

Mr A Patel
East Herts Council
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Pegs Lane
Hertford
SG13 8EG

By e-mail only to: Amit.Patel@eastherts.gov.uk

Dear Mr Patel,

Re: Land East of A10 Buntingford, Hertfordshire (Ref: 3/23/1447/OUT)

Outline planning for the development for up to 350 dwellings, with up to 4,400 sqm of commercial and services floorspace (Use Class E and B8) and up to 500 sqm of retail floorspace (Use Class E) and other associated works including drainage, access into the site from the A10 and Luynes Rise (but not access within the site), allotments, public open space, and landscaping.

We write to respond to the comments received from the Conservation and Urban Design officer in relation to the above referenced planning application.

The comments received acknowledge that the application has been submitted in outline with the illustrative layout provided as indicative only. However, the comments have been made following an assessment as to whether the proposals can achieve the quantum of built form and development to be considered acceptable in urban design terms.

There are 9 matters which have been raised within the comments and these have been considered in turn below.

1. Masterplanning Process

'The proposed development is a 'significant development' and it is therefore required that the applicant should undertake a masterplanning process as stated in Policy DES1 of the East Herts District Plan.'

Prior to the submission of the planning application, the Applicant met with representatives of East Hertfordshire District Council (Richard Freeman and Karen Page), to discuss the potential for a pre-application combined with a potential consultation with the community and stakeholders on the masterplan. However, it was advised by the Council that Policy DES1 is intended for sites identified for development within the Local Plan which would result in the masterplan being endorsed by committee before an application is made (for example WARE2). However, in this case, the masterplan would not be endorsed and there was also doubt raised by the Council as to whether stakeholders would engage in the process and this approach had not been discussed with the portfolio holder.

As part of the 2022 application, the Applicant sought to engage in both pre-application and masterplanning discussions with the Council which were declined. As a result of this, the Applicant undertook an independent design review and public consultation exercise. The proposal subject to this application has also been subject to a further online consultation and leaflet drop and it would be the intention that consultation is done at reserved matters stage.

2. Sustainable Travel

'The scheme proposes a major development on the fringe of Buntingford. There are no railway lines serving Buntingford, and the nearest bus route stops are along Station Road and Baldock Road which will be potentially a significant walk for some of the new dwellings on the site. The transport assessment report indicates some small sustainable transport initiatives including a public transport pick up point for Hertslynx-on-demand bus service. However, it is not clear if this service can replace the full scope of a regular bus service, which will be required for a development of this scale. Advice on this should be sought from the Highways officers, however from an Urban Design perspective it is considered that - in the absence of a railway line in the area and the lack of better public transport, it is anticipated that the dependency on cars is likely to be high for people travelling to work/shopping/entertainment trips to nearby towns and this will have a detrimental impact on the character of the local area, and health and well-being of new and existing residents.'

The Urban Design Officer has raised concerns that there are no railway lines serving Buntingford and the absence of such, means that the proposal would be heavily reliant on cars.

In the current Local Plan, Buntingford is identified as one of the district's most sustainable locations for development alongside Bishop's Stortford, Hertford, Sawbridgeworth and Ware and the Plan identifies that the majority of new growth be directed to these locations. Buntingford is therefore considered to be a sustainable location for growth, despite the lack of railway line serving the settlement.

As outlined within the submitted Transport Assessment (TA) day-to-day facilities and services in the vicinity of the application site include:

- Two first schools (ages 4-9), a middle School (ages 9-14) and an upper school with sixth form (ages 14-18);
- Supermarket facilities, including a mid-sized Cooperative supermarket, a Sainsbury's Local and a Nisa Local / One Stop (which also contains the local Post Office);
- Employment opportunities at the Buntingford Business Park and Watermill Industrial Estate as well as town centre shops and services;
- A number of health facilities (doctor, dentist); and,
- Local town centre shops.

Such facilities are accessed via foot and the design of the proposal is such that it adopts the principles of a 20-minute neighbourhood.

The shops and facilities in Buntingford would cater for most day to day needs of residents, however, it is acknowledged that larger comparison shops (which people use less frequently) are not available in the town, and consequently residents would need to travel to nearby towns such as Stevenage, Bishops Stortford, or Cambridge to access these shops. This, however, is not uncommon in rural districts/settlements.

The proposal also promotes the provision of a range of local convenience facilities, with potential to include a convenience store, a café, restaurants, a doctor's surgery, a pharmacy, a home working hub, gym, and small business units.

Improvements are proposed to the surrounding highway network to enable the Proposal to benefit the wider Buntingford community. Several public transport options are also available, including both standard bus services as well as a DRT service in the form of HertsLynx and this is a matter being discussed with Highways.

3. Sustainable Travel Improvements to Wider Area

'Contributions through S106 agreements should be secured as part of this application in order to improve the wider infrastructure for sustainable travel (pedestrian/cyclist connections and public transport routes) including links to the town centre, in order to mitigate the impact of the proposed development on the wider infrastructure and to reduce reliance on cars.'

Any suggested improvements to pedestrian/cycle connections and public transport routes will be agreed with HCC and delivered via a S106 Agreement as appropriate.

4. Local Centre Location

'For the scale of development proposed, it is disappointing to see that the layout is missing a core destination within the heart of the application site. While the local centre, with possibly some local shops and amenities and a public open space, could have served this purpose, its off-centred location as currently shown is a hindrance to achieving this.'

The location of the Local Centre has been carefully considered in relation to accessibility and the relationship with the new and existing residential areas and also the proposed employment area. It is considered that the location of the local centre will provide the most appropriate core destination for the development, which is easily accessible. As outlined within the Design and Access Statement (DAS), the Framework Plan locates the Local Centre alongside the Boulevard (the main street serving the development) and one of the existing PRoW which cut through the site providing convenient access to both new and existing residents. All new residents will be within a ten-minute walking distance of the Local Centre (800m).

A number of options for the local centre location were considered and appraised, alongside viability information provided in the market report by Coke Gearing.

5. Urban Grain and Density

'The Design and Access statement indicates that the residential element will have "up to 350 dwellings on 10.35ha". This indicates a higher density within the new residential blocks than that in the immediate context to the site (Design and Access statement mentions on page 26 that "Immediately adjacent to the site, the densities range broadly from 27 to 28dph..."). The proposed houses and plots as shown on the illustrative plan on page 59 of the DAS are noted to form a denser urban grain compared to its immediate context. Bearing in mind that the site is on the fringe of the town, it is considered that the density should instead be lower, to provide a better transition to the landscaped context beyond the site. While it is acknowledged this is an outline application for "up to 350 dwellings", it is considered that this number of dwellings, if permitted on the location, will present a density that is not suitable for this edge of town site, and therefore unacceptable.'

It is considered that the proposed density is appropriate for the location. A mix of densities (30dph to north and 40dph to the south) have been used to respond to the landscape analysis and it is considered that the mix provide a strong sense of orientation throughout the site and is consistent with the mix of densities used in the developments to the east and south of Buntingford on the edge of the town.

The DAS provides an assessment of the existing density of the surrounding residential development on pages 26-31 highlighting that across Buntingford there is a range of densities from 27dph – 40dph.

6. Proximity of Sewage Works

'It is considered that the existing Buntingford Sewage Treatment Works in close proximity to the site creates a rather unpleasant setting for the southern dwellings and landscaped amenity spaces.'

An Air Quality Assessment has been submitted to support the application which addresses the potential air quality impacts during both the construction and operational phases of the proposed development. For both phases the type, source and significance of potential impacts were identified, and the measures that should be employed to minimise these proposed. The methodology followed in this study was discussed and agreed with the Environmental Health Officer of East Herts Council.

The potential for odour impacts from the Buntingford Wastewater Treatment Works (WwTW) has been considered. Existing odour modelling completed by ARUP for the East of Aspenden Road development (X/20/0428/CND) indicates that the majority of the site is sitting outside of the “most offensive” contour. This indicates that 350 residential units can be accommodated within the Application Site outside of the area of greatest risk with respect to odour, thereby establishing the principle of development within the Application Site.

Less sensitive receptors, such as the proposed commercial and retail uses, may be accommodated within the higher odour contour brackets. As the application is currently outline, the final location and choice of commercial and retail uses are not known. However, depending on the final choice of commercial and retail uses, these types of receptors may be suitable to be within the “moderately offensive” contour bracket, indicating that most of the Application Site is suitable for development. It is understood that the WwTW will undergo some upgrades in 2023. Furthermore, it may be that changes/upgrades to the WwTW are required to accommodate the Proposed Development. Therefore, further odour modelling may be required to reflect these changes and a full odour assessment is expected to form part of a planning condition.

The open space coloured plan at page 85 of the DAS illustrates that the landscape area in proximity to the sewage treatment works is proposed as natural greenspace (coloured blue) and not amenity space. The amenity greenspaces (red) are kept within the development itself, screened and distanced from the odour constraints and these are in excess of the policy requirements.

It should be noted that in response to the previous application on this site (ref: 3/22/1551/FUL) neither Environmental Health nor Thames Water raised any objections on potential odour constraints nor design.

It should also be noted that in their EIA screening opinion, Thames Water state: *“No significant environmental effects are expected from odour during the operation phase. Significant effects associated with air quality and odour are not anticipated during construction or operation.”*

7. Green Infrastructure

‘A significant proportion of the green infrastructure is indicated to be located along the A10 and designed to perform as a buffer from the A10 noise. A substantial part this landscaped areas (especially the west of the bund) will therefore offer less opportunity for useable amenity space and active play. Additionally, as discussed in 6 above, the southern amenity spaces may be potentially less useable because of the proximity to the sewage treatment works and associated odour. Further landscaped areas should be provided within the interior of the parcel to serve as useable outdoor amenity space.’

As noted on the Public Open Space Plan (ref: 10537-FPCR-XX-XX-DR-A-1007), it is proposed that an area of natural / semi-natural greenspace will run alongside the developable area of the site and the A10. This area is not included within the amenity space calculation. An acoustic fence on a bund is proposed to provide noise mitigation within this area.

As illustrated within the DAS, all amenity greenspaces are kept within the development itself and do not include the western area alongside the A10. Across the site there is an over provision of public open space of 3.62ha against policy requirements.

As outlined above, the Air Quality Assessment considers the odour impacts from the WwTW, much of the development lies outside of the sensitive odour contours and as such it is considered that the open space proposed should not be impacted by odour.

8. Depth of Private Gardens

'As noted on the illustrative layout on page 59 of the Design and Access Statement, proposed dwellings and rear gardens along the north, east and south-east boundaries of the application site are shown to be located hard against existing residential rear gardens. These gardens are shown to be fairly shallow and will potentially result in an overbearing relationship with the existing dwellings. It is preferred that the design should allow for additional tree planting within a landscape buffer and/or in deep rear gardens for improved screening between the existing and proposed houses. While it is appreciated that this is an outline application and such details of layout may be addressed at RM stages, it is considered that the quantum of dwelling proposed may not be achieved once the landscaped buffer discussed above is factored in.'

East Herts planning policy does not provide details on minimum separation distances; however, we are aware that best practice in the industry indicates that a back-to-back separation distance of between 21 – 23m is sufficient to ensure that there is no overlooking. The architect has reviewed the layout in respect of back-to-back distances particularly in relation to the eastern and northern edge of the proposal which we felt were the 'worst case' scenarios and as per page 87 of the Design and Access Statement, back-to-back distances would be approximately 28m with a planted strip provided outside the gardens where they back onto existing residential properties along Monks Walk. These distances are considered sufficient to allow for appropriate private amenity space and would not be overbearing on adjoining occupiers.

The application is also submitted in outline form and therefore details of specific plot and garden locations are indicative at this stage.

9. Sustainable Development

'The submitted energy statement discusses feasibility of a number of low carbon renewable energy systems for the site and concludes that solar photovoltaics and hot water heat pumps are two main technologies with significant potential for the development. It is noted however that a commitment for these measures is not provided yet in the application. Further details should be requested from the applicant along with a definite commitment for incorporation of these measures into the proposals.'

It is considered that appropriate conditions could be proposed to secure the delivery of technologies proposed within the Energy Statement and that this detail would be included within any Reserved Matters application for the site.

We would welcome a discussion with you regarding the above matters at our forthcoming meeting of the 7 November.

Should you have any queries in the meantime, please do not hesitate to contact me direct.

Yours sincerely,



Hannah Albans MRTPI
Director