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Response to Planning application from Hertfordshire County Council (T and CP GDP Order 2015)

Director of Planning

North Hertfordshire Council
Council Offices
Gernon Road
Letchworth Garden City
Hertfordshire
SG6 3JF

District ref: 25/00412/S73
HCC ref: NH/24075/2025
HCC received: 26 February 2025
Area manager: Manjinder Sehmi
Case officer: Senober Khan

Location

Oughton Head Pumping Station, Hitchin Road, Pirton, Hertfordshire

Application type

Variation of Condition

Proposal

Section 73 Application : Variation to wording of Condition 3 of planning permission reference number 21/02768/FP granted on 30.06.2022 for Upgrade of existing pumping station to provide nitrate removal plant and equipment including change of use of land for operational purposes and all associated works

Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Brief description in support of proposed development by the applicant:

A planning application under section 73 of the Town and Country Planning Act 1990 (TCPA) to vary the wording of a planning condition attached to permission 21/02768/FP,

Planning permission 21/02768/FP, which was issued on 28th June 2022, granted planning permission for the:

'Upgrade of existing pumping station to provide nitrate removal plant and equipment including change of use of land for operational purposes and all associated works.'

This application seeks to amend the wording of planning condition 3, which relates to the delivery of improvements to the vehicular access to the site. At present the planning condition is a restrictive condition which seeks to prevent the commencement of development, save for the works to deliver

the improvement to the access point, prior to the delivery of the improved access. The condition in its present form is –

‘Prior to commencement of the development hereby permitted (save for the access improvement works) the vehicular access indicated for improvement on drawing number 196112_PLN_SI_3.1_A shall be upgraded and widened to a minimum width of 5.0 metres wide and provided with kerb radii as shown on general arrangement drawing number IWP10 025 - IWS - 000 - XX - DR - M 013; to be reconstructed and tied in with over lapping layers bonded level with the adjacent carriageway in accordance with the Hertfordshire County Council industrial access construction specification for the first 12.0 metres as measured back from the near channel edge of the adjacent carriageway. To the local Planning Authority's satisfaction.

Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway’

This application, which is retrospective, seeks to remove the prior to commencement element of the condition to enable construction works to be delivered ahead of the completion of the access improvement works. It was through discussions with the Hertfordshire County Council, the Local Highways Authority (LHA) that it was agreed that there would be significant merit in delaying the works associated with the access improvements until after the construction works have been completed to ensure that the enhanced site access would not be damaged prior to first use of the pumping station.

AWL has commenced construction of the nitrate removal plant on site ahead of completion of the access improvement works, and this has been done in order to deliver the scheme as quickly as possible in order to ensure a safe and secure supply of drinking water to the Hitchin area.

It should be noted that AWL has fully engaged North Hertfordshire District Council, the Local Planning Authority (LPA) and the LHA in the process of seeking to discharge relevant planning condition relating to the access works.

Due to works progressing on site, this application seeks to amend the wording of condition 3 to reflect the onsite position and remove the prior to commencement restriction written into the condition as it is presently worded. In doing so, it will regularise the present situation on site.

Highways comments:

The application seeks variation to wording of Condition 3 of planning permission reference number 21/02768/FP granted on 30.06.2022, to reflect the onsite position and remove the prior to commencement restriction written into the condition as it is presently worded.

Given the applicant has fully engaged with the LHA in the process of seeking to discharge relevant planning condition relating to the access works and the reasoning is substantiated, the HA raises no objection.

Recommendation:

No objection

Signed

Senober Khan

19 March 2025