

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER - DISTRICT COUNCIL OFFICES, GERONON ROAD, LETCHWORTH, SG6 3JF
ON THURSDAY, 4TH JUNE, 2026 AT 7.00 PM

MINUTES

Present: *Councillors: Nigel Mason (Chair), Emma Fernandes (Vice-Chair), Clare Billing, Ruth Brown, Val Bryant, Ian Mantle, Caroline McDonnell, Louise Peace, Martin Prescott, Tom Tyson, Claire Winchester and Dave Winstanley.*

In Attendance: *Robert Filby (Committee, Member and Scrutiny Officer), Jamie Graham (Democratic Services Apprentice), Shaun Greaves (Development and Conservation 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 40 members of the public, including registered speakers.*

Councillor Ralph Muncer was also present as a Member Advocate.

1 APOLOGIES FOR ABSENCE

Audio recording – 01 minutes 14 seconds

There were no apologies for absence received.

2 MINUTES - 16 APRIL & 21 APRIL 2026

Audio Recording – 01 minutes 21 seconds

Councillor Nigel Mason, as Chair, proposed and Councillor Ian Mantle seconded and, following a vote, it was:

RESOLVED: That the Minutes of the Meetings of the Committee held on 16 April and 21 April 2026 be approved as a true record of the proceedings and be signed by the Chair.

3 NOTIFICATION OF OTHER BUSINESS

Audio recording – 02 minutes 27 seconds

There was no other business notified.

4 CHAIR'S ANNOUNCEMENTS

Audio recording – 02 minutes 33 seconds

(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 confirmed the cut off procedure should the meeting proceed at length.

5 PUBLIC PARTICIPATION

Audio recording – 04 minutes 56 minutes

The Chair confirmed that the registered speakers were in attendance.

6 25/01766/OP LAND ON THE SOUTH SIDE OF, COWARDS LANE, CODICOTE, HERTFORDSHIRE

Audio recording – 05 minutes 46 seconds

The Development and Conservation Manager presented the report in respect of Application 25/01766/OP accompanied by a visual presentation consisting of plans and photographs.

In response to a request from the Chair to clarify matters for members of the public in attendance, the Development and Conservation Manager advised that:

- In cases where authorities such as the Council did not have a five-year housing land supply, paragraph 11 of the National Planning Policy Framework (NPPF) dictated that policies within adopted local plans were out of date and the tilted balance applied in favour of development, which meant that any harms would have to significantly and demonstrably outweigh the benefits when assessed against NPPF policies.
- Legal opinion from King's Counsel indicated that the approach taken when Council officers had last assessed the application had not correctly followed planning policies.
- After officers had sought further legal advice, a full review of the application had been undertaken. In addition, the Council had entered into a S106 agreement with a landowner at Weston Hills in Baldock for a Biodiversity Net Gain (BNG) habitat bank. As such, the officer recommendation had been changed to grant permission as the application would be planning policy compliant, despite the objection from the Ecologist.

The following Members asked questions:

- Councillor Dave Winstanley
- Councillor Tom Tyson
- Councillor Louise Peace
- Councillor Claire Winchester
- Councillor Martin Prescott
- Councillor Ruth Brown
- Councillor Caroline McDonnell

In response to questions, the Development and Conservation Manager advised that:

- The tilted balance had been engaged when the application had previously been assessed by officers.

- Harms arising from the application and their attached weights were set out in the report, including the harm to the local wildlife site, which had been downgraded to moderate weight as compensation could address this.
- Weston Hills was a habitat bank where entities could purchase credits for BNG provision such as the Applicant who would purchase them to deliver a 15% BNG contribution.
- Compensation for loss of the local wildlife site would be dealt with through a S106 agreement as legal advice had indicated that the purchase of BNG credits would not be appropriate.
- Counsel had not instructed the Council on how they should weigh the benefits and harms of the application in respect of the tilted balance.
- Relocation of horses and their potential to affect the biodiversity of other sites had not been accounted for by the Ecologist in their assessment.
- There was a condition recommended to ensure the pavement along the access road to St Albans Road would be in place before first occupation.
- Significant concern had been raised by the Ecologist on local ecology loss resulting from this application, and moderate weight had been given to this.
- The report had considered how the 'Golden Rules' had been met at paragraph 4.3.27 onwards, and Paragraph 1.58 of the NPPF stated that significant weight should be given in favour of an application where they had been met.
- Public open green space would not be lost by this application as the land either side of the footpath running north to south on site was private.
- The roadside footpath would be built on the left-hand side of the access road and would run along Cowards Lane to the junction with St Albans Road.

In response to questions, the Locum Planning Lawyer advised that habitat banks had to be registered for them to be utilised for BNG purposes.

The Chair invited the first Public Objector, Mr Ian White to speak against the application. Mr White thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- There would be a permanent, immediate impact felt by this development as their home was next to the proposed site and the footpath to the neighbouring site would be replaced by the access road.
- Heavy vehicle movements, sustained noise, dust and access disruption would be felt by residents during the construction phase.
- Around 60 households in the surrounding area were opposed to this application.
- Countryside at the edge of the village hall would become built form and represent a permanent loss of character and privacy and increase noise for existing residents.
- This site was not in the adopted Codicote Neighbourhood Plan.
- A previous application for development in 1989 had been rejected on safety grounds as Cowards Lane was a narrow, rural lane and it remained so today.
- There was no safe separation between cars and pedestrians and further vehicles added to Cowards Lane from this development would not be accommodated safely.
- Pressure would be felt by the already overstretched village infrastructure and public services.
- The development was in the wrong place and not supported by the community.

There were no points of clarification from Members.

The Chair thanked Mr White for their presentation and invited the second Public Objector, Ms Elizabeth Currie to speak against the application. Ms Currie thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

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- Codicote had already agreed to substantial development through the Codicote Neighbourhood Plan, which included 355 new homes, and 40% of these had not yet been built or occupied, meaning the full impact was still to come.
- This proposal was not in the Neighbourhood Plan, meaning that the impacts of traffic, infrastructure and safety from the development would not be considered together, and would increase pressure on these issues without assurance that they could cope.
- Cowards Lane was already heavily used by pedestrians such as residents, school children and elderly people, but had no pavements.
- This and the Weavers Gate development would significantly increase traffic on Cowards Lane and connecting roads, which would lead to more congestion in the wider village road network, and present a danger during peak times at known pressure points such as the school.
- 200 objections made from residents across the village illustrated the widespread concern for the application.

There were no points of clarification from Members.

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

- This site was a designated local wildlife site that formed a wider chalk stream environment that supported local nature recovery strategies, and contributed to biodiversity, wildlife habitat, and accessible green space for the community.
- Removing this land would diminish its connectivity with the wider ecological network, which could not be replaced remotely, and would be contrary to Objective 14 in the Codicote Neighbourhood Plan.
- Cowards Lane was a single-track road with no pedestrian infrastructure that served over 200 residents with 4 roads using it as their only access road.
- With the addition of many new homes in the village, traffic volumes had increased significantly, and the cumulative traffic impact of this development and others had not been properly assessed, which would increase the risk of congestion, reduce pedestrian safety and increase inefficiency of vehicle movements.
- Contributions within the S106 agreement were strategically dispersed and would not address the needs of Codicote or the concerns raised by its residents.
- The Highways contribution was generic and flawed as it offered no certainty that the risks in this location would be resolved.
- The S106 agreement did not make the development acceptable in planning terms, and should be refused.

In response to a point of clarification from Councillor Caroline McDonnell, Mr Newman advised that there was no pavement currently on Cowards Lane.

The Chair thanked Mr Newman for their presentation and invited the Member Advocate Objector, Councillor Ralph Muncer to speak against the application. Councillor Muncer thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- Based on the arguments submitted by the Applicant, this application was finely balanced.
- Codicote was already a village under strain.
- As part of the Local Plan adopted in 2022, 300 new homes were provisioned for Codicote and the cumulative impact of these had not yet been realised.
- This development was set to increase those impacts and make Codicote a worse place to live.

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- This land had been designated as Green Belt in the Local Plan and should remain under that classification, even with the changes made to the NPPF over the years.
- Cowards Lane was a country lane with lots of development surrounding it, and new residents of Weavers Gate struggled to use it when getting their children to school
- The High Street was already congested and would continue to be so until funding was allocated towards infrastructure to mitigate this.
- If the Council were serious about the climate and biodiversity emergency they had declared, then they should reject the application as there would be a net loss to biodiversity in Codicote.
- If granted permission, this application would set a dangerous precedent for future development, and the Committee should refuse permission in the strongest terms.

In response to a point of clarification from Councillor Emma Fernandes, Councillor Ralph Muncer advised that:

- Residents of the Weavers Gate development used Cowards Lane to access the nearby school, and they were concerned over traffic speeds on this road.
- Approval of planning permission for this application would only worsen the risk to vulnerable pedestrians including school children.

The Chair thanked Councillor Muncer for their presentation and invited the Agent to the Applicant, Ms Kathryn Ventham to speak in support of the application. Ms Ventham thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- Assessment of the scheme by Council officers confirmed that the benefits delivered by the development would outweigh the adverse impacts.
- The benefits delivered would include 30 dwellings where the Council had no five-year housing land supply, 50% affordable housing, open space and a new play area, upgrade of the public right of way, and a 15% BNG.
- It had been agreed that the site did not meet the local wildlife site designation as it had been grazed for several years and this would continue in a no development scenario.
- 6.4 hectares of flower rich, neutral grassland adjacent to Weston Hills Nature Reserve would deliver compensation for the loss of the wildlife site.
- Advice from King's Counsel had been received by the Council before the S106 agreement, and it had been established elsewhere in their report that mitigation for the loss of the wildlife site would be possible.
- The Highways Authority had not raised an objection to the application.
- Two crossing points, a footpath along Cowards Lane, and further contributions would be delivered as part of the scheme.
- The new NPPF, which was anticipated to be released next month, would afford significant weight to all housing developments regardless of size.
- The site was also classed as grey belt, which meant that it was appropriate for this development, but would still be appropriate if classed under the Green Belt as very special circumstances would be demonstrated.
- Ecological benefits from this application would be substantial when compared to a do-nothing scenario.

The following Members asked points of clarification:

- Councillor Claire Winchester
- Councillor Ruth Brown

In response to points of clarification, Ms Ventham advised that:

- They had assigned the delivery of affordable housing significant weight rather than moderate weight as the Council did not have a five-year housing land supply,
- The footpath that they had been asked to provide would run west of the site only.

The following Member asked additional questions:

- Councillor Claire Winchester
- Councillor Val Bryant
- Councillor Louise Peace

In response to additional questions, the Development and Conservation Manager advised that:

- Officers had given lesser weight to the delivery of market housing than the Applicant, but they had still come to the view that the harms identified did not significantly and demonstrably outweigh the benefits of the housing delivery.
- Officers had determined that market dwellings carried moderate weight and affordable dwellings carried significant weight in terms of the benefits delivered as set out in Table 2 at paragraph 4.4.8 of the report.
- If the scheme had been larger, the weight attributed may have been greater.
- The report concluded that the land was grey belt as it did not strongly contribute to purposes A, B and D of the Green Belt as set out at paragraph 143 of the NPPF.
- The application would contribute to reducing the district wide shortfall for housing, and the application had been assessed against this, rather than local needs.

Councillor Nigel Mason proposed to grant permission and this was seconded by Councillor Emma Fernandes.

The following Members took part in the debate:

- Councillor Ruth Brown
- Councillor Caroline McDonnell
- Councillor Martin Prescott
- Councillor Louise Peace
- Councillor Emma Fernandes
- Councillor Ian Mantle
- Councillor Val Bryant
- Councillor Tom Tyson
- Councillor Claire Winchester
- Councillor Clare Billing

The following points were made as part of the debate:

- The main reasons for the recommendation to grant permission were the land designation as grey belt and the tilted balance being engaged.
- It felt like Codicote was being asked to absorb more development to fulfil the shortfall of housing in the district.
- Weston Hills was 10 miles away from this site and did not compensate residents for the loss of local biodiversity that they would experience.
- A footpath on Cowards Lane would not mitigate dangers to school children using this road.
- Codicote experienced flooding despite the lack of objection from the Local Lead Flood Authority and adding housing would compound this problem.

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- Residents of this development would be unable to access buses from the High Street through active travel as there would be no footpath running east from the site.
- 15 affordable homes would help first time buyers to get onto the housing ladder, but the living conditions of existing residents would be compromised to do this.
- The recommendation to grant permission was flawed, and there were many reasons to refuse permission for it.
- The application had been recommended for refusal when it was last submitted to the Committee for determination, even with the tilted balance and grey belt classification.
- Mitigating the loss of a local wildlife site through offsite provision would go against the Codicote Neighbourhood Plan.
- There were options for this land aside from development such as becoming quality grassland to increase biodiversity and support local nature recovery strategies.
- It was an unsatisfactory application but there were no planning reasons to justify refusing permission for it, and they felt constrained because of this.
- This development would contribute to encroach into the Green Belt and the Committee should think about how to protect this.
- This development was a windfall site outside of the settlement boundary.
- There was little point in consulting residents on a neighbourhood plan if it could not be a material planning consideration.
- Reasons for refusing the application should be sought.

In response to points raised during the debate, the Development and Conservation Manager advised that the report had identified conflict with policies in the Codicote Neighbourhood Plan, but the plan did not contain any housing policies or allocations, and so the tilted balance still applied, which diminished the weight given to those conflicts.

In response to further questions, the Locum Planning Lawyer advised that the Committee could propose to defer an application as well as grant or refuse permission.

In response to further questions, the Development and Conservation Manager advised that:

- It was common for applications to be deferred so that a site visit could be carried out, and for more information or further clarification to be provided on matters.
- The report presented to the Committee in December would be a consideration for Members.
- Table 2 at paragraph 4.4.8 in the report identified 3 harms, and Members would be able to review these and apply the tilted balance to make their verdict on the application.

Councillor Nigel Mason withdrew his motion to grant permission and this was accepted by Councillor Emma Fernandes as seconder.

Councillor Martin Prescott proposed to defer the application, and this was seconded by Councillor Clare Billing.

The following Members took part in the debate:

- Councillor Louise Peace
- Councillor Claire Winchster
- Councillor Ruth Brown

The following points were made as part of the debate:

- The Committee had grounds for refusal as the impact on the local wildlife site, landscape, and residential amenity would be significant as heard by evidence given from the public speakers.

- They agreed with Herts and Middlesex Wildlife Trust that the 'Golden Rules' had not been met, which would reduce the significance of housing delivery to moderate, and tilt the balance in favour of refusal.

Having been proposed and seconded, the motion to defer the application was put to a vote, following which the vote was tied.

Therefore, the Chair used their casting vote and, it was:

RESOLVED: That application 25/01766/OP be **DEFERRED**.

REASONS FOR DECISION:

- (1) To enable Members to undertake a visit to the application site.
- (2) To allow further investigation into the application of the tilted balance to take place.

N.B. Following the conclusion of the item, there was a break in proceedings at 20:58 and the meeting reconvened at 21:13.

7 25/00886/FP REED HOUSE, JACKSONS LANE, REED, ROYSTON, HERTFORDSHIRE, SG8 8AB

Audio recording – 02 hours 09 minutes 11 seconds

The Principal Planning Officer advised that there were no updated matters to report on since the publication of the agenda.

The Principal Planning Officer then presented the report in respect of Application 25/00886/FP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Ruth Brown
- Councillor Martin Prescott

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

- The titled balance has been disengaged as the land was within a conservation area, which was one of the protected areas that could provide a strong reason for refusing the development proposal as detailed at paragraph 11D of the National Planning Policy Framework (NPPF).
- The Council had to account for the opinion of the Highways Authority as a statutory consultee and could not provide reasons as to why they had raised no objection.

The Chair invited the Public Objector, Reed Parish Councillor Simon Aries to speak against the application. Parish Councillor Aries thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- They were here to speak on behalf of Reed Parish Council, who opposed the application and had listened to concerns from residents.
- The site was outside the Local Plan settlement boundary and faced away from the village.
- Minor adjustments and rebuttal statements had failed to overcome the fundamental location problem or the issues highlighted in the report of the Principal Planning Officer.

- Site access would be via The Joint, which was a narrow, restricted country road that would fail to integrate it with the rest of the settlement in a meaningful degree and disrupt the settlement pattern, which would make it contrary to policies in the Local Plan.
- The site would also be in the conservation area, contrary to the Local Plan.
- 21 homes proposed on an allocated site elsewhere in Reed, which had been through consultation, showed how sustainable development should be carried out.
- The Parish Council acknowledged the pressures of the lack of a five-year housing land supply and wanted to be an ally, not an obstacle when addressing this.
- However, the lack of a five-year supply did not justify dismissing the Local Plan in favour of speculative development such as this.
- This application would open the door to further speculative development in Reed such as a proposed application for 30-40 dwellings next to The Joint, which would urbanise and degrade the valued landscape of the area.

There were no points of clarification from Members.

The Chair thanked Parish Councillor Aries for their presentation and invited the Agent to the Applicant, Rosanna Metcalfe, to speak in support of the application. Ms Metcalfe thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- This site was previously developed land as confirmed by legal advice that had been shared with the Council.
- The NPPF required local authorities to give substantial weight to housing developments on brownfield sites unless substantial harm would be caused.
- The Council could not demonstrate a five-year housing land supply, and sites outside of settlement boundaries would need to be developed to meet the shortfall.
- A Transport Statement accompanying the application detailed that the site was within a 10-minute walk of most village amenities and other facilities such as hospitals, railway stations and supermarkets were only a 30-minute bus journey.
- The nearest bus stops were 350 and 500 metres from the site, with regular weekday and Saturday services, in addition to the 7-day service provided by Hertslynx.
- Unlike previous applications, a footway and cycle path connection onto Jacksons Lane had been provided, as well as a proposed footway to the primary school.
- No objection had been raised by the Highways Authority on sustainability or accessibility.
- Previous Appeal Inspectors had concluded no harm would come to the heritage assets of Reed or its conservation area through development on this site, and their Heritage Consultant had concluded the same on this application.
- The site was not within the conservation area and only visible from Reed House, making it well screened.
- Neither the Heritage Officer nor any other planning officer had visited the site and aside from their objection, there were no other technical objections to the application.
- The proposed development would not have a detrimental impact on the village or the surrounding landscape.
- Appeal Inspectors for similar schemes determined that they would not harm the character or appearance of the site or its landscape setting, and the only objections raised by them had been on the lack of S106 contributions and the reliance on car use, which had been addressed by this application.
- The Applicant was willing to enter a S106 agreement and had agreed Heads of Terms for contributions to the primary school and Reed Village Hall.
- Much needed affordable housing would be delivered.
- Members were urged to visit the site and see that the benefits of the proposal outweighed the perceived harms.

The following Members asked points of clarification:

- Councillor Martin Prescott
- Councillor Louise Peace
- Councillor Val Bryant

In response to points of clarification, Ms Metcalfe advised that:

- The site had been garden land in the past, which was classed as previously developed land in the NPPF.
- 35% of the housing delivered would be affordable, which was policy compliant.

The following Members asked additional questions:

- Councillor Claire Winchester
- Councillor Tom Tyson

In response to additional questions, the Development and Conservation Manager advised that:

- Affordable housing should be tenure blind although this was not always achieved.
- For maintenance and management reasons, affordable housing would usually be located in one area in small schemes.

In response to additional questions, the Principal Planning Officer advised that the part of the site was in the conservation area and the pedestrian link ran through it.

Councillor Nigel Mason proposed to refuse permission, and this was seconded by Councillor Martin Prescott.

The following Members took part in the debate:

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

The following points were made as part of the debate:

- Refusal should be supported for the reasons set out by the Principal Planning Officer in their report.
- A shielded development like this did not integrate well with the surrounding area.
- The development felt wrong for the reasons described in the report.
- The report had been well written and understood the local strains on the community, in addition to relevant planning considerations.

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

RESOLVED: That application 25/00886/FP be **REFUSED** for the reasons set out in the report of the Development and Conservation Manager.

8 **25/02260/FP NORTHWAY FILLING STATION, GREAT NORTH ROAD, HINXWORTH, BALDOCK, HERTFORDSHIRE, SG7 5EX**

Audio recording – 02 hours 32 minutes 31 seconds

N.B. Councillor Tom Tyson declared an interest as Member Advocate Objector and moved to the public speaking gallery.

The Senior Planning Officer provided a verbal update on matters relating to Application 25/02260/FP and advised that:

- They were awaiting a final response from the Local Lead Flood Authority (LLFA).
- Following further concerns raised by the Agent to the Neighbour, National Highways were willing to propose an additional condition to mitigate any concerns over internal vehicle movements.

The Senior Planning Officer then presented the report in respect of application 25/02260/FP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Caroline McDonnell
- Councillor Louise Peace
- Councillor Clare Billing
- Councillor Claire Winchester
- Councillor Martin Prescott

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

- Those wanting to access the Greggs Pod would turn left as they drove into the service station.
- The application had been deferred from the Committee meeting on 12 March 2026 as National Highways concluded that the application needed a risk assessment.
- After discussion, the site needed to be assessed while the pod was live, which would take place during the two years given for temporary permission.
- There were also food facilities on the A1 northbound service station.
- The site layout had already been amended after comments from National Highways.

In response to questions, the Development and Conservation Manager advised that:

- National Highways did not have an issue with the slip roads entering and exiting the site, they only wanted to assess internal vehicle movements.
- The site layout may be changed to improve its functioning during the assessment period, but if this could not improve the situation, it would weigh against any proposal to renew planning permission.
- Planning permission would be recommended for refusal if there was a highways safety issue, but National Highways had not raised concerns of this kind.

The Chair invited the first Public Objector, Ms Hayley Doyle to speak against the application. Ms Doyle thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- They had not been made aware of the additional condition detailed by the Senior Planning Officer in their verbal update until now.
- They had reviewed the application on behalf of the adjoining landowner who had raised concerns on several issues.

- Members should defer the application until they were able to visit the site as online pictures did not provide an adequate view of the site.
- The slip road to exit the site was already unsuitable for the existing arrangement and this application would only intensify this.
- A safety audit would be carried out if a permanent application was applied for in two years, but consideration had to be given to the possibility of a serious accident occurring before then.
- Severity of the highway impacts should be considered against paragraph 155 of the National Planning Policy Framework (NPPF).
- The Committee needed to consider whether the application for temporary permission was a shortcut as a permanent structure had been installed.
- There was an outstanding objection from the LLFA and a safe decision could not be made on the application without more information on this.
- Highways risk was difficult to judge without visiting the site.

The following Members asked points of clarification:

- Councillor Martin Prescott
- Councillor Nigel Mason

In response to points of clarification, Ms Doyle advised that:

- Risk between the neighbour entering their property and traffic exiting the filling station on the slip road would need assessing through a safety audit.
- The Transport Statement produced by the Applicant had observed an increase in vehicle trips onsite since the construction of the Greggs pod.
- They believed that there would be an intensification of use of the site because of the Greggs pod, even if the Transport Statement did not conclude this.

The Chair thanked Ms Doyle for their presentation and invited the second Public Objector, Mr David Clifton, to speak against the application. Mr Clifton thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- They were a chartered surveyor and were representing the safety concerns made by the neighbour on the access to their dwelling on the exit slip road.
- Constructing the pod and then asking for retrospective planning permission put unnecessary pressure on the planning system and the Council.
- Temporary planning permission had been incorrectly requested as substantial foundations and deep excavations had been made for the long-term structure of the pod.
- It was unclear whether building regulation approval had been obtained for the pod.
- National Highways had indicated that an entrance to a driveway on a slip road would no longer be permitted, therefore, this application should include a new slip road design to account for safety.
- Given the conduct of Welcome Break in constructing the pod without planning permission, the safety audit should be carried out before permission was granted as they may not conduct this immediately, or at all.
- Permission for the application should not be determined until all safety issues had been resolved, and a site visit had been carried out by Members.

The following Members asked points of clarification:

- Councillor Ian Mantle
- Councillor Louise Peace

In response to points of clarification, Mr Clifton advised that:

- The neighbouring property had several vehicles and any movement in or out of the site would pose a serious risk, particularly when large lorries used the exit slip road.
- The neighbour could not use the filling station to enter their property as there had been disagreement between them and the site owner.

The Chair thanked Mr Clifton for their presentation and invited the Member Advocate Objector, Councillor Tom Tyson, to speak against the application. Councillor Tyson thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- There would be intensification of use of the site as the pod would not have been constructed without the Applicant anticipating that it would produce more custom.
- Traffic movements in and out of the site should be measured to determine a baseline.
- Delivery vehicles entering the neighbouring property also added to the risk.
- There would be a confrontational situation between vehicles and HGVs exiting the site and those wanting to access the pod after the filling station.
- A safety audit should be carried out as soon as possible, especially if permission was granted.
- The layout of the filling station did not compare well in terms of safety to the A1 northbound service station that had a one-way system.
- Permission for the application should not be approved at this stage.

The following Members asked points of clarification:

- Councillor Nigel Mason
- Councillor Ian Mantle
- Councillor Val Bryant

In response to points of clarification, Councillor Tom Tyson advised that:

- Customers would not be able to access the filling station after going to the Greggs pod and if they tried to access the pod after the filling station, they would have to make a tight left turn, which would not be possible without going into the other lane of traffic exiting the filling station or crossing other flows of traffic when trying to park.
- Without a safety audit, the site layout could not be classed as safe.
- They were unaware of the history of safety audits for the site or the number of layout changes it had gone through over the years.

The Chair thanked Councillor Tyson for their presentation and invited the Agent to the Applicant, Ross Fraser, to speak in support of the application. Mr Fraser thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- Facilities at the site were dated and had not kept up with modern expectations.
- The Department for Transport Circular 01/2022 recognised that roadside facilities provided an important safety function for road users to take a break in their journeys and acknowledged that facilities must support the uptake of zero emission and hybrid vehicles through the installation of EV charging points.
- The application comprised a retrospectively built 66-metre square metre pod unit and two EV charging points to address a shortfall of charging points on the A1.
- Relevant consultees had given their support for the application and the report of the Senior Planning Officer recommended to grant planning permission subject to conditions.
- Economic benefits of the application included the creation of 5 jobs.

- The site was classed as brownfield, and this proposal was a positive use of the land.
- National Highways accepted that the proposal would not result in an intensification of site use, and they had recommended approval of temporary planning permission.
- The pod would operate on reduced hours compared to the 24-hour petrol station.
- Design of the pod was moderate in nature, which would assimilate it well with the immediate context of the site.
- Passing views would be limited to road users on the A1.
- Rationalisation of parking would aid the efficiency of the site.
- Positive responses had been received from consultees in terms of flooding and ecology.

The following Members asked points of clarification:

- Councillor Martin Prescott
- Councillor Clare Billing
- Councillor Louise Peace

In response to points of clarification, Mr Fraser advised that:

- Theoretically, there was no reason why Welcome Break could not introduce EV charging points to the site without constructing the Greggs pod.
- A reason for why the neighbours were not allowed enter their property from the filling station could not be provided.
- A swept path analysis would likely have been part of the Transport Assessment.

In response to points raised in the verbal presentations, the Senior Planning Officer advised that any safety audit carried out would assess the internal circulation of vehicles, not the entrance or exit slip roads for the filling station.

The following Members asked additional questions:

- Councillor Martin Prescott
- Councillor Louise Peace
- Councillor Claire Winchester
- Councillor Ruth Brown

In response to additional questions, the Development and Conservation Manager advised that:

- The Council would not undertake modelling of vehicle movements onsite as they did not employ experts on highways matters. Instead, they took advice from the highways consultee, which was National Highways, and they had not raised an objection subject to a safety audit being undertaken while operational.
- If there were outstanding safety issues after 2 years, the temporary planning permission would not be renewed.
- It would be for the Council to enforce the conditions imposed on the application, but they would consult relevant consultees such as National Highways where necessary.
- If there were serious safety concerns with the site, the Council could use enforcement powers to issue enforcement notices, and there was also a backstop that planning permission would only be temporary.
- They would not be able to impose a condition on the application that would grant a third party the right to access the land.

In response to additional questions, the Senior Planning Officer advised that mitigations to any identified risks would be implemented within an agreed timetable after the 12-month period.

N.B. Councillor Tom Tyson left the Chamber at 22:28.

Councillor Nigel Mason proposed to grant permission subject to the additional condition detailed by the Senior Planning Officer in their verbal update, and this was seconded by Councillor Dave Winstanley.

The following Members took part in the debate:

- Councillor Nigel Mason
- Councillor Martin Prescott
- Councillor Ruth Brown
- Councillor Claire Winchester

The following points were made as part of the debate:

- The filling station was an existing footprint, and some of the issues discussed regarding traffic would be present in its current layout.
- Members should mind that National Highways had not objected to the application if they were inclined to refuse it.
- The conditions on the application would satisfy the safety concerns.
- There would be a conflict with vehicles travelling round the rear of the filling station to access the pod, but it would be unlikely for a serious accident to occur.
- The site looked dangerous based on the plan, and they wished that the Applicant had redesigned the site to make access and safety a consideration.

N.B. Councillor Val Bryant left the Chamber at 22:36 and did not return.

In response to a further question raised by Councillor Martin Prescott, the Senior Planning Officer advised that the vegetation separating the site from the neighbouring property provided screening for the neighbour, and it was speculated that they would not want that to be cut back.

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

RESOLVED: That application 25/02260/FP be **GRANTED** planning permission subject to:

- A) The resolution of the LLFA matters to the satisfaction of the Local Planning Authority with the imposition of planning conditions or amendment of planning conditions as necessary with any actions required pursuant to LLFA response being devolved to the Development and Conservation Manager; and
- B) The conditions and informatives as set out in the report of the Development and Conservation Manager, with the additional condition, as follows:

'Condition 6

Within 12 months of the first implementation of the approved use, the operator shall undertake monitoring of vehicle movements within the Northway Service Station forecourt and their interaction with the adjacent highway network (A1). A GG104 Risk Assessment Report shall be submitted to and approved in writing by the Local Planning Authority, in consultation with National Highways, at the end of the 12-month period and any mitigation shall thereafter be implemented in accordance with an agreed timetable.

Reason: To enable the operational impacts of the development on the Strategic Road Network to be assessed and to ensure that the safe and efficient operation of the A1 slip road is maintained in the interests of highway safety and network performance and in accordance with Policy T1 of the North Hertfordshire Local Plan 2011 – 2031.'

N.B. Following the conclusion of the item, the Chair advised that under 4.8.24(g) of the Constitution, the meeting had reached 10:30pm. However, they believed the Committee could continue with the remaining business on the agenda and advised that the Committee would proceed.

N.B. Councillor Tom Tyson returned to the Chamber at 22:38.

9 26/00403/S73 151C BEARTON ROAD, HITCHIN, HERTFORDSHIRE, SG5 1UB

Audio recording – 03 hours 33 minutes 02 seconds

The Chair advised that this item had been **DEFERRED** to the next Committee meeting on 18 June 2026.

10 APPEALS

Audio recording – 03 hours 33 minutes 12 seconds

The Development & Conservation Manager provided an update on Planning Appeals and advised that:

- There had been 3 appeal decisions, one of which had been a decision taken by the Committee, which had been dismissed.
- 7 appeals had been lodged, and all of them would be decided through written representations.

In response to a question from Councillor Martin Prescott, the Development and Conservation Manager advised that it was likely that the appeal decision related to application 21/00765/OP would not be announced for another 3 to 4 weeks as the normal target for releasing an appeal decision following a Public Inquiry was 6 weeks.

The meeting closed at 10.39 pm

Chair