbour properties in regards to loss of privacy will ensue.

Highways, Access, and Parking

- 4.3. Following consultation with the Highway Authority, it is considered that the proposed development would have an acceptable impact on highway safety
- 4.3. In terms of parking, the proposal would provide 1 parking space per 1 bed dwelling and 2 for the 2 bed dwelling, which meets the requirements under Policy T2 of the Local Plan and the Vehicle Parking at New Development SPD. 3 Visitor spaces are also proposed. This is considered acceptable .

Biodiversity and Ecology

- 4.3. Policy NE4 of the Local Plan requires all development to deliver measurable gains in biodiversity. Following consultation with NHs Ecologist the following comments were received

The proposal would be subject to mandatory Biodiversity Net Gain as it impacts an area of habitat greater than 25sqm. The submitted Statutory Metric shows that the proposal would result in a net loss of 52% of habitat units and 19% loss of hedgerow units. In order to address the unit shortfall from the development off-site biodiversity units will need to be secured.

Waste and Recycling

- 4.3. The proposal would incorporate a bin collection store to the side of the property. Residents would be expected to present their bins to on the morning of the collection day. The Waste and Recycling Team were consulted on this application, this proposed arrangement is considered to be acceptable.

Planning Balance

- 4.3. The site is within the defined settlement boundary of Knebworth and in close proximity to the Railway Station and local shops.
- 4.3. It is considered that the design and layout of the proposed scheme is acceptable. The proposal will not result in any material harm to the reasonable living conditions and well-being of neighbours, with respect to overdominance, overlooking and loss of daylight/sunlight. The dwellings would meet space standards.
- 4.3. Measurable gains in biodiversity will be secured via condition. The proposed waste collection arrangement is also considered acceptable.

- 4.3. As such, weighing the aforementioned matters in the planning balance, it is considered that the benefits associated with delivering 6 dwellings on this Brownfield/PDL site, including a more appropriate built form and sustainable build features, mitigating the historic and existing neighbour amenity issue in respect of noise, and other social and economic benefits, would outweigh the considered harms resulting from the occupiers of these 7 dwellings being solely reliant on private vehicles, as supported by the Highway Authority.

4.4 **Conclusion**

- 4.4.1 The proposed development reflects the aims of Policy SP1 part a) in requiring that key settlements are the main focus for housing, employment and new development making use of previously developed land.
- 4.4.2 I consider that the proposed development would deliver additional small units in a sustainable location.
- 4.4.3 The development would have no adverse impact on nearby occupiers. There would be no harm to conditions of safety and the effective operation of the adjacent highway.
- 4.4.4 The proposed development is considered acceptable when considering against relevant policies.

4.5 **Alternative Options**

- 4.5.1 N/A

4.6 **Climate Change**

- 4.6.1 The proposal would not have any adverse implications in terms of climate change.

4.7 **Pre-Commencement Conditions**

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

5.0 **Recommendation**

- 5.1.1 That planning permission resolved to 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. Prior to the first occupation of the development hereby permitted 2.0 x 2.0 metre pedestrian visibility splays shall thereafter be retained at all times to each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 2.0 metres into the site and 2.0 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway pedestrian safety in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

4. Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 x 43 metres shall be provided to each side of the access where it meets the highway, and such splays shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

5. No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Statement shall include details of:
 - Access arrangements to the site.
 - Traffic management requirements if any.
 - Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas).
 - Siting and details of wheel washing facilities.
 - Cleaning of site entrances, site tracks and the adjacent public highway.
 - Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
 - Provision of sufficient on-site parking prior to commencement of construction activities.
 - Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
 - 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 which must be kept within the site boundary, 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).

6. Prior to the commencement of the development, a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:
 - a) The demolition construction programme and phasing
 - b) Hours of operation, delivery and storage of materials
 - c) Control of dust and dirt arising from demolition and construction
 - d) Waste management proposals
 - e) Mechanisms to deal with environmental impacts such as noise, air quality, light and odour during construction.

Reason: In the interests of environmental impacts

7. The internal design and building specifications of the proposed development shall be such that the daytime noise level within any residential unit with windows closed shall not exceed 40dBLAeq (07.00-23.00) and the night-time level noise level within any residential unit with windows closed shall not exceed 30dBLAeq (07.00-23.00). The night-time L_{Amax} noise level shall not exceed 45dB. Full details of noise insulation measures, including provision for powered acoustically attenuated ventilation, shall be submitted to and approved by the Local Planning Authority before any work is commenced. The approved insulation scheme shall be completed prior to the occupation of the development. If compliance requires windows to be closed, the applicant will need to install mechanical ventilation having regard to the self-noise of any proposed system. (Please note: trickle vents with air extracted from bathrooms and kitchens is not sufficient for the thermal comfort of occupants in warm weather and will not be accepted).

Reason: In the interests of environmental impacts

8. Prior to occupation, the new dwellings shall incorporate an Electric Vehicle (EV) ready domestic charging point.

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.

9. 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

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

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.

Biodiversity Net Gain

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

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. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
2. Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
3. 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.
4. Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.
5. 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.

2) The above condition is considered relevant and reasonable for the following reasons:

- o Paragraphs 170 (e), 181 of the NPPF, which refer to the effects (including cumulative effects) of pollution (including air pollution) on health, the natural environment (including air quality).

- o Paragraphs 102 (d), 105 (e) and 110 (e) of the NPPF, which refer to the need to promote sustainable transport including the provision for charging plug-in and other ultra low emission vehicles.

- o HCC Local Transport Plan (LTP4) 2018-2031 which includes an objective to 'preserve the character and quality of the Hertfordshire environment' and 'make journeys and their impact safer and healthier', as well as its Emissions Reduction Policy 19.

- o It is consistent with the approach specified in the NHDC Air Quality Planning Guidance Document, which is referenced within the current consultation version of the Local Plan.

Signed  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 14 March 2025	