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## NORTH HERTFORDSHIRE DISTRICT COUNCIL

### PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER - DISTRICT COUNCIL OFFICES, GERONON ROAD, LETCHWORTH, SG6 3JF  
ON THURSDAY, 16TH APRIL, 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 (PA - Director Governance), Ben Glover (Senior Planning Officer), Shaun Greaves (Development and Conservation Manager), Sarah Kasparian (Senior Planning Officer), James Lovegrove (Committee, Member and Scrutiny Manager), Anne McDonald (Principal Planning Officer (Development Management)) and Nazneen Roy (Locum Planning Lawyer).*

**Also Present:** *At the commencement of the meeting approximately 23 members of the public, including registered speakers.*

*Councillors Amy Allen and Sean Nolan were in attendance as Member Advocates.*

#### 154 APOLOGIES FOR ABSENCE

*Audio recording – 1 minute 10 seconds*

There were no apologies for absence received.

#### 155 MINUTES - 24 FEBRUARY, 12 MARCH, 19 MARCH 2026

*Audio Recording – 1 minute 17 seconds*

Councillor Nigel Mason, as Chair, proposed and Councillor Clare Billing seconded and, following a vote, it was:

**RESOLVED:** That the Minutes of the Meetings of the Committee held on 24 February, 12 March and 19 March 2026 be approved as a true record of the proceedings and be signed by the Chair.

#### 156 NOTIFICATION OF OTHER BUSINESS

*Audio recording – 2 minutes 27 seconds*

There was no other business notified.

#### 157 CHAIR'S ANNOUNCEMENTS

*Audio recording – 2 minutes 31 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 Members that a training session to be delivered by the Planning Officers Society had been arranged for Tuesday 19 May 2026.

**158 PUBLIC PARTICIPATION**

*Audio recording – 5 minutes 14 seconds*

The Chair confirmed that the registered speakers were in attendance.

**159 24/00326/FP LAND ON, CAMPFIELD WAY, LETCHWORTH GARDEN CITY, HERTFORDSHIRE**

*Audio recording – 6 minutes 01 seconds*

The Senior Planning Officer advised that written updates on matters relating to application 24/00326/FP had been published as a supplementary document and highlighted that:

- The applicant had agreed to the pre-commencement conditions, therefore point C in the resolution was no longer required.
- There was an error at paragraph 4.8 of the report regarding the housing mix, which should be 45 1-bed flats, 43 2-bed flats and no 3-bed flats. The correct mix was outlined at 5.2.9 of the report.

The Senior Planning Officer then presented the report in respect of Application 24/00326/FP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Ian Mantle
- Councillor Louise Peace
- Councillor Ruth Brown
- Councillor Clare Billing
- Councillor Tom Tyson

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

- The area had been a later addition to the Conservation Area but was its own character area due to the unique social purpose and adherence to Garden City principles of the site.
- Whilst the site did provide heritage value, the units could not be retained as they were in poor condition, and individually they did not have value.
- The Applicant did explore retention, but no units were suitable.
- The Applicant could provide further information on whether museum storage for one of the units was considered.

- There was a bus service on Icknield Way.
- The Highways Authority offered advice on the number of parking spaces provided on site.
- The parking provision was lower than required standards on site, but as there were a significant number of 1-bed flats, the proportion of spaces provided could be lower.
- There was a provision of visitor parking spaces throughout the site.
- It was felt that overall the parking provision was suitable for a location within an urban area, and a good provision of cycle storage had been included to help balance the shortage of parking spaces.
- Around 50% of the bungalows were still occupied, but the Applicant could provide further details on this.
- The recommendation on sound proofing had been requested by Network Rail and had been agreed with the Applicant.
- There were no plans to install Solar PV, likely due to the Conservation Area character, but heat pumps were proposed which were efficient and would be suitable for the units on this site.

In response to questions, the Development and Conservation Manager advised that new government regulations had been announced on 24 March 2026, to come into force on 24 March 2027, requiring homes to be delivered with lower carbon solutions, including solar panel installation.

The Chair invited the Public Supporter, Richard Clayton, to speak in favour of the application. Mr Clayton thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- He represented the Hawksley Bungalow Steering Group and provided comments on behalf of residents Mr Steven Fish and Ms Julie Baldock.
- Mr Fish had been a lifelong resident on the site and had happy memories of the estate and bungalow. However, he understood the need to move on, as the bungalows no longer met modern living standards.
- This proposal offered the opportunity to provide new, warm and decent homes, in a good environment, which were sympathetic to the Letchworth Garden City philosophy.
- Ms Baldock was a tenant in one of the bungalows and had experienced that these properties were no longer fit for purpose and the new proposal for housing was a must.
- Whilst she understood the historic relevant of the site, modern housing was required to bring new people into the town.
- The existing properties were cold, mouldy and expensive.
- Several tenants had already moved out of the site temporarily, but were looking forward to moving back into the new accommodation.

There were no points of clarification from Members.

The Chair then invited the Member Advocate Supporters, Councillors Amy Allen and Sean Nolan to speak in support of the application. They thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, and highlighted the following:

- The scheme to redevelop this site had potential to be transformational for residents and this modernisation was vital for the ward.
- They wanted to ensure that those living in the area would not be impacted by the works.
- As part of the Construction Management Plan, no parking should be allowed on Icknield Way or the surrounding roads.
- As parking was already an issue for the area, further details and information was needed on the parking provision throughout the development.
- There were some concerns that settle/Paradigm did not yet have ownership of the land, and this needed to be confirmed.

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- They supported the application, which brought new social housing to the area, was welcomed by residents and had engaged the community well throughout the process.
- It would be beneficial to keep the footbridge open and maintained throughout the construction period, as this was a vital route to the allotments and school sites, with only a long detour to avoid using the bridge.

There were no points of clarification from Members.

The Chair then invited the Applicant, and their Agent and Representative, Helen Pearson, Maddie Wild and Phil Rogers, to speak in support of the application. Ms Pearson thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, and highlighted the following:

- This development had been approached not just to build homes, but to provide places for people to live.
- The demand for social and affordable housing was increasing.
- The proposal was for a good standard of housing, which would provide roots for families to build their new lives.
- These existing homes were now at the end of their lifespan, and it was important to look ahead for the next 60 years. This would provide a long term solution, rather than renovating failing homes.
- The proposal would demolish the existing 60 bungalows and these would be replaced with 157 homes delivered on the site.
- There had been engagement throughout the process with residents, who had broadly accepted the need to develop the site in this way.
- All homes would meet or exceed the required standards and a mixture of private gardens, public open spaces and play areas would be provided, which had been developed alongside residents.
- There would be some Biodiversity Net Gain provided on site, with the remaining requirement being delivered off site.
- The decision to demolish the existing bungalows had not been taken lightly, but the costs of renovating existing properties would not be viable or long term. It was important that investments were made to ensure future provision.
- A like-for-like replacement was considered, but it was felt more units could be appropriately delivered on the site.
- As the estate was half empty, there had been an increase in anti-social behaviour and crime.
- This scheme would provide modern, safe and sustainable homes for the residents of tomorrow.

The following Members asked points of clarification:

- Councillor Dave Winstanley
- Councillor Clare Billing
- Councillor Louise Peace
- Councillor Ruth Brown

In response to points of clarification, Ms Pearson advised that:

- Roughly 50% of the site was currently empty. They had worked with the Steering Group to offer a right to return, a right to a home which would meet needs and an option to split families into separate units, where an adult child was living at home.
- They were working with freeholders and leaseholders to buy back control at appropriate stages.
- They had worked closely with the schools and had identified that the footbridge was a key route for students travelling between sites during the school day.

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- Whilst there was a need to close access to the footbridge due to the highways works required as part of phase 1, this would be minimised where possible and would be reopened once phase 1 was completed.
- There were similar problems with the maisonettes, but these were currently owned by Settle/Paradigm on a leasehold basis and they were working with the Letchworth Garden City Heritage Foundation to explore options.
- Residents in shared ownership properties would be responsible for their own homes and garden maintenance, but Settle/Paradigm would maintain the rest of the site.
- They had worked closely with residents, but understood this was an impact on people. The build would take place in two phases, and residents would be moved into properties completed during phase 1 before phase 2 began.
- Lots of work had already taken place to move people off site once and into a new home. However, there were 5 or 6 families where work was ongoing one on one to identify a suitable solution.

In response to points of clarification, Ms Wild advised that all construction workers would be encouraged to use sustainable travel, but parking would be provided on site only and workers would not park on Icknield Way.

In response to points of clarification, Mr Rogers advised that the bridge fell outside of the site boundary and was under different ownership. However, it had been agreed that the footbridge would be kept open for school students, with a secure passageway provided during phase 1 of construction.

In response to points raised in the verbal presentations, the Senior Planning Officer advised that:

- There were 26 fewer parking spaces provided than required. However, there were 27 visitor spaces provided which would help meet some of the shortfall, and a car club space would be provided.
- Overall, the planning balance was in favour of granting permission for this application, as the benefits outweighed the harm.
- The concerns around the footbridge closure had been discussed early in the process. However, there needed to be a balance against delivery and the closure was required for works to be carried out. The footbridge would only be closed during phase 1 of construction, with an agreement in place with the school for student access during the day, which was the best solution possible.

Councillor Nigel Mason proposed to grant permission subject to the conditions and informatives as set out in the report. This was seconded by Councillor Emma Fernandes.

The following Members took part in the debate:

- Councillor Ruth Brown
- Councillor Dave Winstanley

The following points were raised as part of the debate:

- The scheme appeared well thought through and the Applicant had engaged with local partners.
- Whilst some residents were understandably concerned about moving home, overall, this scheme delivered a net gain of 69 dwellings, 100% of which would be affordable, which was desperately needed across the district.
- It would be difficult for some residents who had lived on this site all their life, but it was a suitable proposal to upgrade the site.

- It would be good to retain an example of the bungalows for its historic architecture, but they were no longer suitable for purpose as dwellings.

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

**RESOLVED:** That application 24/00326/FP be **GRANTED** planning permission subject to:

- (1) The completion of a satisfactory legal agreement and the applicant agreeing to extend the statutory period in order to complete the agreement if required.
- (2) The delegation of powers to the Development and Conservation Manager to finalise a NHS contribution, and to update conditions and informatives with minor amendments as required.
- (3) Conditions as set out in the report.

*N.B. Following the conclusion of this item, there was a break in proceedings and the meeting reconvened at 20.02.*

**160 25/02547/FP LAND TO THE SOUTH AND EAST OF SENUNA PARK, STATION ROAD, ASHWELL**

*Audio recording – 56 minutes 29 seconds*

*N.B. Councillor Tom Tyson declared an interest as Member Advocate Objector and moved to the public speaking gallery.*

*N.B. Councillor Bryony May declared an interest due to involvement with the Conservators of Therfield Heath and Greens, who were making a S106 request on this application, and left the Chamber for the duration of this item.*

The Principal Planning Officer advised that written updates on matters relating to application 25/02547/FP had been published as a supplementary document and advised that:

- A revised recommendation had been included in the supplementary document.
- Due to an error on the planning mapping system, the Conservators of Therfield Heath and Greens had not been consulted but should have been due to the site being within the 5.8KM zone of influence of the Site of Special Scientific Interest (SSSI).
- They had now been consulted and were requesting a contribution, in line with SP7 of the Local Plan.
- There were no concerns with the Officers regarding this and the principle had been agreed with the Applicant, but not the final payment amount.

The Principal Planning Officer then presented the report in respect of Application 25/02547/FP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Ruth Brown
- Councillor Louise Peace
- Councillor Nigel Mason

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

- It was effectively an extension of the existing Senuna Park development, with both developments having a SUDs provision creating a green centre of the site.

- It was understood the Applicant for both this, and the approved permission for Senuna Park, were the same.
- The housing mix proposed not meeting the policies of the Ashwell Neighbourhood Plan was a material planning consideration on this application.
- As the Council did not have a 5-year housing land supply, as outlined in the NPPF, significant weight had to be given to the delivery of new homes.
- 24 live trees and 2 dead trees would be removed for access. This was discussed with the Applicant, but no other access for phase 1 was possible.
- There would be 143 trees planted across the site once complete, therefore it was considered a suitable mitigation in terms of the planning balance.
- Existing trees not to be removed would create a canopy effect over the road through the site.
- The S106 Heads of Terms had been largely agreed, with just two matters outstanding relating to the amounts in contribution for the sports pavilion and contribution to mitigate the Therfield Heath SSSI requirements.
- In most instances, Heads of Terms would be agreed before Committee, but if agreed at this meeting, the matter would be delegated to the Development and Conservation Manager who could agree this. If an agreement could not be achieved, it would be brought back to Committee to reconsider the proposal.

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

- The Parish Council objected to the application for a number of reasons.
- The current proposal would add 36 houses, bringing the total on site to 64, which would be 39% larger than the 2017 application, which was rejected due to the harm outweighing the benefits.
- The delivery of these houses would be contrary to Local Plan and Ashwell Neighbourhood Plan policies and this should be given more weight.
- There was no demonstrable need for the housing mix provided, with 50% being 4- and 5-bed properties, directly in conflict with the Ashwell Neighbourhood Plan policy.
- There was a low demand for larger houses, with 25% of the houses built on the adjacent part of Senuna Park still empty a year after completion.
- The development, if approved, would be nearly double the size of any other development site in Ashwell.
- There was conflict with policy relating to the density of developments on village edges.
- The site was 1 mile from the primary school and essential services in the village, with no sustainable travel options.
- The recommendation relied too much on the lack of 5 year housing land supply, rather than the impact on the existing village.

There were no points of clarification from Members.

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

- He spoke on behalf of the Conservators of Therfield Heath and Greens and they retained concerns of the approach of the Council to the SSSI at Therfield Heath and ensuring adequate mitigations were in place.
- There were concerns that policies in the NPPF, the adopted Local Plan, the Developer Contributions SPD and the Therfield Heath SSSI Mitigation Strategy were not being considered.
- The Mitigation Strategy had not been followed as the Conservators had not been consulted until 2 days before the Committee.

- Where the SSSI has not been considered, the NPPF outlined that the tilted balance should be disengaged.
- The developer has indicated that they are willing to make a contribution, but until this is formally agreed through Heads of Terms, the application should be refused.
- The Planning Officer, once aware of the error, had worked hard to resolve the issue over the past 48 hours, but the application should be deferred until full consultation could take place with Natural England and the Conservators.
- The Council had a duty to adhere to the Wildlife and Countryside Act 1981, which outlines that development should further SSSIs, not ignore them.

There were no points of clarification from Members.

The Chair then invited the Member Advocate Objector, Councillor Tom Tyson, to speak against the application. Councillor Tyson thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- He supported the points raised by the Parish Council in objection to this application.
- The original application had been refused unanimously by the Committee, as it was deemed to be sub-urbanising the area and was not a logical extension to the village.
- The site was outside of the settlement boundary and was huge when considered as a whole.
- The previous application was considered as bolted onto the existing village and was deemed not suitable for development by the Inspector because of this. However, this application was now additional to the already approved bolt on.
- The new bus service along Station Road did not cover key commuter times and therefore cars would be required to travel to the station, which already had existing parking issues.
- There was no footway or safe cycle route from Ashwell village to the station, and the other way led onto an existing dangerous part of the A505.
- It was a 25 minute walk from the outer extent of Senuna Park to the Ashwell Primary School, which was unreasonable to expect a parent to walk this to take a child to school.
- It was too far away from the amenities provided in the village.
- The design of the housing was not in keeping with the village. This provided a sub-urban look, which did not match existing houses on the outer village boundary, or other neighbouring villages, which usually were constructed with Arseley brick.
- It clearly failed to deliver on SP1 and SP2 of the NPPF.

There were no points of clarification from Members.

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

- The application for the adjacent development on this site had been allowed on appeal in April 2022. This scheme was now complete and providing housing in the village and helping to meet the delivery needs of the district.
- As part of the adjacent development, onsite greenspaces, a pond and planting had been provided to soften the impact of the development. This application would seek to do the same.
- The same team has worked on this proposal, with the same Applicant.
- There had been a detailed visual appraisal completed as part of the process, which sought to mitigate loss of the key visual aspects.
- There was no objection received in terms of the proposed landscaping and all consultees were satisfied with the proposals.

- There had been changes made following discussions with the Planning Officer, but these had not compromised on the design approach. An example of this was that the visuals of the frontage of the dwellings had been amended to be sympathetic to the existing dwellings.
- This proposal would provide a 50% Biodiversity Net Gain with significant levels of tree planting, other planting, open space and play areas provided.
- There would be 40% affordable housing delivered on site, with discussions ongoing with a social housing provider.
- The design proposed was considered acceptable by the Inspector on the previous application for this site.
- The development, if approved, could be delivered within 5 years and would immediately impact on the housing land supply of the district.
- In 2022, when the appeal was upheld, the Council had a housing land supply of 3.5 years, this was now at 2.6 years, which represented a 3,300 home shortfall.
- The government was supportive of housing delivery, especially by small and medium sized developers, who needed sites like this to be able to deliver housing.
- The proposal was compliant with national and local policies, with change made throughout discussions with Officers.
- Should the application be refused, it was likely the Applicant would submit an appeal.

The following Members asked points of clarification:

- Councillor Clare Billing
- Councillor Martin Prescott
- Councillor Val Bryant
- Councillor Ruth Brown

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

- No consultation had taken place with this application, as there was a need to delivery housing and the Applicant had previously been working on phase 1 of the site for 9 years, during which time significant public consultation took place and helped to identify issues previously raised.
- They were not aware of any drainage issues on site.
- There were some units on the phase 1 site for sale still, but the scheme had been completed and was fully built, with just a few remaining works required.
- They were not aware of the specific size of the units remaining for sale.
- The issue relating to the SSSI had been raised two days before the Committee and the Applicant had immediately accepted the principle but wanted to consider the contributions requested and ensure these were consistent with policy and met regulations.
- He could now confirm that the amount had been reviewed and the Applicant would accept the request from the Conservators of Therfield Heath and Greens and the Heads of Terms on this could now be updated.
- An updated request had been received for payment towards the sports pavilion, but the Applicant wanted to explore this calculation further, as there was no specific reference to how this should be calculated. A meeting had been requested with Officers to discuss this point further.
- The figure provided was pro-rata on another development in Ashwell for 14 units and this helped shape the offered amount of £135k. This has been submitted to the Planning Officer and they were awaiting a response from the Parish Council.

*N.B. Following the conclusion of the public speaking, Councillor Tyson left the Chamber for the remainder of this item.*

Following the public presentations, the following Members asked questions of the Principal Planning Officer:

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

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

- The issue relating to the SSSI came to light today and the Applicant had now agreed this and the issue was resolved. Therefore, this should not be used as a reason for deferral of the application.
- There remained an outstanding technical objection from the Lead Local Flood Authority (LLFA), which sought further information which had now been provided by the Applicant. Due to ongoing resourcing issues at the LLFA, no further response has been received, despite chasing from Officers. The recommendation is therefore subject to the agreement of the LLFA, which was not unusual.
- It was hoped the remaining matter relating to the sports pavilion would have been resolved, but it had not. There was no in principle objection to it, the Applicant has requested details on the calculations of the amount proposed but had agreed to make a payment. If this was not ultimately agreed, it could be brought back to Committee.
- The report addressed points raised by the Parish Council.
- Some of the sustainable highway contribution would be to relocate the speed sign on Station Road and to partly upgrade the footpath along the front of the site into the village.
- There was already a footpath past the site connecting to the village, but there was not a footpath linking Ashwell to the station at Odsey and there was no indication the S106 funding would be used to enhance this.
- They were not aware that a response letter from the LLFA removing their objection had been received and uploaded to the planning documents portal.

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

- The units still for sale on the adjacent development was not a material consideration of this application.
- There may be specific market circumstances currently which were affecting willingness to purchase new houses.
- Reasons should be provided to defer consideration of the application, as the Applicant would have a right to appeal against non-determination.

In response to questions, the Locum Planning Lawyer advised that circumstances on the adjacent site were not material to this application. If the application was refused, this would need to be a defensible decision, supported by material planning considerations.

Councillor Louise Peace proposed to refuse the application as it was in conflict with policies in the North Herts adopted Local Plan, as well as the Ashwell Neighbourhood Plan, and was outside of the settlement boundary. This was seconded by Councillor Ruth Brown.

The following Members took part in the debate:

- Councillor Ruth Brown
- Councillor Ian Mantle
- Councillor Martin Prescott
- Councillor Val Bryant

The following points were raised as part of the debate:

- The original proposal, which was refused by Committee, was for 46 units. 28 were now built on the adjacent plot and this had been allowed at appeal. This application was for 36 units, which would mean there would now be 64 units delivered on a site the Committee, and the Inspector, said was not suitable for 46 units.
- This represented significant urbanisation of a village outside of the settlement boundary.
- The Parish Council had developed a Neighbourhood Plan, which this application clearly conflicted with policies included in this adopted Plan.
- The scale, layout and type of units proposed was urbanising in the village and instead should be a lower density proposal, merging with the surrounding countryside.
- There was no sustainable transport solution to the site. Whilst cycling was possible to the station, it was dangerous, and it was not suitably accessible by foot.
- It would be difficult to defend a refusal at appeal, with the Inspector having allowed development on the other half of the site.
- The Planning Inspector had refused the number of units requested in original application, and therefore considered that this site was not suitable for a larger number of dwellings.
- More than moderate weighting should be applied to the points outlined at 4.4.1 of the Officer report.
- It was a balance as to whether the grounds provided for refusal would be defensible.

In response to points raised in the debate, the Principal Planning Officer advised that:

- The NPPF outlined that consideration had to be given to the delivery of housing, where a 5 year housing land supply could not be demonstrated.
- Any adverse impacts identified would need to have significant and demonstrable negative impact to justify refusal.
- The affordable housing provision was short by 1 bedroom in total. The request had been for a 4-bed house, but a 3-bed house was offered, which was considered to be a minor issue in the planning balance.
- There was a good mix of housing units delivered onsite, and whilst this provided more 4 and 5-bed units than required through the Ashwell Neighbourhood Plan, it was a net of 5 bedrooms more than policy. The impact of this was therefore not considered to outweigh the delivery of housing.
- The S106 Heads of Terms had now been mostly resolved and agreed.
- There was no objection to the design when considered against the existing section of Senuna Park.

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

- Conflict with policies of the Local Plan and Neighbourhood Plan had been identified and included within the report.
- It was outlined in the NPPF that where a 5 year housing land supply did not exist, limited weight should be applied to these policies, as they were in effect considered out of date.

Following the debate, the Locum Planning Lawyer advised Members that there needed to be clear reasons for refusal provided.

Following the debate, the Chair summarised that the reasons for refusal were that the application was in conflict with the Local Plan policies and policies within the Ashwell Neighbourhood Plan, that it would have an urbanising effect on the village edge, it was in an unsustainable location and the S106 Heads of Terms remained incomplete.

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

**RESOLVED:**

(1) That application 25/02547/FP be **REFUSED** planning permission for the following reasons:

- a. The proposal would have an urbanising effect on the village edge and the density of the site was not appropriate in a village location, which would result in harm to the rural character and appearance of the area.
- b. The application was in conflict with policies SP2, SP5 and CGB1 of the adopted Local Plan and ASH1 of the Ashwell Neighbourhood Plan.
- c. The site was in an unsustainable location.
- d. The Heads of Terms for the S106 agreement were incomplete.

(2) That delegation be provided to the Development and Conservation Manager to finalise the wording for the reason for refusal.

*N.B. Following the conclusion of this item, there was a break in proceedings. The meeting reconvened at 21.33 and Councillors Tyson and May returned to the Chamber.*

**161 25/03149/RM LAND BETWEEN ROYSTON ROAD AND, CAMBRIDGE ROAD, BARKWAY, HERTFORDSHIRE**

*Audio recording – 2 hours 27 minute 23 seconds*

The Senior Planning Officer advised that written updates on matters relating to application 25/03149/RM had been published as a supplementary document and highlighted that:

- A summary of consultee comments had been included in the written updates.
- A new condition was proposed to cover the installation of Solar PV panels, and an amendment was proposed to Condition 6.
- There were no remaining pre-commencement conditions to be agreed with the Applicant.

The Senior Planning Officer then presented the report in respect of Application 25/03149/RM accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

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

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

- The site had existing permission for 140 dwellings, which would consist of three character areas, including a village scene and woodland provision.
- The wooded areas were of lower density and located to the north of the site, with the higher density being further south on the site.
- The north-western SUDs would be more permanently filled with water, with the SUDs in the centre of the site being empty. This had been considered and the unfilled SUDs basins would be suitably landscaped.
- The flood assessment submitted previous was not accurate and therefore changes were required to accommodate associated works to adapt to the new assessment.

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- Throughout the process workshops had taken place with the Applicant and Officers to deliver a scheme that was deemed acceptable, whilst adhering to the adopted Masterplan for the site.
- This scheme was now more developed and detailed than the Masterplan.
- This Reserve Matter application would not affect Condition 9 on the Outline Permission application.
- There was no shop currently, as it has been offered to the market, but no offers had been received.
- There were no conditions to require delivery of a shop on site and it was not considered a reason for refusal of the Reserve Matters application.
- The shop could still come forward at a later stage.

In response to questions, the Development and Conservation Manager advised that the mix of housing provision compared to the existing village had been assessed at the Outline Permission stage, where permission was granted. However, Barkway did have a mixed density of housing, with some terraced housing with small garden plots through to large houses with large gardens.

In response to questions, the Local Planning Lawyer advised that the Reserve Matters application was not to consider the density on site.

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

- Condition 9 on the Outline Permission had been included to ensure capacity in the sewage network and waste water plant. However, there were concerns regarding this with evidence of spillage and fowl water run off into nearby chalk streams.
- There was no publicly available information from Thames Water on the phased approach proposed.
- There needed to be consideration and clarity as to how Thames Water was planning to deal with this issue.
- There was no meaningful attempt in the design quality of the development to meet surrounding areas.
- The planting along the northern boundary was not sufficient to provide a barrier to the adjacent stud farm.
- Planting was required along the southern boundary of the development along the existing school field.
- The Parish Council objected to the removal of the shop on site, as this had been included to support the sustainability of the development.
- Mitigation on site was required to manage the existing water stress issues in Barkway.
- The proposed housing would not meet new home standards, with no Solar PV panels proposed.
- In summary, there were concerns over the infrastructure, sustainability and environmental impact of the development and consideration needed to be given to whether the homes met required standards.

There were no points of clarification from Members.

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

- He spoke on behalf of the Conservators of Therfield Heath and Greens and they retained concerns of the approach of the Council to the Site of Special Scientific Interest (SSSI) at Therfield Heath and ensuring adequate mitigations were in place.

- There were concerns that policies in the National Planning Policy Framework (NPPF), the adopted Local Plan, the Developer Contributions SPD and the Therfield Heath SSSI Mitigation Strategy were not being considered.
- The Mitigation Strategy had not been followed and Natural England had not been consulted on this application.
- The report missed a key issue that this development would have an impact on the Therfield Heath SSSI.
- The NPPF outlined that harm to an SSSI must be mitigated or compensated for at some point of the process, and this had been tested at appeal.
- They were not requesting refusal of the application, as the developers had made efforts to deliver a suitable scheme, but the points raised needed to be considered.

There were no points of clarification from Members.

The Chair then invited the Applicant, Louise Simmonds, to speak in support of the application. Ms Simmonds thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, and highlighted the following:

- Over 18 months, they had worked with Officers and consultees to refine proposals and have incorporated suggestions into the final plans.
- Whilst they did not agree with the Parish Council position, the two parties had worked together with the process and, where possible, suggestions have been incorporated.
- Redrow had a record of delivering characterful, high quality homes and it was believed this could be achieved on this site, in collaboration with the existing surrounding area.
- There was a variety of unit types, materials and planting proposed, all of which were respectful to the area.
- It was identified that the northern boundary planting was important and a 15metre buffer had been provided, with shrub and tree planning, to provide separation between the development and the neighbouring stud.
- This would be a key contribution to housing supply in the district, which was important with increasing house prices in the area and the lack of 5 year housing land supply.
- This was an allocated site with the adopted Local Plan.
- There would be 56 houses provided on site as affordable, which met the 40% requirement, and would help to provide a home to those currently in temporary accommodation within the district.
- They noted the comments received from the Conservators of Therfield Heath and Greens and could provide further clarification on this, if required.
- There were no remaining technical objections from any statutory consultees.

In response to a point of clarification from Councillor Val Bryant, Ms Simmonds advised that:

- There were no planning conditions or obligations to provide a shop on site.
- The shop had been offered to the market in line with permission granted, but three responses had been received to say it was not currently viable. It was expected that the shop would become more viable as the development was built out and lived in.
- The S106 agreement secured a requirement on the developer to continue to market the shop for as long as required.

In response to points raised in the verbal presentations, the Senior Planning Officer advised that:

- The points raised regarding the Therfield Heath SSSI and Natural England were not a consideration on this application, as this was for reserved matters.
- Many of the issues raised concerned matters already approved through the Outline Planning application.

Councillor Nigel Mason proposed to grant permission subject to the conditions and informatives as set out in the report, including the amendment to Condition 6 and additional Condition 9. This was seconded by Councillor Ian Mantle.

The following Members took part in the debate:

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

In response to a question from Councillor Martin Prescott, the Senior Planning Officer advised that the outline application pre-dated the Mitigation Strategy from the Conservators of Therfield Heath and Greens.

The following points were raised as part of the debate:

- It was good to have confirmation that Condition 9 from the Outline Permission application would not be impacted.
- It was positive to see that the Applicant had engaged actively with the Parish Council.
- It would be better to see houses more suitably designed to meet existing surrounding properties and which reflected the existing character of the village, rather than a sub-urban design.
- The Committee needed to determine this application, it was not the suitable time to look to redesign the scheme.
- It was disappointing that the Council did not take the opportunity to develop good quality house design on this plot, as this would be a legacy of the Council. The proposal did not provide housing of quality appearance and was not suitable for Barkway.

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

**RESOLVED:** That application 25/03149/RM be **GRANTED** subject to:

- (1) The delegation of powers to the Development and Conservation Manager to (i) resolve any outstanding matters and (ii) update conditions and information with minor amendments as required.
- (2) The conditions as set out in the report, with the following amendment to Condition 6 and additional Condition 9:

'Condition 6

*Prior to any above slab level development approved by this application, an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as the inclusion of integrated bird/bat boxes in buildings/structures and hedgehog highways must be submitted to and approved in writing by the local planning authority. Swift bricks should be used where building heights allow.*

*Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with Policy NE4 of the North Hertfordshire Local Plan (2011-2031) and the National Planning Policy Framework.*

Condition 9

*Prior to their installation, details of any solar photovoltaic (PV) panels to be installed as part of the development hereby approved, including their siting, design and appearance, shall be submitted to and approved in writing by the Local Planning Authority. The PV panels shall thereafter be installed in accordance with the approved details.*

*Reason: To ensure that any solar photovoltaic panels are appropriately designed and integrated into the development, in the interests of high-quality design, in accordance with Policy D1 of the North Hertfordshire Local Plan and Section 12 of the National Planning Policy Framework'*

**162 APPEALS**

*Audio recording – 3 hours 13 minutes 41 seconds*

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

- One appeal decision had been received and the appeal had been allowed, relating to St Albans Road, Codicote. The Inspector had found the development was inappropriate, as it would cause harm to the greenbelt, however, it was allowed due to the specific circumstances on this site and potential conflict with the Equality Act 2010.
- One appeal had been lodged for a two-storey side extension in Baldock.

Councillor Martin Prescott noted that it was disappointing that the appeal in Codicote was allowed, as it implied that rules did not seem to apply to all people equally.

The meeting closed at 10.22 pm

Chair