

NORTH HERTFORDSHIRE DISTRICT COUNCIL



4 September 2026

Our Ref Planning Control Committee 17
September 2026
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To: Members of the Committee: 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

Substitutes: Councillors Daniel Allen, Sadie Billing, Jon Clayden, Sam Collins, Mick Debenham, Joe Graziano, Steve Jarvis, Bryony May, Michael Muir, Claire Strong and Tamsin Thomas

NOTICE IS HEREBY GIVEN OF A

MEETING OF THE PLANNING CONTROL COMMITTEE

to be held in the

**COUNCIL CHAMBER - DISTRICT COUNCIL OFFICES, GERNON
ROAD, LETCHWORTH, SG6 3JF**

On

THURSDAY, 17TH SEPTEMBER, 2026 AT 7.00 PM

Yours sincerely,

Isabelle Alajooz
Director – Governance

****MEMBERS PLEASE ENSURE THAT YOU DOWNLOAD ALL AGENDAS AND REPORTS VIA THE MOD.GOV APPLICATION ON YOUR TABLET BEFORE ATTENDING THE MEETING****

Agenda

Part I

Item		Page
1. APOLOGIES FOR ABSENCE	Members are required to notify any substitutions by midday on the day of the meeting. Late substitutions will not be accepted and Members attending as a substitute without having given the due notice will not be able to take part in the meeting.	
2. MINUTES - 13 AUGUST 2026	To take as read and approve as a true record the minutes of the meeting of the Committee held on the 13 August 2026.	(Pages 5 - 18)
3. NOTIFICATION OF OTHER BUSINESS	Members should notify the Chair of other business which they wish to be discussed at the end of either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chair will decide whether any item(s) raised will be considered.	
4. CHAIR'S ANNOUNCEMENTS	Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chair of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.	
5. PUBLIC PARTICIPATION	To receive petitions, comments and questions from the public.	
6. 26/01416/S73 LAND WEST OF TUTHILL HOUSE, KELSHALL TOPS, THERFIELD, HERTFORDSHIRE, SG8 9PT	REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER Variation of condition 2 (revised plans) of planning permission 24/02606/FP granted 31.07.2025 for erection of three detached dwellings (1 x 3-bed, 1 x 4-bed and 1 x 5-bed) and with associated infrastructure and landscaping	(Pages 19 - 32)

7. **25/03197/FP THE BARN, GREAT NORTH ROAD, RADWELL, BALDOCK, HERTFORDSHIRE, SG7 5EN** (Pages 33 - 42)
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER

Erection of detached industrial storage building following demolition of two existing industrial storage buildings and installation of external lighting and increase in material storage height to 6.0m. (Development has commenced)

8. **APPEALS** (Pages 43 - 50)
To update members on appeals lodged and any decisions made.

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Public Document Pack Agenda Item 2

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER - DISTRICT COUNCIL OFFICES, GERON
ROAD, LETCHWORTH, SG6 3JF
ON THURSDAY, 13TH AUGUST, 2026 AT 7.00 PM

MINUTES

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

In Attendance: *Robert Filby (Committee, Member and Scrutiny Officer), Jamie Graham (Trainee Electoral Services Officer), Shaun Greaves (Development and Conservation Manager), Sarah Kasparian (Principal Planning Officer (Major Projects)), Edward Leigh (Transport Policy and Projects Team Leader), Anne McDonald (Principal Planning Officer (Development Management)) and Nazneen Roy (Locum Planning Lawyer).*

Also Present: *At the commencement of the meeting approximately 25 members of the public, including registered speakers.*

37 APOLOGIES FOR ABSENCE

Audio recording – 01 minutes 12 seconds

Apologies for absence were received from Councillors Ruth Brown, Louise Peace and Dave Winstanley.

Having given due notice, Councillor Bryony May substituted for Councillor Brown, Councillor Jon Clayden substituted for Councillor Peace, and Councillor Mick Debenham substituted for Councillor Winstanley.

38 MINUTES - 2 JULY 2026

Audio Recording – 01 minutes 39 seconds

Councillor Nigel Mason, as Chair, proposed and Councillor Caroline McDonnell seconded and, following a vote, it was:

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

39 NOTIFICATION OF OTHER BUSINESS

Audio recording – 02 minutes 27 seconds

There was no other business notified.

40 CHAIR'S ANNOUNCEMENTS

Audio recording – 02 minutes 32 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.

41 PUBLIC PARTICIPATION

Audio recording – 04 minutes 45 seconds

The Chair confirmed that the registered speakers were in attendance.

42 22/00956/OP LAND SOUTH OF, STEVENAGE ROAD, LITTLE WYMONDLEY, HERTFORDSHIRE

Audio recording – 05 minutes 23 seconds

N.B. Councillor Caroline McDonnell declared an interest on the item and moved to the public speaking gallery.

The Principal Planning Officer (Major Sites) provided a verbal update on matters relating to Application 22/00956/OP and advised that:

- The Agent to the Applicant had sent an email detailing the triggers for delivery of highway works, and this was available to view on the Council website.
- Officers would wait for the Highways Authority to respond on the above.
- The word 'Knebworth' in paragraph 6 in the written update published with the supplementary documents to the agenda should have been removed.

The Principal Planning Officer (Major Sites) then presented the report in respect of application 22/00956/OP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Jon Clayden
- Councillor Tom Tyson

In response to questions, the Principal Planning Officer (Major Sites) advised that:

- The Applicant had addressed flooding and drainage matters onsite and the Local Lead Flood Authority (LLFA) had withdrawn their objection and recommended further conditions.
- There were 480 homes in the Wymondley Parish.

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

- Hitchin had received little rainfall in the last 6 weeks, and the additional dwellings would have a serious impact on Hitchin and the surrounding area.
- There had been no mention of drought conditions in the report.
- Measures to address air pollution and dust generated by the development would be minimal.
- Roads through Hitchin and Stevenage would be grid locked from the vehicles that new residents on this development would bring.
- There was concern on the heat that the extra dwellings would generate as this would compound with the construction of the nearby solar farm.
- New dwellings would add to carbon contributions.

There were no points of clarification from Members.

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

- The Planning Inspector, as part of the Local Plan examination, had recognised several traffic and flooding related issues with the site.
- The site was less sustainable than surrounding strategic sites and should not be considered until they had been developed as per Policy SP2 of the Local Plan.
- Nitrous oxide monitoring in 2017-19 showed that legal EU limits were repeatedly exceeded next to the site, which highlighted air quality issues and conflicted with the Local Plan.
- Air quality monitoring took place during the COVID-19 lockdown, and since then, there had been the addition of other developments and the proposed Luton Airport expansion, which would require mitigations.
- The land was compressible and potentially unstable.
- The Environment Agency questioned the contamination investigations undertaken as housing foundations could create pathways for ground water contamination.
- Flooding in the area was well documented, including an event that had triggered a Section 19 report.
- Existing residents living downhill from the proposed development had not been assured that flooding would not impact them.

There were no points of clarification from Members.

The Chair thanked Ms Ward for their presentation and invited the third Public Objector, Wymondley Parish Councillor Paul Harding to speak against the application. Parish Councillor Harding thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- The objective of Policy WY1 in the Local Plan had not been met by this site.
- The full objection from Wymondley Parish Council was detailed within the report.
- Wymondley Parish Council doubted that this development could be integrated with the existing area as Little Wymondley would be roughly doubled.
- Nearly doubling the population without providing the necessary amenities and facilities risked creating a completely car-dependent community.
- Proposed cycle access to Stevenage missed the point that the main destination for residents would be Hitchin.
- Excluding a village hall from the S106 financial contributions request was concerning as the facility would help to create a sustainable community.

- There was uncertainty over who would pay and maintain the drainage, flood protection measures, paths, play areas and open spaces.
- There was no feasibility study to prove that 40% affordable housing was viable.
- Pressure from development already existed on Little Wymondley and this application could not be considered in isolation.
- The application should either be refused or deferred until the outstanding issues had been resolved and a site visit by the Committee had taken place.

There were no points of clarification from Members.

The Chair thanked Parish Councillor Harding for their presentation and invited the first Member Advocate Objector, Councillor Dominic Griffiths to speak against the application. Councillor Griffiths thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- The data in the Highways report was fundamentally flawed as it was conducted in 2020 during COVID-19 lockdown restrictions and did not reflect current commuting patterns.
- Subsequent surveys had failed to account for pinch points in Little Wymondley, which meant that the application was based on misrepresented data.
- Adding several hundred extra vehicles into narrow lanes and constrained junctions would worsen highways safety and flow, which would justify refusing planning permission, as per paragraph 115 of the National Planning Policy Framework (NPPF).
- Safety would be further compromised with the addition of 300 dwellings as facilities in Little Wymondley were limited, and there were no commuting options or easy pedestrian or cycle access to the nearest towns.
- The Planning Inspector, as part of the Local Plan examination, acknowledged that traffic in Little Wymondley would be unavoidably exacerbated by this development.

The following Members asked points of clarification:

- Councillor Tom Tyson
- Councillor Val Bryant
- Councillor Nigel Mason

In response to points of clarification, Councillor Griffiths advised that:

- The only bus service in Little Wymondley did not currently operate due to nearby solar farm works but the Parish Council had organised a community bus service in the meantime, which had been delayed and could not go through the whole village due to parked cars anyway.
- Arriva had informed him that they would not be instating an additional bus service.
- The solar farm works would end by mid-October.

The Chair thanked Councillor Griffiths for their presentation and invited the second 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:

- Nearby roads experienced chronic congestion and were in disrepair, and the Parish Council had been the first to declare a traffic emergency to highlight this.
- Nothing in the S106 contributions would mitigate highways related concerns.
- The active travel route to Stevenage would not alleviate concerns as residents would rather travel to Hitchin.
- Nothing had been proposed to address the increased use of nearby junctions at the A602 or Three Moorhens roundabout.

- With pressured education budgets, there were important financial issues surrounding Wymondley School and they should not set it up to fail.
- A site-specific flood risk assessment should be undertaken to better understand the impacts of this development on Stevenage Road, which frequently flooded.

The following Members asked points of clarification:

- Councillor Val Bryant
- Councillor Nigel Mason

In response to points of clarification, Councillor Muncer advised that:

- An education assessment should be sought to determine whether action proposed by Hertfordshire County Council for Wymondley School was appropriate.
- A traffic emergency was declared by Wymondley Parish Council to draw attention to HGV congestion, road safety and road surface conditions and a fundamental restructuring of the roads in the parish was needed to mitigate vehicle movements.
- Wymondley School had seen 84 fewer forms of entry since 2015, and this trend would continue.
- Wymondley School would be put into a negative financial position in the medium to short-term if upgraded before more forms of entry were received.

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

- This development was on an allocated site in the Local Plan, and its Green Belt designation was removed in 2022.
- It was in a sustainable location within reach of services in Little Wymondley, Hitchin and Stevenage, and new residents would support facilities in the former.
- 40% affordable housing would support a wide variety of housing needs.
- A significant contribution would be made to the five-year housing land supply shortfall, and the objective of Policy WY1 in the Local Plan would be met.
- There had been extensive engagement over the last four years, and there were no outstanding objections from technical consultees on the application principles.
- The site was thoughtfully designed as there would be limited landscape impacts, and it would be subject to a final design condition.
- Three character areas influenced by design styles in Little Wymondley were proposed, and over half the site would be multifunctional open space.
- Noise from the A602 would be mitigated by an acoustic band.
- Increased traffic to nearby junctions had been agreed as acceptable by the Highways Authority and would be minimised by sustainable travel measures.
- Environmental Health had agreed that pollution levels were within tolerance.
- Pedestrian and cycle access would be provided to the site and was considered safe by the Highways Authority,
- Offsite improvements to pedestrian and cycle access along Sicut Road, Stevenage Road and to junction 8 of the A1(M) had been conditioned.
- S106 contributions included £900K to increase bus service provision, £3.87M to expand Wymondley School, and further amounts for other purposes.
- Flood risk management and discharge rates had been agreed by the LLFA.
- Land contamination management had been agreed and further surveys conditioned.

The following Members asked points of clarification:

- Councillor Clare Billing

- Councillor Jon Clayden
- Councillor Tom Tyson
- Councillor Mick Debenham
- Councillor Val Bryant

In response to points of clarification, Ms Martin-Moran advised that:

- Traffic movements were higher in 2015 when data was conducted, and the 2023 prediction was a worst-case scenario.
- Traffic data had not been used from the COVID-19 lockdown period.
- Access to Stevenage would be upgraded as this had been requested by the Highways Authority.
- New residents would contribute to demand for new facilities in Little Wymondley.
- S106 contributions were based on requests made by statutory consultees, and there would be flexibility to allocate these appropriately for facilities like a village hall.
- Priority had been given to retain vegetation at the site access.

In response to points made during the verbal presentations, the Principal Planning Officer (Major Sites) advised that:

- Financial contributions towards a village hall were referenced in the table at paragraph 5.16.4 of the report where contributions would be paid to the existing pavilion or a new community hub or hall onsite.
- Primary education contributions referenced in the same table would be spent on what the Education Authority would deem to be needed to mitigate the impact of the development and could be spent elsewhere rather than on Wymondley School.
- Paragraph 5.13 of the report detailed air quality and Condition 35 on the application detailed the Traffic Management Plan, which would address dust and other factors, and the Applicant would have to submit this to the Council in consultation with the Highways Authority for approval.
- There were an estimated 300 – 320 homes in Little Wymondley according to the 2011 census.

In response to points made during the verbal presentations, the Transport Policy and Projects Team Leader advised that:

- Traffic recorded in 2014-15 was above current levels as per Department for Transport counters, and the Applicant had used those figures with a 14.7% growth rate to produce the data. However, it was acknowledged that there had been zero or negative traffic growth in the area as confirmed by the 2023 figures and the Highways Authority was comfortable with the traffic data accuracy.
- 112 trips would come out of the development during the morning peak hour, which would increase vehicles on the A602 by less than 1%.
- Existing problems with the junction on Stevenage Road were acknowledged but the Applicant had demonstrated that the highways impact would not be severe.
- An upgrade of the A602 junction to a signalised junction might take place in the future but would not be funded by a financial contribution from this development as the Highways Authority had prioritised this towards an upgraded cycle route to Stevenage.
- A cycle route would be provided to Stevenage rather than Hitchin as it was anticipated that future residents would make more trips to the former, and it would form part of the wider Local Walking and Cycling Infrastructure Plan.
- Agreed developer financial contributions for bus services would increase provision on the number 80 bus route by 50%, which could provide half-hourly frequency at peak times, extended operating hours and a Sunday service, which would benefit existing villages and new development.

- The representation from St Ippolyts Parish Council detailed in the written update published with the supplementary documents had been misunderstood and traffic lights were proposed in the North Central Hertfordshire Growth and Transport Plan for the Stevenage Road-A602 junction rather than Blakemore End Road.
- The Highways Authority would consider and consult on the most appropriate upgrade for that junction once funding became available.

In response to points made during the verbal presentations, the Development and Conservation Manager advised that this was an allocated site in the Local Plan, and the principle of development was acceptable because of this.

Councillor Caroline McDonnell left the Council Chamber at 20:16.

Councillor Nigel Mason proposed to grant permission and this was seconded by Councillor Val Bryant.

The following Members took part in the debate:

- Councillor Tom Tyson
- Councillor Martin Prescott

The following points were made as part of the debate:

- Mitigations would be in place as the bus service would increase and the size of Wymondley School would not increase hugely.
- Despite the issues regarding unsustainability, there was not much choice except to grant permission for the application.
- Elements of this application were uncomfortable, such as doubling the size of the village but there were no legal grounds to refuse the application.

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

RESOLVED: That application 22/00956/OP be **GRANTED** planning permission subject to:

- A) The completion of a satisfactory legal agreement and the applicant agreeing to extend the statutory period in order to complete the agreement if required; and
- B) Providing delegated powers to the Development and Conservation Manager to (i) resolve outstanding matters including financial contributions and (ii) update conditions and informatives with minor amendments as required; and
- C) The conditions as set out in the report of the Development and Conservation Manager.

N.B. Following the conclusion of the item, there was a break in proceedings at 20:21 and the meeting reconvened at 20:41. During the break, Councillor Caroline McDonnell returned to the Chamber.

43 25/02885/OP LAND AT MILL LANE, LONDON ROAD, ST IPPOLYTS, HITCHIN, SG4 7NN

Audio recording – 01 hours 34 minutes 15 seconds

The Principal Planning Officer (Development Management) provided a verbal update on matters relating to Application 25/02885/OP and advised that:

- The written update published with the supplementary documents to the agenda contained details of contributions sought by Hertfordshire County Council Growth and Infrastructure Team, information on the project that sustainable transport contributions would support, 1 late neighbour representation and minor corrections to the report.
- A request from St Ippolyts Parish Council had been made for any sports pavilion contributions to be index linked to Building Cost Information Service (BCIS) Q1 2024.
- 49 responses had been received on the application, with 45 in objection and 2 being neutral, which superseded paragraph 3.21 of the report.
- None of the responses raised matters different to those already detailed in the report except for the response summarised in the written update.

The Principal Planning Officer (Development Management) then presented the report in respect of Application 25/02885/OP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Tom Tyson
- Councillor Claire Winchester
- Councillor Jon Clayden
- Councillor Caroline McDonnell
- Councillor Bryony May

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

- All sites in the Green Belt, including this one, were subject to a planning application measured against criteria in paragraph 155 of the National Planning Policy Framework (NPPF), and the 'Golden Rules' would need to be met for it to be acceptable.
- The western half of the site would be protected from future residential development by condition as public open space if permission was granted.

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

- The western part of the site would remain in the Green Belt as public open space.
- Details of how Mill Lane would be closed were unknown, but the Highways Authority had insisted that traffic should go through the development to London Road rather than via Mill Lane for highways safety reasons.
- Land could be classed as Grey Belt if it met the tests related to the purposes of the Green Belt and the additional tests at paragraph 155 of the NPPF.
- Existing development was on three sides of the eastern part of the site, which meant that it only made a moderate contribution to stopping urban sprawl and the site had been designated as Grey Belt as it had met all the other tests.
- Landscaping would be a consideration for the reserved matters application, but it also needed to demonstrate suitable mitigations to progress.
- Different site access options had been considered by the Highways Authority, and the proposal before them was the only option they were willing to support.
- A planning application for land to the south would need to be considered on its own merits and separate tests.

The Chair invited the first Public Objector, Mr Matt 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:

- The site was a rich, diverse piece of the Green Belt that residents had cherished for decades.
- A variety of wildlife and biodiversity were present, and the site had provided a vital amenity in lockdown for residents.
- The Green Belt was created to protect land such as this for nature and outdoor recreation purposes.
- The site restricted urban sprawl and prevented neighbouring settlements from merging and did not meet any exceptions at Paragraph 154 of the NPPF to allow development.
- St Ippolyts Parish Council, Campaign to Protect Rural England, Hitchin Forum, and the Council Green Belt Assessment Review Report all concluded that the site was in the Green Belt. Therefore, the view that the site was Grey Belt was subjective.

There were no points of clarification from Members.

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

- Mill Lane was a narrow, unlit access road with no footpath.
- New developments in the area such as this would change the use of Mill Lane and additional vehicles would conflict with pedestrians, cyclists and horse riders.
- Mill Lane had come to a standstill when London Road was closed in January.
- Removing the site access from Mill Lane would significantly improve safety and the current design was the least safe option available.
- The assessment of the Highways Authority was flawed as it had been based on assumptions that Mill Lane was an access road, had ignored pedestrian movements, lacked real world observation and omitted a road safety audit.
- There were no mitigations for traffic directly flowing through Mill Lane, and paragraph 115 of the NPPF stated that development should be refused on highways grounds if there was an unacceptable impact.
- Elderly pedestrians would be put at increased risk, and the application should be refused or deferred until a full safety assessment had been conducted on Mill Lane and mitigations were in place.

There were no points of clarification from Members.

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

- The site was not in the Local Plan.
- The LUC Green Belt Assessment concluded that the land made a strong contribution to Purpose A of the Green Belt assessment, but this had been disregarded.
- Development on three sides of the site was not sufficient justification for its designation as Grey Belt.
- The site was not on the urban edge of Hitchin as detailed in the report and the application should not have been assessed on this basis.
- The land made a strong contribution to Purpose A of the Green Belt assessment as it was open countryside with mature trees and would result in a finger of development in the Green Belt buffer separating St Ippolyts from Hitchin.

- The Pound Farm development had extended Hitchin to the south but there was no justification for approving successive development because of this.
- 23 trees would be removed, including those under a Tree Preservation Order (TPO), and this would impact the character and heritage of the area.

There were no points of clarification from Members.

The Chair thanked Ms Matthews 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:

- It was clear that this application was inappropriate development on important Green Belt land.
- This piece of land protected both St Ippolyts and Gosmore from urban sprawl resulting from development in Hitchin.
- Pressure on infrastructure in St Ippolyts would be increased with little to offset it.
- Significant congestion on London Road and the Three Moor Hens roundabout would be compounded.
- Granting permission for this application would set a worrying precedent for all land in the Green Belt.
- The best way to protect this land and the rural character of the area would be to refuse permission for the application.
- Nothing would stop a developer from submitting a planning application for the western part of the site in the future if permission was granted.

There were no points of clarification from Members.

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

- Delivery of 41 homes in a sustainable location, including 50% affordable housing would make a significant contribution to the housing shortfall in North Herts.
- Redirection of traffic through the site away from the Mill Lane-London Road junction would create a safer route and connectivity benefit.
- Significant public open space areas would be provided.
- A minimum 10% Biodiversity Net Gain (BNG) would enhance the local habitat.
- There had been no heritage objections to the application, and they agreed with the land designation as Green Belt and that the 'Golden Rules' had been satisfied.
- The site represented just 3% of the HS7 site and should be considered on its own merits rather than being judged in the context of a larger area.
- All Category A trees onsite would be retained as the development had been designed around them, and all lower quality trees that needed removing would be replanted.
- The tilted balance was applied to the application as the Council could not demonstrate a five-year housing land supply as detailed in paragraph 11 of the NPPF.
- Built form had been removed from the western part of the site and that area would form part of the BNG Management Plan for the site.

The following Members asked points of clarification:

- Councillor Jon Clayden
- Councillor Caroline McDonnell
- Councillor Claire Winchester

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

- It would not be possible to deliver 10% BNG onsite as the baseline was high, and delivering this would compromise benefits such as public access to the western part of the site.
- They had not yet agreed where biodiversity credits would be purchased, but this would be up to the Council and the landowner on the proximity of these.
- A viability report had not been carried out on the 50% affordable housing, but the Heads of Terms and financial contributions had been set out.
- Heritage impacts had prevented them from putting site access further south.

In response to points of clarification, the Development and Conservation Manager advised that it would not be possible for the developer to put forward a viability case to reduce the 50% affordable housing as it was neither a brownfield nor a complex or multi-phased site.

In response to points of clarification, the Principal Planning Officer (Development Management) advised that negative onsite BNG could not be used as a reason to refuse the application as conditions required the 10% BNG to be met either on or offsite, including a Habitat Monitoring and Management Plan as detailed by Condition 1 in the report.

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

The following Members took part in the debate:

- Councillor Martin Prescott
- Councillor Claire Winchester
- Councillor Jon Clayden
- Councillor Val Bryant
- Councillor Caroline McDonnell
- Councillor Clare Billing
- Councillor Emma Fernandes
- Councillor Nigel Mason
- Councillor Ian Mantle

The following points were made as part of the debate:

- The land was part of the Green Belt as detailed by the LCU Green Belt Assessment and its value had been highlighted by residents.
- The designation of part of the land as Grey Belt was subjective.
- 4 trees had recently been put under a TPO, and they should not be destroyed for the sake of housing delivery.
- Favour was given to development at the right place and time, but the benefits from this development were too marginal to lose the valuable, natural landscape.
- This application was inconsistent with the climate and biodiversity emergencies declared by the Council as it was only viable through the demolition of 23 trees.
- The site provided vital housing delivery with 50% of that being affordable, but the loss of trees and valuable landscape preventing urban sprawl was too great to grant permission.
- The Grey Belt tests had been met, so the designation was not subjective.
- Development volume in the rural setting of Mill Lane was concerning.
- This land was important as it provided a buffer between Hitchin and St Ippolyts and was valuable when considering other development in the area.
- The land made up just 3% of the HS7 site and was surrounded by development on three sides.
- The western part of the site would safeguard open space from further development.

- While there were harms from the regrettable loss of trees, this did not substantially outweigh the benefit delivered by 41 homes.
- There had been evidence of traffic problems when Mill Lane had been used as an alternative route to London Road and it would be difficult to mitigate increased numbers of cyclists or pedestrians on Mill Lane without changing its character.

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

RESOLVED: That application 22/00956/OP be **GRANTED** planning permission subject to:

- A) Providing delegated powers to the Development and Conservation Manager to agree the outstanding S106 Heads of Terms related to the sports pavilion, and any other minor changes to conditions and informatives as required; and
- B) The completion of the S106 Legal Agreement and any necessary extension of time taken to complete this; and
- C) The conditions and informatives as set out in the report of the Development and Conservation Manager, with amendments to Conditions 7, 12 and 20, as follows:

'Condition 7

No development shall take place (including ground works or vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) should be informed by the November 2025 Ecological Impact Assessment and include the following:

- a) *Risk assessment of potentially damaging construction activities.*
- b) *Identification of "biodiversity protection zones".*
- c) *Practical measures to avoid or reduce impacts during construction.*
- d) *The location and timing of sensitive works to harm to biodiversity features.*
- e) *Use of protective fences, exclusion barriers and warning signs.*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To protect wildlife and biodiversity. LP Policy NE4.

Condition 12

Parking / Internal roads / Turning areas:

The detailed plans should be submitted in connection with approval of reserved matters application which shall show to the satisfaction of the Local Planning Authority:

- *The details of all hard surfaced areas within the site. This includes, but is not limited to, all roads, footways, forecourts, driveways, parking and turning areas, and foul and surface water drainage.*
- *The level of footway and carriageway visibility from each individual vehicle access, and the level of visibility from and around each main junction within the site, within which there shall be no obstruction to visibility between 600mm and 2m above the carriageway level.*
- *That service vehicles, including refuse and emergency vehicles, can safely and conveniently access and route through the site, to include the provision of sufficient turning and operating areas.*
- *The provision of sufficient facilities for cycle storage.*

All these features shall be provided before first occupation and maintained in perpetuity.

Reason: To provide adequate visibility for drivers within the site, to promote alternative modes of travel, and for the overall free and safe flow of all site users.

Condition 20

No residential development shall be more than two storey in height.

Reason: To ensure that the new development is in keeping with local context. LP Policy D1.'

44 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 02 hours 52 minutes 47 seconds

Councillor Nigel Mason proposed and Councillor Jon Clayden seconded and, following a vote, it was:

RESOLVED: That under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting on the grounds that the following report will involve the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the said Act (as amended).

45 PART 2 MINUTES - 21 NOVEMBER 2024, 3 APRIL 2025 AND 21 APRIL 2026

N.B. This item was considered in restricted session and therefore no recording was available.

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

RESOLVED: That the Part 2 Minutes of the meetings held on 21 November 2024, 3 April 2025 and 21 April 2026 be approved as a true record of the proceedings and signed by the Chair.

46 APPEALS

Audio recording – 02 hours 57 minutes 25 seconds

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

- One appeal had been lodged on an application for a detached dwelling in Ickleford, which would be decided by written representations.
- Two appeals had been allowed, one due to a disputed condition and the other due to a certificate of lawful use.
- An enforcement decision relating to The George, Baldock would be reported on at the next meeting.

The meeting closed at 10.06 pm

Chair

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<u>Location:</u>	Land West Of Tuthill House Kelshall Tops Therfield Hertfordshire SG8 9PT
<u>Applicant:</u>	Mr. Richard Parry
<u>Proposal:</u>	Variation of condition 2 (revised plans) of planning permission 24/02606/FP granted 31.07.2025 for erection of three detached dwellings (1 x 3-bed, 1 x 4-bed and 1 x 5-bed) and with associated infrastructure and landscaping.
<u>Ref. No:</u>	26/01416/S73
<u>Officer:</u>	Anne McDonald

Date of expiry of statutory period : 06.08.2026

Reason for Delay (if applicable)

Reason for Referral to Committee (if applicable)

Submitted Plan Nos

1549B-THSYD-SCN-XX-XX-DR-A-01.001-A3-PL01 - Site Location Plan 1549B-THSYD-SCN-XX-XX-DR-A-01.002-A3-PL02 - Proposed Site Layout Plan 1549B-THSYD-SCN-XX-XX-DR-A-20.010-A3-PL02 - Proposed Streetscene 1549B-THSYD-SCN-HT1-XX-DR-A-10.001-A3-PL01 - Proposed Plot 1 Ground and First Floor Elevations 1549B-THSYD-SCN-HT2-XX-DR-A-10.001-A3-PL01 - Proposed Plot 2 Proposed Ground and First Floor Plan 1549B-THSYD-SCN-HT3-XX-DR-A-20.001-A3-PL01 - Proposed Plot 3 Proposed Ground and First Floor and Ele

1.0 Policies

1.1 Target Determination date: 6th August 2026

1.2 Extension of time date: 30th September 2026

1.3 Reason for delay

1.3.1 Committee timetable and application load.

1.4 Reason for referral to committee

1.4.1 The application site area at just over 0.5ha requires that this planning application for residential development must be determined by the Planning Control Committee under the Council's constitution and scheme of delegation.

1.5 Supporting documents

Plans

1. -DR-A-01.001-A3-PL01 – site location plan;
2. -DR-A-20.010-A3-PL02 – proposed street scenes;
3. -DR-A-10.001-A3-PL01 – proposed plot 1;
4. -DR-A-10.001-A3-PL01 – proposed plot 2;
5. -DR-A-20.001-A3-PL01 – proposed plot 3;
6. -DR-A-01.002-A3-PL02 – proposed site layout.

Supporting documents

1. Validity Statement.

1.6 Policies

1.6.1 National Planning Policy Framework August 2026:

1. Section 3 – Decision-making policies
2. Section 6 - Delivering a sufficient supply of new homes
 - ☐ HO7: Meeting the need for homes
3. Section 12 – Making effective use of land.
 - ☐ L2: Making effective use of land
 - ☐ L3: Achieving appropriate densities
4. Section 14 – Achieving well designed places.
 - ☐ DP3: Key principles for well-designed places
 - ☐ DP4: The design process
5. Section 15 – Promoting sustainable transport
 - ☐ TR3: Locating development in sustainable locations
 - ☐ TR4: Street design, access and parking
6. Section 17 – Pollution, public protection and security
 - ☐ P2: Ground conditions
 - ☐ Living conditions and pollution
7. Section 19 – Conserving and enhancing the natural environment
 - ☐ N2: Improving the natural environment
 - ☐ N3: Trees in new development
8. Section 20 – Conserving and enhancing the historic environment.
 - ☐ HE5: Assessing effects on heritage assets
 - ☐ HE6: Proposals affecting designated heritage assets

1.6.2 North Hertfordshire Local Plan 2011 - 2031

Strategic Policies:

1. SP1 - Sustainable development in North Hertfordshire.
2. SP2 - Settlement Hierarchy.
3. SP5 – Countryside and Green Belt.
4. SP6 – Sustainable Transport.
5. SP8 – Housing.
6. SP9 - Design and Sustainability.

7. SP11 - Natural resources and sustainability.
8. SP12 - Green infrastructure, biodiversity and landscape.
9. SP13 - Historic Environment.

Development Management Policies:

1. CGB1 – Rural areas beyond the Green Belt.
2. T1 - Assessment of transport matters.
3. T2 – Parking.
4. HS3 - Housing mix.
5. D1 - Sustainable design.
6. D3 - Protecting living conditions.
7. NE1 – Landscape.
8. NE4 – Biodiversity and geological sites.
9. NE7 - Reducing flood risk;
10. NE8 - Sustainable drainage systems.
11. NE11 – Contaminated Land.
12. HE1- Designated Heritage Assets.
13. HE4 -Archaeology.

Neighbourhood Plan

- 1.7 There is no neighbourhood plan for Therfield.

- 1.8 Supplementary Planning Documents:

1. Vehicle Parking at New Development Supplementary Planning Document (Sept 2011);
2. Design Supplementary Planning Document (July 2011);
3. Design Code (June 2026).

- 2.0 **Site History**

- 2.1 This site has a complex planning history summarised below.
- 2.2 92/00143/1 – application to use the land for open storage of agricultural vehicles and as operating depot for 4 HGV. This was approved subject to a S106 agreement.
- 2.3 93/00543/1TD - application for a 15m telecommunications mast was accepted as permitted development subject to an amendment to the S106 agreement.
- 2.4 93/01303/1 - application for a small storage building approved.
- 2.5 05/00355/1 - application for use of site for storage and distribution of building materials. Refused at the Royston and District Area Committee on 21 April 2005.
- 2.6 18/02846/S106A - application to vary/remove the S106 agreement was submitted in 2018 but subsequently withdrawn.
- 2.7 20/00118/OP - outline planning application for 18 dwellings. Refused at the meeting of the Planning Control Committee held on 16 July 2020.
- 2.8 20/00117/OP - outline planning for a 6 dwellings. Refused at the meeting of the Planning Control Committee held on 16 July 2020.

- 2.9 20/03071/FP – application for 3 dwellings. Withdrawn 23.03.21.
- 2.10 21/01349/FP - application for 3 dwellings. Withdrawn 06.01.22.
- 2.11 21/03533/FP – application for 3 dwellings. Refused on 13.02.23 and subsequently appealed and dismissed at appeal. The decision letter for this appeal is attached at Appendix 1.
- 2.12 24/01986/FP – application for 3 dwellings. Application was found to be invalid and was not proceeded with.
- 2.13 24/02606/FP – application for 3 dwellings. Conditional permission 31.07.25.

The documentation from the meeting at which the above application was approved is available here: [Agenda for Planning Control Committee on Thursday, 3rd April, 2025, 7.00 pm | North Herts Council](#)

3.0 **Representations**

- 3.1 **HCC Historic Advisor** – no objection subject to conditions.
- 3.2 **HCC Highways** – No objections subject to conditions.
- 3.3 **Historic England** – no comment.
- 3.4 **NHDC Ecology Officer** – no objection subject to BNG conditions.
- 3.5 **NHDC Environmental Health** – no objection.
- 3.6 **Therfield Parish Council** – no response at time of writing.
- 3.7 The application has been advertised with neighbour notification letters and a site notice. Two objections have been received. Key points are:
 - 1. The development is outside of the village borders, opening up further possible development and thus ruining the village.
 - 2. The application is invalid as notice has not been given to the freehold owner of the land within the application site beyond the northern boundary of title HD307468.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site comprises an enclosed and gated area of land which is largely down to concrete hardstanding. The site occupies a position on the south side of the Kelshall Road, on the part of the road forming a ridge (hence the road name Kelshall Tops) and the site has a slightly elevated land level in comparison to the lane with a belt of trees running along the boundary with lane.

4.2 Proposal

4.2.1 This is a S.73 application seeking to vary planning permission 24/02606/FP (the parent permission) by way of making some minor changes to the external design of the three houses. Whilst the application is in effect a new planning application proposing three detached dwellings, the proposed changes between the approved parent application and this proposed S73 application are:

1. On the east side elevation of plot 1, two rooflights are being changed to two through eaves small dormer windows.
2. On the rear elevation of plot 2, two rooflights are being changed to two through eaves small dormer windows.
3. On plot 3, two rooflights are being added to the front roof slope, one rooflight is being removed from the rear roof slope and a single storey rear extension is being added.
4. Brown timber garage doors are being added to enclose the open car ports for each dwelling.
5. Removal of the access point to the Public Right of Way on the east side boundary.

4.3 Key Issues

4.3.1 The report for application 24/02606/FP is attached as Appendix 1 for the meeting of this committee on 3 April 2025 and discusses the principle of development and the planning history for the site, sustainability, layout and design, residential amenity, heritage considerations, parking, highways, public rights of way, BNG and landscaping. These matters are not changed in this proposal and do not need to be repeated in this report.

Design

4.3.2 Regarding the amendments proposed by this S73 application, there is no objection to the change in two rooflights to two small dormer windows for plots 1 and 2. This is to allow fire access from the first floor of these homes to comply with Building Regulations.

4.3.3 There is also no objection to the changes to plot 3. The single storey rear extension would be 4.7m deep by 11.7m wide and allow for the house to comprise of a hallway with W.C, a study, lounge, utility and open plan kitchen, dining and family room at ground floor. At first floor level there would be three double en-suite bedrooms. The changes to the roof with the alterations to the rooflights would not have a material visual impact on the property. Due to the siting of the house on the west side of the site, the rear extension would not have an adverse impact on the neighbouring plots.

4.3.4 There is no objection to the timber garage doors. Each house would have a double garage and at least two on plot parking spaces. Even if the garages end up being used for storage, there is ample parking for the dwellings and visitors. The addition of the garage doors would deliver unity across the development, which may not be achieved if individual homeowners added garage doors in the future.

4.3.5 There is no objection to any of these changes in design terms, and these changes are considered to comply with Local Plan Policies D1 and D3 and NPPF Policy DP3.

Access

- 4.3.6 This application is showing the removal of the access from the east side boundary on to the public right of way running adjacent to the east side of the site. The owner of this land has commented that trees and hedgerow would need to be removed to allow the access point which they as landowner object to. There is no objection to the loss of the connection point as the site area is not a large major housing development where a pedestrian connection point is a Local Plan Policy requirement. The main vehicular access with the lane is not changed or affected by this change, and the loss of this footpath link is not considered to negatively impact the proposal.

Validity

- 4.3.7 The validity of the application has been challenged by a neighbour. The applicant has provided a legal statement setting out why they consider the application to be valid, to which officers agree. It is for the Local Planning Authority to determine whether a planning application is valid and the application is considered to be valid and is able to be determined.

Planning Obligation and S73 application

- 4.3.8 There is a completed legal agreement for the parent application which is to protect the BNG area for 30 years. This document makes provision for a S73 application to be determined and for the legal agreement to still apply. Therefore, no amendment or Deed of Variation for the completed S106 Agreement is required.

4.4 Conclusion

- 4.4.1 There is no objection to these minor changes and the application is recommended for conditional permission. The wording of the conditions has been amended to reflect the discharge of condition applications that have been submitted.

4.5 Alternative Options

- 4.5.1 None applicable

4.6 Pre-Commencement Conditions

- 4.6.1 I can confirm that the applicant agrees with the pre-commencement conditions that are proposed. The wording to condition 9 has been amended to pre-occupation rather than pre-construction, as requested by the applicant due to the time taken to achieve completed S278 Agreements with HCC. This is not considered to be a material change to the outcome of the condition, as it will still ensure that the highways works are achieved before the site is occupied.

5.0 Legal Implications

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

6.0 **Recommendation**

6.1 That planning permission be **GRANTED** subject to the recommended conditions and informatives.

Appendix 1 – report for application 24/02606/FP.

1. The development hereby permitted shall be begun before the expiration of 3 years from the grant of planning permission 24/02606/FP.

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. The external materials shall be in accordance with the details to be agreed by application 26/01236/DOC unless otherwise agreed in writing.

The wording of the condition to be agreed by application 26/1236/DOC is:

Precise details or actual samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

4. The hard and soft landscaping shall be in accordance with the details to be agreed by application 26/01237/DOC unless otherwise agreed in writing.

The wording of the condition to be agreed by application 26/1237/DOC is:

Prior to the commencement of the development hereby permitted full details of a comprehensive hard and soft landscaping, planting scheme and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.

All approved hard standing shall be completed prior to the first occupation of the development and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

The approved soft landscaping / planting details shall be carried out before the end of the first planting season following either the 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 ensure that the full landscaping scheme set out in the application is improved and implemented in full in a timely manner in the interests of phasing and to ensure the development is comprehensively landscaped in the interests of visual amenity. Local Plan Policies D1 and N2

5. The removal of the hardstanding shall be in accordance with the details to be agreed by application 26/01240/DOC unless otherwise agreed in writing.

The wording of the condition to be agreed by application 26/1240/DOC is:

Prior to the commencement of the development hereby permitted a full management plan and method statement (including a timetable for the works) to achieve the break up and safe and sustainable disposal of the concrete apron on the site shall be submitted to and approved in writing by the Local Planning Authority, Such works shall thereafter be carried out in complete accordance with the approved details or particulars unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the correct phasing of the development and to enable a comprehensive soft landscaping plan to be delivered on this site in association with the development hereby permitted. Local Plan Policy NE2

6. In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with BS10175:2011. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

7. No gates shall be provided across the access to the site.

Reason: In the interests of local visual amenity and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, AA, B, C and E of Part 1 (and any further new class that may be introduced by way of an update) of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area and to comply with Policy D1 and/or Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

9. Prior to the first occupation of the first dwellinghouse of the development hereby permitted, additional plans must be submitted and approved in written by the Local Planning Authority in consultation with the Highway Authority for modification to the existing vehicular access as indicated on the drawing number (RefTHSYD-SCN-XX-XX-DR-A01. 002.A3, Rev PL02).

Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

10. The visibility splays shall be in accordance with the details to be agreed by application 26/01241/DOC unless otherwise agreed in writing.

The wording of the condition to be agreed by application 26/1241/DOC is:

No dwelling hereby permitted shall be occupied until the vehicle to vehicle intervisibility splays of 2.4 metres by x 57 metres to the eastern direction and 2.4 metres by x 59 metres to the western direction shall be provided and permanently maintained as shown on the drawing (Ref-1549B-THSYD-SCN-XX-XX-DR-A-01.002-A3-PL02). Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan

11. The gradient of the main access from the adjacent Kelshall Road shall not exceed 1 in 20 for the first 12 metres from the edge of the carriageway into the site as measured from the near channel edge of the adjacent carriageway.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

12. Before first use of the development, all onsite parking areas as shown on the drawing (Ref-1549B-THSYD-SCN-XX-XX-DR-A-01.002-A3-PL02) shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimize danger, obstruction, and inconvenience to users of the highway and of the premises.

13. The development shall be in accordance with the details to be agreed in the Construction Traffic Management Plan to be agreed by application 26/01243/DOC unless otherwise agreed in writing.

The wording of the condition to be agreed by application 26/1243/DOC is:

No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- o Construction vehicle numbers, type, routing.
- o Traffic management requirements.
- o Construction and storage compounds (including areas designated for car parking);
- o Siting and details of wheel washing facilities.
- o Cleaning of site entrances, site tracks and the adjacent public highway.
- o Timing of construction activities to avoid school pick up/drop off times.
- o Provision of sufficient on-site parking prior to commencement of construction activities.
- o Post construction cleanness.

Reason: In the interests of highway safety and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

14. Prior to the commencement of the development, a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- a) The demolition construction programme and phasing
- b) Hours of operation, delivery and storage of materials
- c) Control of dust and dirt arising from demolition and construction
- d) Waste management proposals
- e) Mechanisms to deal with environmental impacts such as noise, air quality, light and odour during construction.

Reason: In the interests of environmental impacts and local amenity. Local Plan Policy D3

15. A) No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as required by the evaluation results
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation

B) The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)

C) The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

Reason: To comply with the provisions of Local Plan Policy HE4.

16. The sustainability measures shall be in accordance with the details to be agreed by application 26/01244/DOC unless otherwise agreed in writing.

The wording of the condition to be agreed by application 26/1244/DOC is:

Prior to the commencement of development, a site-wide sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation. The approved measures must be implemented on site for each dwelling hereby approved prior to its first occupation.

Reason: To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with Policies SP9 and D1 of the North Hertfordshire Local Plan 2011 to 2031

17. The roofs of all three buildings shall be constructed with exposed rafter feet (open eaves) unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to the character and appearance of the area and to the setting of Tuthill Manor under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031

18. All windows/external doors/glazed screen framing shall be manufactured in timber and the windows shall receive flush as opposed to stormproof casements unless otherwise agreed and approved in writing by the Local Planning Authority. Added as condition 19.

Reason: To ensure that special regard is paid to the character and appearance of the area and to the setting of Tuthill Manor under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031.

19. All rainwater goods are to be cast-iron effect (i.e. Floplast, Brett Martin, Lee Jones products).

Reason: To ensure that special regard is paid to the character and appearance of the area and to the setting of Tuthill Manor under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process 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.



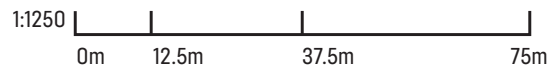
Stage 3:
Planning Application

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NORTH



Tuthill's Yard

Client Name **Rockwell Homes Ltd.**
Address **Tuthill's Yard,
Therfield,
Royston,
SG8 9TT**

// Site Location Plan

Drawn By **OBL** Checked By **BKM**
Scale **1:1250 @ A4** Date **29/05/26**
Scene Ref. **1549B** Rev no. **PL01**
Dwg no. **THSYD-SCN-XX-XX-DR-A-01.001-A3**

PL01	Original Issue	OBL	29.05.26
Rev	Description	Initials	Date



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<u>Location:</u>	The Barn Great North Road Radwell Baldock Herts SG7 5EN
<u>Applicant:</u>	Mr Martin Carey
<u>Proposal:</u>	Erection of detached industrial storage building following demolition of two existing industrial storage buildings and installation of external lighting and increase in material storage height to 6.0m. (Development has commenced).
<u>Ref. No:</u>	25/03197/FP
<u>Officer:</u>	Henry Thomas

Date of expiry of statutory period: 20/04/2025

Extension of statutory period: 18/09/2026

Reason for Delay: Requesting further details and awaiting an available committee meeting.

Reason for Referral to Committee: The site area exceeds 1 hectare therefore this is an application that should be considered by this Committee under relevant provisions of the Constitution.

1.0 **Site History**

1.1 21/03160/FP - Use of site for open storage (use class - B8 (storage and distribution)) including installation of hardstanding, associated landscaping and infrastructure.
Conditional Permission.

1.2 19/01077/FP - Erection of detached storage building
Conditional Permission.

1.3 24/00736/FP - Installation of EV charging zones, including the erection of sub-station enclosure, LV panel, meter cabinet and associated works.
Withdrawn.

- 1.4 16/02937/1 - Detached storage building to store rolls of artificial grass.
Conditional Permission.
- 1.5 16/02690/1 - Retention of change of use from class B8 to proposed obstacle race training centre,(including portacabin, portaloos and approx. 20 obstacles (trenches, tunnels, tyres etc.) and parking for 20 vehicles.
Conditional Permission.
- 1.6 15/00479/1 - Change of use from class B8 to proposed obstacle race training centre,(including portacabin, portaloos and approx. 20 obstacles (trenches, tunnels, tyres etc.))
Conditional Permission.
- 1.7 07/01813/1 - Retention of detached single storey office buildings. Single storey extension to warehouse and detached stable building (as amended by plans received 16/10/2007)
Conditional Permission.
- 1.8 95/01246/1 - Change of use; from agricultural to Class B2 (General Industrial), alterations to the elevations and car parking facility.
Conditional Permission.

2.0 **Policies**

2.1 **North Hertfordshire District Local Plan 2011 – 2031**

Spatial Strategy and Strategic Policies

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP6: Sustainable transport

Policy SP9: Design and sustainability

Policy SP10: Healthy communities

Policy SP11: Natural resources and sustainability

Policy SP12: Green infrastructure, biodiversity and landscape

Development Management Policies

Policy ETC2: Employment development outside Employment Areas

Policy T1: Assessment of transport matters

Policy T2: Parking

Policy D1: Sustainable design

Policy D3: Protecting living conditions

Policy D4: Air quality

2.2 **Supplementary Planning Documents**

Design SPD

Sustainability SPD

2.3 **National Planning Policy Framework (2023)**

Chapter 4: Achieving sustainable development

Chapter 5: Meeting the challenge of climate change.

Chapter 7: Building a strong, effective economy.

Chapter 12: Making effective use of land

Chapter 14: Achieving well-designed places
Chapter 17: Pollution, public protection and security
Chapter 19: Conserving and enhancing the natural environment

3.0 **Representations**

3.1 **Site Notice and Neighbour Notification** – 55 representations have been received, 54 in objection and one neutral comment. Their comments are summarised as:

- Light pollution / harm to neighbour amenity.
- Harm to street scene / Visual impact
- Harm to road users / Highways safety
- Harm to ecology
- Landscaping from original permission not carried out
- Objection to large amounts of hardstanding
- Excessive height and lighting.

3.2 **Natural England** – No objection.

3.3 **HCC Highways** – No objection.

3.4 **Caldecote and Newnham Parish Council & Radwell Parish Meeting**– Objection.

“As evidenced above we believe that planning permission 21/03160/FP was never lawfully implemented and therefore should be treated as both breached and lapsed for the reasons provided... The original permission set the precedent for development scale and massing that should not be exceeding and such should be scaled back to this original position.”

3.5 **NHC Ecology** – Requesting further clarification.

3.6 **National Highways** – No objection

3.7 **NHC Environmental Health** – No objection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is a roughly tri-angular shaped area of land lying to the east of the A1M southbound carriageway, south of the spur road link to the Baldock Services and west of the Great North Road and as a result has an island position surrounded by the road network. The site area is 23120.00 sqm (2.32 ha). The existing vehicle access is on its southern boundary linking onto the Great North Road. The site consists of predominantly hardstanding and is set back from the highway by an existing belt of vegetation / landscaping. The site is currently in use for the storage of materials which are stacked more than 2m in height.

4.2 Proposal

- 4.2.1 Planning permission is sought for the erection of a detached industrial storage building following demolition of two existing industrial storage buildings and installation of external lighting and increase in material storage height to 6.0m. (Development has commenced) at this established site.
- 4.2.2 The replacement storage building would be approximately 43.1m by 18.6m with a dual-pitched roof, 7m to eaves and 9.3m to ridge. The floor space would be approx. 753.6sqm (38.5sqm larger than existing) with be a steel-framed structure clad in juniper green box-profile steel sheeting
- 4.2.3 The lighting consists of 9 x 13m high poles, and one 30m high pole.

4.3 Key Issues

- 4.3.1 The key issues for consideration are as follows:
- The principle of the proposed 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 the Proposed Development, Design and Appearance

- 4.3.2 The application site falls outside of any settlement boundary within an area designated as Rural Area Beyond the Green Belt where there is a presumption against new development. Policy CGB1 outlines exceptions this:

“In the Rural Areas beyond the Green Belt, as shown on the Policies Map, planning permission will be granted provided that the development:

- a) Is infilling development which does not extend the built core of a Category B village;*
- b) Meets a proven local need for community facilities, services or affordable housing in an appropriate location;*
- c) Is strictly necessary for the needs of agriculture or forestry;*
- d) Relates to an existing rural building;*
- e) Is a modest proposal for rural economic development or diversification; or*
- f) Would provide land or facilities for outdoor sport, outdoor recreation and cemeteries that respect the generally open nature of the rural area.”*

- 4.3.3 As the proposed development would relate to an existing rural building, Policy CGB4 provides further guidance:

“Planning permission for the re-use, replacement or extension of buildings in the Rural Area beyond the Green Belt will be granted provided that:

b) Any existing building to be converted for re-use does not require major extension or reconstruction;

c) The resultant building(s) do not have a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt than the original building(s); and

d) Any outbuilding(s) are sited as close as possible to the main building(s) and visually subordinate to them.”

- 4.3.4 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings and places (Chapter 14 – Achieving well-designed places). Policy DP3 of the NPPF states that *“Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings”*. In this regard, Policy D1 of the North Hertfordshire Local Plan is consistent with the objectives set out within the NPPF.
- 4.3.5 The resultant building would be larger than the existing buildings combined, although in terms of floorspace gain this would be modest. However, the resultant building would be substantially taller and bulkier than the existing buildings. It would be located close to the side/rear boundary of the site where it would have some visibility to highway users. It is noted that the proposed juniper green box sheeting would help minimise its visual contrast against the treelines and is a common material and colour for other industrial barns within rural settings. However, the excessive height and scale would result in a dominant form of development which would visually harm the rural, verdant character of the A507 and A1M junction.
- 4.3.5 In addition to this, the proposed 30m pole would further contribute to the loss of the rural character. At 30m tall, it is visibly apparent from a distance. The post-top lantern or luminaire atop the 30m high pole is very visible for Highway users on the A1M, Great North Road and the village of Radwell to the south, more so when it is illuminated during the winter months. Due to its excessive height, the 30m lighting pole contributes to the further departure from the local rural character.
- 4.3.6 With regards to the 9m poles, these have a similar height and design to the streetlights that can be seen along the Baldock Services roundabout. Although there are no streetlights alongside where they would be placed, I consider that their modest height and scale would not result in any significant harm to the local rural character.
- 4.3.7 With regards to the increased storage height, the bulk of the storage is sufficiently set back from the highway and has limited visibility. Only the stacked units along the boundary would have an impact upon the local character. Although the site has some screening from the tree line, there is significantly more visibility during the winter months when deciduous trees are not in leaf. Given that the proposal seeks to raise this height to 6m which would

sit substantially above the tree line. This would result in further visual harm to the rural character of the highway.

- 4.3.8 The proposed development would inherently have a greater impact on the openness and rural character and appearance of the area, and the general purposes of the Rural Area beyond the Green Belt. Therefore, the proposal does not comply with Policies D1, CGB1 and CGB4 of the Local Plan and substantial weight is attributed to this harm.

Impact on Neighbouring Amenity:

- 4.3.9 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the Local Plan.
- 4.3.10 Environmental Health has not raised any objections to the proposed light output of the floodlights. In my view, whilst I find them unacceptable in design terms of the visual appearance of the site. They would not directly harm the amenity of any neighbouring occupiers.
- 4.3.11 The proposed development would, on balance, not result in any unacceptable overbearing impact or loss of light or privacy to other nearby neighbouring occupiers and neutral weight is therefore attributed to this matter.

Impact on Parking and Highways:

- 4.3.12 HCC Highways and National Highways have not raised any objections to the proposed scheme. The proposed luminance would not affect highway users from a highway safety perspective. The continued use of the business is not considered to impact highway safety. The proposal complies with Policies T1 and T2 of the Local Plan, and Chapter 15 of the NPPF, and neutral weight is given to the absence of harm.

Environmental Matters

- 4.3.13 North Herts Council's Ecologist has not formally objected to the scheme and has recommended a condition for an EPS license. They have requested further details which will be addressed within an addendum to the committee report. Should a resolution to grant be made by the committee, a suitable hours of operation condition could be agreed by the ecology officer.
- 4.3.14 The proposed development, by virtue of its scale in general terms together on an industrial site would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Chapter 19 of the NPPF. Therefore, neutral weight is attributed to this matter.

Biodiversity Net Gain

- 4.3.15 The existing site is predominantly hardstanding with limited existing habitat space, as such the proposed development is 'de minimis' and would not exceed the threshold of 25 sqm of on-site habitat, or and/ less than 5 meters of linear habitats. This application is

therefore exempt from BNG legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Sustainability and Business Case:

- 4.3.16 The NPPF sets out in chapter 4 that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 17 confirms that there are three overarching objectives to sustainable development: economic, social, and environmental, which are interdependent and need to be pursued in mutually supportive ways.
- 4.3.17 The proposed development would support the growth of the existing business on site in line with Local Plan Policy ETC2. As such. The applicant has put forward the justification that the proposed development is required to support the continued use of the site which provides 30 full-time jobs, although limited detail has been provided.
- 4.3.18 NPPF Policy E3 supports development proposals for Freight and Logistics where they have:
- a. *Have good access to transport networks (including via sustainable transport modes where possible) appropriate to the type of development;*
 - b. *Be sited and designed to limit environmental impacts (such as through the colocation or intensification of facilities to limit vehicle movements, provision of electric vehicle charging infrastructure and sensitive building design and landscaping). The impact on local residents or other neighbouring uses should be acceptable, taking into account proposed mitigation, especially where night-time operations will be required; and*
 - c. *Provide sufficient and secure parking for lorries or other vehicles to cater for the anticipated use, in accordance with policy TR4(1)(e).*
- 4.3.19 Significant weight is given to the economic benefits arising from the retention of 30 jobs, albeit it is unclear that the development is necessary in the existing and proposed form to retain those jobs.

Other Matters

- 4.3.20 With regard to the neighbour and parish council comments regarding to breaches of condition. The current application is a retrospective application which seeks to address these issues. Should this application be refused, North Herts Council's enforcement team will reopen an enforcement case file.

4.4 Conclusion

- 4.4.1 The matters that weigh against and in favour of the development are finely balanced. However, it is considered that by reason of the siting, size, scale and design of the proposed building, height of lighting a lighting pole and material stacking, it is considered that the development would appear overly prominent in this countryside location and adversely impact the visual amenity of the site's surroundings and the Rural Area beyond the Green Belt. It is considered that this harm is not outweighed by the identified

economic benefits that would arise and the support provide by relevant NPPF policies for continued business use of the site, to which significant weight is attributed. It is acknowledged that there are no objections on the grounds of highway and public safety and harm to residential amenity and these matters weigh neutrally in the planning balance.

- 4.4.2 Therefore, in conclusion, the identified harm to the character, appearance and openness of the Rural Area beyond the Green Belt and conflict with Local Plan Policies D1, CGB1 and CGB4 outweighs the identified benefits, and it is therefore recommended that planning permission should be refused.

4.5 **Alternative Options**

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

- 4.6.1 N/A

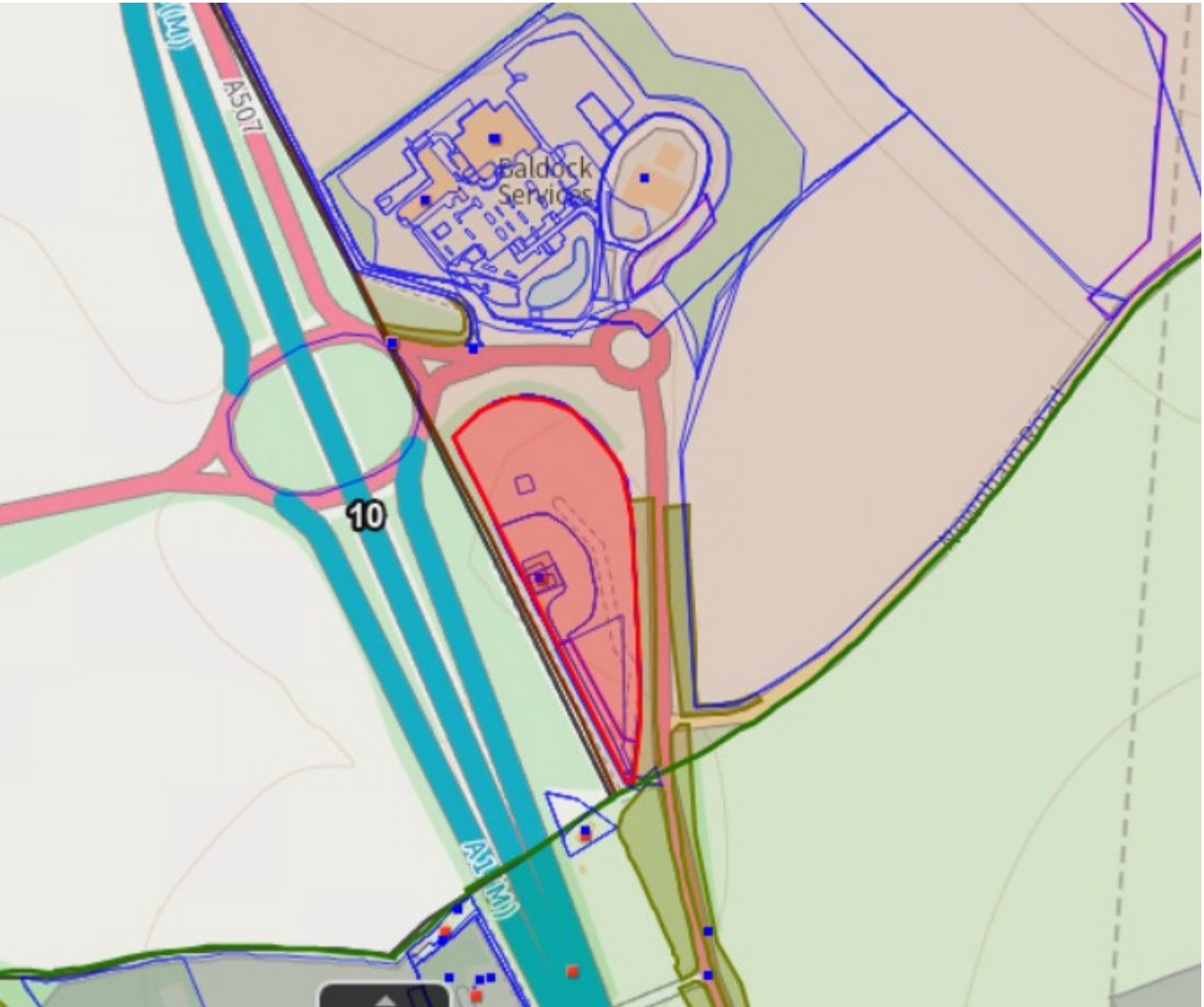
5.0 **Recommendation**

- 5.1 That planning permission be **Refused** for the following reason:

The proposed development, by virtue of its siting, size, scale, and design, together with the height of the lighting pole and the associated material stacking, would result in an intrusive and overly prominent form of development within this countryside location. Consequently, the proposal would cause significant harm to the character, appearance, and openness of the site's surroundings and the Rural Area beyond the Green Belt. While the economic benefits of the development and the policy support for continued business use under the National Planning Policy Framework (NPPF) are acknowledged and afforded significant weight, these factors are not considered sufficient to outweigh the identified environmental and visual harm. The proposal therefore represents an unsustainable form of development that directly conflicts with Policies D1, CGB1, and CGB4 of the North Hertfordshire Local Plan 2011-2031, and the core planning principles of the NPPF.

Proactive Statement

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted proactively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. 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.



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**PLANNING CONTROL COMMITTEE
PLANNING APPEALS LODGED**

DATE: 17 September 2026

APPELLANT	Appeal Start Date	DESCRIPTION	ADDRESS	Reference	PROCEDURE
Mr Earl Kennaugh	31 July 2026	Two storey and part first floor front extension, single storey rear extension and installation of front and side canopies. Erection of attached double garage.	Standelfield Standhill Road Hitchin SG4 9AE	26/00523/FPH	Householder Appeal Service
Sonar Group Ltd	14 August 2026	Hybrid application for one 5-bed dwelling with detached garage following demolition of existing dwelling and outline application for the erection of 8 dwellings (all matters reserved except for access).	Redwood Deards End Lane Knebworth SG3 6NL	25/02999/HYA	Written Representations

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PLANNING CONTROL COMMITTEE**DATE: 17 September 2026****PLANNING APPEALS DECISION**

APPELLANT	DESCRIPTION	SITE ADDRESS	REFERENCE	APPEAL DECISION	COMMITTEE/ DELEGATED	COMMENTS
Mr Alex Farr	Erection of one dwelling and associated external works.	Land Adjacent To 1 Caldecote Road Newnham SG7 5JZ	25/02627/FP	Appeal Dismissed on 29 July 2026	Delegated	The Inspector concluded that the proposal would result in less than substantial harm, at a moderate level, to the character and appearance of the Newnham Conservation Area (NCA). It would fail to preserve or enhance the NCA and therefore conflicts with policy HE1 (Designated heritage assets) of the North Hertfordshire Local Plan and Framework insofar as it would result in development that would cause a loss of significance of the designated heritage asset.

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Appeal Decision

Site visit made on 21 July 2026

by N Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2026

Appeal Ref: 6007832

Land Adjacent to 1 Caldecote Road, Newnham, Baldock SG7 5JZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Alex Farr against the decision of North Herts Council.
 - The application Ref is 25/02627/FP.
 - The development proposed is one dwelling and associated external works.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed dwelling would preserve or enhance the character or appearance of the Newnham Conservation Area (NCA).

Reasons

3. The appeal site comprises a narrow strip of land set to the south of 1 Caldecote Road and tapering slightly towards The Green. The proposal seeks to construct a part single, part two storey detached house together with driveway access onto Caldecote Road. The house would be laid out with its principal elevation addressing number 1 with the garden set adjacent to 12 The Green, facing south.
4. The appeal site is set within the NCA which is a designated heritage asset where s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Paragraph 212 of the National Planning Policy Framework (the Framework) explains that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
5. The NCA is characterised by a variety of buildings with strong references to the village's agricultural heritage. Buildings are formed along a gentle curve following the line of Caldecote Road and Ashwell Road with The Green forming the broad centre point of the village. Buildings around The Green are typically smaller and more closely clustered together. This is most notable in the form of the rows of terraces that address The Green and this includes the relatively recent additions of number 9-12 The Green.
6. Moving away from The Green along both Caldecote and Ashwell Roads, buildings typically become larger and more separated as they lead to Newnham Manor and Newnham Hall at opposite ends of the village. This generally spacious and verdant

layout and arrangement, together with the individual interest of many of its component buildings, is what gives the NCA its significance. Indeed, many of the historic features of the NCA remain intact and this contributes to its rural character and appearance.

7. This proposal would insert a dwelling into a notable gap that exists between 9-12 The Green and 1 Caldecote Road. Historic records indicate that this site was once built upon, at least in part. However, by the 1960s, the former post office shown on OS mapping was gone – most likely due to fire.
8. A recent planning application was made in 2022. This was refused permission and subsequently dismissed in 2023¹ for a single detached dwelling. This scheme was considered by the Council to, in summary, consolidate development on the east side of Caldecote Road and erode the settlement's loose-knit, verdant character to the detriment of the NCA. This view was supported by the Inspector who commented that the spacious side plot makes a positive contribution to the verdant character of the road. Additional concerns were raised by both the Council and Inspector regarding the design ethos of the dwelling that was proposed at that time.
9. By comparison, this proposal has much improved the design detail, scale and appearance of the proposed dwelling. This is not assisted, however, by the orientation of the dwelling that appears to shun both The Green to the south and Caldecote Road to the west by addressing the driveway to the north. This results in a somewhat insular form of development which does not reflect the general arrangement of buildings in the area. Despite their varying arrangements and relationships with the road, most dwellings in the village show some form of regard to the roads that serve them and this includes the gable features to 1 and 2 Caldecote Road.
10. Even so, both the Council's previous decision and the views of the Inspector were concerned about a dwelling in this location. As noted above, this was due to the spacious nature of this parcel of land making a positive contribution to the character and appearance of the NCA. Therefore, even though the design of the dwelling proposed here, and despite its arrangement facing north, is an improvement on the one previously explored; there was concern about the principle of locating a dwelling in this location. This is due to the removal of the open and sylvan setting in this part of the NCA.
11. Accordingly, I am unable to reach a differing conclusion here. This part of the village does not have the much greater and more spacious arrangements that exist to the more easterly and northern parts, nor is it within one of the important views highlighted in the NCA appraisal. It does, however, remain part of the evolution from the tightly knit parts at The Green to the even more spacious layouts at the village fringes. This is a defining feature of the NCA and siting a dwelling in this location would undermine this to the detriment of both the character and appearance of the NCA. I recognise that the relatively recent construction of four new dwellings addressing The Green has already altered this area. However, despite the sites very close proximity to each other, these are still viewed in differing contexts. The new dwellings along The Green have successfully enclosed the small area of open green space in a logical manner. Whereas this proposal

¹ Council ref: 22/00606/FP Inspectorate ref: APP/X1925/W/22/3307499

would infill an area where the character of the village changes from this comparatively intimate arrangement to a more open and spacious one.

12. As such, I conclude that the proposal would result in less than substantial harm, at a moderate level, to the character and appearance of the NCA. It would fail to preserve or enhance the NCA and therefore conflicts with policy HE1 of the North Hertfordshire Local Plan and Framework insofar as it would result in development that would cause a loss of significance of the designated heritage asset.

Other Matters

13. In reaching my conclusions here, I am mindful of the proximity of the site to a number of listed buildings where I must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Council has not expressed any objections in relation to the impact of the proposal on the setting of these listed buildings and I have no reason to disagree here.

Planning Balance and Conclusion

14. Paragraph 215 of the Framework explains that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
15. In this regard, I recognise that the proposal would result in the provision of a new dwelling that would be located on previously developed land. Moreover, there are no other substantive objections to the proposal although this is a neutral consideration. I am, however, unable to conclude that the benefits of providing a new dwelling on previously developed land outweigh the harm to the NCA.
16. The Council accepts that it cannot demonstrate a five year supply of deliverable housing sites and estimates this figure to be 3.3 years. In accordance with paragraph 11 d) of the Framework, this means granting permission unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed. Footnote 7 sets out that designated heritage assets are assets of particular importance and therefore the provisions of paragraph 11 d) i. are engaged as the adverse effect of the proposal on the NCA is a strong reason for refusal. In this instance, I have already found that the harm to the NCA means that the application of the heritage related policies within the Framework provides a strong reason to refuse the proposal and this is despite the benefits.
17. Therefore, the other considerations before me, including the Framework, do not indicate that a decision should be made other than in accordance with the development plan. Therefore, for the reasons given above the appeal should be dismissed.

N Bowden

INSPECTOR

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