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NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCWORTH GARDEN CITY, SG6 3JF
ON THURSDAY, 22ND JANUARY, 2026 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: *Faith Churchill (Democratic Services Apprentice), Shaun Greaves (Development and Conservation Manager), James Lovegrove (Committee, Member and Scrutiny Manager), Christella Menson (Principal Planning Officer), Nazneen Roy (Locum Planning Lawyer) and Henry Thomas (Planning Officer).*

Also Present: *At the commencement of the meeting approximately 4 members of the public, including registered speakers.*

112 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 16 seconds

There were no apologies for absence received.

113 MINUTES - 11 DECEMBER, 18 DECEMBER 2025

Audio Recording – 1 minute 28 seconds

Councillor Nigel Mason proposed to approve the Minutes of the meetings held on 11 December and 18 December 2025 and Councillor Emma Fernandes seconded.

Councillor Ruth Brown noted that she and Councillor Caroline McDonnell were not in attendance at the 18 December meeting as the item under consideration was a deferred item and therefore they could not take part in the debate or vote on that item.

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

RESOLVED: That the Minutes of the Meetings of the Committee held on 11 December and 18 December 2025 be approved as a true record of the proceedings and be signed by the Chair.

114 NOTIFICATION OF OTHER BUSINESS

Audio recording – 3 minutes 46 seconds

There was no other business notified.

115 CHAIR'S ANNOUNCEMENTS

Audio recording – 3 minutes 51 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.
- (7) The Chair advised of a change to the order of the Agenda and that Agenda Item 10 would be taken before Agenda Item 8.

116 PUBLIC PARTICIPATION

Audio recording – 6 minutes 26 seconds

The Chair confirmed that the registered speakers were in attendance.

117 25/02115/FP KIRKBY MANOR FARM, NORTHFIELD ROAD, ASHWELL, BALDOCK, HERTFORDSHIRE, SG7 5JQ

Audio recording – 6 minutes 40 seconds

The Planning Officer advised that all updates had been provided in the Supplementary Document published.

The Planning Officer then presented the report in respect of Application 25/02115/FP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Nigel Mason
- Councillor Dave Winstanley
- Councillor Ruth Brown
- Councillor Tom Tyson
- Councillor Val Bryant

In response to questions, the Planning Officer advised that:

- Curtilage referred to the area around a dwelling, including gardens and parking areas.
- Under the Class Q permitted development rights, the impact on neighbouring amenity could not be considered.
- Highways had objected to this application and had provided the previous objection to the Class Q permission. However, under Class Q permission, an objection under sustainability was not acceptable.
- The application being considered regarding plans, elevations and materials was the same as approved under the Class Q application.

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

- Under Class Q development, the extent of the curtilage was restricted to the total floorspace of the dwelling. Therefore, often properties end up with small gardens to serve the dwelling.
- Consequently, it was common for residents to seek planning permission to extend their garden.
- It was possible that this application had been submitted so these dwellings could be marketed with larger gardens.
- Extant permission was already in place for 8 dwellings, and there was 2 years remaining on this permission. The application tonight should be compared against what had already been approved, as this would be the fallback position.
- Recent legislation changes have meant that more prior approval could be sought for more dwellings within a scheme and also enlargement of buildings could take place under Class Q permitted development rights.
- The only changes from the existing permission were the garden and parking arrangements, all other aspects were as approved under Class Q permission.
- The minor extension to plot 4 had been approved in the Class Q application.
- There were material aspects which could be considered under this application but would need to compare the proposal with the fallback position.
- If this was an application for construction of new dwellings, it was likely Officers would have recommended refusal of permission.
- In terms of location, a proposal under Class Q could only be refused where a building was in an isolated location and there unviable to carry out necessary works. However, this site was on an existing highway.
- The proposal was to use existing bricks, some of which appeared to be in a bad condition and would therefore benefit from rendering. There were no proposals to demolish existing buildings.
- He would not be able to provide comment on why the previous Class Q permission was granted, but it was approved and was now the fallback position.

The Chair invited the first Public Objector, Parish Councillor Norton Mahy to speak against the application. Parish Councillor Mahy thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- He spoke on behalf of Ashwell Parish Council who objected to this application, as it was considered unacceptable development, outside of the village boundary and within greenbelt land.
- The location was not supported by sustainable transport links and Herts County Council Highways had included this as a reason for refusal in their response, as well as the access to the site being unsafe.
- This application should be considered as standalone from the Class Q permission granted. It was not a request to vary consent and did not meet the criteria for 'betterment'.
- This application would extend the development beyond the curtilage of the existing plot and would be at odds with the surroundings.
- There was no guarantee that, should this application be rejected, the Class Q fallback plans would go ahead, as there were strict rules around this type of development and it may not be taken forward by the developer without this new application being approved.

The Chair thanked Parish Councillor Mahy for their presentation and invited the second Public Objector, Nicki Holmes to speak against the application. Mrs Holmes thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- She and Mr Holmes were the owners of the neighbouring Victorian farmhouse.

- The site had permission granted under Class Q, but this previous application did not fully assess the situation.
- There were concerns around privacy, as the new proposed dwellings and parking area would overlook the existing bedrooms of the farmhouse and the proposed gardens would be overlooked by the farmhouse.
- There were concerns around noise and light disturbance from this development.
- There had been no proposals included to mitigate against the concerns on privacy or the disturbance from additional noise and light.
- The surrounding walls should be a minimum of 2.5metres in height and should be continued around the whole of the boundary to help address privacy concerns.
- She supported the assessment from Highways regarding the unsustainable travel options from the site and noted that the existing access road was not suitable for pedestrians as this was narrow and was frequently used by agricultural vehicles.

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

- There had been no consideration to the existing dwelling and the impact of this development, including one plot which adjoined the existing dwelling.
- The farmyard was currently concreted over and this would need to be completely removed to create gardens.
- The Farmhouse had been built in 1850 and therefore did not have suitable foundations to support this level of construction around it and no assessment had been made of this in the application.
- There had been no assessment on water supply, with only one, privately owned, pipe currently providing to the site.
- The domestic oil tank from the Farmhouse sat within the existing site and no alternative had been provided to this.
- The proposals introduced urban design features which were not sympathetic to the existing surrounds and there had been no mitigations proposed to keep the development in line with existing properties in the area.
- The main concerns around this application related to noise, overdevelopment, water supply and structural issues with the existing property.
- It was necessary to look to address these concerns, and for relevant conditions to be imposed on this application to provide mitigations.

The following Members asked points of clarification:

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

In response to points of clarification, Mrs Holmes advised that:

- The permission under Class Q did not include gardens at plots 5 to 8. The plots would have either included a garden or parking, not both.
- All impacts from the site needed to be considered together.
- An increase in height of the surrounding wall would help to mitigate the noise from the proposed gardens. This should be extended around the whole of the northern boundary of the site and should be in Arlesey white brick.
- Under the Class Q permission, the gardens proposed under this application for plots 5 to 8 would instead be hardstanding ground.

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- The height of the surrounding wall should be increased to 2.5metres around the site, as measured from the side of the existing farmhouse due to the incline of the site.

In response to points raised during the public presentations, the Development and Conservation Manager advised that:

- The proposed gardens at plots 5 to 8 under this application would be hardstanding under the current Class Q permission granted.
- There was an additional Condition 12 proposed in the Supplementary Document, which required information on the boundary to be provided to the Planning Authority and would allow Officers to decide on the appropriate height.

The following Members asked additional questions:

- Councillor Ruth Brown
- Councillor Martin Prescott
- Councillor Dave Winstanley
- Councillor Louise Peace
- Councillor Ian Mantle
- Councillor Tom Tyson

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

- Water suppliers were mandated to provide water supply to new dwellings. This was not a consideration in the approval of this application and was covered under other legislation.
- The location of the oil tanker was a civil matter and not for consideration under this application.
- The development would have to meet with the environmental requirements under Building Regulations. The Council could not require the developer to go further, but this may be something that the developer could consider.
- Electric Vehicle chargers were required under Building Regulations.
- It was likely that the new properties would rely on heat pumps, not gas boilers, and it was unlikely that the installation of oil boilers would enable the development to comply with Building Regulations.
- Most conditions included in the report were duplicated on the prior approval under Class Q.
- A condition to request details of the lighting proposed on site, as well as a restriction on the use of motion sensors, could be included. This could also cover the hours of operation of any lighting on site.
- An assessment of the structural integrity of the existing wall may need to be conducted before a height of the boundary wall could be committed to.

Councillor Nigel Mason proposed to grant permission subject to the Conditions included in the report of the Development and Conservation Manager, as well as the additional Conditions outlined in the Supplementary Document. This was seconded by Councillor Emma Fernandes.

Councillor Tom Tyson proposed an amendment to Conditions 11 and 12 to include:

- An amendment to Condition 11 which should include the requirement for details on the hours of operation and location of external lighting to be submitted.
- That further to this motion sensor activation of lights should be restricted.
- An amendment to Condition 12 to request that the minimum height of the wall boundary should be 2.5metres, as measured from the highest point.

This amendment was seconded by Councillor Ruth Brown.

Having been proposed and seconded, and following a vote, the amendment was **CARRIED**.

Councillor Emma Fernandes proposed an additional Condition 13 to be included to change the inclusion of the brick rendering in red and instead be Arlesey white as in keeping with the neighbouring properties. This was seconded by Councillor Val Bryant.

As part of the Debate, Councillor Tom Tyson proposed that the additional condition also include the walls separating units 3 and 2 and units 2 and 1. This was accepted by the Proposer and Secunder into the amendment.

Having been proposed and seconded, and following a vote, the amendment was **CARRIED**.

The following Members took part in the Debate on the substantive Motion:

- Councillor Caroline McDonnell
- Councillor Ian Mantle
- Councillor Martin Prescott
- Councillor Clare Billing
- Councillor Nigel Mason
- Councillor Bryony May
- Councillor Emma Fernandes
- Councillor Dave Winstanley

The following points were made as part of the Debate:

- There was confused as to why this application was being brought back following existing permission being granted.
- There were family homes proposed on site, but the road access was not suitable for travel and would require private car usage to access amenities.
- Had this application been considered on its own, then it would likely not reach a recommendation to grant. However, consideration needed to be given to the modifications suggested and whether these were suitable, otherwise the Committee would need to revert to the fallback position.
- There were several reasons not to agree with the development, including highways issues, and for this reason had this been a sole application it would likely have been refused. As it stood, there should not be additional permission granted and the developer should move forward with the plans as already approved under Class Q.
- If the Committee refused this, and the fallback position was taken forward, there would be no resolution to the lighting, rendering or boundary wall concerns.
- It was difficult to envision how these properties would work as family homes without the additional proposed outdoor space.
- It was preferable to avoid the fallback position to ensure that mitigations proposed tonight would be enacted.
- The development mean that historic farm buildings would be preserved. This proposal would mean that the existing buildings would be reused and ultimately provide 8, much needed, houses.
- These properties would appeal to some people and those people would know what property they were either buying or renting.

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

RESOLVED: That application 25/02115/FP be **GRANTED** planning permission subject to the conditions set out in the report of the Development and Conservation Manager, with additional Conditions 10 to 13 as follows:

Condition 10

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for:

- a) the parking of vehicles of site operatives and visitors.*
- b) loading and unloading of plant and materials.*
- c) storage of plant and materials used in constructing the development.*
- d) the hours of construction works.*
- e) wheel washing facilities.*
- f) measures to control the emission of dust and dirt during construction.*

The approved construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: In the interests of the amenities of the area and in accordance with Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

Condition 11

Prior to the installation of external lighting, full details including height, hours of operation, design, location of lighting, intensity and shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall preclude the inclusion of motion sensors. The lighting installation shall then be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of the appearance of the locality within the countryside and protection of neighbour amenity in accordance with Policies NE4 and D3 of the North Hertfordshire Local Plan 2011 to 2031.

Condition 12

Notwithstanding details of proposed boundary treatment in the submitted landscaping scheme (Drawing No. 164 LD 01) prior to occupation of the development hereby permitted details of the height of proposed boundary treatment shall be submitted to and approved in writing by the local planning authority, and the boundary wall with Kirby Manor farmhouse will be no less than 2.5metres measured from the highest point along the boundary within the neighbouring property and constructed in Arlesey White bricks. The boundary treatment shall be completed in accordance with the approved details before the buildings are occupied.

Reason: To safeguard and enhance the appearance of the development and the amenity of the locality and to comply with policies D1 and D3 of the North Hertfordshire Local Plan 2011 to 2031.

Condition 13

Notwithstanding the details in the submitted drawings, the development shall not include red external render. Details and/or 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 any works above ground level are commenced. The approved details shall be implemented on site and thereafter retained.

Reason: To ensure that the development will have an acceptable appearance which better reflects and 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.'

N.B. Following the conclusion of this Item, there was a break in proceedings from 20.32 and the meeting reconvened at 20.41.

118 PLANNING APPEALS

Audio recording – 1 hour 37 minutes 22 seconds

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

- One appeal had been dismissed relating to a first floor rear extension.
- There was an error on the table and the appeal related to The Old School House in Royston, not a property in Letchworth.

120 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 1 hour 38 minutes 40 seconds

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

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the said Act (as amended).

121 INFORMATION NOTE: PLANNING ENFORCEMENT ANNUAL REPORT 2025 - PART 2

N.B. This item was considered in private session and therefore no audio recording is available.

The Conservation and Planning Enforcement Team Leader presented the Information Note entitled 'Planning Enforcement Annual Report 2025 – Part 2' accompanied by a visual presentation.

The following Members asked questions:

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

In response to questions, the Conservation and Planning Enforcement Team Leader advised that:

- The Inspectors site visit in Reed would take place week commencing 26 January 2026 and would cover all aspects of issues raised in one visit.
- If cases were logged through the Councillor Portal, there was no need to complete a proforma. In some cases, details may be missing from the report through the Councillor Portal and therefore more information may be requested to assist with making a prompt decision on the matter.

- A single report would be preferred to multiple reports, as this would cut down the time taken to process reports.
- With Listed Buildings in disrepair, there would be an attempt to deal with the landowner. There were some limited grants available from Historic England to support renovation works, but in some cases it was not financially viable to complete required works.
- Where reports are made of driving over footpaths, this should be reported to the North Herts Council Enforcement Team. They would liaise with County Council Highways Team on the issue and look to work together to resolve.

119 INFORMATION NOTE: PLANNING ENFORCEMENT ANNUAL REPORT 2025 - PART 1

Audio recording – 2 hours 19 minutes 24 seconds

The Conservation and Planning Enforcement Team Leader presented the Information Note entitled 'Planning Enforcement Annual Report 2025 – Part 1' and advised that:

- The Information Note was provided for Members to note.
- An Enforcement Notice had been issued to a site in Breachwood Green relating to a car parking area and hardstanding.
- An Enforcement Notice had been issued to The George in Baldock relating to unauthorised change of use.
- An Enforcement Notice had been issued to 4c Sun Street in Hitchin relating to alterations to a building within the Conservation Area.

The meeting closed at 9.25 pm

Chair

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