NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER - DISTRICT COUNCIL OFFICES, GERNON ROAD, LETCHWORTH, SG6 3JF
ON THURSDAY, 17TH SEPTEMBER, 2026 AT 7.00 PM

MINUTES

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

In Attendance: *Luca Benedito (Trainee Committee, Member and Scrutiny Officer), Jamie Graham (Trainee Electoral Services Officer), Shaun Greaves (Development and Conservation Manager), Anne McDonald (Principal Planning Officer (Development Management)), Nazneen Roy (Locum Planning Lawyer), Melanie Stimpson (Democratic Services Manager) and Henry Thomas (Planning Officer).*

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

57 APOLOGIES FOR ABSENCE

Audio recording – 01 minute 18 seconds

Apologies for absence were received from Councillor Caroline McDonnell.

58 MINUTES - 13 August 2026

Audio Recording – 01 minute 29 seconds

Councillor Nigel Mason as Chair, proposed and Councillor Emma Fernandes seconded, and following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 13 August 2026 be approved as a true record of the proceedings and be signed by the Chair.

59 NOTIFICATION OF OTHER BUSINESS

Audio recording – 02 minutes 10 seconds

There was no other business notified.

60 CHAIR'S ANNOUNCEMENTS

Audio recording – 02 minutes 16 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.

61 PUBLIC PARTICIPATION

Audio recording – 04 minutes 31 seconds

The Chair confirmed that the registered speakers were in attendance.

62 26/01416/S73 Land West Of Tuthill House, Kelshall Tops, Therfield, Hertfordshire, SG8 9PT

Audio recording – 04 minutes 54 seconds

The Principal Planning Officer (Development Management) provided a verbal update on matters relating to Application 26/01416/S73 and advised that:

- A late letter had been received from neighbour Mrs Bogie, which suggested the application was not legally valid due to Land Registry ownership and company status. However, Officers said this would not be a determining factor when the agent signed a declaration in good faith.
- Notice had been correctly served on Hertfordshire Highways, considered the owner of the land to the north.
- A Section 73 application was a full planning application in its own right. The description referred to Condition 2, allowing amended plans to be submitted.
- The proposal for three detached dwellings remained within the description of the development, allowing all conditions to be varied where appropriate.
- There was legal precedent which confirmed a Section 73 application cannot alter the original description of development, but conditions may be amended if they did not conflict with the operational part of the development.
- The proposed change to Condition 9 did not conflict with the description and was detailed in paragraph 4.6.1 of the report.
- Objections regarding lack of consultation on the amended plan were addressed, as the change was considered minor and non-material, therefore did not require public consultation.
- The amended plan was sent to Highways on 13 July; Highways responded with no objection on 17 August. The plan was sent to Highways to correct an earlier consultation error relating to Biodiversity Net Gain.

The Principal Planning Officer (Development Management) then presented the report in respect of application 26/01416/S73 accompanied by a visual presentation consisting of plans and photographs.

In response to questions from Councillor Ruth Brown, the Chair advised that:

- Supplementary documents received after 4pm the day before the meeting cannot be circulated. Instead, a verbal update was provided at the meeting.
- The document was uploaded to the portal but not emailed due to timing.

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

- The neighbouring landowner had refused consent to remove hedgerow to create the link to a public footpath, an amended plan was sought and provided.
- The link was not a policy requirement, the alternative route was short, and Highways had raised no safety concerns.

The Chair invited the Representative to the Applicant, Mr Richard Parry, to speak in support of the application. Mr Parry thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- Confirmed he had reserved the right to speak in case objectors attended.
- As no objectors were present, he had no further comments.

There were no points of clarification from Members.

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

The following Members took part in the debate:

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

The following points were made as part of the debate:

- Given the report, there were no reasons for this application to be refused.
- Parish Council have no objections to this application.
- Thought original application was an improvement on what was there at the moment and nothing contentious about this application.
- Minor tweaks were good, huge improvement on what was there and increased Biodiversity Net Gain.

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

RESOLVED: That application 26/01416/S73 be ***GRANTED*** planning permission subject to the conditions as set out in the report of the Development and Conservation Manager.

63 25/03197/FP The Barn, Great North Road, Radwell, Baldock, Hertfordshire, SG7 5EN

Audio recording – 19 minutes 39 seconds

The Planning Officer provided a verbal update on matters relating to Application 25/03197/FP and advised that:

- An ecology reason for refusal had been added within the published addendum.
- The application sought erection of a detached industrial storage building following demolition of two existing storage buildings, retention of external lighting poles and allowing stacking of material up to 6 meters in height.

The Planning Officer then presented the report in respect of application 25/03197/FP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

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

In response to questions, the Planning Officer advised that:

- The lighting column did not have planning permission, but the existing buildings did.
- A landscaping plan existed but was not included in the presentation.
- The previous permission included a condition which required lighting hours to comply with the bat survey.
- There was not a pre application consultation.

In response to questions, the Development and Conservation Manager advised that the application was considered as a whole, the 30-meter lighting column was the most impactful element. However, without it, the recommendation may have been different, but that scenario was not before the committee.

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

- The original planning permission was never lawfully implemented.
- The pre-commencement conditions were not discharged.
- The construction management plan was not discharged.
- The first planting season was not met.
- The barn approved years ago was never erected, the site had instead become a large industrial compound.
- The 30-meter lighting column was highly intrusive: visible from multiple junctions and villages, dazzles drivers on the A1 and A507, lighting report was inadequate and not based on on-site assessment.
- Over 50 objections had been submitted.
- The scale, height and bulk of the site are far beyond what was originally approved.
- Parish council support employment but want development delivered in accordance with the original consent.
- The current proposal is wholly from what was approved.

There were no points of clarification from Members.

The Chair thanked Parish Councillor Henderson 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:

- The application was effectively retrospective, following enforcement intervention.
- The original 2022 permission retained existing buildings, limited storage height to 3 meters and was considered acceptable and non-harmful.
- The current development demolished the barn and bat roost, introduced large storage racks and tall material stacks and created a stark visual impact due to elevated ground levels.
- The 12-meter perimeter lights dazzle drivers and affect visibility, the 30-meter central lighting column dominates the skyline and requires a red aviation light, and the lighting column was a major intrusion into the rural nightscape.
- Urged Members to support refusal for reasons in Section 5.1 of the report.

There were no points of clarification from Members.

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

- The site was previously developed land, 2.3 ha, almost entirely hardstanding, with existing buildings and industrial use.
- Policy CGB1 allowed rural economic development and reuse of existing buildings.
- The proposal replaced two buildings with one modern structure, increase floorspace by only 38.5 square meters and is a replacement, not a significant expansion.
- Policy CGB4 supports replacement buildings where impact is not materially greater.
- The site was already industrial, surrounded by major highway infrastructure.
- Juniper green cladding chosen to reduce visual impact.
- The officer accepted 12-meter perimeter lights do not harm rural character.
- Environmental health raised no objection to the lighting.
- The proposal supported 30 full-time jobs.
- No objections from Highways or National Highways.
- Ecological matters can be addressed via conditions.
- Submitted that visual impact does not outweigh economic benefits and asked Members to grant permission.

The following Members asked points of clarification:

- Councillor Val Bryant
- Councillor Claire Winchester

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

- The central light was installed due to break-ins and staff safety concerns.
- The intention was to replace the central light with lower-level lighting once the new building was erected.
- The ridge height increased by approximately 2 meters, floorspace increased by 38.5 square meters, and did not have access to the full volumetric figures but denied a tripling of volume.

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

- The application included the 30-meter lighting column, with no alternative lighting scheme proposed.
- If the application had proposed removal of the column and lower-level lighting, the recommendation may have differed.
- The lighting column was the element with the greatest impact on rural character.

Councillor Nigel Mason proposed to grant permission, and this was seconded by Councillor Ruth Brown.

The following Members took part in the debate:

- Councillor Ruth Brown
- Councillor Louise Peace
- Councillor Val Bryant

The following points were made as part of the debate:

- The principle of development was not disputed because consent already exists, but the scale and especially the 30-meter lighting column was unacceptable.
- The column is visible from long distances, is not screened by trees, and was highlight impactful in the rural area.
- Members must consider the application as submitted, the officer's report clearly showed harm to countryside.
- Visited the site and saw the lighting column clearly from multiple viewpoints; noted it rises above the trees and would be even more stark in winter.

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

RESOLVED: That application 25/03197/FP be ***REFUSED*** planning permission for the reasons as set out in the report and addendum report of the Development and Conservation Manager.

64 Appeals

Audio recording – 53 minutes 34 seconds

The Development and Conservation Manager presented the report entitled 'Planning Appeals' and advised that:

- Two appeals had been lodged, one a householder appeal, and one appeal against refusal for eight dwellings at Deards End Lane, within allocation KB1.
- One appeal decision had been received, for a single dwelling in Nuthampstead which was dismissed.

In response to questions from Councillor Ruth Brown, the Development and Conservation Manager advised that:

- The proposal at Deards End Lane involved demolition of an existing dwelling to be.
- The full application element related to the part of the site within the conservation area.
- Only full applications should be considered in conservation areas, as outline applications with little detail cannot fully assess heritage impact.
- If delivered as part of KB1, demolition may not have been necessary, as access could potentially be taken from the KB1 development rather than Deards End Lane.

The Development and Conservation Manager reminded Members of a briefing on the National Scheme of Delegation that will take place online on 30 September 2026.

In response to questions from Councillor Ruth Brown, the Development and Conservation Manager advised that:

- Any application not determined by 31 October would fall under the National Scheme of Delegation.
- If called-in Schedule 1 applications were not determined before 31 October, they cannot be reported to the Planning Control Committee and would be determined under delegated powers.
- Officers would aim to determine all current called-in applications before the deadline.
- New call-ins submitted now may not be able to be scheduled before the deadline due to agenda constraints.

The meeting closed at 8.04 pm

Chair