

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00811/NMA	To alter the wording on conditions 3, 4, 8, 13, 14, 15, 19 and 22 (as non-material amendment to planning permission reference 21/02957/FP granted on 25.07.2023).	Land On The South West Side Of Barkway Road Royston Hertfordshire SG8 9DF

Submitted Plan Nos

HAN/BAR/21/01E HAN/BAR/21/02A

1.0 Policies

2.0 **Site History**

- 2.1 20/01714/FP: Erection of ten dwellings (2 x 2-bed, 2 x 3-bed, 4 x 4-bed and 2 x 5-bed) with ancillary works including alterations to existing vehicular access, new access road, parking and landscaping.

Conditional Permission.

3.0 **Representations**

- 3.1 None.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site is a grassed field/paddock located off the B1039 Barkway Road approximately 700 metres south east of Royston town centre. It adjoins the existing built up area with the northern boundary abutting existing residential properties in the north (Shepherd's Close) and agricultural fields to the west and south. As you enter the site from the north, the land levels fall away towards the western boundary and the adjacent public bridleway Royston 010.

The site includes a number of workshops and sheds associated with its use for agricultural purposes. An existing access is located between the three new properties recently erected fronting the site. There are existing overhead electricity cables located on pylons crossing the centre of the site.

4.2 **Proposal**

- 4.2.1 To alter the wording on conditions 3, 4, 8, 13, 14, 15, 19 and 22 (as non-material amendment to planning permission reference 21/02957/FP granted on 25.07.2023). The application proposed the following amendment (**in red type**) to the above conditions:

Condition 3

Other than the excavation and concreting of the foundations to the pair of garages serving plots 9 & 10, details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local

Planning Authority before the development is commenced and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

Condition 4

Other than the excavation and concreting of the foundations to the pair of garages serving plots 9 & 10, prior to the commencement of the development hereby permitted full details of all hard and soft landscaping measures together with all proposed boundary treatment details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality

Condition 8

Other than the excavation and concreting of the foundations to the pair of garages serving plots 9 & 10, prior to the commencement of the development hereby permitted a Biodiversity Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the mitigation and enhancement measures set out in the submitted Preliminary Ecological Appraisal. The development shall be carried out in accordance with the approved details.

Reason: In the interests of maintaining and enhancing nature conservation

Condition 13

Other than the excavation and concreting of the foundations to the pair of garages serving plots 9 & 10, prior to the commencement of the development hereby permitted, full details of the foul water / sewage drainage strategy and its future maintenance shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory drainage system and in the interests of amenity

Condition 14

Other than the excavation and concreting of the foundations to the pair of garages serving plots 9 & 10, no development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan

Condition 15

Other than the excavation and concreting of the foundations to the pair of garages serving plots 9 & 10, prior to the commencement of the development, a detailed Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- a) The construction programme and phasing*
- b) Hours of operation, delivery and storage of materials*
- c) Details of any highway works necessary to enable construction to take place*
- d) Parking and loading arrangements*
- e) Details of hoarding*
- f) Management of traffic to reduce congestion*
- g) Control of dust and dirt on the public highway*
- h) Details of consultation and complaint management with local businesses and neighbours*
- i) Waste management proposals*
- j) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.*
- k) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.*

All works shall be carried out in accordance with the approved CMP thereafter.

Reason: In the interests of highway safety and the control of environmental impacts

Condition 19

Other than the excavation and concreting of the foundations to the pair of garages serving plots 9 & 10, no demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of archaeological significance and research questions; and

- 1. The programme and methodology of site investigation and recording;*
- 2. The programme of post investigation assessment;*
- 3. Provision to be made for analysis of the site investigation and recording;*
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;*
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation;*

6. *Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.*

Reason: In the interests of preserving and / or recording the archaeological record.

Condition 22

- (a) *Other than the excavation and concreting of the foundations to the pair of garages serving plots 9 & 10, no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:*
 - (i) *A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;*
 - (ii) *The results from the application of an appropriate risk assessment methodology*
- (b) *No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.*
- (c) *This site shall not be occupied, or brought into use, until:*
 - (i) *All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.*
 - (ii) *A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.*
- (d) *Any contamination, other than that reported by virtue of condition (a) and (b), encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.*

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters.

4.3 **Key Issues**

4.3.1 The key issue for consideration is whether the proposed amendments would constitute a material alteration to Conditions 3, 4, 8, 13, 14, 15, 19 and 22 of the previously granted scheme.

4.3.2 The agent has provided the following information within the application form to justify the proposal:

Due to ongoing UKPN works in the vicinity of the site the applicants are unable to start work in full and seek approval of the suggested amendments to the Pre start conditions to allow a limited minor start of works which will result in the planning approval being implemented and then stop work until they are allowed to continue site works when UKPN have completed their works

4.3.3 The proposal does not seek to materially alter the design and appearance of the scheme but rather to allow for some minor works to be undertaken to keep the permission extant.

4.3.4 The proposed amendments of the Conditions are not considered to prevent the objectives of those Conditions, would not be noticeable to neighbours, and are not considered to materially alter the nature of the previously granted permission. The amendments would still allow the LPA in consultation with the relevant consultee (HCC Highways, HCC Archaeology, NHC Environmental Health and NHC Ecology) to have control over any works proposed. I am therefore satisfied that the amended scheme would be acceptable in planning terms.

4.3.5 For the reasons above I consider that the proposed alterations would not materially alter the nature of the previously granted permission. I am therefore satisfied that the amended scheme would be acceptable in planning terms. Condition 3, 4, 8, 13, 14, 15, 19 and 22 is therefore amended as above.

4.4 **Conclusion**

4.4.1 The proposed changes to the scheme are not considered to be 'material' alterations to the previously granted planning permission. It is therefore my view that the non-material amendment is **AGREED**.

5.0 **Recommendation**

5.1 That the non-material amendment is **AGREED**.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 15 May 2026	