

## 24/01444/FP - Land Between Huntsridge And Ashwell House 5 Ashwell Street, Ashwell

Written update to Planning Control Committee on 18<sup>th</sup> September 2025:

At the time of writing (Tuesday 16th September 2025), there are the following updates for members since the publication of the agenda and reports pack for Planning Control Committee.

- 1) Following correspondence with the applicant on the proposed conditions submitted with this recommendation, the following amendments are put forward for consideration:

- Condition 6 is proposed to be amended as follows to incorporate the correct document reference:

*“6 - Prior to the first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number 190-TA10 rev N (of Transport Note rev D November 2024 by Martin Andrews Consulting Ltd) in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.*

*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).*

- Condition 8 is proposed to be amended as follows to incorporate the correct document reference:

*“Notwithstanding the details indicated on the submitted drawings, no on-site works shall commence until a detailed scheme for the off-site highway improvement works as indicated on drawing number 190-TA10 rev N (of Transport Note rev D November 2024 by Martin Andrews Consulting Ltd) including surfacing, traffic calming and pedestrian/cycling facilities on Ashwell Street have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.*

*B) Implementation / Construction*

*Prior to the first use of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.*

*Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire’s Local Transport Plan (adopted 2018).*

- Condition 13 is proposed to be omitted from the recommendation, given that the contents of this condition are covered by the contents of Condition 4 (North Herts Ecologist).
  - Condition 14 is proposed to be omitted from the recommendation, given that the contents of this condition are covered by the contents of Condition 9 (Hertfordshire Highway Authority).
  - As a result, the proposed conditions will need to be re-numbered to take account of the omitted Conditions 13 and 14.
- 2) An additional Condition is also recommended to cover the installation of a fire hydrant prior to occupation of the development, which is recommended as follows:
- *Prior to the occupation of the development hereby permitted, a fire hydrant shall be installed at no cost to the County Council, or fire and rescue service.*

*Reason: to ensure that there is adequate water supplied available for use in the event of a fire.*

- 3) Following receipt of an email from the North Hertfordshire Archaeological Society on the 11<sup>th</sup> September 2025, concerns were raised over the considered inadequacy of the proposed archaeological condition recommended in the report. There is an error in my report at 4.3.46, where the County Councils Archaeological Team have in fact responded formally to this application recommending as follows:

*“For the north and eastern parts of the site, an open area full excavation of the area of new housing and access secured by archaeological conditions.*

*However, for the western part of the site we require further information about the impact of these proposals, including the possibility that this area will require fencing off during site preparation and construction to conserve the heritage assets in that part of the site.*

*The precise nature of the preservation in situ and/or mitigation required in this western area of public open space will need to be informed by the provision of detailed information regarding the numbers and precise location for the tree planting, and the methodology for the creation of the wildflower meadow as well as the aforementioned protection of this area during development.*

*When we receive this information, we will be able to advise you fully”.*

Further to continued correspondence with the Hertfordshire County Council Archaeological Officer, a further formal response has been submitted on the 11<sup>th</sup> September 2025, recommend the following conditions:

*“First condition: 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 for post investigation assessment*
- 3. Provision to be made for analysis of the site investigation and recording*
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation*
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation*
- 6. Provision to be made for public outreach and interpretation*
- 7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.*

*Second condition: 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 (First condition)*

*Third condition: 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 (First condition) and the provision made for analysis and publication where appropriate.”*

The current recommended Condition 16, which covers an archaeological watching brief for this site, was copied from the Inspectors decision notice for the previous application at this site allowed on appeal under ref: 22/03094/FP. Due to a transfer of Officers dealing with the previous application, the formal response from HCC Archaeological Team was not received and was therefore not sent to the Inspector considering the application under the appeal. However, during the course of the appeal, the Council did present the Inspector with draft conditions for archaeological matters which were largely identical to that recommended by HCC. The Inspector considered these draft conditions and sought to enforce the watching brief condition instead.

The North Herts Archaeological Society have requested that a more robust method for archaeological evaluation take place, in accordance with the formal response from HCC's Archaeological Team.

Officers consider that a more robust approach to archaeological evaluation is considered acceptable in this instance, notwithstanding the level of evaluation covered under Condition 8 of the Inspectors appeal decision for the previous scheme. It is therefore recommended that the proposed Condition 16 is replaced by the above 3 conditions to ensure full regard is had to archaeological matters and interests on this site.

- 4) Following further correspondence with the County Councils Growth and Infrastructure Team since the publication of the report, some errors were noted on the most recent formal response dated 16<sup>th</sup> July 2025 given the number of dwellings/bedrooms

proposed, as well as some omissions and incorrect references to contributions and monitoring. An amended formal response has been received on the 10<sup>th</sup> September 2025 which has sought to correct these errors, which has seen slight amendments to the requested contributions from HCC. The Heads of Terms table has been updated and agreed in writing by the applicant, and this table is set out below with the amended figures cited in red where appropriate:

Element	Detail and Justification	Condition/Section 106
Secondary Education	<p>Towards the expansion of Knights Templar School Secondary School and/or provision serving the development</p> <p><b>£193,637 (£188,746) index linked to BCIS 1Q2024)</b></p> <p>Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements document</p>	S106 obligation
Childcare Contribution	<p>Towards increasing the capacity of 5-11 year old childcare facilities at Ashwell Primary school and/or provision serving the development</p> <p><b>£224 (£216) index linked to BCIS 1Q2024)</b></p> <p>Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements document</p>	S106 obligation
Special Educational Needs and Disabilities (SEND)	<p>Towards the Delivery of new Severe Learning Difficulty (SLD) special school places (EAST) and/or provision serving the development</p> <p><b>£27,285 index linked to BCIS 1Q2024)</b></p> <p>Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and Guide to Developer Infrastructure Contributions</p>	S106 obligation

	Hertfordshire County Council's requirements document	
Youth Service	<p>Towards increasing the capacity of Young People's Centres and detached work for Letchworth/Baldock and surrounding areas and/or provision serving the development</p> <p><b>£3,941 (£3,179) index linked to BCIS 1Q2024)</b></p> <p>Policy SP7 'Infrastructure requirements and developer contributions'</p> <p>Planning Obligations SPD and Guide to Developer Infrastructure Contributions</p> <p>Hertfordshire County Council's requirements document</p>	S106 obligation
Library Services	<p>Towards increasing the capacity of Royston Library and/or provision serving the development</p> <p><b>£4,086 (£4,019) index linked to BCIS 1Q2024)</b></p> <p>Policy SP7 'Infrastructure requirements and developer contributions'</p> <p>Planning Obligations SPD and Guide to Developer Infrastructure Contributions</p> <p>Hertfordshire County Council's requirements document</p>	S106 obligation
Affordable Housing	<p>Applicant has offered 4 affordable properties.</p> <p>Social rent will comprise: 1 x 2-bedroom bungalows (M4(3) Standard), 1 x 2-bedroom house, and 1 x 3-bedroom bungalow</p> <p>Shared ownership will comprise: 1 x 2-bedroom house</p>	S106 obligation
Sustainable Transport contributions	<p><b>Strand 1 contributions to be confirmed with Hertfordshire Highways</b></p> <p><b>£95,564 towards Sustainable Transport Contributions (Strand 2) to be confirmed with Hertfordshire Highways</b></p>	S106 obligation
Travel Plan	<b>Travel Plan contributions to be confirmed with Hertfordshire Highways</b>	S106 obligation
Waste Service Recycling Centre	Towards increasing capacity at Letchworth Recycling Centre or a new recycling centre in Baldock and/or provision serving the development	S106 obligation

	<p><b>£2,928 (£2,877) index linked to BCIS 1Q2024</b></p> <p>Policy SP7 'Infrastructure requirements and developer contributions'</p> <p>Planning Obligations SPD and Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements document</p>	
Waste Service Transfer Station	<p>Towards the new North Transfer Station at Baldock and/or provision serving the development</p> <p><b>£4,090 (£4,024) index linked to BCIS 1Q2024)</b></p>	S106 obligation
Fire and Rescue Service	<p>Towards the new North Transfer Station at Baldock and/or provision serving the development</p> <p><b>£6,009 index linked to BCIS 1Q2024</b></p>	S106 obligation
Monitoring Fees	<p>NHC will charge monitoring fees. These will be based on the following fee calculation:</p> <p><b>For NHDC contributions – 2.5% of the total contributions, with a minimum of £750 and maximum of £25,000.</b></p>	S106 obligation
Monitoring Fees	<p>HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of <b>£420 (adjusted for inflation against RPI January 2024).</b></p> <p>Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements document</p>	S106 obligation
Ashwell Parish Council	<p>Ashwell Newbuild Pavilion Project</p> <p>Ashwell Parish Council are seeking financial contributions towards their local pavilion project.</p> <p><b>£50,700 (index linked to BCIS 1Q 2022)</b></p>	S106 obligation