

The Conservators of Therfield Heath and Greens

The Therfield Regulation Trust
c/o Royston Golf Club, Baldock Rd, Royston, SG8 5BG
Registered Charity No. 277881
Chair: Clive Hall



THERFIELD
HEATH
& GREENS

Date : Wednesday, 10 June 2026

By Email to Planning Control; and
melissa.tyler@north-herts.gov.uk

Dear Melissa Tyler

26/01154/PIP : Erection of between 7 and 9 dwellings
(Land To The West Of Hay Farm, Police Row, Therfield, Hertfordshire).

Thank you for your letter of 2 June 2026 consulting The Conservators of Therfield Heath and Greens regarding planning application 26/01154/PIP : erection of between 7 and 9 dwellings.

I note that the response date is 10 June 2026. You have at this time not consulted with Natural England. I am dealing, in this letter, only with mitigation; any objections or comments would be within a separate letter.

Here I set out the mitigation sum we seek and the target initiative. Overleaf in our Annex you will find out why we ask for this sum, how we calculated it, what to do if the sum or initiative are not agreed in full and exactly as set out herein. It is our position that the requirements of NPPF 193 regarding this SSSI (Therfield Heath) would be met if the mitigation requirements below are met in full.

Mitigation sum under s106 or Unilateral Undertaking sufficient to provide mitigation of recreational harm to a SSSI

The sum we seek for mitigation is :

£680 per dwelling and additional indexation calculated from Q1 2025.
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Target Initiative and Fall back

The target initiative and our required fallback are:

Target Initiative: “Signage and Web initiative (Greens)” via a s106 or unilateral undertaking. Payment to be made in full when development commences.

<i>One of the barriers to the general public using the Greens in Therfield (rather than Therfield Heath SSSI) is a lack of understanding of where they are, and what facilities and experiences they offer to visitors. This project is intended to plan, monitor and drive visitor interest in the Greens as an alternative to Therfield Heath SSSI.</i>
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Fallback “Management Measures” monies to be assigned to another initiative via the NHC / NE process and / or to continue to fund the Warden roles as described in the strategy document

To be relied on if the development is delayed, or this initiative does not proceed, or if too much time passes such that payment can no longer be linked to the initiative, then the same amount of \$106 will go into the unallocated management measures fund.

Your sincerely,

A black rectangular box redacting the signature of Carol Fossick.

Carol Fossick
Clerk to the Conservators of Therfield Heath
Clerk to the Trustees of the Therfield Regulation Trust

Annex (Wider Zone – Under 10 units)

26/01154/PIP : Erection of between 7 and 9 dwellings

A Reason for Communication

This proposed development has triggered the Therfield Heath SSSI Mitigation Strategy from the NHC Local Plan 2022. It is a development of additional housing within the 5.8km wider/outer zone of influence.

B Info : Therfield Heath SSSI Mitigation Strategy Included Benchmark (Inner)

Under the strategy the developer is expected to fund measures to mitigate the impact on the SSSI of housebuilding. The benchmark (see page 44 of the strategy) focusses on the Ivy Farm 3 development (Feb 2019) which is within the 1.9km inner zone of influence. We set out the inner bench mark here as it feeds into the next section which is the wider/outer benchmark.

In summary the benchmark establishes that a development in the inner 1.9km zone should provide:

- On-site high quality SANG at or above 8 ha per 1000 population
- £1000 (indexed) per dwelling for “management measures” to mitigate the impact on the SSSI of housebuilding
- A capital contribution towards facilities on or near the Heath, (the benchmark was £100k for the development)

C 2026 Agreed Therfield Heath SSSI Mitigation Strategy Benchmarks (Wider/Outer)

Up until 2026 we did not have a benchmark for the wider/outer zone but this is no longer the case.

We suggested in our comments made in respect of 25/00886/FP ¹ that the correct way to approach the wider/outer zone is to consider what is said in the strategy regarding the impacts within the outer zone ² and then we use the referred to 4/7 proportion and apply it to the inner zone benchmark figure.

Doing this calculation, based on the data already within the agreed Therfield Heath SSSI Mitigation Strategy, we arrive at the benchmark figure of £570 per dwelling based on the 2019 strategy figures (ie £1000 (inner benchmark) x 4/7 (outer impact)).

¹ Erection of 14 dwellings and associated infrastructure (Reed House Jacksons Lane Reed Royston Hertfordshire SG8 8AB)

² Impacts being 4/7 of those in the inner zone because the inner zone is producing an average of 14 visits as per § 2.2.9 and the outer zone only 8 as per § 2.2.11. The strategy also recognises that given the nature of the outer zone being more rural it would not expect to drive any SANG requirement. In this zone the only contributions are likely to be financial

As at Q1 2025 indexation has increased the inner benchmark from £1000 to about £1190 per dwelling and so the same rate increased the outer zone from £570 to £680 per dwelling³. Whilst we will state that this approach results in a sum of £680 per dwelling we must bear in mind that there is a need for additional indexation calculated from Q1 2025. This is a calculation for NHC staff are to do per application based on the prevailing rate at time of the agreement.

No capital or SANG provision is being sought from this development based on it being rural and in the outer zone.

The outer benchmark has now been accepted by both us and NHC in :

- 25/00886/FP ; and
- 25/02547/FP⁴.

This now is the agreed benchmark for developments in the wider/outer zone.

D Unilateral undertaking / S106 from this development in the wider/outer zone (under 10).

Whilst a s106 may not be suitable for a development of less than 10 units, a unilateral undertaking is possible.

We note that this is the approach taken by East Herts District Council who use such an agreement to obtain funding for Hatfield Forest SSSI ⁵ from smaller developments, similar to what we have here. We are sure you could do likewise and have supplied a link to their agreement.

As Natural England has recommended that we agree mitigation measures in accordance with the Therfield Heath SSSI Mitigation Strategy we have in our letter set out our proposed mitigation measures to you so that you may include them within a Unilateral Undertaking or s106 as appropriate

It is appropriate to request a payment per dwelling at a value that has already been used for other wider/outer developments.

E Target Initiative and Fall back

The strategy also asks that funding be directed at specific projects. This can be tricky to achieve when there is a delay between initiatives on the Heath and payments coming on stream, so the Conservators always suggest a target initiative (with a fall back should that project for whatever reason not go ahead or should the money not be on stream at the right moment to fund it).

As our letter provides both a primary and a fall back both should be included in the Unilateral undertaking / S106 from this development. To assist our cash flow, we would like you to stipulate that the funds come on stream when development commences.

³ Each agreement should recalculate the indexed figure based on the date of the agreement. Within NHC the team handling these agreements know this calculation.

⁴ Residential development of 36 dwellings (Land to the South And East Of Senuna Park Station Road Ashwell) where the payment was agreed at the meeting and confirmed so at your you tube coverage at 2:08:57

⁵ [Hatfield Forest Mitigation Strategy - Unilateral Undertaking - FINAL.pdf](#)

F Any disagreement

The Conservators hope this meets with your expectation. However, should it not, or should you think there are other factors to consider, we suggest a brief meeting involving yourself, ourselves and Natural England to understand what issues or other factors may be in play.

Natural England have made it clear in communications with us recently that they expect mitigation measures to be agreed by the Conservators of Therfield Heath & Greens and the LPA and their delivery secured through an appropriate planning mechanism.

As such if you do not accept either/both of

- the level of mitigation and/or
- the initiative and fallback

you must contact us and seek a meeting to discuss.

If you do not obtain our agreement then, for example, you will not be able to show adequate mitigation is in place and there will be a subsisting harm to the SSSI which we will say would engage NPPF 193 (a) and the application should be refused.

*if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then **planning permission should be refused***

However, the strategy promotes a collaborative and continuous review / improvement style approach and so we do advise a meeting so we can hear and overcome any concerns and reach agreement together.

G Conclusion

These funds are vital for the survival of the SSSI and the Heath.

The Heath itself having defined historic, cultural and natural importance to everyone in the neighbourhood.