

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

**MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCWORTH GARDEN CITY, SG6 3JF
ON THURSDAY, 11TH DECEMBER, 2025 AT 7.00 PM**

MINUTES

Present: *Councillors: Emma Fernandes (Chair), Clare Billing, Ruth Brown, Val Bryant, Jon Clayden, Ian Mantle, Bryony May, Louise Peace, Martin Prescott and Dave Winstanley.*

In Attendance: *Faith Churchill (Democratic Services Apprentice), Robert Filby (Trainee Committee, Member and Scrutiny Officer), James Lovegrove (Committee, Member and Scrutiny Manager), Anne McDonald (Principal Planning Officer (Development Management)), Nazneen Roy (Locum Planning Lawyer) and Melissa Tyler (Senior Planning Officer).*

Also Present: *At the commencement of the meeting approximately 6 members of the public, including registered speakers.*

96 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 15 seconds

Apologies for absence were received from Councillors Nigel Mason, Caroline McDonnell and Tom Tyson.

Having given due notice, Councillor Jon Clayden substituted for Councillor McDonnell.

97 MINUTES - 23 OCTOBER AND 6 NOVEMBER 2025

Audio Recording – 1 minute 37 seconds

Councillor Emma Fernandes, as Chair, proposed that the Minutes of the Committee held on 23 October be approved, with the following amendment to include the additional response from the Development and Conservation Manager under Minute 75:

- 'That the Therfield Heath Mitigation Strategy was a material planning consideration.'

This was seconded by Councillor Ruth Brown and, following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 23 October be approved, as amended, as a true record of the proceedings and be signed by the Chair.

Councillor Emma Fernandes, as Chair, proposed and Councillor Ian Mantle seconded and, following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 6 November be approved as a true record of the proceedings and be signed by the Chair.

98 NOTIFICATION OF OTHER BUSINESS

Audio recording – 3 minutes 54 seconds

There was no other business notified.

99 CHAIR'S ANNOUNCEMENTS

Audio recording – 4 minutes 1 second

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be recorded.
- (2) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.
- (3) The Chair clarified matters for the registered speakers.
- (4) The Chair confirmed the procedure for moving to debate on an item.
- (5) The Chair advised that Section 4.8.23(a) of the Constitution applied to the meeting.
- (6) The Chair advised of a change to the order of the Agenda and that Agenda Item 7 would be taken before Agenda Item 6.
- (7) The Chair confirmed the cut off procedure should the meeting proceed at length.

100 PUBLIC PARTICIPATION

Audio recording – 7 minutes 11 seconds

The Chair confirmed that the registered speakers were in attendance.

101 24/00765/FP FOXLEA, THE MOUNT, BARLEY, ROYSTON, HERTFORDSHIRE, SG8 8JH

Audio recording – 7 minutes 40 seconds

The Senior Planning Officer provided a verbal update on matters relating to application 24/00765/FP and advised that:

- The application had been called-in by the Director – Place rather than Councillor Joe Graziano as referred to under the reason for referral to the Committee in the report.
- The text referring to 'Policy AHS1 of the ANP' under paragraph 4.3.7 was an error and should be ignored by Members.
- Two consultation responses were received after the publication of the report from Barley Parish Council who had not changed their objection on the overdevelopment of the site, and Highways whose comments remained unchanged.

The Senior Planning Officer then presented the report in respect of application 24/00765/FP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Ruth Brown
- Councillor Clare Billing
- Councillor Louise Peace

In response to questions, the Senior Planning Officer advised that:

- The proposed dwellings had smaller individual footprints than the previously proposed 4-bed dwelling, but the overall footprint and built form of the application remained the same.
- The bungalow would have a mezzanine floor, resembling a chalet bungalow.
- A Biodiversity Net Gain (BNG) of 10% was not required as the application had been submitted a day before it became a statutory requirement.
- All trees on-site would be protected under Condition 14 in the report.
- Harm to the Barley Conservation Area resulting from the application was less than substantial as the Conservation Officer had raised an objection due to the number of dwellings rather than to the development in principle.

The Chair invited the first Public Objector, Barley Parish Councillor Yvonne Lee to speak against the application. Parish Councillor Lee thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- Barley Parish Council were opposed to the quantity of dwellings in the application rather than development itself on the site.
- The proposed development would erode the character of the site, be unsympathetic to the area, and harm the character and appearance of the conservation area which would have a marked change on the visual character of the area as acknowledged by the Conservation Officer and Senior Planning Officer.
- The construction of three dwellings would have no great impact on local employment and new residents would provide little economic benefit to the village.
- Three dwellings would not solve the five-year housing land supply deficit for the Council and would not make a material difference to housing delivery in Barley.
- Sustainable features in the application should be considered as necessary rather than of benefit.
- The application would be infill development within an infill site.
- The three pillars of sustainability would not be supported by the application, and it would provide no positive benefits, therefore, even with the tilted balance engaged, the proposal was unbalanced and should be refused.

There were no points of clarification from Members.

The Chair thanked Parish Councillor Lee for their presentation and invited the second Public Objector, Deborah Robinson to speak against the application. Ms Robinson thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- 10% BNG became mandatory for small sites on 1 April 2024 and this application was submitted after this on 3 April 2024, yet, no BNG Plan had been created.
- Two amended applications were also submitted after this date.
- The Conservation Officer had criticised the application for excessive hardstanding on concreted areas.
- Many large trees existed on the site and around its borders including a silver birch that was a hundred feet tall and would protrude several metres over the proposed plot 3.
- The lack of a tree survey and arboricultural impact assessment raised concern as there was a lack of detail in the application to preserve the root systems of trees on-site.
- The proposed chalet bungalow would block light from the neighbouring property, Creeve.
- Six additional vehicles would be added to the nearby roads and this would result in more lights in the area from both these and the proposed dwellings at night.
- All these factors constituted a greater degree of harm to the conservation area than suggested in the report of the Senior Planning Officer.

There were no points of clarification from Members.

In response to a question from Councillor Martin Prescott, the Principal Planning Officer (Development Management) advised that:

- The application had been submitted before BNG became statutory for small sites which meant that a 10% BNG was not required.
- Amended plans within the application were submitted after the deadline rather than amended applications, therefore, the statutory BNG did not apply in this instance either.

The Chair thanked Ms Robinson for their presentation and invited the third Public Objector, Lynn Foot to speak against the application. Ms Foot thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- The application would cause harm to the safety of residents and flow of traffic, conflicting with Policy T1 in the Local Plan.
- It would fail to preserve the character and setting of the area contrary to the Local Plan and National Planning Policy Framework (NPPF).
- Over 46,000 vehicles had been identified as passing through Barley in September, and smaller developments such as this would only compound that number.
- The High Street and The Mount were already severely congested due to on-street parking, and gridlocks were frequent when HGVs and delivery vehicles passed through the village.
- Other small scale, intensive developments had eroded the character of the conservation area and this application represented a tipping point that would cause further harm.
- Section 12 of the NPPF and Policy D1 in the Local Plan had not been met by the application.
- Clear and demonstrable harm to highways safety and the character and setting of the environment would be caused by this application, and Members should refuse planning permission.

There were no points of clarification from Members.

The Chair thanked Ms Foot for their presentation and invited the Agent to the Applicant, Ian Butcher to speak in support of the application. Mr Butcher thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- The application was located within the settlement boundary of Barley which supported new windfall development as detailed by Policy SP2 in the Local Plan.
- Planning history demonstrated that the application was in a sustainable location as previous developments on the site had been approved by the Council, and this should be given significant weight in favour of the proposal.
- The application site had not been identified as a significant green space, a key feature in the conservation area, or in a key view by the Conservation Area Appraisal.
- Comments regarding the openness of the site being an important part of the conservation area were not supported by the Conservation Area Appraisal.
- Intervisibility of the site from Cambridge Road and The Mount and with the wider conservation area was limited due to screening provided by dense hedge rows and vegetation.
- The site related best to the adjoining properties of Creeve and Owls Barn in the context of the conservation area.
- Appendix 1 of their Supporting Statement provided a detailed analysis of the area.
- Proposed plots sizes, building footprints and distances between dwellings would reflect other dwellings in this part of the conservation area, therefore, the application would not materially detract from the appearance of the conservation area.

- Public benefits delivered by the application would outweigh any negligible harms.
- National space and local amenity space standards would be exceeded as the development would be low density and not constitute overdevelopment.
- The modern, high-quality design of the dwellings would enhance the village.
- Significant weight should be given to the delivery of three dwellings as the Council could not demonstrate a five-year housing land supply.
- The Dwellings would meet a higher level of design and sustainability standards through a fabric first approach, and both EV chargers and air source heat pumps would be included.
- New residents would contribute to the vitality of the village community and help to support local services and amenities.
- The benefits of the application would clearly outweigh the perceived harms and planning permission should be granted.

The following Members made points of clarification:

- Councillor Jon Clayden
- Councillor Louise Peace
- Councillor Dave Winstanley

In response to points of clarification, the Agent to the Applicant advised that:

- Ecological enhancements would be secured through the Landscape Proposal, and through the provision of pollinators in the flowering season, in addition to wildlife boxes that would accommodate a range of species.
- Sustainability standards for the proposed dwellings had already been exceeded, therefore, solar panels were not deemed to be necessary.

In response to points of clarification, the Principal Planning Officer (Development Management) advised that:

- Condition 8 on the application required an Ecological Enhancement Plan to be submitted to ensure wildlife measures throughout the development.
- Condition 9 required swift bricks to be included on the dwellings.

In response to points of clarification, the Senior Planning Officer advised that Condition 14 ensured that any trees retained on-site would be protected.

In response to a question from Councillor Martin Prescott, the Senior Planning Officer advised that an additional condition to protect tree roots on-site could be added.

Councillor Emma Fernandes proposed to grant permission with an additional condition to protect tree roots on-site and this was seconded by Councillor Val Bryant.

As part of the debate, Councillor Martin Prescott highlighted that the proposed dwellings would not have large gardens and would not be in keeping with the area which was important as it was one of the primary gateways to Barley and therefore, this application would be detrimental to the character of the village.

The following Members asked additional questions:

- Councillor Martin Prescott
- Councillor Val Bryant
- Councillor Ruth Brown

In response to additional questions, the Senior Planning Officer advised that:

- The three proposed plots were comparable in density to neighbouring plots and were also within national space standards.
- There was no longer a Council policy on garden sizes.
- Harm to the conservation area was deemed to be less than substantial regardless of whether two or three dwellings were built as the application was infill development.
- Provision of three dwellings rather than two carried a greater benefit.

In response to additional questions, the Principal Planning Officer (Development Management) advised that:

- An additional condition would protect tree roots with a diameter larger than 25mm as roots smaller than this were not considered to be integral to the tree.
- Prior to commencement of works, a survey would be required to identify the spread of tree roots on-site, and any excavation areas within areas that were identified to contain roots larger than 25mm in diameter would have to be dug by hand.
- The proposed dwellings were not located directly underneath the tree canopies identified on-site, therefore, the proposed condition would provide satisfactory protection for tree roots.

In response to additional questions, the Locum Planning Lawyer advised that a delegation of authority could be included in the resolution for officers to finalise the wording of the additional condition in consultation with the Chair of the Planning Control Committee.

Having been proposed and seconded and, following a vote, it was:

RESOLVED: That application 24/00765/FP be **GRANTED** planning permission subject to the conditions set out in the report of the Development and Conservation Manager, and the addition of Condition 15 to add protection to tree roots on-site, with delegation of authority to be granted to the Development and Conservation Manager to finalise the wording of the Condition in consultation with the Chair of the Planning Control Committee.

N.B. Subsequent to the meeting, the following wording for the additional Condition 15 was agreed with the Development and Conservation Manager and the Chair:

‘Condition 15

Prior to the commencement of development, a survey shall be undertaken to identify the root protection zones of all trees to be retained where construction or excavation works are proposed. Where roots with a diameter of 25mm or greater are identified, any excavation within the root protection zones shall be carried out by hand. A construction method statement detailing safe construction practices within the identified root protection zones, and demonstrating compliance with BS5837:2012 – “Trees in relation to design, demolition and construction – Recommendations” and BS3998:2010 “Recommendations for tree work”, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall thereafter be carried out fully in accordance with the approved details.

Reason: To prevent damage to or destruction of the trees to be retained on the site in the interests of 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 2011–2031.’

102 **25/01579/S73 LAND ON THE SOUTH WEST SIDE OF, STEVENAGE ROAD, ST IPPOLYTS, HERTFORDSHIRE**

Audio recording – 54 minutes 51 seconds

The Principal Planning Officer (Development Management) provided a verbal update on matters relating to application 25/01579/S73 and advised that an updated response had not been received from the Highways Officer and consequently, the conditions on the parent application relating to highways had been rolled forward to this application.

The Principal Planning Officer (Development Management) then presented the report in respect of application 25/01579/S73 and provided a visual presentation accompanied by plans and photographs.

The following Members asked questions:

- Councillor Dave Winstanley
- Councillor Louise Peace
- Councillor Ruth Brown

In response to questions, the Principal Planning Officer (Development Management) advised that:

- To comply with building regulations, the proposed dwellings would be required to have either air source heat pumps or solar panels to offset the gas boilers.
- Larger dwellings would have air source heat pumps and the smaller dwellings would have solar panels. However, it was unknown whether this had been done in conjunction with the dwellings that would be sold as affordable housing.
- It was unknown whether every dwelling would contain a gas boiler or if it was just those with solar panels.

Councillor Emma Fernandes proposed to grant permission and this was seconded by Councillor Dave Winstanley.

The following Members took part in the debate:

- Councillor Ruth Brown
- Councillor Martin Prescott
- Councillor Val Bryant

The following points were made as part of the debate:

- Air source heat pumps and solar panels were positive and there was no reason to reject the application.
- If gas boilers were soon to be banned, then why were they being installed at all.

In response to points raised in the debate, the Principal Planning Officer (Development Management) advised that until building regulations were updated, developers would continue to install gas boilers due to financial reasons.

Having been proposed and seconded and, following a vote, it was:

RESOLVED: That application 25/01579/S73 be **GRANTED** planning permission subject to the conditions set out in the report of the Development and Conservation Manager.

103 25/01707/FP HATCH PEN, THE JOINT, REED, ROYSTON, HERTFORDSHIRE, SG8 8AZ

Audio recording – 1 hour 4 minutes 50 seconds

The Principal Planning Officer (Development Management) advised that there were no updated matters to report on since the publication of the Agenda.

The Principal Planning Officer (Development Management) then presented the report in respect of application 25/01707/FP and provided a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Ruth Brown
- Councillor Jon Clayden

In response to questions, the Principal Planning Officer (Development Management) advised that:

- If the applicant wished to convert the agricultural buildings into residential dwellings, they would have to wait at least ten years after they were constructed before submitting a suitable application for the Council to consider.
- The buildings would be open sided to allow for the use of a forklift to stack hay bales as an enclosed building would not accommodate this.

Councillor Emma Fernandes proposed to grant permission and this was seconded by Councillor Martin Prescott.

As part of the debate, Councillor Ruth Brown highlighted that there would no visual impact from this application on the surrounding area and therefore, there was no reason to refuse it.

Having been proposed and seconded and, following a vote, it was:

RESOLVED: That application 25/01707/FP be **GRANTED** planning permission subject to the conditions set out in the report of the Development and Conservation Manager.

104 APPEALS

Audio recording – 1 hour 10 minutes 44 seconds

The Principal Planning Officer (Development Management) presented the report entitled 'Planning Appeals' and advised that:

- Three appeal decisions had been received since the last Committee meeting with two appeals dismissed and one allowed.
- The appeal at Friends Green Farm had been allowed as the Inspector had accepted the proposal for a one-way system which resolved the objection raised by Highways. However, this would not be implemented until a decision on the enforcement appeal against the application had been made.
- An update on this enforcement appeal and others would be given at a future meeting.
- Two appeals had also been lodged since the last Committee meeting which were detailed within the report.

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In response to a question from Councillor Val Bryant, the Principal Planning Officer (Development Management) advised that representation for the appeal at Friends Green Farm had been provided internally by officers and therefore, there had not been a cost to the Council.

The meeting closed at 8.16 pm

Chair