



BuntingfordTownCouncil

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Development Management Department,
East Herts Council,
Wallfields,
Hertford,
SG13 8EQ.

16th July 2024.

Dear Sirs,

3/24/0966/OUT – Outline planning application for development of up to 600 dwellings (C3), elderly accommodation (C3), Mixed Use Local centre (including flexible use E,F and Sui generis), First School, informal and formal open space, associated works and infrastructure including a new access from the A507 and pedestrian bridge over the A10, with all matters reserved except for access.
Land North of A507, west of A10 Buntingford.

This application differs from other recent development proposals in that the site falls outside of the Settlement and Parish Boundary of Buntingford. The current proposals fall within the Parish Boundary of Cottered but are outside of and some way from the Cottered Settlement Boundary. However, the site does fall within the Buntingford Community Neighbourhood Plan area and the proposals will have a significant impact on the town of Buntingford

Buntingford Town Council strongly objects to the proposals on the policy grounds as detailed within this document.

There is an adopted District Plan in place which does not include the site under consideration, Paragraph 6.1.7 of the East Herts District Plan states that the development of approximately 1,100 dwellings in Buntingford has been approved since 2011, therefore the development strategy for Buntingford is focused on seeking to ensure that the impact of development can be mitigated and managed within the overall infrastructure of the town.

This application is contrary to policies in the NPPF, the East Herts District Plan and the Buntingford Community Area Neighbourhood Plan, all development plans are current.

East Herts District Plan 2018.

Policy BUNT 1 – Allows for an identified figure of 1074 homes. In addition to this a further 100 homes have been built or are currently the subject of a planning application.

The application under consideration cannot be termed 'Windfall' which is normally previously developed sites that have unexpectedly become available or small sites of less than 10 dwellings.

The proposals are contrary to Policy BUNT 1.

Policy VILL2

Cottered is classed as a group 2 Village within the East Herts District Plan. Policy VILL2 states that development should be of a scale appropriate to the village and be limited to the built-up area as defined on the Policies Map.

Policy GBR2

The proposals do not qualify under any of the categories as outlined in GBR2 and cannot be described as limited infilling.

The land identified for this proposed development is designated as lying within the Rural Area Beyond the Green Belt and as such is covered by policy GBR2 of the adopted East Herts District Plan 2018.

Policy GBR2 lists the limited types of development (numbered a) to h), which may be permitted “provided they are compatible with the character and appearance of the rural area”. This proposal is a large-scale speculative residential and commercial development neither of which can be regarded as exceptions within the policy.

The assertion in the Applicant’s Planning Statement that “the Site is not covered by any Local Plan designations but is described as being within the Rural Area outside the Green Belt” is untrue and is clearly shown on the Map.

Policy GBR2 is a key policy of the Local Plan and the area affected is designated in the Policies Map.

The proposals are contrary to Policy GBR2

Policy DPS2

No further site allocations are proposed as part of the District Plan development strategy, these proposals represent a clear departure from the strategy.

The proposals are contrary to Policy DPS2

Policy DES1

The application has not been part of the Master Planning process as required under Policy DES1 which states “All ‘significant’ development proposals will be required to prepare a Masterplan setting out the quantum and distribution of land uses; access; sustainable high-quality design and layout principles; necessary infrastructure; the relationship between the site and other adjacent and nearby land uses; landscape and heritage assets; and other relevant matters. II. The Masterplan will be collaboratively prepared, involving site promoters, landowners, East Herts Council, town and parish councils and other relevant key stakeholders. The Masterplan will be further informed by public participation. III. In order to ensure that sites are planned and delivered”.

The proposals are contrary to Policy DES1

Buntingford Community Area Neighbourhood Plan (BCANP)

The site is outside of the Parish and Settlement Boundary of Buntingford and outside of the Settlement Boundary of Cottered and is contrary to policy HD1 of the BCANP.

The proposals are contrary to Policy HD1

Wastewater

The BCANP policy INFRA4 states:

Developers will be required to demonstrate that there is adequate Wastewater Infrastructure both on and OFF the site to serve the development and ensure no adverse impacts for existing or future users.

It may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing Wastewater Infrastructure.

Where there is a capacity constraint and no improvements are programmed by Thames Water, the Local Planning Authority will require the developer to provide for appropriate improvements that must be completed prior to occupation of the development.

Foul Drainage

We note the report produced by Jubb Consulting Engineers Ltd on behalf of the applicant, indicates that Thames Water has been instructed to undertake an initial assessment of the existing public foul sewer network, to confirm if sufficient capacity is available to accommodate the additional flows from the development. (Page 15, Para 6.1.4).

It is pleasing to note that this complies, in part, with Policy INFRA4 contained in the Buntingford Community Area Neighbourhood Plan (BCANP).

However, we assume that the foul water connection point will be at the western end of Baldock Road at its junction

with the A10 by-pass. It must be impressed upon the applicant and Thames Water, that the WHOLE of the network from its connection point to the Sewage Treatment Works (STW), located in Aspenden Road, needs to be the subject of NETWORK MODELLING, as the route down Baldock Road will become part of the existing network which is already overloaded, causing raw sewage flooding and unacceptable STW discharges into the River Rib, designated as a Chalk Stream.

We are unable to determine the location of the proposed pumping station as the development framework plan is not readily identifiable within the lodged documents. (Para 6.1.7)

It is also noted that the use of a private wastewater works is being considered and we are of the opinion that this would be a better option than connecting into an already overloaded system.

Surface Water Drainage

It is noted that Para 6.2.10, Page16, indicates that "It is therefore proposed to discharge flows from this region to the existing public surface water sewer located at the roundabout between the A10 and Baldock Road". As far as we are aware the network from the Junction of the A10 by-pass and Baldock Road is a combined sewer and is therefore against the Thames Water guidelines.

Biodiversity

Whilst we do not have the expertise to comment on the Biodiversity Net Gain spreadsheet, we have requested our partners, Herts & Middlesex Wildlife Trust, under separate cover, to submit their comments to the LPA for consideration.

As per Policy ES7 of the BCANP. Bio-diversity net gain must be compliant.

National Planning Policy Framework

The NPPF Chapter 1 (2) states that Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

There are no material considerations indicating otherwise and the development plan is current.

The NPPF Chapter 11 (c) further states that for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay. As indicated above, the development plan is up to date.

The NPPF advocates presumption in favour of sustainable development.

As previously stated, Buntingford has seen an unprecedented growth over the past seven years. The proposals for this application are not sustainable. Infrastructure has been slow to materialise. The town previously had two GP surgeries, but now has one. The additional patient numbers have resulted in capacity issues and residents are struggling to obtain appointments with a GP. The only NHS dental surgery is not taking new patients and cannot accommodate existing patients due to a lack of dental practitioners. The two small supermarkets do not have the capacity to fulfil the needs of a growing population and the public transport is poor, inadequate, and unreliable. The lack of anything other than basic provision has resulted in Buntingford having the highest car usage in Hertfordshire. The lack of employment opportunities means that travel to work by car is in excess of 70%. All these issues do not represent sustainability and are not economically, environmentally or socially sustainable and therefore are contrary to the NPPF.

Other issues

If this development gains approval it would form a substantial extension of the built-up area of Buntingford. The adopted District Plan does not require this area to be developed to satisfy the Council's objectively assessed need for housing.

Framework Travel Plan (FTP)

The applicants' comments regarding Pedestrian & Cycle access are quite misleading. Most residents will likely use their Cars to access the Town's facilities & to travel to and from work. Buntingford is poorly connected to

neighbouring towns has no access to the Rail network and a limited and unreliable Bus Service. The applicants' comments on improving these are tenuous at best.

Buntingford already has a very high Car ownership per Household over 2.7. the resultant traffic from the proposed site will only exacerbate the current issues on the Town's Road System. We question. (As do the Highway Authority) the methodology used to generate the TRICS data. Most of the Towns used in their calculations have direct access to Rail links & extensive Bus Services. They are not small Market Towns with limited Public Transport.

The information regarding walking & cycling routes into the Town are quite vague, we question whether anyone would cross over a bridge and walk into the Town via Bowling Green Lane which is poorly lit and maintained.

The applicant has not consulted with the Highways Authority regarding the proposed access points and accompanying Road "Improvements". Additionally, peak time queueing often occurs at the A507/A10 roundabout.

We note the comments from both the Highways Authority & ATE questioning the sustainability of the proposed site. It is likely to be heavily reliant on the use of the private car and therefore contrary for Paragraphs 108 and 109 of the National Planning Policy Guidance

The proposed site would be isolated by two major Roads the A10 & A507 on the outskirts of Buntingford. In effect it would be a separate settlement extending into a rural area

The site is entirely open agricultural land forming a clear and well-defined boundary to the built-up area of Buntingford. It is noted that the report submitted by the applicants consultant Wardell Armstrong, of the 50.13ha tested, 29.54 was deemed to be "very good" (58.9%), 18.91ha as "good", (37.7%) . The Agricultural Land Classification is Grades 2 and 3a which comprises "Best and Most Versatile Land" which should be maintained for agriculture to maintain food security, a high agenda item due to Climate Change.

Buntingford has suffered greatly in the last 7 years to the loss of PRoW's across open farmland, at least 4 now go through large housing estates.

At present the site is crossed by three PRoW's:-

1. FP41 links Throcking Lane, located at the north of the site, with FP35 as a pedestrian link towards the east across the busy A10. Whilst it is noted that it is proposed to provide a pedestrian bridge across the A10 (FTP – Jubb, Page 26, Para 6.3.11 and Figure 6.4) it is disappointing that there is no provision for those less able to access the site via a ramp from Buntingford to enjoy the proposed "parkland" and other facilities planned. This in our opinion is discriminatory.
2. FP40 linking FP36 to the east, via a pedestrian bridge across the busy A10 with no provision for disabled access. This FP links to the west with:-
3. FP46 from Baldock Road links with FP40 and FP39 towards Throcking.

Regarding Item 2 above it is disappointing to note that there will be no provision for the less able to cross the A10 via a ramp at this point.

It should also be noted that the discriminatory nature of Items 1 and 2 above will also impact on those less able new residents to the development. In all cases the only way to access the site from Buntingford or to access Buntingford from the site is via the roundabout crossing at the Baldock Road - A10 junction. All of the above does not allow for those cycling, walking using a walking aid or mobility scooter.

We question the section in the Jubb FTP report, 5.3 - Accessibility to Local Facilities and Services. The table 5.1 is extremely misleading as there are many errors contained within it. We assume, as there is nothing to counteract this, that the distances quoted are as the "crow flies".

The following items listed are incorrect in table 5.1.

There is a new first school to the southern end of London Road, missing from the table.

There is only one GP surgery, the Buntingford Medical Centre. Dr M Partington is a partner at the Health Centre. Orchard Surgery closed 4 years ago.

Buntingford Dental Clinic has only recently started to take NHS patients, now named Coliseum Dental.

K & M Shah is now Buntingford Pharmacy

Lloyds Pharmacy is now Allied Pharmacy.

As there is no clarification at this stage as to how pedestrians from Baldock Road to the east of the A10 will access the site it is presumed that they will have to cross the A10 as a pedestrian with no protection from the very busy A10 roundabout. This in our opinion does not satisfy the requirements of an Active Travel Plan.

All of the above will inevitably lead to existing residents of Buntingford and new residents of the site using vehicle for access in both directions.

The Framework Travel Plan is flawed in many ways and is discriminatory towards the less able.

STW Capacity

We have concerns regarding the capacity and effectiveness of the town's sewage works to cope with any further large-scale expansion. Thames Water has acknowledged this in their response to a recent planning application. They have repeatedly exceeded their discharge consent limits into the River Rib which is a protected chalk stream over the past few years, which is obviously linked to the recent and ongoing large scale expansion of Buntingford. In an EIA Screening application letter dated 22.3.2022 ref PL/0263/22, Thames Water state that the plant had a capacity in 2018 for a population of 6700, so there is already a shortfall. They envisage the proposed upgrade to have a capacity for a population of 7736 by 2026. Whilst Thames Water has stated that there will be capacity for 7736 by 2026, the population in 2023 exceeds this figure. If this development is approved this will effectively increase the population by approximately 1470.

Foul Water Treatment

In late 2022, Herts and Middlesex Wildlife Trust in conjunction with Buntingford Town Council, funded and supported by the Environment Agency, and many volunteers from the town, carried out remedial works to the River Rib from the Ford at the Causeway to the Tannery Bridge. The purpose of these works was to restore, as much as possible, the river back to a Chalkstream, one of only 200 in the WORLD.

As a result of this initiative a group of "Citizen Scientists" was formed and these volunteers carry out regular checks at strategic points along the river from its source in Therfield to a point south of the outfall of the Sewage Treatment Works (STW) located on the Watermill Trading Estate and onward southbound as far as Easneye.

The group monitor the river water for the presence of Nitrate (NO3) and Phosphate (PO4). The results of this monitoring is very detailed but an example of the measurements taken are:

Recommended levels - NO3, 50ppm in Drinking Water – PO4, 2ppm

Normal tap water (Buntingford) - NO3, 20ppm – PO4, 0.5ppm

Upstream of Buntingford SWT - NO3, 3.5ppm – PO4, 0.7ppm

Outfall pipe Buntingford STW - NO3, 77ppm – PO4, 13ppm

As can be seen from the above the STW is not stripping the NO3 or PO4 from the wastewater. It is generally considered that the increase in NO3 and PO4 is due to detergents in appliances like Dishwashers and Washing Machines. Another 600 of these appliances will only exacerbate the situation until such time as the STW can be upgraded to cope with the increase in Nitrates and Phosphates.

The group also monitor Riverfly in the river. Since the remedial work has been carried out, monitoring has shown an increase in the presence of these valuable creatures in the river upstream of the STW, but monitoring downstream of the STW has shown that there is very little, if any, sign of life.

Public response to the application

It is noted the significant number of objections recorded against this application on the East Herts Council planning portal. This number of objections demonstrates the serious concerns of the existing residents of Buntingford and Cottored with the lack of infrastructure provided from the previously developed sites.

We believe that the lack of conformity with various policies provides enough evidence for refusing this application.

For all of the reasons above and coupled with the inevitable impact on the town of an estimated further 1500 residents and their associated vehicles we would urge East Herts Planning Officers to recommend refusal of this speculative, unsustainable application.

S106 Agreement.

Should the application receive approval either from EHDC Planning or a subsequent appeal, it is crucial that the town benefits from the addition of a further 600 dwellings.

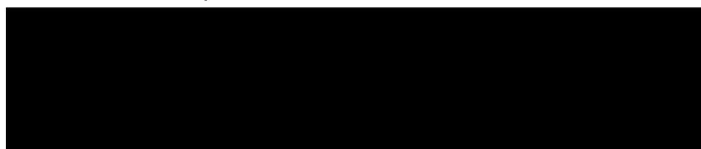
East Herts District Council will be submitting itemised S106 requirements. In addition to this, the town and surrounding villages are in desperate need of a fully equipped leisure/sports centre.

This centre should include a 25m swimming pool with associated changing rooms, fully equipped gymnasium, two indoor tennis courts, café and exercise/dance studio. We would also request that consideration be given to the provision of two full size FA compliant grass football pitches along with appropriate changing facilities and parking as the large-scale expansion of the town has put pressure on our limited pitch space forcing several teams to play their home games on sub-standard pitches in outlying villages.

Community Governance Review

In addition to the above, in the event that this application is approved, the Town Council will request that a Community Governance Review be undertaken to bring the application site to within the Parish Boundary of Buntingford. As previously noted, the site is adjacent to the parish Boundary of Buntingford and future residents would be reliant on all services and facilities within the town.

Yours faithfully

A solid black rectangular box used to redact the signature of Mrs J. Jones.

Mrs J.Jones
Town Clerk

