

DELEGATED FILE NOTE

CASE OFFICER: ...Ben Glover.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01146/NMA	Changes to wording of condition 17 (as Non-Material Amendment to application reference 25/02234/S73 granted 03.12.2025)	Land Between Royston Road And Cambridge Road Barkway Hertfordshire

Submitted Plan Nos

1.0 Policies

2.0 Relevant Site History

- 2.1 18/01502/OP - Outline application with all matters reserved other than strategic point of access onto Royston Road and Cambridge Road for the erection of up to 140 dwellings and a new shop – Granted conditional permission on 25/07/2023.
- 2.2 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 – Under consideration at the time of writing.
- 2.3 24/01994/S73 - Variation of wording to Condition 3 and Condition 20 of planning permission 18/01502/OP granted on 25.07.2023 – Under consideration at the time of writing.
- 2.4 24/02396/DOC - Details reserved by Condition 19 (Construction Traffic Management Plan) of outline permission application reference 18/01502/OP granted on 25.07.2023 – Details approved on 27/01/2025.

- 2.5 24/02595/DOC - Details reserved by condition 10 Part A (Archaeology) of planning permission reference no 18/01502/OP granted 25.07.2023 – Details approved on 12/02/2025.
- 2.6 24/02408/DOC - Details reserved by Condition 17 (Local Transport Plan) of outline permission application reference 18/01502/OP granted on 25.07.2023 – details approved on 12.02/2025.
- 2.7 24/02858/DOC - Details reserved by condition 25 (Fire Hydrants) of outline permission reference no 18/01502/OP granted 25.07.2023 – Details refused on 12.03.2025.
- 2.8 25/00103/DOC - Details reserved by condition 24 (Phasing Plan) of outline permission reference 18/01502/OP granted 25.07.2023 – Details approved on 10/03/2025.
- 2.9 25/00636/NMA - Vary condition 25 (fire hydrants) to allow for commencement up to slab level before a scheme is agreed (as non-material amendment to outline planning permission 18/01502/OP granted on 25.07.2023) – NMA agreed on 30/06/2025.
- 2.10 25/02234/S73 - Variation of wording to Condition 3 and Condition 20 of planning permission 18/01502/OP granted on 25.07.2023 – Granted Conditional Permission on 03/12/2025.
- 2.11 25/02586/DOC - Details reserved by Condition 9 (Sewage Treatment Upgrades) of outline planning permission reference 18/01502/OP granted on 25.07.2023 – Details approved on 19/03/2026.
- 2.12 25/03149/RM - Approval of reserved matters (access, appearance, landscaping, layout and scale) for the erection of 140 residential dwellings with associated landscaping, highways, drainage, public open space and ancillary infrastructure pursuant to outline planning permission reference 25/02234/S73 granted 03.12.2025 – Conditional approval of details issued on 13/05/2026.
- 2.13 26/00457/NMA - Non-material amendment to planning permission reference 25/02234/S73 (granted 24.01.2026) to vary the wording of Condition 20 to remove reference to application reference number 24/02396/DOC and substitute with reference to an updated Construction Traffic Management Plan and associated appendices – Agreed on 27/05/2026
- 2.14 26/00916/DOC - Details reserved by condition 21 (Surface Water Drainage Scheme) of planning permission reference no 25/02234/S73 granted 03.12.2025 – Under consideration at the time of writing.
- 2.15 26/00980/S106 - Application for the discharge of Planning Obligation under S106 of the TCPA 1990 - Affordable Housing Plan with respect to S106 agreement pursuant to 18/01502/OP – Under consideration at the time of writing.

- 2.16 26/01120/DOC - Details reserved by condition 10 (Sewage Treatment Upgrades) of planning permission reference 25/02234/S73 granted 03.12.2025 – Under consideration at the time of writing.
- 2.17 26/01123/DOC - Details reserved by condition 22 (Surface Water Drainage Scheme) of planning permission reference 25/02234/S73 granted 03.12.2025 – Under consideration at the time of writing.
- 2.18 26/01139/DOC - Details reserved by Condition 26 (Fire hydrants) of section 73 application reference 25/02234/S73 granted on 03.12.2025 – Under consideration at the time of writing.
- 2.19 26/01282/DOC - Details reserved by condition 8 (Details of Materials) of Reserved Matters application 25/03149/RM granted 13.05.2026 – Under consideration at the time of writing.

3.0 **Representations**

- 3.1 HCC Highways – No objection.
- 3.2 Barkway Parish Council – Objection. Available to view in full on the NHC website.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site is 7.62 ha in size and is arable land situated between Royston Road and Cambridge Road with an existing bridleway running north / south through the site.

4.2 **Proposal**

- 4.2.1 The application seeks a non-material amendment to the wording of Condition 17 (Redundant Points of Access) attached to planning permission reference number 25/02234/S73. No other changes to the condition or approved development are proposed.
- 4.2.2 The amendment proposes to alter the trigger point from 'prior to commencement' to 'prior to occupation'.
- 4.2.3 The original and proposed condition wording is set out below:

Original:

Prior to the commencement of development details of the redundant points of access to the site from Cambridge Road and Royston Road and reinstatement of the verge or/and footways where relevant shall be submitted to and approved in writing by the

Local Planning Authority. The approved details shall be implemented and permanently retained.

Reason: To provide safe and accessible linkages for pedestrians and cyclists and to confine vehicle movements to the permitted points of access in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

Proposed:

Prior to the occupation of development, details of the redundant points of access to the site from Cambridge Road and Royston Road, and reinstatement of the verge or/and footways where relevant shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and permanently retained.

Reason: To provide safe and accessible linkages for pedestrians and cyclists and to confine vehicle movements to the permitted points of access 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 amendment to the wording of Condition 17 would result in a material change to the nature or impacts of the approved development.
- 4.3.2 The amendment seeks to alter the trigger point of the condition from 'prior to commencement' to 'prior to occupation'. The purpose and outcome of the condition would remain the same, although the timing of compliance would be altered in that the details of the redundant points of access to the site and the reinstatement of the verge and/or footways would need to be submitted and approved in writing by the Local Planning Authority.
- 4.3.3 The applicant has submitted a letter alongside the proposal setting out that the works affecting the highway will be secured through an agreement under Section 278 of the Highways Act 1980. The applicant's letter states 'whilst such an approval is required prior to the implementation of any highways works, it is not necessary for the purposes of enabling site setup of other initial development works. In this regard, the principle of vehicular access to the site has already been approved under the extant Outline Planning Permission'
- 4.3.4 The revised wording would not alter the scope, intent, or enforceability of Condition 17 and would not introduce any new material impacts to highways or neighbouring amenity. The purpose of the condition remains unchanged. Construction phase highways impacts and access arrangements are controlled separately though the approved Construction Traffic Management Plan dated 17/02/2026.
- 4.3.5 The Highways Authority have been consulted on the proposal and have raised no objection to the proposed amendment stating 'it is accepted that revising the trigger

point to prior to occupation would not, in itself, adversely affect highway safety or the deliverability of the required highway works’.

4.4 **Conclusion**

- 4.4.1 The proposed amendment is considered to be minor and would not result in any material alteration to the approved development. The proposal is therefore considered a non-material amendment under Section 96A of the Town and Country Planning Act 1990.

5.0 **Recommendation**

- 5.1 That the non-material amendment be AGREED.

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 23 June 2026	

