

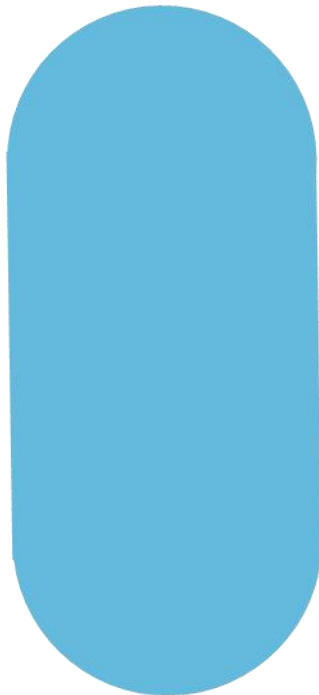


HALLAM LAND MANAGEMENT

LAND NORTH OF A507, WEST OF A10, BUNTINGFORD

**PLANNING STATEMENT (INCLUDING AFFORDABLE
HOUSING STATEMENT)**

MAY 2024



Bridgeway House, Bridgeway, Stratford upon Avon, CV37 6YX
www.marrons.co.uk

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EXECUTIVE SUMMARY

Hallam Land Management is proposing a residential led development on 50.12ha to the north of the A507 and west of the A10 in Buntingford. The site is to the west of the A10 and currently in agricultural use, with existing accesses from Baldock Road and Throcking Lane.

Outline planning permission is sought (with all matters reserved except for access) to construct up to 600 dwellings, elderly accommodation, a mixed use local centre, first school, informal and formal open space, associated works and infrastructure including a new access from the A507 and a pedestrian bridge over the A10.

The proposed development will add to local housing supply, helping to meet community needs, with up to 240 affordable dwellings and options for custom and self-build housing. Up to 60 elderly accommodation units are also proposed. In addition to the local centre and facilities, which could include a medical centre, some 23.88ha of strategic green infrastructure will be available to both future and existing residents, as a defining feature of the proposal.

The plans were initially developed in the context of a shortfall in the Council's housing land supply against its five year requirement. Whilst it now claims a five year supply, this has not resulted from a new Local Plan or increased housing delivery. The recent absence of a five year supply and under delivery means that housing need is high, and the provision of new high quality housing still carries significant weight.

The proposals are fully described in the submitted plans and Design and Access Statement, and the submitted Land Use Components Plan sets the framework for detailed design. The application includes a full suite of technical documents that assess the impact of the proposal against the relevant legislation and policy requirements. These include landscape, heritage, ecology, highways and transport.

Although the application is at outline stage, with matters such as layout and design reserved for future discussion and agreement, mitigation has been incorporated into the scheme and will be carried forward into the detailed design. This will ensure that the development will make a positive contribution to Buntingford and the local community, without any harm outweighing those benefits.

The site is beyond the existing built up area of Buntingford but is shown to be sustainable development in the context of the National Planning Policy Framework.

The Planning Statement assesses the proposed development against the policies of the development plan and material considerations. The social, economic and environmental benefits of the proposed development are summarised in the Planning Balance in Section 7.

The contribution to housing aligns with the NPPF objective of significantly boosting local housing supply and in the context of the five year housing land supply being a target and not a ceiling. Up to 40% affordable homes will help to meet a documented high level of need locally and within East Herts as a whole. The provision of elderly accommodation provides an opportunity for people to downsize and reduce levels of under occupancy at Buntingford.

The proposals provide for improved pedestrian, cycle and public transport links that will also benefit the existing community. The development will deliver a First School and a local centre with the potential for a medical centre, depending on discussions with existing providers. The extensive green infrastructure forming the basis of Buntingford Parkside can deliver biodiversity net gain of 13.85% against the existing conditions, which is a significant benefit to the local area.

This Planning Statement shows that the proposed development is sustainable development, with significant benefits to the local community, more than sufficient to overcome any harm that would be caused by the development proceeding. There are no technical reasons or material considerations why planning permission should not be granted. The Council is therefore respectfully invited to grant planning permission.

1. INTRODUCTION

1.1. Overview

1.1.1. This Planning Statement has been prepared by Marrons on behalf of Hallam Land Management ('the Applicant') and forms part of a planning application for the residential led development of land north of the A507 and west of Buntingford.

1.1.2. The Site measures 50.12ha as shown on the submitted Site Location Plan. The East Herts District Plan (adopted 2018) identifies Buntingford as a market town and key location for residential and employment growth. The proposed description of development is as follows:

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 save for access.

1.1.3. All matters are reserved except for access, which would be taken from the A507 Baldock Road to the south and from Throcking Lane to the north. Detailed access drawings are submitted for approval as part of the planning application.

1.1.4. The emerging proposals have been subject to engagement with the local community and elected representatives. The feedback and its role in shaping the emerging scheme is summarised in the Statement of Community Involvement.

1.2. Purpose of this Statement

1.2.1. This Statement assesses the proposed development against the development plan, comprising the East Herts District Plan and the made Buntingford Community Area Neighbourhood Plan (2017). It also has regard to the National Planning Policy Framework (NPPF, December 2023) and other material considerations.

1.3. Report Structure

1.3.1. The remainder of this Report is structured as follows:

- **Section 2** provides an overview of the Site, its characteristics and context, including relevant planning history.
- **Section 3** sets out the detailed description of development for which outline planning permission is sought.
- **Section 4** demonstrates how the proposals accord with the statutory development plan.
- **Section 5** addresses material considerations.
- **Section 6** provides draft heads of terms for a Section 106 Agreement.
- **Section 7** sets out conclusions.

1.3.2. The Statement should be read alongside the suite of documents submitted as part of the planning application, including the Design and Access Statement (DAS). A full list of submission documents is included within the covering letter to the application.

2. SITE DESCRIPTION, CHARACTERISTICS AND PLANNING HISTORY

2.1 Location and Characteristics

2.1.1 The Site and its characteristics are described in detail within the DAS. The relevant matters for the purpose of this Planning Statement are:

- The Site comprises circa 50.12ha to the north of the A507 Baldock Road and west of Buntingford. The land is currently in agricultural use and comprises three arable fields, with existing accesses from Baldock Road and Throcking Lane.
- The land is bound to the north by Throcking Lane, to the east by the A10 and Buntingford Business Park, and to the south by the A507 Baldock Road. There is agricultural land beyond the site to the north, south and west. The main built up area of Buntingford lies beyond the A10 to the east. The villages of Aspenden and Throcking lie to the south and east respectively.
- There is a central ditch within the site, associated grassland, a small, wooded copse and overgrown boundary hedgerows. The site is on undulating topography, rising centrally before descending gradually eastward toward Buntingford, and the north-eastern boundary.
- The site is within Flood Zone 1, at the lowest risk of flooding from rivers and sea. It is not designated for its environmental or landscape value. The land is not affected by any other designations. Natural England mapping indicates it is Grade 2 agricultural land, however the accompanying Agricultural Land Classification Survey finds that the Site comprises close to equal proportions of Grade 2 (56.6%) and Grade 3a (43.4%).
- There are no heritage assets on, or adjacent to the site. The Buntingford Conservation Area is focused on the existing settlement to the east and there is a Conservation Area at Aspenden. Listed buildings within 1km include the Grade I Parish Church of St Mary to the south. Other Listed Buildings nearby are either Grade II or Grade II*.

- Public Right of Way 'Cottered 41' passes through the north eastern extents of the site; and 'Cottered 40' runs east/west through the centre of the site. Footpaths 'Cottered 46' and 'Aspenden 10' are also near to the site.

2.1.2 In summary, the site does not exhibit a particularly high landscape quality or condition and is not designated for its environmental or landscape value.

2.2 Planning History

2.2.1 The District Council's online planning register does not identify any planning application history for the site.

2.3 EIA Screening

2.3.1 A formal request for an Environmental Impact Assessment (EIA) Screening Opinion was submitted to the Council in December 2023 (reference 3/23/2350/SCREEN).

2.3.2 The Council issued its formal Screening Opinion on 5th January 2024, confirming that, in its opinion, EIA was not required for the proposed development.

3. THE PROPOSED DEVELOPMENT

3.1 Introduction

- 3.1.1 The proposal is for the residential-led development of the site with associated uses and infrastructure. Outline permission is sought, with all matters reserved except for access. The application therefore seeks to establish the scale and nature of the development, the key elements of which are set out below.

3.2 Key Elements of the Proposed Scheme

- 3.2.1 The proposal is described in full within the DAS and on the submitted drawings, including the submitted Land Use Components Plan and Illustrative Masterplan. The matters relevant to this Statement are:
- Up to 600 dwellings (Use Class C3) towards local housing supply and meeting community needs, of which up to 240 dwellings (40%) would be affordable, with options for custom and self-build housing.
 - Up to 60 elderly accommodation units (Use Class C3) is proposed, which will help to meet the specific housing needs of this group.
 - A Local Centre and Community Hub within the site, which could include a range of local services and facilities, including a Health Centre if required, helping to support the new and existing community.
 - A 2 Form Entry First School can be delivered on-site, if required, to meet the needs of the new residents and existing community depending on existing school capacity.
 - Green infrastructure totalling 23.88ha (circa 49% of the site), including retained vegetation and space for new planting, biodiversity and sustainable urban drainage.
 - The Green Infrastructure will host public open space, which will include children's play provision, sports pitches and community growing areas.

- Vehicular access (for which detailed permission is sought) off the A507 Baldock Road to the south and off Throcking Lane to the north.
 - The internal road network will connect the two access points. The accesses and internal roads are designed to promote walking and cycling and links to the surrounding area.
 - A pedestrian bridge over the A10 will connect Cottered Footpath 041 and Buntingford Footpath 035, connecting to existing facilities in the northern part of Buntingford.
 - Existing site features of interest such as hedgerows will be retained, unless necessary to be removed to enable development.
- 3.2.2 Whilst the layout of the proposed development is a Reserved Matter, the submitted Illustrative Masterplan shows one way in which the quantum of development proposed could be accommodated on the site.
- 3.2.3 The Illustrative Masterplan has been informed by the technical studies carried out to date. Further survey and design work will be undertaken to inform detailed Reserved Matters submissions pursuant to any outline permission granted.

3.3 Summary

- 3.3.1 The proposed development has been designed having regard to the site and its context, development plan policies and local guidance. The proposals will create an attractive residential neighbourhood with areas of open space and landscaping that connects and relates well to the existing built up area and facilities.

4. PLANNING POLICY ASSESSMENT

4.1 Introduction

- 4.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the East Herts District Plan, which covers the period 2011-2033; and the Buntingford Community Area Neighbourhood Plan which was formally made in May 2017 and covers the period 2014-2031.
- 4.1.2 Both plans aim to deliver sustainable development according to the economic, social and environmental roles of the planning system and are committed to a presumption in favour of sustainable development. Policy INT1 confirms the District Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible. Applications that accord with the development plan will be approved without delay.
- 4.1.3 The planning issues relevant to the planning application are discussed in turn below, with reference to the relevant development plan policies. This assessment should be read alongside the submitted Design and Access Statement and technical reports. Material considerations are then addressed.

4.2 Principle of Development

- 4.2.1 The site is part of the 'Rural Area Beyond the Green Belt' outside of the Buntingford settlement boundary. Policy DPS3 (Housing Supply 2011-2033) identifies the sources of housing land supply in the District. The site is not allocated for development under Policy BUNT1 (Development in Buntingford) and is not allocated by the Neighbourhood Plan.
- 4.2.2 Policy DPS2 (The Development Strategy 2011-2033) aims to deliver sustainable development with a focus on the urban areas, including Buntingford. Policy GBR2 (Rural Area Beyond the Green Belt) covers the land outside of the built up areas and Green Belt although the proposed development does not fall within any of the limited categories of development the policy supports.

- 4.2.3 Whilst the Development Plan is therefore not supportive in principle of development of this Site, it is important to consider the housing land supply context and its effect on the primacy of the Development Plan in decision-making as a result. Further information on this is set out below.
- 4.2.4 In January 2023, an appeal decision (reference 33034808 at Whempsted Road, Bennington) issued established that the Council can only demonstrate a housing land supply of 4.41 years. The decision letter for a subsequent appeal at Hertford Heath (reference 3304110) confirmed that the Council accepted it was unable to demonstrate a positive five year housing land supply position, in line with the Benington appeal decision. This position was referenced in all subsequent housing appeal decisions: at Hertford, August 2023 (reference 3318094); Hare Street, September 2023 (reference 3309807); Tewin, October 2023 (reference 3321219); Hertford Heath, November 2023 (reference 3320083); and Ware, December 2023 (reference 3291052).
- 4.2.5 The Council published an updated Five Year Housing Land Supply Position Statement in March 2024, reporting a positive position of 5.57 years supply, and a Position Statement Addendum in April 2024 reporting 5.95 years based on the updated Affordability Ratio for the District.
- 4.2.6 As set out in further detail in section 7, the Applicant considers that the Council's latest Statement and Addendum overestimates the level of supply the Council can consider to be deliverable in the five year period, in line with the definition of deliverable in the NPPF. This application is accompanied by a Statement produced by Emery Planning which has reviewed the Council's position and concludes that, by reducing the Council's assumed supply of 6,319 dwellings to 4,236 dwellings on the basis of 1,953 dwellings not being supported by clear evidence that it is deliverable in line with the NPPF, the Council can only likely demonstrate 3.81 years housing land supply at 1st April 2023.
- 4.2.7 As such, it is argued that Paragraph 11 d) of the NPPF is engaged and that the presumption in favour of sustainable development should be applied.

4.3 Housing Policies

- 4.3.1 Policy HOU1 (Type and Mix of Housing) expects an appropriate mix of housing

tenures, types and sizes to create mixed and balanced communities appropriate to local character. With Neighbourhood Plan Policy HS7, the mix should reflect the latest Strategic Housing Market Assessment and additional up-to-date evidence.

- 4.3.2 The policy requirements are noted. Although the details do not form part of the current outline application, a mix of house types and sizes will help meet the housing needs of the community. The housing mix will be discussed with the Council prior to the submission of Reserved Matters. The housing mix can help to ensure that Buntingford and East Herts as a whole remain attractive and accessible to young people, which is a key aim of the District Plan, also helping to improve affordability.
- 4.3.3 Policy HOU3 (Affordable Housing) seeks up to 40% affordable housing on development sites of 15 or more gross additional dwellings. Currently, it is anticipated the proposed development can achieve 40% affordable housing on site, in accordance with the policy. This would make an extremely valuable contribution to affordable housing supply at Buntingford and East Herts District as a whole.
- 4.3.4 The District Plan also identified a pressing need for more affordable housing in East Herts when it was adopted in 2017. At that time, the Plan acknowledged that achieving housing development that responds to local needs whilst recognising the environmental and other constraints in East Herts is a significant challenge.
- 4.3.5 The Housing Need Evidence Base Review submitted with this application is important up-to-date evidence. It highlights significant affordability issues in East Hertfordshire and that the delivery of affordable housing has not aligned with need since the Plan was adopted. Net affordable housing delivery has only been between 60% and 64% of need. The number of households on the Council's housing register was 2,226 in 2002, which is the highest number of households recorded annually since 2016.
- 4.3.6 This illustrates how affordable housing delivery is not currently addressing the need. Set in this context, the intended provision of a policy compliant level of 40% affordable housing (up to 240 homes) as a result of the proposed development is a very significant contribution towards an increasing affordable housing need.
- 4.3.7 Policy HOU3 expects that the affordable housing provision incorporate a mix of tenures, taking account of the Council's most up to date evidence on housing need.

As the exact housing mix is not yet known, this would be addressed at the detailed design stage. As with the market housing mix, the affordable housing mix would be discussed with the Council prior to any Reserved Matters submissions being made.

- 4.3.8 The proposals directly contribute towards the aims of Policy HOU6 (Specialist Housing for Older People and Vulnerable People), wherein the Council encourages the provision of specialist housing, across all tenures, for older and vulnerable people. Housing for older residents is included in the proposed development and will make a valuable contribution to an increasingly significant issue for the District generally, and one where the position in Buntingford is even more acute.
- 4.3.9 The Housing Need Evidence Base Review confirms that the need for elderly accommodation is a national issue as the population ages, and notes that the East Herts population above 65 is higher than the average for Hertfordshire, with 89% of those aged 65+ in East Herts living in under-occupied, family sized properties (a 32% increase since the 2011 census). The position in Buntingford is more acute than across East Herts, where 73.5% of all households are under-occupied and there are a greater proportion of retirees (23.8% in Buntingford Ward compared with the 21.6% East Herts figure).

4.4 Design Policies

- 4.4.1 Policy DES1 (Masterplanning) requires that all 'significant' development proposals have a collaboratively prepared 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 nearby land uses; landscape and heritage assets; and other relevant matters.
- 4.4.2 Policy DES4 (Design of Development) requires that all proposals be of a high standard of design and layout to reflect and promote local distinctiveness. This includes making the best possible use of the available land. Policy HOU2 (Housing Density) and Neighbourhood Plan Policy HD4 state housing design should respect the character of the area having regard to context and design codes. Policy DES5 (Crime and Safety) designs reduce the opportunity for crime.
- 4.4.3 Approval for the layout, design and external appearance of the proposed

development is not sought at part of this outline application, and these matters are reserved. Future Reserved Matters submissions would accord with the Land Use Components Plan, which has been informed by technical work and public consultation undertaken to date and is submitted in support of the outline planning application.

- 4.4.4 The Design and Access Statement documents the design process and rationale for decisions taken around the quantum and nature of the proposed development. In accordance with Policy HOU1, these have had regard to the relevant policies, including Open Space (Policy CFLR1) and Green Infrastructure (Policy NE4). The scheme design will continue to be informed by consultation with key stakeholders, and the Applicant is open to undertaking a Design Review through the determination process.
- 4.4.5 Policy HOU7 (Accessible and Adaptable Homes) states that all new residential development should meet the Building Regulations M4(2): Category 2 – Accessible and Adaptable Dwellings, with a proportion of M4(3) – Wheelchair User Dwellings for a proportion of dwellings on sites of 11 or more gross additional dwellings. This would be considered during the detailed design of the scheme. Currently, it is not envisaged an exemption would be required due to the policy requirements being not practically achievable or financially viable.
- 4.4.6 The requirements of Policy HOU8 (Self-Build and Custom Build Housing), to supply at least 1% of dwelling plots for sale to self-builders are also noted, having regard to the need identified on the Council's Self-Build and Custom Build Register. The policy is also to be addressed at Reserved Matters stage.

4.5 Landscape Policies

- 4.5.1 Policy DES2 (Landscape Character) requires that development proposals demonstrate how they conserve, enhance and strengthen the character and District's landscape. Policy ES1 of the Neighbourhood Plan states that development should be appropriate and maintain the Rib Valley setting of the BCA. Policy HD2 states that the height of housing development should not impact on views from the surrounding countryside and proposals should demonstrate how they conserve, enhance or strengthen the character and distinctive features of the

landscape.

- 4.5.2 The LVIA concludes that while the proposals will result in some important adverse landscape and visual effects, the majority of these are related to effects at Year 1 of the operational phase and the significance typically diminishes as the landscape proposals become established. No landscape receptors will be subject to important adverse residual effects at Year 15, and three are subject to important beneficial residual effects at that point.
- 4.5.3 The landscape planting as mitigation is also effective in reducing the effect of the proposed development on visual receptors over time. Only two visual receptors will be subject to important adverse residual effects at Year 15. One of these is the PROW that crosses the site, which would be accommodated within the final design. The second is the PROW circa 0.5km from the site.
- 4.5.4 No landscape receptors are subject to important adverse residual cumulative effects at Year 15. Only two visual receptors will be subject to important adverse residual cumulative effects at Year 15. Of the remaining landscape and visual receptors, half will be subject to cumulative effects that are on the threshold of important, and half will be subject to cumulative effects that are not considered to be important.
- 4.5.5 The LVIA concludes the proposed development will be read as an extension to the existing settlement pattern and create new areas for recreation, substantially increasing the level of vegetation on the Site. The proposed development will be softened and integrated within the landscape through the establishment of substantial areas of new tree planting and habitat, and the provision of a well-defined and sheltered streetscape, reinforcing sense of place and local identity.
- 4.5.6 The overall conclusion is that the site has the capacity to accommodate the proposed development without undue harm on the landscape character and visual amenity of the site and the wider area. It is further considered that the proposed development will lead to tangible long term benefits on the landscape features of the site and the character and general amenity of the local area.
- 4.5.7 In accordance with Policy DES3 (Landscaping), the proposals retain, protect and enhance landscape features of amenity and/or biodiversity value, including hedgerow and trees within the site. Planning conditions can secure measures to

agree a detailed landscaping scheme and to protect retained features during construction.

4.6 Transport Policies

- 4.6.1 Policy TRA1 (Sustainable Transport) sets out measures to achieve accessibility improvements and promote sustainable transport in the District. This includes being located in places which enable sustainable journeys to key services and facilities, and ensuring a range of sustainable transport options are available. The planned access arrangements and works positively address this requirement, as set out below.
- 4.6.2 The proposed development will contribute by providing new homes close to existing facilities in Buntingford which, as a market town, provides day to day services for its rural hinterland. The existing services will be accessible through an internal site layout prioritising sustainable transport modes and pedestrian and cycle connections, promoting healthier lifestyles, consistent with Neighbourhood Plan Policy T4.
- 4.6.3 The proposed vehicular access will meet the requirements of Policy TRA2 (Safe and Suitable Highway Access Arrangements and Mitigation). A new 'continental' roundabout will be constructed on the A507 Baldock Road. The works for the Throcking Lane access involve a realignment of the road and creation of a new junction, with the north south route into the site becoming the priority route.
- 4.6.4 The junction works will comply with the DRMB standards and LTN1/20 Cycle Infrastructure Design Guidance. The access proposals place a priority on pedestrians and cycling infrastructure and in compliance with Manual for Streets, will encourage and promote more sustainable modes of transport to and from the site, reducing the need to use the private car.
- 4.6.5 The proposed development provides an opportunity to extend and improve the local pedestrian and cycle network in the western part of Buntingford. The Transport Assessment shows that a wide number of local services and facilities can be reached within the convenient 2km walking distance from the site, with further

facilities falling within the 5km cycling distance.

- 4.6.6 In due course, the internal layout of the site will be designed to enhance permeability and connect directly to existing shared cycle footways along the northern side of the A507 Baldock Road, which would be improved and facilitate access to the Buntingford Business Park. The existing A10 crossing would be upgraded to a TOUCAN crossing, benefitting pedestrians and cyclists.
- 4.6.7 The proposals will also connect to the existing PROW network to access education and employment opportunities, including the existing 'Broad Baulk' pedestrian bridge.
- 4.6.8 A pedestrian bridge over the A10 will connect Cottered Footpath 041 and Buntingford Footpath 035, providing a safer route and reduced walking times to facilities located in the northern part of Buntingford. This improves on the current situation where pedestrians have to cross the A10 carriageway, and would contribute to the objectives of Policy CFLR3 (Public Rights of Way), which states that proposals should incorporate measures to maintain and enhance the Public Rights of Way network, and Neighbourhood Plan Policy T3.
- 4.6.9 A new bus stop at the Local Centre on site will integrate the development with the local bus network encouraging the use of bus services to and from the development. Discussions are continuing with Aviva regarding public transport improvements. A Mobility Hub will offer additional amenities to support and encourage active travel.
- 4.6.10 The proposed access works include for reduced 30mph speed limits along sections of Baldock Road and Throcking Lane. Proposed works to B1038 Baldock Road east of the A10 are being considered and will be discussed with the Local Highway Authority. As per section 5.5.6 of the TA, they could include extending the 30mph speed limit, relocating the existing bus shelter on the northern side of the road, relocating the existing parking spaces at the junction with Bowling Green and improved crossing facilities – all to assist pedestrian circulation and connections to the west of the Town centre.
- 4.6.11 As required by Policy TRA3 (Vehicle Parking Provision), parking will be provided on site in accordance with the relevant parking standards, with due regard paid to the parking standards SPD and requirements of Neighbourhood Plan Policy T1. The

specific provision will be discussed with the Local Highway Authority and set out at in Reserved Matters submissions at the detailed design stage. Cycle parking provision will also be made in accordance with the relevant standards.

- 4.6.12 The capacity analysis undertaken for the junctions within the relevant study area show that the proposed development will have a limited and acceptable impact. The site will have a limited impact on traffic flows within the Town Centre, given there is access to the strategic road network to the west of Buntingford, via the A10 and A507.

4.7 Community Facilities, Leisure and Recreation Policies

- 4.7.1 The proposed development makes provision for open spaces, indoor and outdoor sport and recreation facilities to provide for the needs of the development, in accordance with Policy CFLR1 (Open Space, Sport and Recreation) and Policy ES5 of the Neighbourhood Plan, which supports proposals to expand the provision of open space where proposals are consistent with other Plan policies. These spaces will be available to the whole community, not just the new residents. This, together with the design will also maximise its potential contribution towards healthy communities pursuant to Policy CFLR9 (Health and Wellbeing).
- 4.7.2 The submitted Illustrative Masterplan shows an extensive area of 23.88ha of Green Infrastructure with informal open space with walking and cycling routes, as well as 3.57ha playing fields. There will also be children's play provision on site (1no. Neighbourhood Equipped Area of Play and 2no. Locally Equipped Area of Play), along with community growing areas. The Local Centre could include indoor sports provision, or alternatively a contribution could be secured via the Section 106 Agreement towards enhancing existing provision locally, as appropriate.
- 4.7.3 Policy CFLR7 (Community Facilities) states that the provision of adequate and appropriately located community facilities will be sought in conjunction with new development. Again, whilst the exact form of the Local Centre is still to be determined, there is an opportunity for it to include community facilities as appropriate. It is noted that Neighbourhood Plan Policy INFRA1 provides support for new health facilities which are consistent with its other policies.
- 4.7.4 The Applicant has commissioned work to understand the potential need for a

medical centre in Buntingford, which could be included as part of the proposed development. Buntingford is currently served by The Buntingford and Puckeridge Medical Practice operating across two sites and the research indicates that the practice buildings may be undersized. The proposed development is therefore a valuable opportunity to address this and provide a better configuration for the provision of GP services, as well as providing for the additional population within the proposed development, which would ordinarily be secured through planning contributions.

- 4.7.5 There is considered to be a need for a new First School in Buntingford, given its growing population and to accommodate growth at Buntingford Parkside. The Land Use Components Plan provides for the school; its form and function will be subject to discussions with Hertfordshire County Council as the Local Education Authority. An initial meeting has already been held and a site meeting has taken place to review the position of the school site.
- 4.7.6 As required, any future design would have regard to the specific requirements of Policy CFLR10 (Education) in terms of an accessible location, sustainable travel options, high quality design, outdoor recreation space and playing fields, and the potential for community use of facilities. It is noted that Policy INFRA3 of the Neighbourhood Plan supports the provision of First School places, where consistent with the other policies in the Plan.

4.8 Natural Environment Policies

- 4.8.1 The District Plan's nature conservation policies include Policy NE1 (International, National and Locally Designated Nature Conservation Sites) which states that material considerations must clearly outweigh any harm to designated sites.
- 4.8.2 In this regard, the submitted Preliminary Ecological Appraisal (PEA) confirms the site is not subject to any such designations and there are no international, national or local statutory designations within 10km or 3km respectively. No direct harm would be caused to the 8no. Local Wildlife sites within 2km given their separation from the site with increased recreational pressure would be mitigated through on site public open space, including green space and parkland.
- 4.8.3 Additional investigation and survey work is required to demonstrate compliance with

District Plan policies NE2 (Sites or Features of Nature Conservation Interest - Non-Designated) and NE3 (Species and Habitats), and policies ES7 and ES8 of the Neighbourhood Plan in relation to protecting biodiversity and biodiversity net gain. This will identify suitable ecological impact avoidance, mitigation and/or compensation measures and be submitted before the application is determined.

- 4.8.4 Policy NE2 also states that development resulting in the loss of significant damage to trees, hedgerows or ancient woodland sites will not be permitted and the Council will seek their reinforcement where appropriate. In this regard, only areas of woodland, hedgerows and mature trees have been identified as ecological development constraints and incorporated into the proposed development. There is no ancient woodland present on the site, or nearby.
- 4.8.5 Policy NE4 (Green Infrastructure) seeks to maximise opportunities to improve the District's green infrastructure network. The proposed development includes circa 23.88ha of multi-purpose green infrastructure towards this policy objective.

4.9 Heritage Policies

- 4.9.1 In accordance with policies HA1 (Designated Heritage Assets) and HA2 (Non Designated Heritage Assets), the submitted Heritage Statement has assessed the potential impact of the proposed development on the significance of designated and non-designated heritage assets, where there is potential for impact on their setting.
- 4.9.2 There are no heritage assets on the site and the Heritage Statement concludes that there would be no impact on most designated and non-designated heritage assets nearby. These include listed buildings close to the site, the Buntingford Conservation Area to the east and Aspenden Conservation Area, to the south.
- 4.9.3 The outline proposals, subject to siting, design and layout of built form, are likely to result in a low level of less than substantial harm to the setting of the Grade II* listed Holy Trinity Church in Throcking. The harm to the significance of the heritage asset needs to be weighed against the public benefits of the proposal.
- 4.9.4 Policy HA3 (Archaeology) requires an appropriate desk based assessment and field evaluation results where necessary, where a site has the potential to include heritage assets with archaeological interest. The submitted Archaeology Desk

Based Assessment indicates that the site has moderate archaeological potential for finds from the Prehistoric, Iron Age and Roman periods, and a low potential for all other periods.

- 4.9.5 However, below ground heritage assets are unlikely to represent a design constraint and do not represent a constraint for proposed development. A geophysical survey is being undertaken to provide further baseline information and to refine the site's archaeological potential. The findings will be submitted prior to the application being determined to agree the timing of an appropriate scope of works.

4.10 Climate Change Policies

- 4.10.1 The proposals make provision for Green Infrastructure as an integral part of the proposed development, in accordance with Policy CC1 (Climate Change Adaption). The proposed Green Infrastructure will contribute towards urban greening and will create an attractive public realm. Options to reduce carbon dioxide emissions will be explored during detailed design. All new homes will meet the Future Homes Standard.

4.11 Water Policies

- 4.11.1 The proposed development is in accordance with Policy WAT1 (Flood Risk Management) as the whole of the site is in Flood Zone 1 and avoids areas at risk of fluvial flooding. The policy states that development should be steered to areas with the lowest probability of flooding as part of a sequential test to locating development.
- 4.11.2 The proposed development includes a drainage strategy to address surface water within the site. The Drainage Strategy considers climate change and will ensure no increase in the risk of any form of flooding, also in line with the policy. The Drainage Strategy also sets out how water quality will be maintained, to meet the requirements of Policy WAT3 (Water Quality and the Water Environment).
- 4.11.3 The Drainage Strategy would use sustainable drainage systems in accordance with Policy WAT3 (Sustainable Drainage). It is proposed that surface water runoff from the development will be discharged to the existing drainage ditches within the site and existing public sewer network nearby, with flows attenuated onsite via SuDS

features to pre-development levels.

- 4.11.4 The requirements of Policy WAT4 (Efficient Use of Water Resources) can be addressed as part of the detailed design of the scheme. The requirements of Neighbourhood Plan Policy INFRA5 are noted, and the proposed development will target a water efficiency limit of 100 litres/person/day against the 110 litre policy requirement and having regard to the severe water stressed area.
- 4.11.5 Policy WAT6 (Wastewater Infrastructure) and Neighbourhood Plan Policy INFRA4 require that development proposals ensure there is adequate wastewater infrastructure capacity to serve the site. Discussions with Thames Water are ongoing to identify a suitable strategy, which could involve upgrades to existing infrastructure. The Applicant is also investigating the potential to implement a new treatment works on adjoining land as an alternative option.

4.12 Environmental Quality Policies

- 4.12.1 The Phase 1 Desk Study Report, submitted in accordance with Policy EQ1 (Contaminated Land and Land Instability) considers, based on the historical and current operational use, that the overall risk of significant contamination at the site is low and that it is unlikely that the site would be classified as Contaminated Land. Intrusive investigation is proposed to confirm the ground conditions and actual risks to receptors. These works can be secured via standard planning conditions.
- 4.12.2 Whilst a 'landfill' record exists for the northeast corner of the site, this is expected to comprise inert naturally occurring materials from road construction and is unlikely to comprise putrescible or commercial waste materials. The contamination risk associated is low and can be confirmed through intrusive investigations.
- 4.12.3 Demonstrating compliance with Policy EQ2 (Noise Pollution), the submitted Noise Assessment concludes that the site is predicted to meet the requirements of the relevant British Standards and planning guidance, and that noise does not present a constraint to the development of the site. The development will be designed to ensure that it does not give rise to unacceptable impacts on existing or future residents, based on good acoustic design principles.
- 4.12.4 The detailed scheme design will also have regard to the requirements of Policy EQ3

(Light Pollution) and to the amenity of residents, road users and ecology. Consequently, these matters will be addressed at the Reserved Matters stage.

- 4.12.5 The submitted Air Quality Assessment concludes the air quality effects of the proposed development are compliant with all regulatory standards and are judged 'not significant'. Thus, the site is suitable for the proposed use in air quality terms. Mitigation will be required during construction to limit dust creation, which can be secured via planning conditions. The proposals therefore comply with Policy EQ4 (Air Quality).

5. MATERIAL CONSIDERATIONS

5.1 Introduction

- 5.1.1 It is necessary also to consider whether any material considerations indicate that planning permission should be granted or refused. The consistency of the proposal with national planning policy and supplementary planning documents is considered below, beginning with national planning policies.

5.2 National Planning Policy Framework (NPPF)

- 5.2.1 The NPPF is a material consideration in the determination of planning applications as the Government's planning policies for England and how these should be applied. The proposals comprise sustainable development in accordance with the NPPF, in contributing towards its economic, social and environmental objectives, by reference to the relevant policies as set out below.

Achieving sustainable development

- 5.2.2 The NPPF identifies three overarching objectives for the planning system to achieve sustainable development (economic, social and environmental objectives), which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each objective.

Delivering a sufficient supply of new homes

- 5.2.3 The application will contribute up to 600 dwellings towards the local housing supply, towards the housing requirement for East Hertfordshire and supporting the Government's objective of significantly boosting the supply of homes. The proposals would include up to 40% affordable housing, significantly greater than the 10% NPPF minimum requirement and in a location where there is a pressing need for affordable homes. The proposal also includes assisted living apartments to help meet the needs of the local community. Significant weight should be given to the delivery of housing in determining the planning application (as set out in the Planning Balance section below).

Promoting health and safe communities

- 5.2.4 At this outline stage, the proposed development provides opportunities to promote social interaction through the inclusion of a Local Centre and Community Hub and Green Infrastructure including children's play areas. The Green Infrastructure also includes playing fields (3.57ha) and informal open space (1.33ha), plus walking and cycling routes to promote healthy lifestyles and mental health. The proposed First School will ensure a sufficient supply of school places to ensure the needs of existing and new communities are met. All these elements will be further developed as the scheme evolves, considering initiatives such as designing out crime.

Promoting sustainable transport

- 5.2.5 Opportunities to promote sustainable transport modes are included in the proposals, with pedestrian/cycle links to existing infrastructure within the Buntingford built up area and potential improvements to these. The proposals also provide for safe and suitable access into the site. The impact of the proposed development on the transport network has been assessed and key junctions will operate satisfactorily within their capacity. The transport assessment does not identify any transport issues that would prevent planning permission from being granted. The impact of the proposed development is not 'severe' in NPPF terms.

Making effective use of land

- 5.2.6 The density of development proposed will make efficient use of the land, whilst protecting features of interest within and adjacent to the site and creating a well-designed, attractive and healthy place. The Land Use Components Plan and Illustrative Masterplan shows how the quantum of development can be delivered to achieve an efficient use of the site.

Achieving well-designed and beautiful places

- 5.2.7 The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to planning. Whilst matters relating to scale, layout, appearance and proposed landscaping are reserved, the information submitted shows the development will function well, add to the overall quality of the area and be sympathetic to the local character including the landscape setting, in

accordance with the NPPF. The submitted Illustrative Masterplan shows extensive areas of high quality public open space as part of the Green Infrastructure network, and a new park providing recreational facilities for both existing and new residents.

Protecting Green Belt Land

- 5.2.8 The proposed development's contribution towards meeting housing needs in East Herts would take place on land outside of the Green Belt. Accommodating development here would support the policy objective of protecting Green Belt land.

Meeting the challenge of climate change, flooding and costal change

- 5.2.9 The proposed development is in Flood Zone 1 (low flood risk). Satisfactory drainage measures can address localised issues and ensure no greater risk of flooding because of the proposed development. The detail of how the scheme design will address climate change will be addressed as part at the Reserved Matters stage. All new homes will meet the Future Homes Standard.

Conserving and enhancing the natural environment

- 5.2.10 Additional survey work is being undertaken to establish the ecological baseline conditions at the site and likely presence or absence of protected species. At this stage, the proposals incorporate recommended ecological enhancement measures, including new planting on site. A Biodiversity Net Gain Assessment has been completed which demonstrates the site will deliver a minimum of 10% net gain on site, calculated at the design stage as net gain of 13.85%.
- 5.2.11 The submitted Phase 1 report establishes that the risk of contamination is low and that the site is suitable for the proposed land uses. The submitted noise and air quality reports do not identify any adverse impacts. The impact of lighting to and from the proposed development will be considered as part of the detailed design and within the Reserved Matters submissions.

Conserving and enhancing the historic environment

- 5.2.12 There are no statutory or non-statutory designated heritage assets on the site whilst the proposed development would result in only a low level of less than substantial harm to the setting of a Grade II* listed building, which is in any case best

experienced at close range. Paragraph 208 of the NPPF is engaged and the public benefits of the proposal are argued to outweigh the harm that is caused. The submitted Archaeology Desk Based Assessment indicates that whilst the site has some archaeological potential, archaeology is unlikely to be a design constraint. A geophysical survey report will be submitted prior to the application being determined.

Conclusion on the NPPF

- 5.2.13 The proposed development is in entirely consistent with the policies of the NPPF. This significant material consideration weighs in favour of planning permission being granted.

5.3 Supplementary Planning Documents

- 5.3.1 The scheme design and assessment in this Planning Statement has had regard where relevant to the various Supplementary Planning Documents adopted by the Council. These will inform Reserved Matters, but have been referenced where appropriate, and include:

- Sustainability SPD
- Open Space, Sport and Recreation SPD
- Affordable Housing SPD
- Landscape Character Assessment SPD
- Planning Obligations SPD
- Vehicle Parking Standards SPD

- 5.3.2 The Applicant proposes to enter into a Section 106 Agreement to provide or contribute towards measures to mitigate the impact of the proposed development, as well as physical, social and green infrastructure, provided that the relevant tests are met, in accordance with the Planning Obligations SPD. A draft Heads of Terms

is included in Section 6.

6. DRAFT HEADS OF TERMS FOR A SECTION 106 AGREEMENT

6.1 Introduction

- 6.1.1 The Applicant accept that they will enter into an agreement with the District Council and County Council to provide (unless the matter can be dealt with by condition):
- a) up to 40% of the proposed new dwellings as affordable homes;
 - b) any necessary highway works (under Section 278 of the Highways Act);
 - c) contributions towards education provision to accommodate growth required from the development;
 - d) contributions towards the on-going maintenance of the open space within the development;
 - e) any necessary contributions towards the provision or improvement of recreation and / or community facilities off site; and
 - f) any other reasonable and directly related requirements as may be shown to be necessary based on detailed evidence of need.
- 6.1.2 This agreement is subject to any obligation being demonstrated to meet the tests as required within Paragraph 57 of the NPPF and Policy DEL2 (Planning Obligations), taking into consideration the viability and costs associated with the development.

7. PLANNING BALANCE AND CONCLUSION

7.1 Introduction

- 7.1.1 The proposal is for up to 600 homes on land north of the A507 and west of the A10 in Buntingford. This Planning Statement has assessed the proposed development against the statutory development plan and material considerations.
- 7.1.2 The application site falls in the Rural Area Beyond the Green Belt, where development of this type would normally be restricted. Whilst the Development Plan is therefore not supportive in principle of development of this Site, it is important to consider the housing land supply context and its effect on the primacy of the Development Plan in decision-making as a result.
- 7.1.3 In the period from January 2023, the Council were found to have (and accepted that they had) an insufficient supply of housing land, and the titled balance set out in NPPF Paragraph 11 d) was engaged. In March 2024, the Council published an updated positive position of 5.57 years housing land supply, with a Position Statement Addendum published in April 2024 reporting a further improved position of 5.95 years housing land supply, however this remains untested.
- 7.1.4 It is noted that the Council's position has improved entirely as a result of the East Herts District Plan becoming more than five years old in October 2023, with the consequence being that the five year requirement has reverted from the District Plan requirement to the Local Housing Need derived from the Standard Method. The Council's five year requirement has reduced from some 6,482 dwellings in the November 2022 Five Year Housing Land Supply Position Statement, comprising the East Herts District Plan requirement of 839 dwellings per annum plus the significant shortfall of 1,979 dwellings since the start of the District Plan and incorporating a 5% buffer, to just 5,560 dwellings based on the Council's Local Housing Need derived from the Standard Method of 1,112 dwellings per annum. Consideration of the significant shortfall in delivery in the District has been discounted from the calculation.
- 7.1.5 It is recognised that this change in housing land supply position broadly follows the situation in North East Lincolnshire, whereby the Local Plan became more than five

years old and the Council were required to revert to the Standard Method for the calculation of their Five Year Housing Land Supply, and this resulted in an improved position.

- 7.1.6 In November 2023, an appeal decision in North East Lincolnshire (reference 3311282 at Torbay Drive, Grimsby) established that the Council's position had improved from circa 4.2 years supply to around 13.1 years supply, directly as a result of the Local Plan becoming more than five years old.
- 7.1.7 Paragraph 47 of the Grimsby decision letter is clear that: "whilst the Council can demonstrate a deliverable housing land supply of 13.1 years, this has come about due to the use of the Standard Method to calculate the Council's housing land need. Based on the information before me until recently the supply stood below 5 years at around 4.2 years. It is also evident that there is a history of undersupply in the area".
- 7.1.8 Paragraph 48 of the Grimsby decision letter adds that: "with this in mind the construction of open market housing would make a reasonable contribution towards housing supply in the area. Despite the current position, the Five Year Housing Land Supply figure is not a ceiling and exceeding it is a positive outcome, particularly given the national context of a housing crisis, and the overall emphasis in national policy to significantly boost the supply of housing".
- 7.1.9 This appeal decision provides clear direction that, particularly in cases where the housing land supply position has only improved as a result of the use of the Standard Method to calculate the Council's housing land need, and where there is a historic shortfall in housing delivery, the provision of housing should be afforded due weight.
- 7.1.10 It is submitted that the Housing Need Evidence Base Review accompanying this application is important up-to-date evidence, and highlights significant affordability issues in East Hertfordshire and that the delivery of affordable housing has not aligned with need since the District Plan was adopted.
- 7.1.11 For example, net affordable delivery since 2016 has only been between 60% and 64% of need and net completions account for less than 20% of all delivery since 2016/17. The number of households on the Council's housing register is growing

and at 2,226 in 2022, was at its highest since 2016. At Buntingford, in 2018 a lower quartile priced house was over 10 times an equivalent annual wage. There is also a need for elderly accommodation locally providing an opportunity for people to downsize and reduce levels of under occupancy.

- 7.1.12 Hallam Land Management commissioned a review of the Council's updated Five Year Housing Land Supply position; a Statement produced by Emery Planning accompanies this application. To summarise, it is considered that the Council's approach to updating the position to take account of the affordability ratio published in March 2024 is unsound, and that the five year requirement is therefore 5,560 dwellings. Further, the Council's assumed supply of 6,319 dwellings is reduced to 4,236 dwellings, on the basis of 1,953 dwellings not being supported by clear evidence that it is deliverable in line with the NPPF. As such, it is considered that the Council could only likely demonstrate 3.81 years housing land supply at 1st April 2023. Therefore we argue that the presumption in favour of sustainable development should be applied and permission should be granted.
- 7.1.13 Even if it is determined that the presumption in favour of sustainable development does not apply, then the benefits of the scheme set out below weigh in support of planning permission being granted.
- 7.1.14 The Planning Statement, alongside the suite of technical documents, demonstrates that the proposals are sustainable development in the context of the NPPF. In the first instance, the site is a sustainable location for the proposed use, within easy reach of existing services, facilities and job opportunities at Buntingford.
- 7.1.15 The proposals will improve the pedestrian and cycle network locally and provide for public transport, promoting access via sustainable modes of transport. There will be on site education provision and a local centre with the potential for a medical centre. There will be extensive green infrastructure including play provision, and a substantial increase in trees and habitat on site with likely biodiversity net gain of 15%. The landscape proposals mean the development will be read as an extension of the existing settlement pattern and provide a substantial new park as a community asset serving both existing and new residents of Buntingford.
- 7.1.16 In addition to meeting the needs of new residents and mitigating potential adverse

impacts, in accordance with the NPPF, the proposals would secure gains across the economic, environmental and social components of sustainable development.

7.1.17 Social benefits include:

- The creation of up to 600 new homes in a sustainable location. Taking into account the housing land supply context described above, the provision of new housing should be given significant weight.
- Up to 40% affordable homes helping to meet a documented high level of need locally and within East Herts as a whole. This should also be given significant weight in favour of planning permission being granted.
- A mix of house types and dedicated Elderly Housing Provision, to meet a specific identified need for this type of accommodation. This should be given significant weight.
- The provision of a new school to meet the needs of the development and providing additional choice of school places to existing residents.
- A Community Hub and Local Centre with potential to include a Health Centre to serve the proposed development and wider community. Offering a solution to a known existing local issue.
- Provision of new bus stops at the Local Centre as part of mobility hubs, integrating the development into the existing public transport network and providing access to Buntingford town centre and main destinations.
- Extensive improvements to pedestrian and cycle networks on the western side of Buntingford, making walking and cycling more accessible, safer and more convenient for new and existing residents.
- A pedestrian bridge over the A10 will connect Cottered Footpath 041 and Buntingford Footpath 035 that would reduce journey times to facilities located in the northern part of Buntingford and deliver a far safer route opposed to the at grade crossing of the A10 currently available in this location. .
- The potential for further improvements to the B1038 Baldock Road, east of the

A10, to improve the circulation of pedestrians.

- A significant area of new Green Infrastructure delivering a park of circa 22.95ha, comprising informal open space, playing fields and children's play areas, accessible to both new and existing residents

7.1.18 Environmental benefits include:

- The retention of existing vegetation on the site, and additional planting to reinforce existing hedgerows and other landscape features.
- The creation of multi-functional green infrastructure, including sustainable urban development features to promote biodiversity.
- An anticipated net gain in biodiversity of 13.85%.

7.1.19 Economic benefits include:

- The creation of jobs during the construction period directly and through the supply chain, with 203 jobs generated during construction and £90m economic output (£44m of which will be within East Herts).
- Circa 80 jobs created on site through the Local Centre and approximately 138 jobs across the wider economy. The Local Centre will generate economic output of circa £7.4m, of which circa £3.6m will benefit the local economy.
- Circa 42 Full Time Equivalent jobs created within the proposed 2 Form Entry First School on site, with additional supply chain benefits, including benefits to external contractors.
- An additional circa £9.2m expenditure per annum on retail and leisure goods from new residents once the development is fully occupied, in addition to a boost to spending locally during the construction period.
- Overall, a circa £36.8m contribution to the UK economy per annum and £15.6m to the East Herts local economy per annum.

7.1.20 With regards to heritage, having regard to the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Heritage Statement has identified

the potential for low level of less than substantial harm to the setting of the Holy Trinity Church in Throcking. In accordance with the NPPF, the harm to the significance of the heritage asset needs to be weighed against the public benefits of the proposal. It is submitted that the public benefits from the proposed development outweigh the low level of harm that is caused.

7.2 Conclusion

- 7.2.1 This Statement has shown that the proposed development is sustainable development, and that there are no technical reasons why planning permission should not be granted.
- 7.2.2 There are no other material considerations to indicate that planning permission should be refused. The Council is therefore respectfully invited to grant planning permission.