

The Conservators of Therfield Heath and Greens

The Therfield Regulation Trust
c/o Royston Golf Club, Baldock Rd, Royston, SG8 5BG
Registered Charity No. 277881
Chair: Clive Hall



**THERFIELD
HEATH
& GREENS**

Monday, 27 April 2026

By Email only

Henry-Thomas@north-herts.gov.uk
planning.control@north-herts.gov.uk

Dear Mr Thomas

Planning Consultation 26/00276/FP

Land Opposite Silver Ball London Road Reed Hertfordshire SG8 8BA

Thank you for consulting, on Monday 13 April 2026, The Conservators of Therfield Heath and Greens regarding planning application 26/00276/FP - Erection of 21 dwellings and associated infrastructure (Land Opposite Silver Ball London Road Reed Hertfordshire SG8 8BA).

The development is of a size and proximity to Therfield Heath SSSI to trigger the Therfield Heath SSSI Mitigation Strategy from the NHC Local Plan 2022 (being within the 5.8km outer zone of influence). This site is in fact about 3 km from Therfield Heath SSSI boundary.

We have looked at the council's planning portal and it is very positive to see that on this occasion NHC has also consulted with Natural England.

Our response is designed to ensure proportionate measures, in support of the Therfield Heath SSSI Mitigation Strategy, are put in place. As we all recognise Therfield Heath SSSI is a very important greenspace both locally and nationally. These much needed contributions, via s106, are directed by our volunteers and staff to sustain this important SSSI reserve.

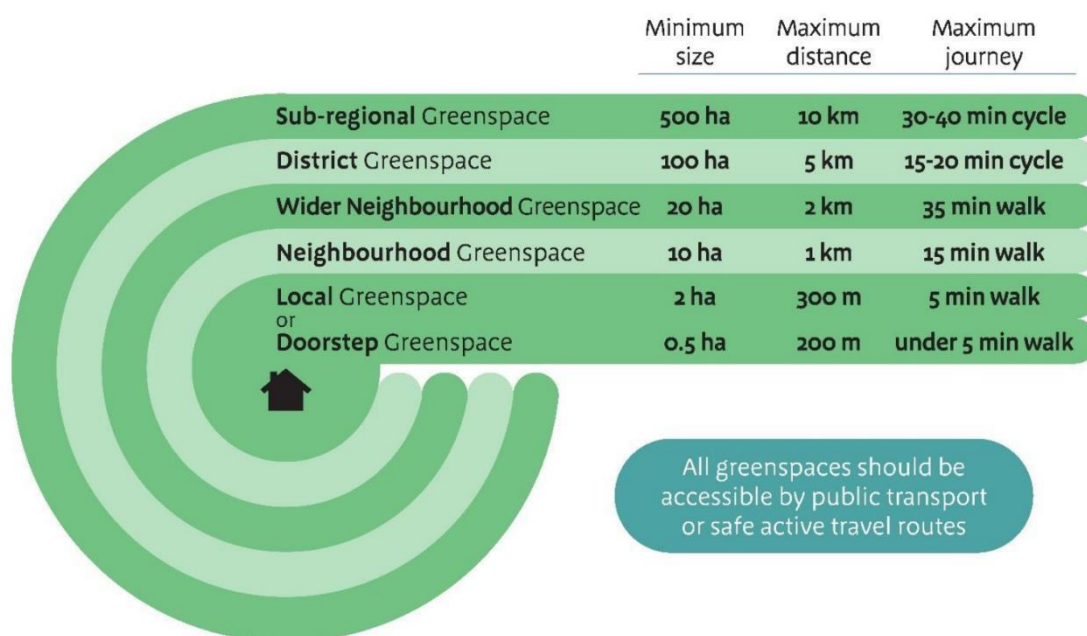
We are aware that the recreation ground a short walk away will provide a useful green space for these new residents as the site at present offers little beyond a small play area and some small grass patches.

Our site however will still be offering

- the neighbourhood space (10 hectare site) – albeit beyond the suggested 1km distance ; and
- the wider neighbourhood space (20 hectare site) at a tad beyond the suggested 2km distance and
- the District green space (100 hectare site) at well within the 5 km distance as well as copious sporting provision and running and dog walking routes.

See diagram overleaf taken from Accessible Greenspace Standard - Page 6 as published by Natural England.

The SSSI site can be reached by foot or bike with a route of under 3km. It will be impacted by this development. Mitigation measures will, in our view, be required under the SSSI mitigation strategy.



Therfield Heath SSSI Mitigation Strategy Benchmarks

Under the strategy the developer is expected to fund measures to mitigate the impact on the SSSI of housebuilding. The benchmark (see page 44 of the strategy) focusses on the Ivy Farm 3 development (Feb 2019) which is within the 1.9km inner zone of influence.

In summary the benchmark establishes that a development in the inner 1.9km zone should provide:

- On-site high quality SANG at or above 8 ha per 1000 population
- £1000 (indexed) per dwelling for “management measures” to mitigate the impact on the SSSI of housebuilding
- A capital contribution towards facilities on or near the Heath, (the benchmark was £100k for the development)

Presently there is no benchmark for the outer 5.8km zone. However the strategy considers the impacts within this outer zone as being 4/7 of those in the inner zone (the inner zone producing an average of 14 visits as per § 2.2.9 and the outer zone only 8 as per § 2.2.11).

The strategy also recognises that given the nature of the outer zone being more rural it would not expect to drive any SANG requirement. In this zone the only contributions are likely to be financial.

Using the 4/7 proportion the benchmark figure is £570 per dwelling (but that figure will rise when appropriate indexation is added from 2019 to relevant date).

By way of example as at Q1 2025 the indexation has increased the benchmark to about £1190 per dwelling for the inner zone and £680 per dwelling for the outer zone.

However, we stress that each agreement should recalculate the indexed figure based on the date of the agreement. Within NHC the team handling these sums (as they are paid in) know this calculation.

S106 from this development

The Conservators view that it is appropriate to request a payment per dwelling at a value that is proportionate to 4/7 of the inner zone strategy benchmark (after indexation). No capital or SANG provision is being sought from this development based on it being rural and in the outer zone.

We have only calculated the indexation up to Q1 2025 which is, as we say, **£680** per dwelling – and for 21 dwellings this would give a total sum of **£14,280** to which additional indexation would be needed to get the right sum as at the relevant date.

The strategy also asks that funding be directed at specific projects. This can be tricky to achieve when there is a delay between initiatives on the Heath and payments coming on stream, so the Conservators would like to suggest a project (with a fall back should that project for whatever reason not go ahead or should the money not be on stream at the right moment to fund it).

Target Initiative and Fall back

Recently the Conservators have begun a feasibility study that will lead to a Signage and Website project focussing on increasing visits to our Greens in Therfield. One of the barriers to the general public using the Greens in Therfield (rather than Therfield Heath SSSI) is a lack of understanding of where they are, and what facilities and experiences they offer to visitors.

This project is intended to plan, monitor and drive visitor interest in the Greens as an alternative to Therfield Heath SSSI. In some cases we expect this project to spin off other funding requirements for car park spaces etc. The focus of this spend will be on Signage and Access so we can build on existing routes set up and waymarked by Therfield Parish Council.

We believe this initiative will meet the requirements of NE and NHC in delivering the SSSI Mitigation Strategy and make a useful contribution to shifting some footfall away from the SSSI.

It will also be of benefit to these residents, who will be almost on the doorsteps of our greens and so, it is in all our interests to be able to promote the benefits of exploration and use of the wider site.

In the event that a fall back becomes necessary we would suggest the funds are logged against “Management Measures” which (as described in the strategy) will fund warden and other activities. To assist our cash flow, we would like you to stipulate that the funds come on stream when development commences.

In summary our recommendation is that funds are paid to the Conservators/Therfield Regulation Trust as follows :

The developer commits to pay [£680- this sum in fact will be increased by 2025/2026 indexation] per dwelling in this development, for the “Signage and Access initiative (Greens)” via a s106. Payment to be made in full when development commences.

If the development is delayed, or this initiative does not proceed, or too much time passes such that payment can no longer be linked to the initiative, then the same amount of S106 will go into the unallocated “Management Measures” fund to be assigned to another initiative via the NHC / NE process and / or to continue to fund the Warden roles as described in the strategy document.

The Conservators hope this meets with your expectation. However, should it not, or should you think there are other factors to consider, we suggest a brief meeting involving yourself, ourselves and Natural England to understand what issues or other factors may be in play.

The strategy promotes a collaborative and continuous review / improvement style approach and so such a meeting would be appropriate if one is needed.

We strongly suggest that **we all must meet** if any sum, other than the one we set out herein (being the benchmark + indexation), is to be presented as being appropriate, suitable, or up for agreement.

This is because it is important that NHC has secured ‘**agreed**’ mitigation measures before considering granting planning permission. Planning conditions cannot retrospectively secure mitigation or evidence fundamental to the principal of development¹.

We also draw to your attention that “*Developer Contributions*” supplemental planning document states at 8.3.3 (page 61) that contributions towards provision or projects within the SSSI [are]

to be delivered in agreement with Natural England and / or the Conservators of Therfield Heath.

We can agree to the benchmark plus indexation : we would need to hear, in person and in detail, your evidence and reasoning for any lesser sum.

Disengagement of the tilted balance when there is no agreement regarding Mitigation measures

We note the comments made by NHC Principal Planner (Anne McDonald) at the planning control committee hearing 16 April 2025 and after we had had several exchanges of correspondence on planning matter 25/02547/FP (Ashwell) (please see **your you tube at 2:08:57**)²

To the question posed by Cllr Winstanley (about the tilted balance disengaging with regard to the SSSI) Anne McDonald correctly advised the committee :

“If there was no agreement on mitigating the impact on Therfield Heath then yes, it [the tilted balance] would be disengaged.

But that is not the situation.

The situation is that the payment is agreed So therefore that is no longer an issue”

This was the agreement, on the night, of the developer to pay the benchmark sum of £680 per dwelling (correctly indexed to Q1 2025 only) at the referred to Ashwell site. Further indexation would be needed to bring this sum up to the correct level at the point of agreement/payment. The principal has been established.

¹ It has been suggested that further assessment of potential impacts on the SSSI, could be secured by condition. However, the Guidelines for Preliminary Ecological Appraisal (CIEEM, Jan 2018) make clear that, in line with Government guidance, ecological surveys should normally be completed and any necessary measures to protect biodiversity identified before permission is granted. Moreover, **conditions can only be imposed in relation to Reserved Matters and cannot retrospectively secure evidence or mitigation fundamental to the principle of development** (our emphasis) see planning appeal APP/D0840/W/24/3354604 from December 2025.

² [Planning Control Committee](#)

The tilted balance will disengage if there is no agreement with us or Natural England : the sum we seek for the outer zone is calculated with reference to the benchmark in the Therfield Heath SSSI Mitigation Strategy and is as per this letter.

These funds are vital for the survival of the SSSI and the Heath. The Heath itself having defined historic, cultural and natural importance to everyone in the neighbourhood.

We are grateful you sought our input. These funds are vital for the SSSI's survival.

I wish this letter to be on the planning portal.

Your sincerely,



Carol Fossick
Clerk to the Conservators of Therfield Heath
Clerk to the Trustees of the Therfield Regulation Trust