

From: Jill Baker
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4.8.25

Ben Glover
Senior Planning Officer
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth Garden City
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Dear Mr Glover,

Reference: 25/01708/OP Outline planning for Land opposite Heath Farm, Briary Lane, Royston

I write in connection with the above planning application, I have examined the plans and supporting technical documents, and I know the site well. I wish to object strongly to the development in this location, on the following grounds:

I would like to make you aware of restrictive covenants which are in place in Echo Hill and which we as a resident(s) of Echo Hill have the benefit of, and we reserve the right to take enforcement action if these covenants are breached.

The covenants were wrongly dismissed by NHDC planning during the previous determination of planning application 20/00744/OP.

The enforcement of the covenants would be a lengthy legal process possibly taking several years to be resolved. A tribunal action would therefore significantly delay the deliverability of the development. This factor therefore means that the possibility of a lengthy delay to implementation will become a material planning consideration in the decision-making process.

You are aware from the previously refused applications for this site the strength of feeling against this development from the community of Royston and the significant impact this development will have directly to the residents of Echo Hill. A letter from an Appointed Solicitor was issued to both Gladman and Number 24 Echo Hill during the previous application of 20/00744/OP, regarding the breach of the covenants and the intention for enforcement action, this remains the case for this latest application and Echo Hill residents will pursue this going forward for this latest application. In addition, if the community is successful with enforcing the covenants and preventing the demolition of Number 24, both the construction traffic and main site access would not be able to enter the site via Echo Hill, the alternative would be to use the bridleway and therefore the reasons for refusal in the 2018 application associated with the negative impact to the neighbouring SSSI would still stand. Therefore, due to the protective covenants in place, which residents of Echo Hill will enforce, it cannot be guaranteed that Gladman will be able to deliver this site and therefore this site cannot contribute towards the 5-year NHDC housing supply.

Housing Supply and Local Plan

From my attendance at the last planning hearing regarding this land my understanding is that the planned access from Echo Hill, as well as the direct access from the town along Sun Hill, is of a greater gradient than currently allowed for the access of mobility scooters. I see nothing in the plans to say the access from Echo Hill has altered and the route along Sun Hill cannot be altered. The development site is not identified in the existing Local Plan for North Hertfordshire District Council (NHDC) and is outside the settlement boundary identified in the plan.

The development of this site would present a significant engineering challenge due to the constrained access, steep topography and the protective covenants in place (which are to be enforced). The site is therefore unable to contribute to the NHDC 5-year housing land supply. The application should be refused for its problematic location; its negative impact and its failure to comply with the adopted local plan (NHDC Local Plan 2011-2031).

Landscape and Visual Impact

The reasons for refusal of the 2018 and 2020/21 planning applications, for landscape and visual impact still applies, as follows; the prominent position, the topography, the significant localised adverse impacts on the character of the area, the negative impact to visual receptors (which are unchanged), the marked change in the character of the immediate locality and wider valued landscape, such as Therfield Heath (SSSI). The same reason for refusal should therefore still apply to the current application. The proposals conflict with the **NPPF and Policy CGB1, SP5, SP12, NE1 and NE6 of the NHDC Local Plan**.

There has not been any consideration to the direct effects of the access proposals on the character of Echo Hill which would be harmed by the proposed access arrangements. The proposals would therefore be contrary to the general landscape protection policies of the **NPPF (including Paragraph 135), Policies NE1 of the adopted Local Plan**.

I am also concerned about the proposed changes to the width of Sun Hill. This work can only endanger the trees lining Sun Hill. The loss of these trees would be a huge blow to the local environment in addition to which the trees becoming destabilised would risk both damage to neighbouring properties as well as harm to residents and pedestrians. A fallen tree of this size would also block access to town and one of the two routes for exiting this area of town

Living Conditions

The area for proposed development work is chalk with a thin covering of topsoil. Building work would create considerable dust covering local houses and gardens. I would imagine neighbours will be forced to live with closed windows, as we do now when the current farmer briefly harvests or bales straw.

At present lorries associated with bin collection, parcel deliveries or building materials for small, local jobs cause blockages on Echo Hill, Sun Hill and Briary Lane. These are occasional instances which would be dwarfed by the flow of lorries for the proposed development. The size of service roads would increase the risk of accidents, pedestrians may be put at risk as vehicles could mount kerbs for space and most probably escalating incidents caused through frustration.

Highways and Transport

I am aware of many objections to the planned additional use of the highway which fails to acknowledge a whole raft of planning rules and guidance. I could include these items in my letter of objection but, frankly, do not understand the background or details of these documents. What I do know is from personal experience of using Echo Hill, Sun Hill and Briary Lane. Existing parking arrangements cause delays and frustration on the roads at present which in effect become single track roads. Many tricky situations are resolved by a wave to known neighbours. It is doubtful this camaraderie will initially exist with the residents of 84 new households. This situation would only leave frustration, racing for passing places and all the associated dangers.

An examination of the grass alongside Sun Hill as it joins Briary Lane will evidence the number of lorries negotiating the road with one wheel up on the grass. How will the construction traffic navigate the tight spaces around the Echo Hill area?

Given the gradient, allied to twists, turns & narrowness of Echo Hill it is difficult to see a satisfactory, regular bus service serving the proposed site. What can be foreseen is a bus which cannot ascend because of the limited space available on many days, yet unable to turn and descend. All traffic will then just wait for a change to the impasse.

Ecology

The proposed development will have an ecological impact to at-risk species, as specified in the UK's Biodiversity Action Plan and the RSPB Red list, and other protected species. Records of the protected species have been provided on relevant ecology recording websites, up to present day, and are absent from the ecology report.

The appraisal commissioned by the applicant has not undertaken full surveys prior to the Biodiversity Net Gain (BNG) calculations submitted in support of the site at planning. The BNG calculations already show a deficit with the proposals unable to comply to the 10% BNG within the site and is reliant on offsite mitigation. This approach will detrimentally impact the neighbouring SSSI and the designated Local Wildlife Site (LWS) and therefore should not be accepted. A Therfield Heath mitigation strategy was produced in 2022, in support of the adopted Local Plan. However, this should not be seen as a replacement for failure to comply with BNG standards. The impact and effectiveness of this mitigation study is also not yet fully determined. NHDC recommended ongoing monitoring to inform future site allocations and proposals.

The site being located directly adjacent to the SSSI means that greenspace provision on the site won't be effective. The NHDC 2022 Therfield Heath mitigation strategy references SANG (suitable alternative natural greenspace), but fails to note that this criteria was allocated for Thames Basin Heaths, for which SANG were originally devised, no new homes were allowed within 400m of any of the constituent SSSIs, because new residents would simply walk to the inevitably more attractive SSSI than to any on-site greenspace. The sheer scale and accessibility of Therfield Heath SSSI would still therefore be a major draw.

Paragraph 193b of the NPPF states “development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest” The current proposals would therefore likely to have an adverse effect on Therfield Heath SSSI and neighbouring LWS.

Flood Risk and Water Quality

The following details are provided by research into the plans and opposition to them. They are technically comprehensive. From a lay point of view I have personal experience of the reservoir above the proposed development site overflowing and the excess water flooding the gardens and patios of mine and several neighbours. I can only envisage that the run off from a hard area of the proposed site will be in greater quantities as well as being focused in confined channels with overwhelming results. The Echo Hill development also suffered from flooding when first constructed which underlines the nature of this area being prone to localised floods.

Due to the steep topography of the site, the overland flows generated from the access road presents a flood risk to the existing wider highway drainage network of Echo Hill, as the existing system is already struggling to cope with the surface runoff generated. The proposed strategic surface water attenuation and infiltration features are located at elevated levels directly adjacent to properties of Echo Hill. An assessment on overland flow routes has not been considered within the submitted Flood Risk Assessment. Should the infiltration features or attenuation features fail, or exceed their design criteria, this

presents a potential flood risk to properties located directly downstream of the site. Due to the topography of the site the factor of safety used in the design of the attenuation features and infiltration device has been underestimated and are not in accordance with the **SuDS Manual (CIRIA 2015)**. Therefore, this is a conflict of the **NPPF and NE7g of the Local Plan**

The development site lies above a Major Aquifer, this area is also classified as a "Source Protection Zone 1" due to the high risk to groundwater contamination, making the site far less suitable for development.

The existing sewerage treatment for Royston, is located in South Cambridgeshire District Council, operated and maintained by Anglian Water. The treatment works discharges into a local watercourse, which is associated with a chalk stream catchment, a nationally important and protected ecosystem. Residents have found evidence to show regular exceedance of the permit in place at the treatment works. There is little evidence provided by Anglian Water which shows they are competent, nationally, at determining the treatment works has sufficient capacity to accept additional flows and therefore significant concerns they are fit to approve any additional flows from development in the area. Further evidence must be supplied to reassure residents there is sufficient capacity and water quality will be kept to within the existing permit levels, without detriment to the watercourse and local chalk stream catchment.

Agricultural Land

The development of the site will result in the loss of high-quality agricultural land.

Conclusion

To summarise, in considering all the above points, I strongly urge the Council to reject this damaging and unsustainable planning proposal in accordance with the NPPF and Local Plan. The significant impacts this site has outweighs any potential benefits and I urge the Council to consider the strong and well-reasoned objections from residents.

In my time in Royston submitted plans for this site have been declined twice. I believe there was also a third occasion before I came to Royston. Successive decisions by the planning committee surely illustrate that this site is unsuitable for housing development.

Yours faithfully,



Jill Baker