

Public Document Pack

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER - DISTRICT COUNCIL OFFICES, GERON
ROAD, LETCHWORTH, SG6 3JF
ON THURSDAY, 3RD SEPTEMBER, 2026 AT 7.00 PM

MINUTES

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

In Attendance: *Luca Benedito (Trainee Committee, Member and Scrutiny Officer), Faith Churchill (PA - Director Governance), Ben Glover (Senior Planning Officer), Sarah Kasparian (Principal Planning Officer (Major Projects)), Saffron Loasby (Senior Planning Officer), James Lovegrove (Committee, Member and Scrutiny Manager), Christella Menson (Conservation and Planning Enforcement Team Leader) and Nazneen Roy (Locum Planning Lawyer).*

Also Present: *At the commencement of the meeting approximately 7 members of the public, including registered speakers.*

Councillor Claire Strong was in attendance as Member Advocate Objector.

47 APOLOGIES FOR ABSENCE

Audio recording – 03 minutes 20 seconds

Apologies for absence were received from Councillor Ruth Brown.

Having given due notice, Councillor Bryony May substituted for Councillor Brown.

48 MINUTES - 23 JULY 2026

Audio Recording – 03 minutes 34 seconds

Councillor Nigel Mason as Chair, proposed and Councillor Emma Fernandes seconded, and following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 23 July 2026 be approved as a true record of the proceedings and be signed by the Chair.

49 NOTIFICATION OF OTHER BUSINESS

Audio recording – 04 minutes 44 seconds

There was no other business notified.

50 CHAIR'S ANNOUNCEMENTS

Audio recording – 04 minutes 48 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.

51 PUBLIC PARTICIPATION

Audio recording – 07 minutes 11 seconds

The Chair confirmed that the registered speakers were in attendance.

52 25/02064/OP Land Adjacent To 10, Hambridge Way, Pirton, Hertfordshire

Audio recording – 07 minutes 34 seconds

The Senior Planning Officer provided a verbal update on matters relating to Application 25/02064/OP and advised that:

- Pirton Sports and Social Club had submitted several objections not directly covered within the officer report, and these were available online.
- Key issues raised included deficiencies in the noise survey, drainage report and mitigation, proposed planning conditions, and the setting back of the site from the recreation ground to protect sporting activities.
- The objection also requested merging the Cotman End access with the recreation ground access and safeguarding land within the application site for future expansion of the recreation ground.
- The original objection included a request for £365,000 towards pavilion and recreational improvements.
- The recreation ground and its access were outside the red-line boundary, and there was no requirement for the applicant to merge access roads.
- Highways had raised no objection to the proposed access arrangements.
- The site exceeded Fields in Trust requirements for open space for a development of this scale.
- The Lead Local Flood Authority and Environmental Health had raised no objections.
- The applicant had agreed planning obligations towards sports facilities and pitches within the district, but not directly to Pirton Sports and Social Club.
- Sports England and the England and Wales Cricket Board enforce an 80m strike zone from the cricket square, and the illustrative layout showed development within that zone.
- Approval was recommended subject to additional conditions delegating authority to the Development and Conservation Manager.

The Senior Planning Officer then presented the report in respect of application 25/02064/OP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

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

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

- Green arrows shown on the framework plan were indicative access principles for pedestrian and cycle movement, to be detailed at Reserved Matters stage.
- Biodiversity Net Gain (BNG) contributions would be secured by condition and delivered at district or county level.
- The hedgerow habitat unit increase of 23% would be safeguarded through the biodiversity net gain plan required under Condition 25.
- The BNG plan would be submitted to and approved by the Planning Authority before commencement.
- Boundary hedgerows were expected to be retained and reinforced as part of achieving net gain.
- Affordable housing mix would be secured through the Section 106 agreement.
- Market housing mix would be submitted prior to commencement and assessed against policy and the Strategic Housing Market Assessment.
- Detailed housing mix was not required at outline stage.
- Construction traffic management would be determined by the Highway Authority.

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

- Pirton valued its natural environment, and a 19% biodiversity net loss on a single greenfield site was unacceptable.
- The central hedgerow was proposed for removal despite supporting bat species, including the rare Bechstein bat.
- Biodiversity calculations assumed a pond that as no longer proposed, and updated reports were required.
- Off-site biodiversity compensation should be reinvested in Pirton, where numerous biodiversity projects were ongoing.
- Noise assessments were inadequate and did not reflect actual recreation ground use, including large events and regular football activity.
- Section 106 allocations provided only £13,300 to the village hall despite the parish being directly affected by the development.
- She requested deferment for updated reports or additional conditions.

The following Members asked points of clarification:

- Councillor Louise Peace

In response to points of clarification, Parish Councillor Burleigh advised that:

- Noise assessments were based on outdated pavilion use and did not capture typical weekend activity or large events.
- Without accurate noise evidence, mitigation for future residents would be insufficient.

The Chair thanked Parish Councillor Burleigh for their presentation and invited the second Public Objector, Alan Scott to speak against the application. Mr Scott thanked the Chair for the

opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- Current proposals were not adequate to protect the recreation ground because its use and associated risks had not been properly assessed.
- The proposed noise condition relied on an acoustic assessment carried out over six days in July 2025 during school holidays, using the Woman's Euro Final at the old clubhouse as a worst-case event.
- By contrast, the fireworks events attracted over 2,000 people outdoors with fireworks and live music, and winter football weekends brought around 200 players and supporters.
- If evidence did not reflect actual use, any condition based on it would be defective, and mitigation must be designed now, as it would be too late once homes were built.
- The highways assessment focused only on weekday peak-hour traffic for the development and not on the operation of the recreation ground.
- The single-track entrance caused significant congestion during routine football and became substantially worse during events.
- This application represented the last realistic opportunity to resolve long-standing access problems; failure to do so would constrain safe operation and future potential of the recreation ground.
- The proposed Section 106 package directed £151,817 of sports contributions elsewhere, despite the Council's own strategy identifying Pirton's football and cricket needs as high priority.
- Funding was instead allocated to projects in Ickleford and Hitchin, with nothing for facilities next door.

The following Members asked points of clarification:

- Councillor Nigel Mason
- Councillor Martin Prescott

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

- Section 106 funding was being directed to Ickleford despite Pirton being identified as a higher priority in the Council's own strategy.
- The recreation ground access road was separate from the proposed Cotman End access for the development, though located immediately adjacent.
- The recreation ground access was an unmade track, causing significant operational issues, and both access points sat close to a blind corner.
- Highways had assessed only the Cotman End access and not the combined impact of both adjacent access points.
- Parking during major events was already problematic, with vehicles parking on Pirton's public streets and sometimes on Cotman End despite residents placing signs to discourage it.
- The Club had proposed reconfiguring the playground to create additional parking space, but overall capacity remained constrained.
- A recent accident had occurred due to vehicles reversing to allow others to pass on the narrow track.

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

- The project still had work to complete, but the village now had £400,000 of debt and no remaining funds; the organisation was financially 'broke.'
- The officer report made no assessment of the negative impact of the development on its nearest neighbour, the recreation ground.

- Detailed representations had been submitted, but there had been no material engagement with the developer, who had produced plans in isolation.
- The proposal was defective and should be deferred to address material faults.
- The noise survey was outdated, taken before the new pavilion, used an indoor low-noise event, and concluded no mitigation; proper assessment and safeguarding are needed.
- The strategy does not address surface water runoff onto clay-based pitches, risking damage without documented solutions.
- A simple vehicle link via a gap in the fence was missing, despite being easy to implement and not requiring merged ownership.
- Pirton receives only £13,000 out of £2.6 million despite high local need; contributions should be revised to support pavilion completion, village hall, playground and cricket facilities.

In response to points of clarification from Councillor Martin Prescott, Mr Cole advised:

- Mitigation must follow the agent of change principle, requiring setbacks, sound proofing, ventilation systems and legal protection to safeguard recreation ground use.
- Parking during major events already causes significant issues, and current proposals threaten long-established recreation ground operations.

The Chair thanked Mr Cole for their presentation and invited the Member Advocate Objector, Councillor Claire Strong to speak against the application. Councillor Strong thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- The proposed access into the new development was a single-entry pinch point, giving priority to one direction of traffic, such designs were rare and potentially dangerous.
- A solution could be found if the developer, Parish Council and Pirton Sports and Social Club engaged meaningfully to create a lasting improved access to the recreation ground.
- The new NPPF required proportionate pre-application engagement with those affected, and emphasised sustainable transport, walking, wheeling and cycling.
- An amended scheme could provide safer access to both the recreation ground and the new development, improving connectivity and reducing conflict between pedestrians, cyclists and vehicles.
- The Section 106 package included no facilities for play, sport or informal recreation in Pirton, despite clear local need.
- Pirton had never received Section 106 funding from Ickleford applications and questioned why Pirton should now be funding Ickleford's facilities.
- Conditions and mitigations need to be considered rather than deferral, ensuring outstanding matters and financial contributions were directly relevant to Pirton's needs.

In response to points of clarification from Councillor Martin Prescott, Councillor Strong advised that:

- She did not know who had decided to divert Section 106 funding away from Pirton.
- The Parish Council had explored quotes for play equipment and other enhancements, but nothing progressed at the time.
- Providing a new play area within the private development would not benefit the wider village, whereas enhancing existing facilities would.

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

- The application proposed up to 50 sustainable new homes, including 20 affordable homes in accordance with Local Plan Policy HS2, alongside large areas of public open space.
- The Council had significant unmet market and affordable housing needs, and the scheme could be delivered rapidly in a sustainable village location.
- Officers gave significant weight to the market housing and very significant weight to the affordable housing.
- The applicant had a strong track record of delivering high-quality sustainable housing in Pirton, demonstrated by the completed Cotman End scheme.
- The development would complement Cotman End with a broader scale and mix of homes and was consistent with the emerging settlement pattern.
- Officers considered the proposal a logical extension to the village and an important contribution to housing land supply.
- The new NPPF (2026) did not change the principles of sustainable development or the need to deliver new homes in appropriate locations.
- Policy S5 of the new NPPF allowed development outside settlement limits where unmet need existed, including circumstances where the LPA could not demonstrate a five-year housing land supply.
- Officers concluded the scheme was physically well-related to the settlement and of a scale that could be accommodated with existing and proposed infrastructure.
- Infrastructure improvements would be delivered via planning conditions and obligations, including public transport enhancements.
- All obligations sought by North Herts were agreed in principle, and the applicant was liaising with Highways on final sums for infrastructure works.
- The proposals were sustainable, deliverable and provided much-needed homes at a time when the Council could not demonstrate a five-year housing land supply.

There were no points of clarification from Members.

In response to points made during the verbal presentations, the Senior Planning Officer advised that:

- A noise report had been submitted, assessed by the Environmental Health Officer, and no objection was raised. A condition was included to secure appropriate mitigation.
- The desire to merge the recreation ground access with Cotman End was noted, but the recreation ground access lay outside the red-line boundary. Highways had raised no objection to the proposed access arrangements, subject to conditions and Section 106 contributions.
- Sports England calculators were used to determine contributions for sport facilities and playing pitches, projects were identified by internal consultees and the Open Space team.
- Concerns about drainage were noted, but the Lead Local Flood Authority had raised no objection.

In response to points raised, the Locum Planning Lawyer advised that:

- Appeal decisions had considered the agent of change principle, including a case involving 79 homes near a music venue.
- In that appeal, a condition requiring a deed of easement, which prevented new residents from complaining about noise, was removed by the Inspector, who concluded that ordinary acoustic mitigation was sufficient.
- For this application, Condition 30 required a noise mitigation scheme to be submitted prior to commencement, and the LPA must be satisfied that the scheme was appropriate.
- Statutory nuisance is dealt with under separate legislation, not planning law.
- Environmental Health may refer back to their planning consultation response, but statutory nuisance would be assessed independently.
- Confirmed that planning conditions could be strengthened by requiring an updated noise assessment and further mitigation.

The following Members asked questions:

- Councillor Louise Peace
- Councillor Martin Prescott
- Councillor Clare Billing
- Councillor Caroline McDonnell
- Councillor Bryony May
- Councillor Emma Fernandes
- Councillor Claire Winchester
- Councillor Dave Winstanley
- Councillor Val Bryant
- Councillor Ian Mantle

In response to questions, the Principal Planning Officer (Major Sites) advised that:

- The BNG plan must be resubmitted and if the attenuation basin was assumed wet but is now dry, the BNG calculation would be reassessed and credits adjusted.
- Condition 30 could be strengthened by requiring an updated noise assessment and securing further mitigation.
- If an updated noise assessment showed unacceptable noise, officers would need to secure mitigation; Committee may delegate reconsideration, and the application could return if the recommendation changes.
- This was an outline application with all matters reserved, except for means of access.
- Highways raised no objections and detailed access design, including safety considerations and mitigations, would be addressed at Reserved Matters.
- Committee could delegate the noise reassessment to officers, following which Environmental Health would be reconsulted, and dwellings could not be occupied until an approved mitigation scheme was in place.
- Officers facilitate statutory consultations, missed representations from Pirton Sports and Social Club were addressed verbally, and officers can revisit stakeholder engagement as part of the recommendation.

In response to questions, the Locum Planning Lawyer advised that:

- Statutory nuisance is governed by separate legislation, and planning mitigation cannot prevent statutory nuisance complaints.
- Environmental Health's planning opinion does not override statutory nuisance law.
- Planning conditions can require updated assessments and mitigation, but statutory nuisance investigations remain independent and may still restrict activities.

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

- Highways assess only submitted transport evidence, they cannot assess event-based traffic.
- The recreation ground access is not believed to be public highway.
- Highways will judge based on traffic movements submitted by the applicant.
- Hambridge Way emergency access cannot be upgraded to a full secondary access, it is too narrow and functions more like a bridleway, which is not part of the submitted scheme.
- Section 106 sports contributions can still be reviewed even if the application is deferred.
- Not aware of direct engagement between applicant and Parish Council, officers can encourage but not compel engagement.
- Officers can discuss concerns with Highways, but Highways rely on formal transport assessment, not event-based observations.
- All outstanding issues could theoretically be resolved with more time through deferral.

Councillor Nigel Mason proposed to grant permission and this was seconded by Councillor Ian Mantle.

The following Members took part in the debate:

- Councillor Clare Billing
- Councillor Claire Winchester
- Councillor Martin Prescott
- Councillor Nigel Mason
- Councillor Ian Mantle

The following points were made as part of the debate:

- The noise issue could not be provided as a reason to refuse this application, and mitigations were proposed in the conditions drafted.
- The application felt incomplete and missing key elements, a deferral would be supported.
- Conditions were good but concerns would not be resolved, feared statutory nuisance complaints could still arise even after deferral and updated assessments.
- Any alternative recommendation must be supported by a material planning reason.
- If Members believed the site could not accommodate 50 homes without noise nuisance, that could constitute a reason for refusal.
- Mitigation protects future residents, not the sports club, and planning cannot safeguard the ability of the venue to hold events long-term.
- Restrictions enforced by the Licensing authority could force the club to reduce events or close windows, potentially making it unsustainable.

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

RESOLVED: That application 25/02064/OP be **GRANTED** planning permission subject to:

- A) The completion of a satisfactory legal agreement and the applicant agreeing to extend the statutory period in order to complete the agreement.
- B) Providing delegated powers to the Development and Conservation Manager to (i) resolve outstanding matters including financial contributions and (ii) update conditions and informatives with minor amendments as required.
- C) That authority be delegated to the Development and Conservation Manager to finalise the planning obligations relating to sports facilities and playing-pitch provision, including determining whether any contribution or provision should be secured for Pirton Sports and Social Club, following consultation with Sport England and Pirton Sports and Social Club.
- D) That authority be delegated to the Development and Conservation Manager to require the applicant to submit a Ball Trajectory Risk Assessment or similar, undertaken by a suitably qualified person, and, following consultation with Sport England, to address this requirement before outline planning permission is issued.
- E) The conditions as set out in the report with an amendment to Condition 30 and an additional condition 33 as follows:

'Condition 33

No development shall commence until a Market Housing Mix Schedule has been submitted to and approved in writing by the Local Planning Authority. The schedule shall set out the number, type, and size of market dwellings proposed across the site and how this would complement the affordable housing mix agreed by planning obligation. The schedule shall take into account the requirements of Policy HS3 of the Local Plan and the most recent Strategic Housing Market Assessment. Any reserved matters application pursuant to this outline planning permission shall be in accordance with the approved schedule.

Reason: To inform the layout, scale and density of the development to be submitted at reserved matters stage and to secure an appropriate range of house types and sizes in accordable with Policies SP8 and HS3 of the North Hertfordshire Local Plan 2011-2031.

Condition 30

Prior to the commencement of development, an updated Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall review the findings and recommendations of the Cass Allen Ltd report (Ref: RP01-25395-R0) dated 12 August 2025, taking account of the development layout and all relevant noise sources, and shall identify any necessary mitigation measures to protect the residential amenity of future occupants. No dwelling shall be occupied until the scheme providing protection for those dwellings has been implemented in accordance with the approved details. The approved scheme shall be retained in accordance with those details thereafter.

Reason: To ensure that the potential noise impacts of the development are properly assessed and appropriately mitigated, and to protect the residential amenity of future occupants, in accordance with Policy D3 of the North Hertfordshire Local Plan 2011–2031.'

53 26/01373/S73 Site Of Former Greenside, London Road, Langley, Hertfordshire, SG4 7PP

Audio recording – 02 hours 02 minutes 29 seconds

The Senior Planning Officer provided a verbal update on matters relating to Application 26/01373/S73 and advised that:

- Planning permission was granted in 2024 for demolition of the former dwelling, outbuildings and yard buildings, and construction of six detached four-bedroom dwellings.
- Development had commenced and the houses were now substantially progressed.
- The application sought to vary the approved drawings under Section 73, with the principal change being the addition of carports to each of the six units.
- The site lies on the eastern side of London Road, Langley, within the Green Belt, but comprises previously developed land.
- The listed Forge building is located north of the entrance, with a public footpath along the western boundary.
- The position of all six units remain unchanged from the approved scheme.
- Plots 1 and 2 would have double-bay carports; plots 3-6 would have single-bay carports.
- Carports are lightweight timber structures positioned within previously approved parking areas.

The Senior Planning Officer then presented the report in respect of Application 26/01373/S73 accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Clare Billing
- Councillor Louise Peace
- Councillor Martin Prescott

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

- A condition had been imposed to prevent the carports from being enclosed, ensuring they remain open and retained for vehicle parking.

- Although the carports were slightly smaller than the standard as outlined in the Design Code due to separate bin and cycle storage. However, they were still capable of accommodating a car.
- Parking provision had already been established under the previous permission, and the carports did not raise any substantive concerns regarding size or impact.

Councillor Martin Prescott proposed to grant permission and this was seconded by Councillor Tom Tyson and, following a vote, it was:

RESOLVED: That application 26/01373/S73 be **GRANTED** planning permission subject to the conditions as set out in the report of the Development and Conservation Manager.

54 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 02 hours 13 minutes 10 seconds

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

RESOLVED: That under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting on the grounds that the following report will involve the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 Schedule 12A of the said Act (as amended).

55 PLANNING ENFORCEMENT UPDATE - PART 2

N.B. This item was considered in restriction session and therefore no recording was available.

Details of minutes taken on this item are restricted due to the disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of Section 200A(4) of the Local Government Act 1972 (as amended).

56 PLANNING ENFORCEMENT UPDATE - PART 1

Audio recording – 02 hours 44 minutes 52 seconds

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

- The quarterly enforcement report had been circulated and was for noting.
- Since the last update, two enforcement notices had been served.
- One notice had been appealed, and the Council was awaiting the Planning Inspector decision.

The meeting closed at 9.46 pm

Chair