

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00260/FP	Erection of building for general industrial use including car parking, refuse, cycle storage and landscaping.	Nup End Industrial Estate Nup End Old Knebworth Knebworth Hertfordshire SG3 6QJ

Submitted Plan Nos

25023 - 009A 25023 - 011A 25023 - 010A Materials Schedule

D1	Sustainable design
D3	Protecting living conditions
ETC2	Employ Dev outside Employ Areas
NE2	Landscape
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land

2.0 **Site History**

2.1 Various application for the wider site.

3.0 **Representations**

3.1 **Neighbour Consultation** – None received.

3.2 **Parish Council** – None received.

3.3 **Ecology** – No Objection. Development is bound to delivery of statutory BNG and recommends BNG gain condition.

3.4 **Environmental Health:**

- Noise – No concerns.
- Contamination – Recommends condition in the event of the discovery of contamination.
- Air Quality – Recommends EV Charging condition.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site comprises part of Nup End Industrial Estate. The wider uses predominantly comprise industrial or office-based uses, without residential dwellings in immediately adjacent to the site.

4.2 **Proposal**

- 4.2.1 Planning Permission is sought for the erection of building for general industrial use including car parking, refuse, cycle storage and landscaping.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:

- The principle of the development.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

Principle of Development:

- 4.3.2 Policy ETC2: Planning permission for employment uses outside of allocated Employment Areas and Employment Allocations BA10 and RY9 will be granted provided that:

a) The proposal is:

- i. within a defined settlement boundary or the built core of a Category B village; or
- ii. for small scale offices or other small employment development; and
- iii. is appropriate to the location in terms of size, scale, function, catchment area and / or historic and architectural character; and

b) There would be no significant adverse impacts on living conditions.

The Council will only permit the loss of existing employment uses on unallocated sites, where it can be demonstrated that:

- i. the land or premises is no longer required to meet future employment needs of either the local community or the District, demonstrated through evidence of at least twelve months of active marketing;
- ii. the existing use has a significant adverse impact on the amenities of surrounding land uses; or
- iii. the existing use is detrimental to highway safety.

- 4.3.3 The application site is not within the settlement boundary of Old Knebworth, a Category B Village but is in relative proximity. Therefore, the application site is within the Green Belt. The site is in proximity to the outer boundary of the Old Knebworth conservation area and is located on a road into the centre of Old Knebworth. Although not for residential development, the proposal is in relative proximity to Nup End Farm House,

where an appeal inspector concluded on LPA Ref. 20/02109/FP (Appeal ref. APP/X1925/W/21/3274409), wherein an inspector concluded that although the site was not in the Old Knebworth village boundary, it was considered to be related to the village, and could therefore hold a sufficiently close relationship with Old Knebworth to be physically and visually related to Old Knebworth. This site is in proximity to the application site, and therefore, is considered to form a material consideration for this application.

- 4.3.4 Paragraph 154, exception e) within the NPPF permits limited infilling in villages in the Green Belt. It is evident that the proposed building would be set on one of the last areas of open land within the estate and is bound by a conifer hedge to its west/southwest, and is also bound by buildings to its west, north, east and south. There is a gap to the southwest, with some green field areas to this direction, however, it is considered that the introduction of a building would comprise limited in-filling given the adjacent presence of built form in most directions originating from the location of the proposed development. For this reason, it is considered the principle for the erection of a building is supported by Paragraph 154, exception e). It is noted that the submitted planning statement concludes that the development would utilise Previously Developed Land (PDL), and this is acknowledged, however, part of the footprint would sit on what is presently open green space, devoid of physical features. Therefore, as the development would not entirely use PDL, it is considered the proposal would not be set entirely within PDL, and therefore, exception g) would not apply.
- 4.3.5 Turning to Policy ETC2, given the siting of the building in relation to the industrial site and the wider Old Knebworth area, I consider that a) i. would apply. Given the small scale of the development, for office and small-scale employment functions, I consider that ii. Would be complied with. Given the site's setting being the wider industrial area, it is considered that the function of the building would be complementary. Its scale is predominantly smaller than most of the other buildings within the estate but would be proportionate to the wider industrial site. Given the site's industrial setting, the development is not considered to result in adverse impacts upon living conditions over and above the existing arrangement. There would be no net-loss of employment uses within the site, and therefore, the second part of this policy does not apply.
- 4.3.6 Given the above, the proposed alterations to building, the parking, and the change of use are considered to be supported in principle. Compliance with Policy SP5 of the Local Plan would therefore be achieved. The principle of development is therefore supported.

Sustainability:

- 4.3.7 The three pillars of sustainable development are the economic, social and environmental pillars. The proposal would provide economic and social benefits by the use of local contractors and businesses for construction, maintenance and other servicing when occupied, and the provision of a new employment use within the site. The site is considered to be in a sustainable location due to its relative proximity to nearby settlements, particularly Old Knebworth. Therefore, the sustainability of the development is acceptable.

Design and Appearance:

- 4.3.8 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. These policies are broadly consistent with Section 12 of the National Planning Policy Framework.
- 4.3.9 The proposed building would be sited to the side of an existing building within the site, on what is presently a parking area and open green space. It would be two storeys in height and would feature a gable ended dual-pitch roof. Two up and over garage style doors are proposed to the principal elevation, and standard doors and windows are proposed to all other elevations. Internally, the building would comprise a general industrial open space, with a raised mezzanine covering approximately a quarter of the ground floor area. External materials of construction are proposed to be stand and seam aluminium to the roof, composite weatherboarding and brick to the walls, and white UPVC windows and doors. Broadly, the character and appearance of the building in the context of the wider site, and particularly to the building to its side is considered to be acceptable. The proposed landscaping changes to create parking spaces, a concrete path and a bin store and bike store are not considered to be significantly harmful, or adverse in the context of the wider site. The building and the landscaping changes are predominantly obscured from view from the main thoroughfare along Park Lane. They would therefore not detract from the surrounding area. Given the trees close to the building, I consider it is prudent to condition their retention and protection during the construction phase.
- 4.3.10 The proposed development is therefore considered to be in compliance with Policy D1 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework. The design and appearance are therefore acceptable.

Impact on Neighbouring Properties:

- 4.3.11 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.
- 4.3.12 The proposed building would not be in proximity to nearby residential dwellings. Noise generation from its use is not considered to be substantial, or likely to be harmful to the amenities afforded to nearby occupiers. The use and enjoyment of the wider site is not considered to be harmed by the construction of the proposed building. No objections were received. I consider it necessary to impose the standard hours of operation condition. Although the site is within an established industrial estate, it would require vehicle movements along roads that include residential dwellings in either direction. Therefore, for this reason, I consider that condition to be necessary to mitigate prospective noise generation.
- 4.3.13 Given the above, it is considered that the proposed development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Environmental Implications:

4.3.14 The proposed development, by virtue of its limited scale in general terms together with the sustainable location would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF.

4.3.15 Ecology have not objected but have recommended the use of the standard BNG condition. I consider that this is reasonable. The addition of an EV Charger condition as recommended by Environmental Health is considered to be reasonable.

Highways and Parking:

4.3.16 The proposed gross internal floor area would comprise approximately 370 square metres. Therefore, for a building of this size, the space standards require 1 space per 50 square metres, therefore requiring a minimum of 7 spaces. The submitted site plan demonstrates 14 spaces are part of the development, along with other communal parking areas within the site. The proposal would exceed the requirements for cycle parking, as per the parking standards.

4.4 **Conclusion**

4.4.1 The proposed development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

4.5 **Alternative Options**

4.5.1 None applicable.

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. Prior to first occupation of the building hereby approved, the refuse store and cycle storage shall be implemented on site.

Reason: In the interest of delivering sufficient facilities for patrons to the site, in accordance with the provisions of Policy T2 of the North Hertfordshire Local Plan 2011 to 2031.

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

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

5. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to dispense with this requirement.

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

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

7. If during any site investigation, excavation, engineering or demolition/construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

Reason: To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the Environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

8. Prior to occupation, the development hereby permitted shall incorporate 2 Electric Vehicle (EV) ready domestic 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.

9. The use hereby approved shall only take place between the hours of 9.00am and 8.00pm on Mondays to Fridays, 9.00am and 1.00pm on Saturdays and not at all on Sundays and public holidays.

Reason: The use is located in an industrial estate away from residential properties. Local Plan Policy D3.

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. The Council acted proactively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

1. EV CHARGING POINT SPECIFICATION INFORMATIVE:

Each 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 determination 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.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 28 April 2026	

