

Summary

Proof of Evidence

of

Vic Hester

Land East of the A10

Buntingford

Hertfordshire , SG9 9SQ

June 2024

Appeal Ref: APP/J1915/W/24/3340497

LPA Ref: 3/23/1447/OUT

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Appeal Site: Land East of A10, Buntingford

Appeal by: Countryside Partnerships Ltd and Wattsdown Developments Ltd

- 1.1 My name is Vic Hester. I am a chartered town planner and have been a Member of the Royal Town Planning Institute since 1992. I have 34 years planning experience in the private, voluntary and public sectors.
- 1.2 The Appeal Proposal is set out in the Statement of Common Ground. In essence, it is an outline application for a residential-led mixed use development for up to 350 dwellings with all matters reserved except for the means of access into the site from the A10 road.
- 1.3 My proof of evidence is prepared to address the main topic areas of the appeal that have been identified by the Inspector, namely: whether the proposal would be suitably located for residential development having regard to the spatial strategy of the development plan; the effect on the character and appearance of the area with specific reference to density and landscape character; and whether the LPA can demonstrate a deliverable housing land supply.

Location of the appeal proposal

- 1.4 The starting point for the assessment of the proposal is the development plan.
- 1.5 The appeal site is not identified in the LP to help achieve the wider development strategy of the LPA. Policy DPS2 states that housing growth, and other growth can be accommodated by directing development to (in order of hierarchy) sustainable brownfield sites, the urban areas of defined settlements (including Buntingford), urban extensions of defined settlements (not including Buntingford) and limited development in the villages. This strategy shows how the necessary growth in the District can be accommodated in a planned and sustainable fashion. The application site is not located within the urban area of Buntingford and Policy DPS2 does not include an urban extension to Buntingford as part of the District's housing supply.

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- 1.6 Although the appeal proposal sets out a series of measures to encourage the use of alternative means of transport and to improve connectivity to and from the town, there are wider and more strategic sustainability factors to take into account, as set out in the development strategy, which is why the location of the appeal proposal and the type of development proposed is contrary to what the LPA is trying to achieve through the Local Plan.
- 1.7 With the 5 year supply of sites, it is demonstrated that the LP's district strategy for housing growth is working and there is no need to deviate from this with schemes (such as the appeal scheme) that are less desirable and in inappropriate locations.
- 1.8 The proposed development of some 350 new homes would exacerbate the mismatch between houses, employment, retail, community facilities and infrastructure. It would exacerbate existing outward commuting patterns where residents rely on employment, leisure and recreation, convenience and comparison retail stores, and rail travel elsewhere.
- 1.9 As such, I conclude on this matter that the proposal is in conflict with the provisions of the LP and the requirements of the NPPF to achieve a suitably sustainable development. It should therefore be refused unless material considerations justify a grant of permission notwithstanding the terms of the plan.

Effect on the character and appearance of the area

- 1.10 The impact of the development is to introduce a significant amount of mostly housing development to the site that pays no recognition to the site's locational context. It fails to offer any visual or spatial transition between the urban edge and the countryside and fails to assimilate the development appropriately and adequately with its context.

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- 1.11 The varying topography of the appeal land will mean that there will be a variation in heights of buildings across the site. The existing housing to the east is on land that is lower than the appeal site. This means that the proposed development will be and appear elevated above their existing ground levels – due to the varying topography, heights above ground level will vary across the site.
- 1.12 The adjacent Luynes Rise estate comprises development that is almost entirely two storeys with detached and semi-detached properties. The DAS acknowledges that the density is around 28-29 dph. The indicative layout plan contained within the DAS shows a significant number of terraced blocks on the appeal site (around 30 terraces) and blocks of flats. Significant amounts of terraced housing and flats are proposed as they are needed to meet the quantum of development proposed within the four parcels. The height of these terraced blocks (capable of 2.5 or 3 storeys in these locations) is not comparable to the existing development and built context.
- 1.13 The proposal conflicts with Policy HOU2 – in that the proposed density of development has not been demonstrated to be informed by good design or the character of the local area. The explanatory text of this Policy requires major schemes to include a range of housing density areas to ensure varied character and appearance. The appeal proposal does not provide this range. It provides two density areas, which is one of the reasons why the proposal fails to achieve good design across the scheme and fails to assimilate with the surrounding built context.
- 1.14 The proposal will appear as an urban scheme tightly arranged cheek-by-jowl on four parcels of land within the site – in some locations hard up against the boundaries with residential properties and/or lacking in rear garden depths to adequately separate development. The amount of residential development (up to 350 dwellings) is unjustifiably excessive on the site.

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- 1.15 In combination, and in comparison with the existing built context, the dwellings on the appeal site are going to be higher, terraced, flatted, and built at a higher density. The proposal does not represent a transition of the built form - into the countryside.
- 1.16 The appeal proposal fails to provide a Masterplan at this stage. The Masterplan would be an opportunity to demonstrate how the appeal scheme can be considered to have taken into account its built context. The appeal scheme fails to demonstrate why the quantum of development proposed, in mostly taller buildings, higher densities, with terraced and flatted development can be suitably accommodated on the land as an extension to the existing built development.
- 1.17 The proposed access arrangements, with the provision of a roundabout on the A10 and its consequent infrastructure, sightlines etc., will 'open up' the site significantly for views into the site and from the site. Planting/landscaping would not be achievable in close proximity to the roundabout as the visibility sightlines need to be retained in perpetuity. The works to provide the roundabout, the sightlines, the change in gradients, the height above the site, the retaining structures and the road itself would stand out as a visual and conspicuous intrusion in the countryside.
- 1.18 The proposed acoustic bund will change the landform on the site – and will comprise an alien feature within the landscape – as it is not otherwise repeated within the immediate area. The bund is anticipated to be 2m in height, with a 2m high fence on top. This represents a 4m high unnatural form of development close to the A10. The bund with fence would exacerbate the harmful impact of the development on the countryside and landscape form, and will appear as an unduly conspicuous addition.
- 1.19 Although the proposal is submitted in outline, the scheme fails to demonstrate how (even as indicative) green and blue infrastructure would permeate the developed parcels of the site. It is important to provide landscape links or corridors on residential layouts as these provide a number of visual and open breaks in development and can help to integrate buildings with spaces and provide and

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connect ecological corridors. It is also important to provide open space areas within residential schemes as they can be focal points and usable spaces– the proposal locates the open space provision mostly outside the residential parcels.

- 1.20 The main provision of green infrastructure is linear – along the western boundary of the site, alongside two areas close to centrally located hedgerows and to the east where the attenuation ponds are proposed. It is not clear how effective the open spaces will be as they do not offer significant width (only length) for usable space for a range of activities. The location of the open space close to the treatment works is not ideal, due to concerns around noise and odour impacts.
- 1.21 The proposal is contrary to the relevant policies in the LP (DES1, DES2, DES4 and HOUS02) and the objectives of paragraphs 135 and 180 of the NPPF.

Planning balance

- 1.22 I have observed that the proposals are contrary to the provisions of the development plan read as a whole, meaning that permission may only be granted if material considerations justify it. It is thus important to consider the benefits along with the disbenefits of the proposal.
- 1.23 In my Proof of Evidence, I have set out what are the key benefits and disbenefits that could be applied to the appeal proposal. I have concluded that not only does the appeal proposal conflict with the development plan, but the disbenefits of the proposal outweigh the benefits.
- 1.24 The proposed development would conflict with the objectives and development strategy of the Local Plan in that a significant amount of new development is proposed in an unsustainable location and will give rise to increased levels of out-commuting and car travel away from the town.

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- 1.25 The proposed development harms the character and appearance of the area. It will lead to the loss of countryside, the open, semi-rural location of the site and lead to significant landscape harm. The scheme fails to take into account the built context of adjacent development.
- 1.26 The LPA considers that it can demonstrate a 5 year supply of deliverable housing sites and therefore full weight can be attributed to the objectives and policies in the development plan.
- 1.27 For the reasons set out in my proof of evidence, the appeal proposal should be refused.