

DELEGATED FILE NOTE

CASE OFFICER: ...Tom Rea.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/03233/NMA	Amendment to wording of condition 26 (as Non-Material Amendment to application reference 21/02957/FP granted 25.07.2023) to permit partial commencement of development (up to slab level) prior to the provision of the main vehicular access.	Land On The South West Side Of Barkway Road Royston Hertfordshire SG8 9DF

Submitted Plan Nos

1.0 Policies

2.0 **Site History**

- 2.1 21/02957/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. Granted 24/07/2023.

Condition 26 of the above permission stated:

Prior to the commencement of the development hereby permitted the main vehicular access..." of the development hereby permitted the main vehicular access shall be provided 4.8 metres wide complete with 8 m radius kerbs and thereafter retained at the position shown on the approved "in principle" drawing numbers HAN/BAR/21/01 revision B and HAN/BAR/21/02 revision A, the footway leading from the new development shall link into the existing footway system. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and shall be secured and undertaken as part of the s278 works Arrangement 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.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan

3.0 **Representations**

- 3.1 Hertfordshire Highways: 'Does not wish to restrict the grant of planning permission' (comments received 29/01/2026)

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a residential development site known as RY11 'Land off Barkway Road' in the North Herts Local Plan located on the west side Barkway Road south east of Royston Town Centre.

4.2 **Proposal**

- 4.2.1 The application proposes the following amendment to Condition 6 of original planning permission 19/01106/FP as follows (new wording underlined in red) :

"Prior to any works above house slab level of the development hereby permitted the main vehicular access..." of the development hereby permitted the main vehicular access shall be provided 4.8 metres wide complete with 8 m radius kerbs and thereafter retained at the position shown on the approved "in principle"

drawing numbers HAN/BAR/21/01 revision B and HAN/BAR/21/02 revision A, the footway leading from the new development shall link into the existing footway system. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and shall be secured and undertaken as part of the s278 works Arrangement 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.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan

4.3 **Key Issues**

4.3.1 The key issue for consideration is whether the proposed amendments would constitute a material alteration to Condition 26 of the previously granted scheme. The purpose of the conditions is to ensure that a satisfactory form of access is provided.

4.3.2 The Highway Authority has commented:

'The request relates only to the timing of the access works and does not alter:

- the design of the previously approved vehicular access;*
- the extent or nature of off site highway works to be secured by a Section 278 Agreement*
 - the level of trip generation or traffic impact; • visibility, safety, or capacity considerations; or*
 - the approved drawings (HAN/BAR/21/01 Rev B and HAN/BAR/21/02 Rev A).*

Accordingly, the HA is satisfied that the proposed change to the trigger point will not prejudice highway safety, will not affect the acceptability of the access arrangements, and will not materially alter the basis on which the original permission was assessed. The practical reasons provided by the applicant, ongoing statutory diversion works, and delays in entering into the S278 agreement, are understood and do not raise any technical highway objection, as the required access works will still be delivered before the site becomes occupied or capable of generating vehicular movements. The HA is satisfied that the NMA will not compromise the safe and satisfactory delivery of the site access, and it will not alter the highway impacts previously assessed and agreed under permission 21/02957/FP.'

4.3.3 In view of the Highway comments 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 26 is therefore amended to substitute the wording as requested.

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 amendments are **AGREED**.

5.0 **Recommendation**

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

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 29 January 2026	