

**23/01885/FP - LAND AT POLICE ROW BETWEEN THE GRANGE AND 1 THE GRANGE,
POLICE ROW, THERFIELD, HERTFORDSHIRE**

Written update to Planning Control Committee on 25th July 2024:

At the time of writing (Tuesday 23rd July 2024), there are the following updates for members since the publication of the Agenda and reports pack for Planning Control Committee.

- 1) We have received a draft S106 agreement from the applicant's legal representative, which has been forwarded on to the Councils Legal Team for action in the event that the committee decide to resolve to grant planning permission.

- 2) The current recommendation which is a resolution to grant subject to "the receipt of the Impact Assessment and Conservation Payment Certificate following an application to Natural England under the Great Crested Newt (GCN) District Level Licensing (DLL) and a response of no objection from the North Herts Ecologist" is proposed to be amended to the following "receipt of the Impact Assessment and Conservation Payment Certificate following an application to Natural England under the GCN DLL **or any other means of receiving a** no objection from the North Herts Ecologist". This is in light of the applicants considering alternative options to the Natural England GCN DLL that would suitably offset the potential harm to GCNs.

- 3) It is acknowledged in the report to Committee that the Highway Authority are maintaining an objection to this development, primarily relating to the refuse collection arrangements for this site. As covered in the report to members, Officers are of the view that the proposal, which includes arrangements for refuse collection from Police Row, is acceptable in the planning balance. It is considered that refusal of planning permission based upon this Highways objection is not a sustainable reason for refusal, taking all other material planning considerations into account.

Nevertheless, officers acknowledge that the objection from the Highway Authority weighs against the proposal and if this matter can be resolved without material amendments to the layout, which risk compromising the design integrity of the current design, then officers consider that this should be explored further. As such, in a meeting with HCC Highway Officers last week, they confirmed that refuse collection from within the site could be possible without significant amendments to that layout. Therefore, should members consider that refuse collection from Police Row as currently proposed and considered acceptable by Officers is unacceptable this should

not form the basis for refusal of planning permission as this matter is addressed by the proposed amended recommendation, which is now as follows:

That planning permission be resolved to be GRANTED subject to

- A) The completion of a S106 agreement in line with the agreed Heads of Terms;
- B) The receipt of the Impact and Conservation Payment Certificate following an application to Natural England under the GCN District Level Licensing (DLL) or any other means to address impact on GCN and a response of no objection from the North Herts Ecologist.
- C) Seeking to address the objection from the Highway Authority relating to refuse collection, which the Highway Authority have indicated can be reasonably achieved, and this matter is delegated to the Development and Conservation Manager and the Chair of Planning Control Committee, so that this application would not need to come back to Planning Committee for this reason alone;
- D) The agreement to an extension of time to the statutory determination date to allow time for (A), (B) and (C) to occur; and
- E) The conditions and informatives recommended in the report, and any other reasonable and necessary conditions that are recommended by the Highway Authority.