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Dear Mr Glover

(A) Reserved Matters Application 24/01883/RM

Application for the approval of reserved matters comprising details of the siting, design and external appearance of the development, and the landscaping of the site in respect of the approved outline planning permission ref: 18/01502/OP for the development of 140 dwellings and a new shop on the land between Royston Road and Cambridge Road, Barkway.

(B) S73 Application 24/01994/S73

Removal of wording to Condition 3 of planning permission 18/01502/OP granted on 25.07.2023

(C) Details of Condition Application 24/02024/DOC

Details Reserved by Condition 10 (Archaeological WSI) of outline planning permission 18/01502/OP granted on 25.07.2023.

Introduction

Barkway Parish Council has put together a series comments on the three applications listed above. The comments are for the purpose of stating the improvements necessary to make the applications acceptable, providing the reasoning for North Herts Council to require those improvements to the applications, and to encourage North Herts Council to preserve the strict measures contained in the conditions attached to decision notice 18/01502/OP.

The S73 application and the Details Reserved by Condition application are dealt with first.

S73 Application (Condition 3)

The applicant has asked for Condition 3 to be amended in a way that reduces the ability of the condition to ensure that details of the reserved matters do not change the requirements of the decision notice. The Parish Council is of the view that the applicant should be clear about each deviation that they wish to make and that each one would then be considered on its own merits, considering the applicants justification.

If this approach was taken there is no need to amend the condition as Redrow propose and each alteration the applicant wishes to make will be clear and transparent.

The Parish Council object to the S73 application and request that North Herts Council refuse the application.

Details Reserved by Condition Application (Condition 10 Archaeology)

The Parish Council note that the applicant proposes “an intermittent watching brief during development” (para 2.1.1 of Archaeology Report) on the east field. In section 2.4, the intermittent watching brief is specified, but not in enough detail.

What is not specified for the east field is that breaking of ground should be done with a toothless bucket as mentioned in section 2.3.2 in relation to the west field. It is also not clear that the watching brief would be on all incidences of breaking of ground in the east field (e.g. through machine excavation of footings, digging of service trenches, ground reduction as part of landscaping etc.), and this should be specified in the report. Para 2.4.1 should be expanded to include these details.

Para 2.4.2 mentions frequency of visits and the number of days a week a watching brief cover will be maintained. Although it is understood that frequency of visits will vary over the build period, an archaeologist would be required during all incidence of breaking of ground. This should be maintained until such time as the Country Archaeologist is satisfied that the need for an archaeologist to be on site is reduced or no longer required. This will ensure that there are no misunderstandings when the report is actioned.

The Parish Council request that the Archaeology Report is amended, to provide the details described above to be set out clearly. This will ensure that the potential of the east field to reveal previously unknown archaeological interest is not underestimated or overlooked.

Reserved Matters Application 24/01883/RM

Condition 1 and Design

The housing layout and design of homes has paid scant regard to the Barkway and Nuthampstead Design Code, in particular, Chapter 5 with design guidelines specifically for this site. Section 5.4 provides a checklist for new development and gives examples of recently built homes that complement the character of the village. This section shows timbered and half-timbered homes and new build flint wall treatments. The submitted reserved matters plans show an ineffective pepper potting of features from the older properties in the High Street, rather than replicating good examples of modern infill developments. The result is a development that would fit in better with Letchworth Garden City than Barkway village.

The pre-application response that the applicant received required a proposed materials strategy and its relationship with Barkway. The Parish Council do not believe that the materials strategy has achieved providing a development which reflects the character of Barkway of its rural surroundings.

In addition, the BK3 Framework Policy BN H5 specifies the use of green roofs on dwellings on the eastern side of the site to demonstrate the sensitivity of the new village edge and its impact on the open countryside. Innovative modern buildings including green roofs/or and walls could have been specified on the eastern edge. Instead, the homes lining the eastern edge are bulky arts and crafts style, large homes without any reference to the village or Barkway. This eastern edge needs to be re-thought through, and a different solution provided.

With more thought, the development is large enough to have character areas within it that reflect different aspects of Barkway.

The Parish Council is dismayed to be presented with a housing estate designed with tiny references to Barkway's history and heritage. The District Council should stand by its pre-application response and demand a better design solution.

Condition 1 and Landscaping (Condition 4)

Bridleway 17

The landscaping details for Bridleway 17 are causing great concern. The proposal was that the bridleway would be retained and enhanced. Instead, it is being rebuilt. The proposed treatment of Bridleway 17 would turn the existing rural bridleway into an urban greenway with regularly spaced street trees, a tarmac surface, and wide-open verges of amenity grass, all bordering the paved frontages of new homes. With the lower end of the bridleway running through a childrens park, the existing right of way and could become unusable for horses and riders, and no-longer a green corridor for wildlife. This needs a complete redesign.

The National Planning Policy Framework (NPPF) paragraph 104 says "Planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users." This section of the NPPF derives from the Defra Circular 1/09 Public Rights of way - Guidance for Local Authorities. Paragraph 7.2 of the circular says, "The effect of development on a public right of way is a material consideration in the determination of applications for planning permission and local planning authorities should ensure that the potential consequences are taken into account whenever such applications are considered." Paragraph 7.8 says "In considering potential revisions to an existing right of way that are necessary to accommodate the planned development, preference should be given to, paths through landscaped or open space areas away from vehicular traffic." The clear intention is that the character of Public Rights of Way should be retained and that the effect of urbanisation in rural areas should be minimal.

One of the fundamental issues for bridleways is their shared use by walkers, cyclists and dogs. This bridleway will come under increased pressure because of it will run through a housing estate and no doubt many residents will also be dog walkers. These issues cannot be avoided. Other amendments can be made to improve the reserved matters details.

The tarmac surfacing of the bridleway must be replaced with a surface that is neither slippery when iced in winter or hot in summer. The tarmac should be exchanged for a Hoggin surface laid so that it would be well drained (see for example the [Milton Keynes Bridleway Design Manual](#)).

The planting plan for the bridgeway includes a single sided avenue of Limes interspaces with Himalayan Birch. The bridgeway should be bounded by native hedges with native hedgerow trees. A similar mix to the planting regime described for the northern boundary of the development site would be more suitable.

For safety, entrances to the bridgeway for walkers should be restricted in number and preferably gated (with a kissing gate or similar) to ensure that walkers pause and think before walking into the path of a horse and rider. Temporary wire fences would be appropriate where no existing hedging exists, while the newly planted hedge grows. The usable width of the bridgeway must be at least 4m to ensure that horses and riders can safely pass pedestrians.

Bridgeway 18 and Northern Site Boundary Area

The buffer provided between the northern edge of the built development and the southern boundary of Newsells Stud should be planted to create a visible barrier and sound barrier between the development and the stud to reduce disturbance for the horses. External site boundaries should be reinforced with substantial hedgerows and tree planting to respect the setting of Cokenach Registered Park and Garden and listed buildings within Newsells estate (Local Plan Policy BK3).

Bridgeway 18 is shown with footpath access through the hedge onto the bridgeway. However, that hedge is not within the site and belongs to Newsells Stud. The existing entrance where bridgeway 17 crosses bridgeway 18 should remain the only entrance along the site boundary.

In order to maintain a wildlife corridor through the site, north – south, the recommendations above in relation to bridgeway 17 must be adhered to.

Boundary Treatment on Southern Boundary

The lack of planting shown in the outline application has not been addressed. Instead, the boundary is marked with a close boarded fence. This is in direct conflict with the pre-application response that the applicant received stating that blank fences should be avoided.

Planting on the southern boundary would help to soften the impact of the new estate for residents of Periwinkle Close. The use of close boarded fences between housing estates and open fields invite misuse from residents resulting in dumping of rubbish and garden materials beyond the fence and out of site for those living in the new development.

The southern boundary should be planting in a similar manner to that proposed on the northern boundary including native hedging and hedgerow trees.

Boundary Treatments Within the Site

Boundary treatments largely rely on close boarded fencing, with few hedges other than mini-urban manicured hedges around front gardens. These add little impact and are of only limited benefit to wildlife. Traditional property boundaries in the village include brick or flint walls, hedges and other planting. Flint panel walls (not flint walls) appear only along the spine in eight short lengths.

Sewage Treatment Works (Condition 9)

The Parish Council have been made aware that the requirements of Condition 9 regarding the upgrading of the Barkway Sewage Treatment Works have not yet been met.

The vital issue of failing sewerage infrastructure and the awful record of Thames Water discharging excessive amounts of untreated sewage (figures for January to March 2024 show 881 hours of untreated sewage discharges with 13 alleged illegal discharge days at Barkway Treatment Plant) into the River Quin remains unresolved. This is contrary to Condition 9. and must be resolved before permission is granted.

The importance of strictly adhering to this condition is backed up by para 180e of the NPPF which says that “Planning ... decisions should contribute to and enhance the natural and local environment by ... e) “preventing new and existing development from contributing to, ... unacceptable levels of ... water ... pollution.)

Principle Access Road, Cambridge Road (Condition 12)

Consideration should also be given to including a traffic island within the site, at the access point on to Cambridge Road. The width restriction would serve to slow down egress from the site onto Cambridge Road and to slow traffic turning into the site.

The spine road between Royston Road and Cambridge Road, to which the Parish Council objected, has been slightly altered to include a bend. This arrangement is still vulnerable to becoming a rat-run when traffic at the top of the village becomes congested. Proper speed restriction measures are needed. The surface treatment at the point the spine road crosses bridleway 17 is insufficient to ensure traffic slows down. Whatever additional measures are introduced should be innovative and capable of implementation without requiring lighting.

Redundant Points of Access (Condition 16)

Condition 16 should be adhered to. This would ensure that the current access off Royston Road via the reserved school site is not used for any further building activity and the access from Royston road via the new junction should be implemented for the whole site. Details of the treatment of the redundant points of access do not appear to be available.

Construction Access (Condition 19)

The new junction onto Royston Road should be created before development commences, to facilitate a construction compounds for the site. A construction compound must not be established in the south eastern corner of the site with access off Cambridge Road. All construction traffic must access the site via the new access on Royston Road.

Cambridge Road is not a suitable access for construction traffic due to its restricted width and any waiting construction traffic would cause danger and disruption to traffic using Cambridge Road.

Village Shop (Condition 23)

The Parish Council notes that the boundary of the Reserved Matters application site is different to that of the Outline Permission, in that the site set aside for a village store is not part of reserved matters application.

This is contrary to the Covering Letter accompanying the Reserved Matters application which states that the location and size of the land for a new shop is wholly in accordance with the outline permission. The Covering Letter also says that the proposed layout, including the Land Use Plan illustrates the area to be provided on the site for a shop. This is not the case.

The Parish Council would like North Herts Council to address this matter.

Phasing Plan (Condition 24)

A phasing plan is required does not appear to have been submitted as part of this reserved matters application. We would like to comment on this matter when documentation is submitted to discharge this condition.

Ecology

The Arboriculture and Ecology reports submitted with the outline application showed the inadequacies of the development to improve biodiversity. New calculations have not been made based on the submitted detailed planting plans. These should be submitted for scrutiny as development in such a rural location has plenty of potential to maximise Biodiversity Net Gain (BNG).

Environmental Sustainability

North Herts Council has declared a climate change emergency and committed to achieving a target of zero carbon emissions by 2030 and helping local people to reduce their own carbon emissions. The proposals in the reserved matters application will not contribute towards this aim.

Apart from the lack of opportunity taken to increase BNG above the minimum 10%, other opportunities to reduce pollution of all kinds and have a positive impact on climate change have been missed. Energy efficiency of homes proposed is poor, with affordable homes being the poorest level of energy efficiency. There is no on-site rooftop solar generation. The UK government is currently consulting on proposals for regulations that could make solar panels mandatory for new builds in 2025. The following items should be addressed effectively in the reserved matters application:

- Current surfacing materials detailed are not permeable and must be re-specified.
- There are insufficient street trees to provide shade in the summer months and more should be included.
- There is not a single rooftop solar panel shown on the housing type details. All homes would be totally reliant on electricity which could be freely and cleanly produced on an individual home basis with the installation of solar panels. As an absolute minimum, solar water heating systems should be installed on the roofs of all 140 homes.
- Air source electric heat pumps are expensive to run but even more expensive to run are the electric panel heaters which are specified for all affordable homes. This inequality must be addressed.

It is also essential that Barkway's commitment to be a 'Dark Sky' village is respected. External lighting within the development site should be kept to an absolute minimum to avoid light pollution.

Conclusion

This submission attempts to set out the failings in the reserved matters details, in a positive manner, providing solutions and options to address the short comings.

Despite the attempts of the Parish Council to ensure that the Barkway and Nuthampstead Neighbourhood Plan had been examined before the submission of the reserved matters application, unexplained and protracted delays find us having to submit out comments without the force of a Neighbourhood Plan that carries significant weight.

Despite the situation with the Neighbourhood Plan, the NPPF and the District Council' own resolutions and planning policies, along with a comprehensive decision notice with 25 well written conditions, are sufficient to push for significant improvements in the details contained in the reserved matters application.

Yours sincerely,

Catharine Toms

Clerk to Barkway Parish Council

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