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NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCHWORTH GARDEN CITY, SG6 3JF
ON THURSDAY, 17TH JULY, 2025 AT 7.00 PM

MINUTES

Present: *Councillors: Nigel Mason (Chair), Emma Fernandes (Vice-Chair), Martin Prescott, Clare Billing, Dave Winstanley, Ian Mantle, Ruth Brown, Bryony May, Louise Peace, Tom Tyson, Jon Clayden and Daniel Allen.*

In Attendance: *Amy Cantrill (Trainee Committee, Member and Scrutiny Officer), Paul Chaston (Senior Planning Officer), Sam Dicocco (Principal Planning Officer), Shaun Greaves (Development and Conservation Manager), Arhamna Jafri (Locum Planning Lawyer), Edward Leigh (Senior Transport Policy Officer), James Lovegrove (Committee, Member and Scrutiny Manager) and Tom Rea (Senior Planning Officer) and Adrian McHale (Herts County Council Highways Officer).*

Also Present: *At the commencement of the meeting approximately 22 members of the public, including registered speakers.*

Councillors Lisa Nash and Paul Ward were in attendance as Member Advocates.

12 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 50 seconds

Apologies for absence were received from Councillor Caroline McDonnell and Councillor Val Bryant.

Having given due notice, Councillor Jon Clayden substituted for Councillor McDonnell and Councillor Daniel Allen substituted for Councillor Bryant.

13 MINUTES - 19 JUNE 2025

Audio Recording – 2 minute 18 seconds

N.B. Cllr Clare Billing entered the Chamber at 19:05.

Councillor Nigel Mason, as Chair, proposed and Councillor Martin Prescott seconded.

The following Members made comments on the Minutes:

- Councillor Jon Clayden
- Councillor Tom Tyson

The following comments were made:

- The attendees listed 'Councillor Claire Winstanley', however this should have read 'Councillor Claire Winchester'.
- Councillor Tom Tyson left the Chamber after acting as Member Advocate on application 24/02214/FP and this needed noting in the Minutes.

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

RESOLVED: That the Minutes of the Meeting of the Committee held on 19 June 2025, as amended, be approved as a true record of the proceedings and are to be signed by the Chair.

14 NOTIFICATION OF OTHER BUSINESS

Audio recording – 4 minutes 33 seconds

There was no other business notified.

15 CHAIR'S ANNOUNCEMENTS

Audio recording – 4 minutes 39 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 advised that Section 4.8.23(a) of the Constitution applied to the meeting.
- (5) The Chair advised that Agenda Item 8 - 25/00309/FP - has been deferred to the meeting of the Planning Control Committee on Thursday 7 August.

16 PUBLIC PARTICIPATION

Audio recording – 7 minutes 8 seconds

The Chair confirmed that the registered speakers were in attendance.

17 23/01552/OP Land South Of, Watton Road, Knebworth, Hertfordshire

Audio recording – 7 minutes 59 seconds

N.B. Cllr N.B. Cllr Ruth Brown declared an interest due to her role as Deputy Executive Member at Hertfordshire County Council. It was agreed by the Chair she would leave the chamber after the presentation.

The Senior Planning Officer presented an update and highlighted that two further neighbour objections had been received. These related to concerns regarding increased levels of traffic along Swangleys Lane and in Datchworth villages, increased journey times through the use of Watton Road and an increased pressure on local services, including the GP surgery.

The Senior Planning Officer then presented the report in respect of Application 23/01552/OP supported by a visual presentation consisting of plans and photographs.

N.B. Councillor Ruth Brown left the Chamber following the Officer presentation.

The following Members asked questions:

- Councillor Daniel Allen
- Councillor Nigel Mason
- Councillor Tom Tyson
- Councillor Jon Clayden
- Councillor Martin Prescott
- Councillor Louise Peace

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

- The Copenhagen crossing formed part of the highways scheme and could be debated part of this application.
- It would still be possible to travel west to east on the site, however this would now require diverting to Watton Road, before rejoining Swangleys Lane at the new 'T' junction.
- Residents on Swangleys Lane would be able to turn either way onto the lane from their properties.
- The flood risk on London Road would be alleviated with the incorporation of sustainable drainage solutions where necessary and appropriate.

In response to questions, the Hertfordshire County Council Highways Officer advised that:

- Copenhagen crossings were considered safe and visible in the right locations. They were already in place in parts of London, and Hertfordshire County Council now consider them suitable.
- The details of the section 278 agreements would be at the next stage of development which would ensure the details of the design were safe.
- There would be a full safety assessment conducted as part of the section 278 agreement, which would assess all risks associated with the implementation of the Copenhagen style crossing on this site.
- The proposal to close Swangleys Lane was to ensure a sustainable transport corridor existed which would allow pedestrians to travel safely by minimising the existing risk.
- The impact of traffic from this development would be minimal and many of the traffic issues related to an existing problem. It would therefore not be for the developers of this site to resolve existing issues.

In response to the questions, the Senior Transport Policy Officer advised that:

- The Copenhagen crossing consisted of a continuous footway along the road at the same level of the road and was more accessible, especially for those who were differently abled and those with pushchairs.
- The County Council was beginning to adopt the Copenhagen crossing style as standard County wide.
- The site would be designed for 20mph, pedestrians already had prioritised right of way, and a change of crossing style would be subject to a road safety audit.
- The design could change following a safety audit in order to ensure the junction was safe, for example visibility displays could be widened or speed limits reduced.
- As part of the Local Cycling and Walking Infrastructure Plan, it was expected that the cycling link between Knebworth and Stevenage would be improved, in order to encourage a change of transportation mode for some residents.
- The NPPF outlined that traffic issues would need to have a severe impact in order to use this as a ground for refusal, which would not be met through this application.
- The County Council was working on improving the existing problem.

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

- There were two types of flooding. The reference to Zone 1 in this report was in relation to fluvial flooding, which consisted of floods from rivers and seas, and this was low risk on this site.
- The other type of flooding was from storm surges. The flood risk from this type of flooding on this site was outlined on page 88 of the report. Flooding from storm surges was common and mitigations for this were outlined within the report.
- There had been a drainage scheme submitted, and it had been considered by the Lead Local Flood Authority, which would use existing drainage schemes but ensure these were able to meet this further risk of flooding from global warming.

The Chair invited Mr Mark Naish to speak against this application. Mr Naish thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The transport assessment included in this report had been completed using traffic count data from 2019.
- The data used was out of date and did not take into account the changes in traffic trends which have taken place in the intervening years, the specific and unique location of Knebworth, the recently proposed developments KB2 and KB4 and the delayed improvements to the A1(M).
- There had also been developments approved in neighbouring villages and towns, and this would have an impact on Knebworth.
- A new traffic survey should be conducted on the B197/Watton Road roundabout.
- He was also concerned about cyclist and pedestrian safety on the site and suitable mitigations should be a condition of planning consent.

The Chair thanked Mr Naish and invited Mr Neil Davis to speak against this application. Mr Davis thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- He was representing Mr and Mrs Wilson who lived on Swangleys Lane and would be specifically impacted by the development.
- There was no consideration of the proposal to close Swangleys Lane and the impact of this on the residents of Datchworth or those living on Swangleys Lane.
- The new spine road, pushing traffic to Watton Road to access Knebworth, could increase journey times. Any closure of Watton Road could increase journey times by 25 minutes.
- No consideration had been given to the increased journey time on the ambulance service responding to emergency call outs, and they had made no comment.
- The transport assessment used out of date data and relied on information from 2020, when lockdowns were ongoing and therefore was not representative of the current situation.
- The proposals outlined that Swangleys Lane would be pedestrian only between 8am and 9.30am and 2.30pm and 4pm.
- There were alternative traffic options for the site which would not involve the closure of Swangleys Lane.
- He believed the development did not meet the requirements of the Knebworth Neighbourhood Plan or the transport plan objectives outlined by the County Council and therefore should be refused or deferred to reconsider the traffic flows along Swangleys Lane.

The following Members asked questions:

- Councillor Daniel Allen
- Councillor Louise Peace
- Councillor Jon Clayden

In response to questions, Mr Davis advised that:

- The 25-minute additional timing referenced was based on an actual journey made by his client.
- The reference to the pedestrianised times of access on Swangleys Lane was included in the transport assessment.
- While residents on Swangleys Lane would be able to turn left or right out of their drives, his client would not be able to go beyond the spine road.

The Chair thanked Mr Davis and invited Parish Councillor Roger Willcocks to speak against this application. Parish Councillor Willcocks thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The representation made by Knebworth Parish Council had not been included in the original report but had been included in the Supplementary Documents pack.
- The adopted Local Plan had removed this site from the green belt, but there still remained issues with the application regarding traffic.
- There were no mitigation measures proposed for the existing issues and would instead move more traffic onto the Watton Road.
- There were several other developments ongoing in Knebworth which would have an impact on the existing road network.
- An updated transport assessment would be required to consider the cumulative impact of the developments ongoing in Knebworth. However, the current assessment used out of date information and could not be considered representative of the current position.
- There were alternative options to ensure traffic could pass through the site and would not involve the closure of Swangleys Lane.
- Section 116 of the NPPF outlined that developments could be refused if there was considered to be a severe impact on traffic. This was also included in the Hertfordshire County Council Transport Plan. Given the cumulative impact of new developments, this application could therefore be refused.
- If Members were minded to approve the application, they should add a further condition to ensure the spine road retained its full width throughout.

The Chair thanked Parish Councillor Willcocks and invited Councillor Lisa Nash to speak against this application. Councillor Nash thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- This development would be detrimental to the already existing infrastructure in the village and would not provide a sustainable development as required by the NPPF.
- The access proposed on this application was different to that included in the adopted Local Plan.
- Knebworth was a semi-rural village which had little employment or facilities and therefore residents were required to leave to meet their needs. Single track roads and farm traffic were not unusual to Knebworth residents, however this was different to those from urban areas.
- There were existing concerns regarding Watton Road and residents had first hand experiences of issues on this busy road, including speeding and pedestrian safety. These concerns had been acknowledged by Hertfordshire County Council Highways Officers.
- Watton Road was already a high traffic road, which was narrow and high banked, meaning cars had to pull over to allow passing.
- Access via Swangleys Lane was essential to allow residents of Datchworth to access shops and facilities in Knebworth.
- Traffic assessments were inaccurate and there was no up to date traffic assessment of the impact this site would have on Knebworth.
- It was unrealistic to assume an increase in cycling and walking to access the station.

- No consideration had been given to the delay this would cause to the access of emergency vehicles.
- The proposal should be refused due to the difficulties it presented, and the safety issues outlined.
- Approval of the application should be conditional on the retention of existing woodland and trees, Swangleys Lane to remain open, Swangleys Lane and Watton Road should be 20mph, new traffic calming measures should be included and a new traffic assessment should be undertaken.
- St Martins Road was private and did not allow traffic to pass through but had been included in the road loop proposed.

The following Members asked questions:

- Councillor Martin Prescott
- Councillor Daniel Allen

In response to questions, Councillor Nash advised that:

- St Martin's Road was a private, no through road.
- Hertfordshire County Council Highways were not appropriately taking into account the nature of the roads in Knebworth or the already existing issues experienced.

The Chair thanked Councillor Nash and invited Mr Chris Ball, as agent to the applicant, to speak in support of this application. Mr Ball thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The inclusion of this site for development extended back to 2016 and was included in the adopted Local Plan. As part of the adoption, the Inspector considered local concerns and ultimately considered the inclusion of this site as sound.
- The proposals of this site had been amended following a variety of consultation and were now sympathetic to the site and history of Knebworth.
- Design focused documents made sure the proposal met national guidelines, as well as the policies of the adopted Local Plan.
- The applicant had accepted and supported the conditions outlined in the report of the Officer.
- The access strategy evolved following engagement with Hertfordshire County Council, who advised the need to close Swangleys Lane, rather than a roundabout on site as had been originally proposed. This was to prevent the road becoming a cut through and to encourage active travel options.
- The cumulative impact of the site, as well as others around it, had been considered and a report produced, as required by the Local Plan.
- The local plan states cumulative impact report, which the applicant has carried this out.
- Hertfordshire County Council had requested £1.3m for the B197 sustainable transport corridor improvement scheme, which would help alleviate cumulative traffic impacts and the applicant had agreed this. In total, contributions from the scheme would amount to around £7.8m for education, leisure and transport.

The following members asked questions:

- Councillor Martin Prescott
- Councillor Jon Clayden

In response to questions, Mr Ball advised that:

- The applicant would consider a reasonable traffic plan that would keep Swangleys Lane open.
- The current proposed changes added 450m to the current journey from use of Swangleys Lane.

The Chair thanked Mr Ball for his presentation.

In response to presentations the Senior Planning Officer clarified that there were no restrictions proposed during school drop-off and pick-up hours along Swangleys Lane.

In response to presentations the Hertfordshire County Council Highways Representative clarified:

- There was a patrol officer suggested in school hours not a road closure.
- There was a danger of keeping Swangleys Lane open as it could create a rat run between these roads.

In response to presentations, the Senior Transport Policy Officer clarified that St Martin's Road was private and not adopted by the Highway authority, but the public did have through access.

Councillor Martin Prescott proposed to defer the application to await an up-to-date Transport Assessment and to consider further modifications to the Swangleys Lane Gateway junction. This was seconded by Councillor Claire Billing.

In response to a question from Councillor Jon Clayden, the Development and Conservation Manager advised that the proposed engineering operation to provide flood defences was considered appropriate in the green belt, as it would not permanently impact the green belt land.

The following Members took part in the debate:

- Councillor Jon Clayden
- Councillor Tom Tyson
- Councillor Daniel Allen
- Councillor Louise Peace
- Councillor Martin Prescott

The following points were raised as part of the debate:

- The arrangements at Swangleys Lane Gateway junction were harmful to existing residents and Hertfordshire County Council should design a scheme that addresses this and deters people from using Swangleys lane as a rat run while keeping the road open.
- The District did desperately need these 200 houses, but the road networks were already failing and the development would make it worse, therefore a new traffic plan was required.
- An updated transport model, using up to date data, should be produced and should consider the different options available, including a roundabout installed on Swangleys Lane.
- Members needed to consider what the likely outcome of a traffic survey would be and whether it would make a significant difference to the consideration of this site by Members.
- Members were not objecting to the principle of the development and it was the responsibility of the County Council to fix existing traffic issues not the developer.

- There were concerns over the closure of Swangleys Lane and the impact this would have on existing road issues.
- St Martin's Road was private and therefore neither the District nor County Council would have control over this road.
- There were concerns whether the private owners of St Martins Road would continue to fund its upkeep with the increased traffic from this development.

In response to points raised during the debate, the Development and Conservation Manager clarified that:

- St Martin's Road was a private road but was a public highway, over which people had a right to pass and repass. The difference was that a private person was required to maintain the road, it would not be maintained by the County Council, as would be the case with an adopted road.
- The request for deferral for more up to date traffic surveys, was in his opinion redundant as road usage had not changed dramatically and the result would likely be the same. The surveys had been conducted before Covid and the evidence was that traffic levels were reaching near 2019 levels again. Therefore, it would be unlikely that this would amount to a severe impact on the road network.
- There was a requirement to provide these houses to meet the 5 year housing land supply the Council was required to meet.

The Locum Planning Lawyer advised that it would be legal to defer to consider modifications to the proposed highways scheme and to get up to date clarity on the traffic assessment.

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

RESOLVED: That application 23/01552/OP be **DEFERRED**.

REASONS FOR DECISION:

- (1) To explore potential modifications to the scheme to have further minimal impact to Swangleys Lane Gateway junction.
- (2) To request an amended Transport Assessment with up-to-date traffic surveys to have a true reflection of the current traffic flows as members felt an up to date surveys would assist them in making their decision.

N.B. Following the conclusion of this item there was a break in proceedings at 20:42 and the meeting reconvened at 20:58, at which time Cllr Ruth Brown returned to the Chamber.

18 25/00104/FP Land To The Rear Of Banyers Hotel, King James Way, Royston, Hertfordshire, SG8 7BZ

Audio recording – 1 hour 59 minutes 57 seconds

The Chair advised that the item was deferred to the Planning Control Committee meeting on Thursday 24 July 2025 as the Members who called-in the application were not present at the meeting (as required under the Members Planning Code of Good Practice), nor provided a written statement, or appointed another member to present the item, as required under 6.1 of the speaking procedure for the Planning Control Committee. This item would be considered as an urgent item of business as the matter cannot wait until the scheduled meeting of the Planning Control Committee in August, given the statutory period for the matter to be determined (26 March 2025) had already been extended (to 30 July 2025), and therefore the Council could be liable to appeal against the failure to determine the application.

19 25/00309/FP Ivy's Cottage, Smiths End Lane, Barley, Royston, Hertfordshire, SG8 8LH

This item was deferred to the meeting of the Planning Control Committee on Thursday 7 August.

20 Appeals

Audio recording – 1 hour 59 minutes 2 seconds

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

- The appeal relating to 10 St Katherines Close, Ickleford had been dismissed.
- The appeal relating to 68 Chiltern Road, Baldock was rejected by the Committee for the impact on the street scene. This appeal was allowed by the Inspector who decided it would not impact the street scene.
- The appeal decision relating to 14 dwellings at the High Street, Ashwell was rejected by the Committee due to harm on the Conservation Area which would outweigh the harm of the dwellings. However, as the Council no longer had a 5 year housing land supply, the Inspector decided that the contribution this would make to meeting the 5 year land supply outweighed the impact on the Conservation Area.

The following Members asked questions:

- Councillor Ruth Brown
- Councillor Tom Tyson
- Councillor Martin Prescott

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

- When the High Street, Ashwell application was considered, the Council had met its 5 year housing land supply. However, the circumstances around this had now materially changed since the Committee decision.
- Substantial weight would be given to the delivery of housing in all appeals lodged going forward, as the Council cannot now demonstrate a 5 year housing land supply following changes to the NPPF.
- The land ownership issues relating to the High Street, Ashwell application were resolved during the appeal process, which did not materially change the plans and was considered acceptable by the Inspector.
- The Council would not be liable for cost for either the Rhee Spring or the High Street, Ashwell applications as neither party made an application for costs and there was no basis that the Council had acted unreasonably.

The Development and Conservation Manager presented an update on the recent appeal decision relating to Rhee Spring, Baldock and advised that:

- The application was rejected by Committee as it did not meet the need for 40% affordable housing to be provided, as per the policy of the adopted Local Plan.
- However, the Inspector concluded there was a viability issue with the requirement to provide 40% affordable housing on this site.
- As part of the process, there remained scope for a greater number of affordable housing units to be delivered, subject to further appraisal once the review mechanism was triggered.

Thursday, 17th July, 2025

Councillor Ruth Brown noted that she was disappointed with this decision not to follow the adopted policy of the Council regarding affordable housing provision and the impact this might have on other applications.

In response to a question from Councillor Daniel Allen, the Development and Conservation Manager advised that the Council had spent approximately £90k for the Waldon End Inquiry. The applicant did not apply for costs in this instance.

The meeting closed at 9.20 pm

Chair