

## By Email Only

Mr Richard Cassidy  
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25<sup>th</sup> November 2022

Dear Mr Cassidy

### Land East Of The A10 Buntingford Hertfordshire (Ref. 3/22/1551/FUL)

#### Hybrid planning application comprising:

- (i) Full planning for the development of 350 residential dwellings (Use Class C3), a new highway junction from the A10 with associated works including drainage, access roads, allotments, public open space and landscaping; and**
- (ii) Outline planning (with all matters reserved except for access) for up to 4,400 sqm of commercial and services floorspace (Use Class E and B8), and up to 500 sqm of retail floorspace (Use Classes E).**

We are writing to explain our disappointment with the Council's refusal to engage with us regarding the above planning application.

Despite indications from planning officers that the site would be put forward for allocation in the last Local Plan, it was superseded by developments to the east of the Town (mostly granted by planning appeal). We are therefore being more pro-active this time by submitting an application in advance of the delayed new Local Plan. The application can deliver a well-planned housing scheme, with a good balance of community and employment uses, which will assist East Herts with its housing delivery.

In summary, key benefits that the scheme can deliver are:

- 350 new homes of which 140 (40%) will be affordable, which could be delivered by Vistry within 5 years;
- 4,400 sqm of employment space for businesses;
- Land for a new doctors surgery;
- A new local centre which will serve the development and also the existing surrounding area;
- The creation of 367 jobs (809 jobs during construction);
- Substantial areas of landscaped public open space and amenity areas and 10% biodiversity net gain.

The Government encourages positive engagement between developers and Councils prior to and during the determination of planning applications. We are used to discussing and working through proposals with Local Authorities to seek agreement on the design and technical reasons, even if there is an understanding that an objection to the principle may remain. This represents positive planning and is a constructive use of time in preparation for thorough consideration of the application by Committee and/or an appeal.

East Herts planning department have taken the opposite approach in the way that they have dealt with our planning application.

Our request for pre-application advice was refused. The Council also refused to attend and enable an East Herts design review panel. We organised our own review with the Design Review Panel and invited officers, but they chose not to attend.

We submitted the planning application in July which included the fee of £69,835.20 for the Council. Before the expiry of the statutory consultation on the 9<sup>th</sup> November, we had requested a meeting with the Case Officer to discuss the responses to date. In addition, we emailed to suggest an extension of time in light of the still outstanding consultees comments and our intention to provide responses. Despite these standard requests, we received a Decision Notice from the Council dated 9<sup>th</sup> November refusing planning permission.

The Decision Notice was issued in advance of the publication of key consultation responses (we have subsequently seen the responses on noise and landscape) and we are still awaiting comments from:

- Lead Local Flood Authority
- Archaeology
- Hertfordshire Ecology
- NHS England
- UK Power Networks
- National Grid
- Cadent Gas
- Countryside Access Officer
- Ramblers Association.

As a minimum to give some value to the substantial fee paid to the Council to process the application, we request the remaining consultation responses and the opportunity to discuss them with the relevant officers.

This has been a frustrating and disappointing experience with your planning department, which is counter to the Government's intentions for positive planning.

We are now reviewing our position and seeking advice on how we can progress our proposals in this context presented by the Council.

Yours sincerely



Jonathan Porter  
**Strategic Planning Manager**

CC. Sara Saunders - Head of Planning