

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCWORTH GARDEN CITY, SG6 3JF
ON THURSDAY, 4TH SEPTEMBER, 2025 AT 7.00 PM

MINUTES

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

In Attendance: *Peter Bull (Project Officer), Amy Cantrill (Trainee Committee, Member and Scrutiny Officer), Robert Filby (Trainee Committee, Member and Scrutiny Officer), Roger Flowerday (Hertfordshire County Council Highways Officer), Shaun Greaves (Development and Conservation Manager), Edward Leigh (Senior Transport Policy Officer), James Lovegrove (Committee, Member and Scrutiny Manager) and Stephen Reid (Locum Planning Lawyer).*

Also Present: *At the commencement of the meeting approximately 50 members of the public, including registered speakers.*

Councillors Matt Barnes and Tim Johnson were also present as Member Advocates.

44 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 18 seconds

There were no apologies for absence.

45 MINUTES - 7 AUGUST

Audio Recording – 1 minute 25 seconds

Councillor Nigel Mason, as Chair, proposed and Councillor Ian Mantle seconded and, following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 7 August 2025 be approved as a true record of the proceedings and be signed by the Chair.

46 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minutes 16 seconds

There was no other business notified.

47 CHAIR'S ANNOUNCEMENTS

Audio recording – 2 minutes 20 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- (6) The Chair informed Members that Item 9 had been withdrawn from the Agenda.
- (7) The Chair confirmed the cut off procedure should the meeting proceed at length.

48 PUBLIC PARTICIPATION

Audio recording – 5 minutes 48 seconds

The Chair confirmed that the registered speakers were in attendance.

49 21/00765/OP LAND OFF BARKWAY ROAD AND NORTH OF FLINT HALL, BARKWAY ROAD, ROYSTON, HERTFORDSHIRE

Audio recording – 6 minutes 22 seconds

The Project Officer provided a verbal update on matters relating to Application 21/00765/OP and advised that:

- Natural England had no objection to the application as they were satisfied that it would not adversely impact the nearby Site of Special Scientific Interest (SSSI), Therfield Heath. However, they had recommended that a Recreation Management Strategy should be secured as part of the outline permission and as such, delegated powers were included in the list of recommendations.
- The Hertfordshire County Council Growth and Infrastructure Unit fee should have been listed in the report as £420 rather than £340.
- The Emerging Strategy Document had not recommended any capital projects in the east analysis area, however, the views of Royston Cricket Club had not been considered as they had not responded to a survey sent out last summer.
- Therefore, a case existed for developer contributions to be put towards a project such as practice cricket nets or enhancements to the pavilion, but consultants and both Hertfordshire and Cambridgeshire Cricket Boards would need to verify any such project before it could be delivered on-site.
- If secured, the recommended developer contribution towards this would be £61,620 as per the Sport England playing pitch calculator.
- The Applicant had formally notified the Council of their intention to lodge an Appeal with the Planning Inspectorate and request the Inquiry procedure if the application was refused planning permission.
- An additional objection had been received from a resident whose reasons for objection were already set out in the published report.
- All matters within the outline permission were reserved except for access.

- There were recommendations within the report to secure technical matters, and together with the Masterplan, these would guide future Reserved Matters (RM) applications.
- Clarifications on the power line in the western part of the site had been provided.
- Matters relating to open space and parking facilities were also clarified.
- The Section 106 contribution to Rugby Union had been amended to reflect the recommendations within the Emerging Sports Pitch Strategy.
- There were updates to Conditions 9 and 29 as set out in the Addendum.
- Delegated authority was requested to amend the final condition wording.

The Project Officer then presented the report in respect of Application 21/00765/OP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Ruth Brown
- Councillor Martin Prescott
- Councillor Louise Peace
- Councillor Bryony May
- Councillor Tom Tyson

In response to questions, the Project Officer advised that:

- The Masterplan was an illustrative layout of the site and did not fix anything other than the access to the site and its boundaries.
- If outline permission was granted, future RM applications would be tested against the Masterplan.
- The Town Council were present at site meetings where discussions on routing the active travel through Green Walk Plantation had taken place, however, it was unconfirmed as to whether the Applicant and the Town Council had a formal agreement in place for this to happen.
- The application site had a primary vehicular access point and a secondary emergency access point.

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

- The existing 30mph speed limit on Barkway Road would be extended south-east of the primary access to the site.
- Assumptions on mode share had been made by the Applicant using mode share data in Royston.
- To ensure the sustainability of the development, the Council had worked with the Applicant to include an active travel link that would be more attractive than walking or cycling along Barkway Road.
- There would be a route through to Shrubbery Grove, the A10 footway would be widened to allow for pedestrian and cycle use and connect to The Warren, and leftover Strand 2 contributions would fund the upgrade of the footway and pedestrian crossing nearby to connect to the town centre.
- Travel times to middle schools had not been provided as they only asked the Applicant to detail routes that were acceptable, however, that did not mean that investment would never be put towards improving those routes.
- It would be challenging to establish a sustainable transport connection through buses, therefore, the focus had been on active travel modes.
- The town centre would be within walking distance of the development but the train station would not and consequently, they had sought funding to improve cycling infrastructure to link to this and the retail park to the north.
- The planned route to Shrubbery Grove included steps, but this was not acceptable, and they would condition further work to achieve a step-free access.

- The gradient of the route would not be compliant with LTN 1/20, but it would be acceptable if the Applicant had put mitigation measures such as level sections that could act as rest points.

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

- The stretch of Barkway Road between Limekiln Close and the A10 gyratory would not have been modelled as it was a link. Only nearby junctions that the development would impact had been modelled.
- Traffic modelling undertaken had assumed the travel routes of potential residents based on the existing travel routes of nearby residents, and mitigations would be made to junctions based on these.
- In the morning peak period, it was anticipated that 153 vehicles would leave the development and travel north towards Royston which equated to 1 vehicle every 24 seconds.
- It would be difficult to notice the traffic once it was further away from the development as it would dissipate, therefore, it was unfair to ask the Applicant to model junctions beyond a certain distance from the development.

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

- The application site was at the top of a steep hill, far from the major amenities in Royston, and only accessible to vehicles via Barkway Road which was single file in some areas due to on-street parking.
- It would be too steep to cycle or walk to and from the development daily no matter which route was taken.
- The Applicant failed to recognise that most major amenities in Royston were north of the town centre, with some located 4-5 km away from the development which was greater than the acceptable travel distance detailed in their submission. Therefore, it was logical to conclude that residents of this development would only travel by car.
- Residents on this development would contribute more than 400 vehicles to Royston daily and would worsen the already severe congestion in the area.
- Barkway Road itself had not been modelled in the Transport Assessment.
- Highways acknowledged that traffic issues on Barkway Road already existed without this development or others in Barkway contributing to them.
- Highways had stated that upgrading the zebra crossing on the A10 gyratory to a pelican crossing would improve the safety of traffic users and not act as a solution to the traffic problems as detailed in the Transport Assessment.
- The problem of impatient vehicle users driving onto the pavement of Barkway Road would not be addressed by the application.
- Due to its location and proximity to major amenities, it was clear that residents of the development would primarily drive which would exacerbate congestion, pollution, and the danger to pedestrians on both Barkway Road and the A10.
- For these reasons alone, the application should be refused permission.

In response to a point raised by the Locum Planning Lawyer, Councillor Ruth Brown advised that she was a Royston Town Councillor but was not a Member of the Planning Committee at Royston Town Council.

In response to a further point raised by the Locum Planning Lawyer, Councillor Bryony May advised that her spouse was the Chair and a Trustee of Royston Cricket Club and apologised for not declaring this as an interest on the item.

Councillor Ruth Brown additionally advised that she was a Hertfordshire County Councillor and the Deputy Executive Member for Environment, Transport and Growth but that she did not comment on any Highways related issues as part of that role and had not been involved in the Highways matters relating to this application. It had been verified by the previous Locum Planning Lawyer that her position at Hertfordshire County Council would not conflict with her role as a Member of the Planning Control Committee.

After no objections from other Members of the Committee were received, The Locum Planning Lawyer advised that declarations of interest had been made and Councillors Brown and May could continue to participate in the discussion and debate on the item.

The following Members asked points of clarification:

- Councillor Martin Prescott
- Councillor Ruth Brown

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

- The 18mph average cycle speed on Barkway Road that had been detailed in the Transport Assessment was unrealistic as the road had a steep gradient.
- Parking on both sides of Barkway Road created pinch points.
- He had witnessed pedestrians taking avoiding action from cars that had driven onto the pavement.
- Barkway Road was two-way, but due to parked cars, its width was only one lane in some places.

The Chair thanked Mr Jameson for his presentation and invited the second Public Objector, Mr Oliver Neaves to speak against the application. Mr Neaves thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- They were a fellow of the Chartered Institute of Highways and Transportation and a Chartered Member of the Institute of Logistics and Transport with over two decades of experience in transport and planning.
- Their consultancy, Mayer Brown had thoroughly reviewed the 2021 and revised 2025 transport submissions to determine whether the concerns raised in the original submission had been resolved.
- Traffic surveys were conducted in December 2024, however, as per the Department for Transport guidance, December was not considered to be neutral to undertake traffic surveys due to atypical traffic patterns.
- It was impossible to verify whether the modelled queue lengths reflected real world conditions as the traffic survey data had not been made available.
- Highways had acknowledged that the software used for modelling roundabouts and priority junctions was two versions out of date.
- Modelling for the signalised junction at Kneesworth Street, Baldock Street and Melbourn Street was flawed as it assumed a lane length of 60 metres on Kneesworth Street where only 25 metres was available.
- The A505 – Baldock Road roundabout was over capacity with substantial queueing, and the same was true for the western arm of the A505 – A1198 roundabout. Both would worsen if the development was granted permission.
- Both Highways and their consultancy found that the Applicant had used inappropriate modelling for the A10 gyratory.
- Highways had listed several issues with the application including unaccounted for delays on Barkway Road due to on-street parking.
- Highways had not provided a comment on the acceptability of the development impact on the gyratory as the information provided by the Applicant was insufficient.

- It was clear that only microsimulation modelling would enable the full impact of the development to be assessed, however, this had not been undertaken.
- Given the shortcoming in survey data and junction modelling, the cumulative effect on the local highway network could be severe.
- In their opinion, paragraphs 115D and 116 in the National Planning Policy Framework (NPPF) had not been met by the proposal.
- While the Transport Addendum had resolved some issues, it was vital that mitigation proposals were based on accurate, robust, and valid data that reflected the road network.
- Only with these principles could the Committee make an informed decision that supported sustainable development while protecting community interests.

The following Members asked points of clarification:

- Councillor Louise Peace
- Councillor Bryony May
- Councillor Val Bryant

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

- On the Kneesworth Street approach to the signalised junction, modelling assumed that both lanes were 60 metres long, but they were only 25 metres in length which meant that less traffic was able to pass through the junction than the modelling had suggested.
- The local highways network along Barkway Road, the A10 gyratory and signalised junction already mentioned could only be correctly modelled using microsimulation modelling.
- They had not undertaken their own modelling, just a critique of the modelling provided by the Applicant.

The Chair thanked Mr Neaves for his verbal presentation and invited the third Public Objector, Ms Julie Dunthorne to speak against the application. Ms Dunthorne thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- The application site was not allocated under the Local Plan adopted in 2022 and was contrary to paragraph 12 of the NPPF.
- Supporting evidence had not been provided on archaeology, flood risk or noise.
- No Environmental Impact Assessment had been scheduled, the Habitat Survey was outdated and the Masterplan lacked credibility as there was no Construction Plan or Phasing Plan within it.
- The Transport Assessment was flawed and did not factor the impact of the parked cars along Barkway Road.
- An upgrade to Barkway Road had been deemed unfeasible by Highways in 2022 and no alternative had been found to this since it had been raised.
- Proposed cycle and footways would not be a realistic alternative to vehicular transport due to the site topography.
- The 1 in 10 gradient on Barkway Road was twice as steep as the maximum gradients advocated by Active Travel England.
- The site conflicted with Policy NE1 in the Local Plan due to its prominence and location.
- Forty-five acres of countryside and several public rights of way would be lost if the application was granted permission.
- Environmental impacts would be significant and irreversible.
- Proposed mitigation measures did nothing to alleviate the concerns raised in the original objection raised by Highways.
- The car share initiative proposed was voluntary and unenforceable

- Adverse impacts of the development demonstrably outweighed the benefits contrary to paragraph 14 of the NPPF.
- Members should be mindful when considering an application of this scale at an inaccessible and environmentally sustainable location which had been predicated on invalid and unproven assumptions.

In response to a point of clarification raised by Councillor Val Bryant, Ms Dunthorne advised that Archaeology had been deferred to the Reserved Matters stage of the application and that the Archaeological Assessment already carried out could have been a scoping exercise.

The Chair thanked Ms Dunthorne for her verbal presentation and invited the Member Advocate Objectors, Councillors Matt Barnes and Tim Johnson to speak against the application. Councillors Barnes and Johnson thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- This location would be unsuitable for the number of dwellings proposed and would be detrimental to existing infrastructure if approved.
- The application site was outside of the settlement boundary and was not in the adopted Local Plan as it was a rural area that enjoyed special protection under the plan itself.
- None of the tests set out in the Local Plan to deem it acceptable had been met.
- Granting permission for this application would set a precedent that the protections put in place by the Council to defend rural areas against inappropriate development did not matter.
- The A10 gyratory was narrow, confusing and sensitive to small increases in traffic which meant that it was regularly gridlocked at peak times.
- On the lower section of Barkway Road, rows of parked cars presented a major obstacle to vehicle movement as drivers coming from both directions were forced to stop and let oncoming traffic pass.
- Residents that lived around Barkway Road and travelled to a destination other than Barley or Barkway had to proceed north along Barkway Road towards the A10 gyratory, which possessed routine, unavoidable congestion.
- There were already 400 houses on Barkway Road and the roads stemming from it, and this development proposed to add another 280 houses which represented a 70% increase in dwellings and vehicles.
- The extent of this increase had not been adequately modelled in the Transport Assessment and no further modelling or mitigations were proposed.
- Lack of adequate modelling created cause for the Committee to defer the application and request additional modelling to receive the right information and ensure that the impacts of the development would be properly managed.
- Cyclists would be expected to cycle on Barkway Road as there would be no separated cycleway, and this would further add to the existing conflicts between cyclists, pedestrians and vehicles already described.
- The proposed cycle route in the west portion of the site was deemed to be primarily for recreational use in the Transport Assessment, therefore, it could not be expected to be a meaningful mitigation towards morning peak hour traffic.
- Furthermore, the cycle route would be stepped due to its steepness and be unlit due to nearby bat activity, adding to its unsuitability as an active travel route.
- Condition 34 stated that this issue would be resolved in a future application, however, it was vital that it be resolved before permission was granted as it was fundamental to the viability of the west portion of the site.
- Assumptions had been made that most journeys from the application site would be made to the town centre, however, travel distances to economic and social hubs elsewhere were twice as long as those detailed in the Transport Assessment and would not be comfortably accessible by walking or cycling.
- Reference to buses in the report failed to mention that the number 18 stopped only four times a day and the number 27 operated only twice a week.

- A car-centric development such as this was contrary to the sustainable travel guidelines in the NPPF and should not be allowed to proceed.
- If permission was granted, S106 contributions should be made towards hockey and cricket as the assertion that there was no local need for these was incorrect.
- The financial contribution that would be made towards the SSSI, Therfield Heath, was below the benchmarked level and had not been endorsed by the Conservators of Therfield Heath and Greens who also disputed the consultation of Natural England on the application.
- The application would be damaging to the countryside, contrary to the Local Plan, and had flawed traffic modelling and sustainable travel measures.
- Tests in the NPPF would not be met by the application and the Committee was urged to refuse permission.

There were no points of clarification from Members.

The Chair thanked Councillors Barnes and Johnson for their verbal presentations and invited the Agent to the Applicant, Ms Katherine Else to speak in support of the application. Ms Else thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- This application had been submitted to demonstrate its suitability for housing as it had not been possible for it to be put forward to the Local Plan examination.
- The Local Plan set out the need for a 20-22% growth in housing within the District, and being outside the Green Belt, Royston would need to accommodate a portion of this growth.
- This application presented an opportunity for sustainable growth in the south of Royston.
- The Council lacked a five-year housing land supply at the time of submission and to this day, therefore, the tilted balance applied and any adverse effects from the application would be outweighed by the benefits.
- 40% affordable housing within the application would contribute to local needs.
- Open space would be considerable as there would be a public park that would exceed the Fields in Trust Standards.
- A biodiversity net gain of 26% and hedge row net gain of 57% would be achieved.
- Allotment provision on-site would address the allotment shortfall within Royston.
- Virtual consultation with the Town Council, Highways Authority and Ward Members began in 2020 and wider consultation followed this through their website, leaflets and social media advertising.
- The Masterplan complied with Policy SP9 in the Local Plan and had been independently assessed by Design South East.
- Suitability of the site was demonstrated by its relationship with the urban edge of Royston and its visual containment by woodland.
- The development would respond to the site topography by positioning bungalows and landscape buffers adjacent to existing dwellings.
- Walking and cycling routes from the development would connect to existing networks within Royston, and put these travel modes in favour of vehicles.
- Green corridors would run east-west across the site.
- Highway infrastructure would be improved through the delivery of new crossings on Barkway Road and the A10 gyratory.
- Pedestrian connectivity would be enhanced to the standard required in the NPPF, ensuring the sustainability of the location.
- £8.3 million in S106 contributions would be made by the Applicant.
- Additional requests from Sport England would be taken on board.
- Medical facilities in Royston would be expanded to meet the need of NHS ICB.
- The Town Council had been consulted on the works to Green Walk plantation that would make the travel route to Shrubbery Grove possible. This proposed route would not have been included without their approval.

- In the original Transport Assessment, the link to King James Academy had been identified as a 15-minute route.

The following Members asked points of clarification:

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

In response to points of clarification, the Agent to the Applicant advised that:

- While all matters other than access had been reserved, the Masterplan offered the Council the ability to provide controls on drainage, open space and layout.
- A new Traffic Impact Assessment had been produced which the Highways Authority supported.
- It was accepted in the application that the traffic issues on Barkway Road and the A10 gyratory already existed and that they should not complicate them.
- In the pre-application advice, they were advised that there would be no solution to those traffic issues and consequently, the application had focused on mitigating the impact of the development through other solutions.
- They were six months from submitting an RM application, however, if additional archaeological surveys were required on the west part of the site, those might delay the submission.
- Extensive meetings with Ward Members took place in 2020 followed by wider consultation with the public.
- Social media advertising had taken place before the application submission to raise public awareness.
- Need to make the development green and use of the existing footpaths were two key points raised by the public during virtual conferencing.
- Concerns on accessibility, drainage and landscaping had also been taken on board during the consultation phase.
- After consultation, the application had been amended to improve its relationship with existing homes adjacent to the western portion of the site by lowering the height of dwellings to be bungalows and widening the landscape buffer.
- Parallel footpaths had been favoured over works to the central bridal way due to consultation comments.
- Representatives of the Applicant had also attended a local Area Forum meeting and distributed surveys door to door as part of the wider consultation.

In response to points raised in the verbal presentations, the Project Officer advised that a fair amount of on-site and off-site mitigation would be achieved through financial contributions that would comply with Community Infrastructure Levy regulations.

The following Members asked additional questions:

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

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

- It was not reasonable to request that an application of this scale carried out microsimulation modelling as it would be a detailed and expensive process and might

produce the same outcomes that had already been produced by the individual junction assessments if the same data was utilised.

- If the application was deferred to request the Applicant to carry out more traffic modelling, the Committee would only receive revised versions of what had already been produced.
- After balancing the application and the mitigations that had been offered with the view that the traffic was a peak period issue, Highways would not consider the additional traffic that would be brought by this development to result in a severe impact to the road network in terms of the NPPF.
- It was more helpful to look at the residual vehicle impact on the network based on the number of vehicles that would be added rather than the percentage increase of vehicles.

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

- The application was contrary to Policies SP5 and CGB1 in the Local Plan, however, due to the absence of a five-year housing land supply, the tilted balance was engaged and the NPPF deemed those policies to be out of date. Because of this, the application had been assessed against the policies in the NPPF rather than the Local Plan.
- Approval for the application had been recommended as the harms arising from the development would not demonstrably and significantly outweigh the benefits.
- Substantial weight had been given to the delivery of 280 homes as there was an identified shortfall of housing land supply in the district.

Councillor Martin Prescott proposed to refuse the application as it was in an unsuitable location and this was seconded by Councillor Ruth Brown.

In response to the proposal to refuse, the Locum Planning Lawyer advised to consider a proposal to defer the application to allow the Applicant to carry out further traffic surveying, followed by a proposal to refuse if the vote to defer was lost.

In response to advice received from the Local Planning Lawyer, Councillor Martin Prescott noted that the traffic issues on Barkway Road were outside the control of the Highways Authority, therefore, there would be no benefit to deferring the application.

In response to advice received from the Locum Planning Lawyer, Councillor Ruth Brown highlighted the following:

- The Committee had already been informed that it would not be reasonable to request that the Applicant undertook microsimulation modelling.
- The application site was outside the Local Plan settlement boundary.
- The tilted balance would not be engaged if it were not for the recent national planning policy change relating to five-year housing land supply.
- None of the exceptions detailed at paragraph 4.3.36 of the report had been met.
- They should be developing sites allocated in the Local Plan as detailed at paragraph 4.3.34 of the report before considering sites that were outside it.
- The Masterplan process was retrofitted to this site, but it had not been through the same level of scrutiny that Strategic Housing Sites had been through.
- Flaws in the Transport Assessment had been found.

In response to points raised by Members, The Agent to the Applicant advised that further traffic modelling could be undertaken with the data they already had, and that deferring the application would allow them to do this.

The Locum Planning Lawyer added that if the Committee resolved to refuse permission for the application, the Applicant had already informed them that they would lodge an appeal against

this decision, therefore, there would be no downside in deferring the application to allow the Applicant to undertake further modelling.

In response to a question from Councillor Ian Mantle, The Development and Conservation Manager advised that:

- An application could be refused if it was deemed to be unsuitable for residential development, however, this site had been assessed over several years and numerous amendments had been made to increase its suitability and allow officers to recommend that permission should be granted.
- If planning permission was refused on reasons related to highways without an objection from the Highways Authority, then it would be difficult to sustain that reason for refusal at an Appeal.

In response to a question from Councillor Martin Prescott, Councillor Ruth Brown detailed her reasons to refuse the application, however, she noted that she would be more inclined to defer the application as the Applicant was willing to undertake traffic further modelling.

In response to a question from Councillor Martin Prescott, the Locum Planning Lawyer advised that:

- The Applicant had indicated that further modelling could be carried out, however, they could not guarantee the results of this.
- Deferring the application to allow for further modelling would either give the Council a better position to defend an Appeal if they decided to refuse permission or reassure them on a decision to grant permission.

Councillor Martin Prescott withdrew his motion to refuse the application and this was accepted by Councillor Ruth Brown as seconder.

Councillor Martin Prescott proposed to defer the application and this was seconded by Councillor Ruth Brown.

The following Members took part in the debate:

- Councillor Dave Winstanley
- Councillor Nigel Mason

The following points were made as part of the debate:

- Deferring the application would be the most pragmatic approach.
- There should be a future visit to the application site to investigate the issues that had been mentioned.

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

RESOLVED: That application 21/00765/OP be **DEFERRED**.

REASONS FOR DECISION:

- (1) To allow the Applicant to conduct further traffic modelling.
- (2) To enable Members to undertake a visit to the application site.

N.B. Following the conclusion of this item, there was a break in proceedings at 21.08 and the meeting reconvened at 21.20.

50 24/01042/FP LAND AT CHURCH WOOD, THREE HOUSES LANE, CODICOTE, HERTFORDSHIRE

Audio recording – 2 hours 15 minutes 21 seconds

The Development and Conservation Manager provided a verbal update on matters relating to Application 24/01024/FP and advised that:

- An email had been received from a local resident to recommend that if the Committee granted permission, a condition should be applied to ensure the method of working complied with BS5837:2012, Trees in Relation to Design, Demolition and Construction.
- If permission was granted and that condition was not secured, there should be a condition that stated compensation would be paid if trees died within 20 years of the development.
- Compensation should be based on Capital Asset Value for Amenity Trees.

The Development and Conservation Manager then presented the report in respect of Application 24/01042/FP accompanied by a visual presentation consisting of plans and photographs.

In response to questions from Councillor Dave Winstanley, the Development and Conservation Manager advised that:

- An Appeal had been lodged against the buildings adjacent to the application site.
- There would be no reason to determine the decision on this application pending the decision of the Appeal.

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

- He was speaking on behalf of the Three Houses Lane Action Group.
- He urged the Committee to support the officer recommendation to refuse permission for the proposal.
- Built form would be within the 20-metre root protection zone of the Church Wood Ancient Woodland which was protected by a Tree Protection Order.
- This also conflicted with the mandatory BS5837:2012, Trees in Relation to Design, Demolition and Construction document.
- A Tree Survey, Arboricultural Impact Assessment, Tree Protection Plan, Arboricultural Method Statement and Construction Management Plan should have been provided by the Applicant to comply with BS5837.
- Nearby trees were threatened from the stables as horse urine and faeces could cause their death.
- Trees on and off-site were at risk from an individual and cumulative impact of excavation, compaction, pollution, contamination, flooding, service provision, and damage to bark, trunks and canopies.
- If the Council were to grant permission, the building footprint should be moved away from the woodland.
- At over 1900 square metres, the proposed buildings were vastly larger than the 800 square metre barn already on-site and there was no proposed mitigation or buffer zone for the loss of residential amenity that this would cause.
- In their opinion, the building did not relate to outdoor activities as permitted in paragraph 154 of the NPPF.
- The application site could not be classified as Grey Belt as the Applicant had not demonstrated an unmet need which the facilities would address.

- Special circumstances had not been advanced by the Applicant to explain why this development should be approved.

There were no points of clarification from Members.

The Chair thanked Mr Wise for his verbal presentation and invited the Agent to the Applicant, Mr Simon Warner to speak in support of the application. Mr Warner thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- The Appeal had been withdrawn and the ceased activity had been relocated to another site.
- This application had sought to provide a modest equestrian facility in keeping with the rural character of the area.
- Council Officer concerns had been listened to carefully, and they had responded by submitting amended plans which generously reduced the stables by 23% and menage by 25%.
- The Applicant was open to considering further reductions and they had requested a follow up meeting to discuss additional amendments to make the scheme acceptable.
- The Applicant had engaged drainage consultants to prepare a Flood Risk Assessment and Drainage Strategy.
- The Applicant was a breeder of high-quality horses which met a recognised need for horses in the UK and internationally.
- Several neighbouring sites were used for equestrian activities and an agreement had been reached with adjoining paddocks to provide more land outside this site.
- A pre-application on the wider site had been submitted to reach a long-term amicable agreement on its use.
- The points already raised showed that the Applicant was committed to work with the Council to produce a policy compliant and proportionate outcome that balanced Green Belt protection with rural economic activity.
- Over half of UK riding centres reported that they did not have enough horses to meet demand which had surged since the increase in recreational horse ownership and equestrian activities after the COVID-19 pandemic.
- He advised the Committee to defer the application to allow time to overcome the remaining issues and deliver the benefits to the equestrian community.

There were no points of clarification from Members.

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

- The Applicant had indicated a willingness to alter the scheme, however, the Senior Planning Officer had indicated that the proposed amendments were not sufficient to address the initial concerns raised.
- The Applicant was open to submit further amendments, however, it would be up to Members to defer the application to receive these.

In response to an additional question from Councillor Martin Prescott, the Development and Conservation Manager advised that the proposed revisions had been received after this application had been scheduled for consideration at this meeting.

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

There were no points made as part of the Debate.

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

RESOLVED: That application 24/01042/FP be **REFUSED** planning permission for the reasons set out in the report of the Development and Conservation Manager.

51 25/00949/FP LAND BETWEEN SHANGRI-LA AND TODDS CORNER, STEVENAGE ROAD, TODDS GREEN, HERTFORDSHIRE, SG1 2JE

Audio recording – 2 hours 34 minutes 7 seconds

N.B. Councillor Caroline McDonnell declared an interest in this item due to her role as a Parish Councillor for Wymondley Parish Council but clarified that she had not been involved in the application nor made any public comments on it. She remained in the Council Chamber and took part in the debate and vote.

The Development and Conservation Manager advised that there were no updated matters to report on since the publication of the agenda.

The Development and Conservation Manager then presented the report in respect of Application 25/00949/FP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Dave Winstanley
- Councillor Martin Prescott
- Councillor Tom Tyson
- Councillor Clare Billing
- Councillor Bryony May

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

- After assessing the application against purposes A, B and D of the Green Belt as set out in the NPPF, they had concluded that the application site was classified as Grey Belt.
- It had also met the criteria at paragraph 155 of the NPPF.
- If the application was larger, they would ask for a greater housing mix, however, as it was a small development, there was no reason to resist the application because it comprised two 5-bed dwellings.
- Decisions could not be made using assumptions of what the Applicant might do in the future, they could only consider the application before them.
- A gap between the dwellings would be made to retain a view of the land to the rear within a substantially built-up frontage.
- This was not a major development and the Golden Rules relating to 50% affordable housing did not apply.
- If more applications were submitted by the Applicant on the adjacent site, they would look at the cumulative impact of each additional application and assess the need for affordable housing on this, therefore, affordable housing provision would not be avoided by submitting separate applications of fewer dwellings.
- There would not be a noticeable difference in height between these dwellings and those nearby in Shangri-La and Todds Corner.
- No conditions on the gap between the dwellings would be necessary to prevent an access road being built there to access the land to the rear.

The Chair informed Members that the Member Advocate Objector, Councillor Dominic Griffiths had given their apologies and was unable to attend the Committee meeting to provide a verbal presentation and read out a written statement on their behalf, and highlighted the following:

- The land was Green Belt unless the Committee was minded to redesignate it.
- No very special circumstances had been demonstrated to allow development on the Green Belt.
- Infilling was not allowed in the proposed development area as it was within a hamlet.
- The open land provided the hamlet with the only place to enjoy distant country views.
- There was risk of adjoining properties being overlooked and the street scene being diminished with parked cars.
- Access to the proposed dwellings would be next to the roundabout which would be unfeasible in their view.

There were no points of clarification from Members.

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

- Biodiversity Net Gain could not be achieved in the gardens, therefore, the gap between the dwellings was designed to create a separate piece of land where this could be achieved that could also be accessed for maintenance and landscaping.
- The Applicant lived nearby and had a desire to see nice dwellings on this site.
- The gap between the dwellings would not be wide enough for refuse vehicles or fire engines to use as an access point to the adjacent site in the future.
- Contributions towards affordable housing would have to be made after 9 dwellings or 10,760 square feet of developed land were provisioned across this site and the adjacent one in future applications.
- Very special circumstances to build on the Green Belt were not necessary for this application.
- Stevenage Borough Council and North Herts Council had already approved applications in Todds Green as it was regarded as a village.
- This application presented an opportunity to deliver much needed homes for the district in a sustainable, sensitive and well-designed way to complement the rural setting of Todds Green.
- This application was not in isolation and would complete the existing line of frontage without extending built form into the countryside.
- They agreed with the report of the Senior Planning Officer that the proposal would be limited infill within the village and thus be appropriate in the Green Belt.
- Grey Belt requirements had been met and the proposal would be compliant with paragraph 155 of the NPPF.
- Proposed dwellings had been carefully designed to integrate sensitively with the prevailing character of the street scene and existing Edwardian dwellings in Todds Green.
- North Herts Council faced significant pressure for new housing and delivering small-scale, well-located homes such as these would address that issue.
- The application was modest, sensible, sustainable, appropriate in the Green Belt, respected local character and contributed to local housing need.
- With respect to the reasons above, they asked the Committee to grant permission for this application.

There were no points of clarification from Members.

In response to an additional question from Councillor Ruth Brown, the Development and Conservation Manager advised that the distance from the roundabout to the site access would be approximately 15 metres.

Councillor Caroline McDonnell proposed to refuse permission on the grounds that no very special circumstances had been demonstrated to allow development under the Green Belt but this was not seconded.

Councillor Nigel Mason proposed to grant permission and this was seconded by Councillor Tom Tyson.

The following Members took part in the debate:

- Councillor Dave Winstanley
- Councillor Caroline McDonnell
- Councillor Clare Billing
- Councillor Tom Tyson

The following points were made as part of the debate:

- It was a shame that areas of greenery accompanied by nice views such as this would be lost due to the absence of a five-year housing land supply.
- This was the only piece of land left under the Green Belt in Todds Green.
- Stevenage and Sperberry were further encroaching on Todds Green, and it was disappointing that this land would disappear if granted permission.
- Todds Green was not particularly busy and cars coming and going from this site would not present an issue to the nearby roundabout.
- The feel of the village would be changed by this development.
- Most people in the village would not be able to afford these luxury homes.
- There were no policy or legal reasons to refuse the application.

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

RESOLVED: That application 25/00949/FP be **GRANTED** planning permission subject to the conditions set out in the report of the Development and Conservation Manager.

52 **24/01994/S73 LAND BETWEEN ROYSTON ROAD AND, CAMBRIDGE ROAD, BARKWAY, HERTFORDSHIRE**

Audio recording – 3 hours 6 minutes 2 seconds

The Chair confirmed that this item was withdrawn from the Agenda, as the Applicant had withdrawn the application.

53 **APPEALS**

Audio recording – 3 hours 6 minutes 25 seconds

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

- There were no appeal decisions to report on.
- Two appeals had been lodged, one on a householder application and the other on application 24/01994/S73 which had been withdrawn.

Thursday, 4th September, 2025

In response to questions from Councillor Martin Prescott, the Development and Conservation Manager advised that:

- The Applicant for application 24/01994/S73 had withdrawn their appeal on the grounds of non-determination, therefore the application had been withdrawn.
- A further Section 73 application would be submitted by the Applicant in due course.
- There was no indication that the new Section 73 application would include a variation on Condition 9.

The meeting closed at 10.15 pm

Chair