

By Email Only

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2nd May 2023

Dear Ms Saunders

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).**

Further to our correspondence towards the end of last year regarding the Council's refusal of the above planning application on the 9th November, we are preparing to submit a new planning application in the summer.

The previous planning application was refused for the following reasons:

1. The proposal would encroach into the rural area beyond the settlement boundary to the detriment of the character, appearance, and distinctiveness of the area contrary to Policies DES1, DES4, GBR2 of the East Herts District Plan (2018), Policy ES1 of the Buntingford Community Area Neighbourhood Plan and the NPPF.
2. The proposals represent an unsustainable form of development and residents would be heavily reliant on the private car to access employment, main food and comparison shopping elsewhere and the harm demonstrably and significantly outweighs the benefits. The proposal would be contrary to Policies DSP2, INT1, BUNT1 and TRA1 of the East Herts District Plan (2018) policy HD1 of the Buntingford Community Area NP and the NPPF.
3. The proposal due to its design and layout, especially the shallow gardens on the eastern edge, would have an adverse impact upon the adjoining occupiers through overbearingness and would also not provide a useable and functional private amenity space, due to its position either north or east of the dwelling. In addition, the layout of the car parking courtyards adjacent to

the private gardens. The compatibility of the uses is a concern, especially the open space and residential as well as commercial would raise concerns over the potential noise and disturbance to the future occupiers, in addition the layout would mean that commercial servicing would be done through the estate which has the potential to create further noise and disturbance to future occupiers and would not be considered as a high-quality design contrary to policies DES4 and EQ2 of the East Herts District Plan (2018) and guidance in the NPPF.

4. The proposal raises concerns over the layout of the development, in respect of compatible uses of residential and open space adjacent to Waste Water Treatment and A10 as well as the commercial element which would give rise to poor quality spaces which would suffer from odour and general function of these uses which would not provide a good quality useable space contrary to policy DES4.
5. The proposed uses adjacent to the Waste Water Treatment and recycling centre raises concerns over the delivery of the employment land and residential on the southern part of the site and the impact this will have on the future occupiers contrary to policies DES4, ED2 and EQ2 of the East Herts District Plan (2018) and guidance in the NPPF.
6. The proposal would give rise to severe impact upon the local highway network contrary to policy TRA1 of the East Herts District Plan (2018) and NPPF.
7. The proposal fails to make adequate financial provision for infrastructure improvements to support the proposed development. The proposal would thereby be contrary to Policies DEL2, TRA1, TRA2, CFLR1, CFLR7, CFLR9 and CFLR10 of the East Herts District Plan (2018), Policies of the Buntingford Community Area Neighbourhood Plan and the National Planning Policy Framework.
8. The proposal would not allocate any self-build plots. This would be contrary to policy HOU8 of the East Herts District Plan (2018).

We obviously disagree with the reasons for refusal. For instance, we consider the scheme with an excellent mix of uses, adjacent to an employment area and close to the centre of Buntingford Town as highly sustainable.

You will recall that the Decision Notice with these reasons for refusal was issued by the Council without any engagement with the applicant. We believe that some engagement would have at least allowed clarification to address the technical reasons for refusal.

Outline Planning Application

Our intention is to prepare a new outline planning application which will be based on the previous hybrid application.

As before, the application can deliver the following key benefits:

- New homes of which (40%) will be affordable, which could be delivered by Vistry within 5 years;
- Land for a new doctors' surgery;
- Employment space for businesses;
- A new local centre which will serve the development and also the existing surrounding area;
- The creation of jobs during and following construction, including opportunities for local people;
- Substantial areas of landscaped public open space and amenity areas and 10% biodiversity net gain.

Since Vistry Group's acquisition of Countryside and given their prominence in the region, it is proposed that the application will be submitted as Countryside.

The outline nature of the application, along with the updated detailed assessments can address all the technical reasons for refusal.

In addition, we have noted that as we had anticipated, the Council is now acknowledging that it can no longer demonstrate a 5 year housing land supply. This should enable the Council to be more open to a planning application for an unallocated site, on land which is not within the Green Belt and can be delivered in the short term to boost housing supply.

We would therefore welcome opening discussions with you about the new planning application and how it can overcome the reasons for refusals, maximise benefits to the community and help the Council's immediate need for housing, especially affordable housing.

Your letter of the 7th December offers to discuss the scheme with us, but on the basis of the standard paid pre-application service. Given our previous planning application fee of £69,835.20 for which we received no engagement with officers or any opportunity to revise and reconsult on information, we consider it would be more appropriate and reasonable for our hopefully new constructive discussions to initially follow on in the context of that application.

We hope that our proposals are of interest to the Council and would be grateful for your response regarding possible dates for a meeting.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jonathan Porter', written over a light blue horizontal line.

Jonathan Porter MRTPI
Strategic Planning Manager

CC. Richard Cassidy – Chief Executive