

Pirton Parish Council

Parish Clerk:
Dr Janine Budd
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**Mr Ben Glover**  
Senior Planning Officer  
NHDC,  
Gernon Road  
Letchworth Garden City

16 September 2026

Dear Mr Glover

**Re: 25/02064/OP Land Adjacent to 10 Hambridge Way, Pirton – Request to Defer Issuance of Decision Notice Pending Correction of Resolution**

Pirton Parish Council (**PPC, landowner**), with the support of the Pirton Sports and Social Club (PSSC, operator) write following the Planning Control Committee's consideration of application **25/02064/OP on 3 September 2026**.

The Committee's resolution is not yet a formal grant of planning permission. We ask that NHDC **withholds completing the Section 106 agreement and issuing the decision notice** until procedural errors, material omissions, and legally defective verbal conditions are rectified.

We make this request on the following grounds:

1. **Failure of the "Agent of Change" Principle** to take account of the existing Pavilion, and Recreation Ground and Activities resulting in a defective condition drafted orally at the meeting, and therefore without opportunity for those affected to comment on or challenge it.
  - The Application should have been decided using the policies in the newly published 2026 NPPF, in this case P4. The Officer's report failed to adequately consider, or consider at all, the effect of development on the most immediate neighbour, Pirton Recreation Ground and Sport and Community Pavilion, or apply NPPF P4. Officers acknowledged at the meeting that PSSC's objections were "missed" in the Report.
  - Attention to NPPF 2026 P4 was not taken in the Supplementary Paper on the 2026 NPPF. Officers did not refer the Applicant to NPPF P4 so that the strictures placed on the Applicant could be carried out. The committee explicitly agreed that the applicant's noise survey as submitted was defective.
  - There are a number of significant adverse impacts and risks from the adjacent development, many of which were explained by representatives of the PSSC and Parish Council at the meeting. These are therefore not identified or addressed adequately in the resolution/condition. Committee Members had little opportunity to adequately consider (if at all) detail such as the active premises licence (indoor/outdoor amplified music) and year-round sports and community use.
  - The Committee may have been misled by a reference by Officers to an appeal case which decided, in that instance, that the Agent of Change Principle did not apply to an auditorium. The facts of that case differ substantially from the situation at the Recreation Ground and in any event was decided before the introduction of NPPF 2026.

- We attach the full wording of NPPF P4 for ease of Reference.

**NPPF P4: Impact of development on existing activities** *1. Existing businesses, community facilities, public services and defence and security activities should not have unreasonable restrictions placed on their current or permitted operation as a result of development being approved after they were established. This means that development proposals should be capable of being integrated effectively with existing business, community and public service activities and infrastructure in their vicinity (including, but not limited to, uses such as pubs, music venues, places of worship, sports clubs, blue light services, defence, electricity network infrastructure and industrial and waste sites). 2. Where the operation of an existing activity could have a significant adverse effect on a proposed new development in its vicinity, development proposals should: a. Identify the nature of the potential impacts, informed where necessary by early discussions between the applicant (i.e. the 'agent of change') and those existing uses which could be affected by the proposal to inform the scope for mitigation; and b. Be able to demonstrate that suitable mitigation can be provided before first occupation of the development, if it is to be acceptable. Planning conditions or obligations should be used to secure agreed mitigation measures.*

2. **Sporting Risk:** The issue of Cricket Ball-Strike Risk was only considered at the Planning Committee Meeting and not covered in the Report. No other sporting risks were identified in the Report. The Committee rightly recognized that ball-strike risk required further work. A new condition was drafted and introduced verbally yet this critical safety and design issue remains entirely un-assessed and unsecured in the current framework before the site layout becomes fixed. The risk of this and similar matters passes to the Owners and operators of the Recreation Ground rather than the Applicant as per NPPF P4. There should be proper consideration of the last-minute attempt to address this issue and the other activity safeguards required.
3. **Noise Risk.** The fundamental issues of potential noise statutory nuisance claims limiting the existence and future use of the Recreation Ground and Pavilion were explained in the speeches. The Committee's discussion reflected those concerns and appeared to agree with us that the existing noise assessment was defective as not sufficiently representative of the Recreation Ground's activities and that a further noise assessment was required. This resulted in a condition drafted hurriedly in the meeting and given orally to the Committee, without the opportunity for those affected by it to comment on or challenge it.
  - Despite a request from the Committee, the Committee was not advised on the range of noise safeguards which could properly be considered and explored with the Applicant and the PPC/PSSC, and which could protect against future restrictions on activities at the Recreation Ground, including pre-occupation noise tests.
  - The now published condition is believed to be inappropriate as it refers to the original defective report and does not address pre-occupation testing.
4. **Drainage Risk:** The report and committee failed to discuss adequately surface-water drainage. The illustrative layout places high-density development directly on the Recreation Ground boundary, presenting an unknown risk of unmitigated water run-off that may cause severe waterlogging and deterioration of the active football pitches.
5. **Unlawful and Unenforceable S106 Sports Allocation:** The recommended S106 was fundamentally flawed and did not comply with the statutory requirements. Requests for S106 funding for sport and recreational facilities at

the Recreation Ground had been submitted to the Planning Officer with justification and costings. These appear to have been ignored in favour of funding for Ickleford and Hitchin, which, for the most part, are not adversely affected by this proposed development. The hastily drafted condition is inadequate to address this issue, leaving the mitigation of the adverse impact on this community asset dependent on an unquantified, un-scrutinised verbal promise. This fails the basic planning tests of precision and enforceability.

- 6. Material Revised Conditions were verbally presented.** The consolidated wording of the amended recommendations was not displayed in writing before the vote. The PPC and PSSC were denied the opportunity to scrutinise or comment.

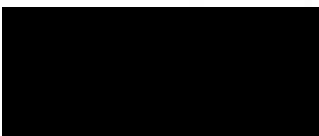
Addressing these matters properly now will avoid future dispute, uncertainty, and unnecessary delay.

We request an urgent meeting with you to review and correct these matters, and the wording of the conditions, together with the required reconsideration by the Committee before any delegated authority is exercised to issue the Decision.

We appreciate the time spent by the Committee and Officers in listening to our speeches. We are sure the Committee members appreciate the obligations held by us to ensure our key village asset is protected and to fulfil our fiduciary duties. After many years of effort, the village has recently completed the new Pavilion on the Recreation Ground at a cost of £1.5 million, including the Parish borrowing £400,000 and a significant grant from NHDC to ensure its significant completion with some additional works remaining. You will understand our concern that the sporting and recreational facilities provided by the Recreation Ground and new Pavilion should not be put at risk.

We are copying this letter to Shaun Greave, Development and Conservation Manager, Nigel Mason, the Chairman of the Planning Control Committee and Isabelle Alajooz, The Director of Governance.

Yours sincerely,



Jill Rogers  
Chairman, Pirton Parish Council