Town and Country Planning Act 1990 (as Amended)
Town and Country Planning (Inquiry Procedure) (England) Rules 2000

Appeal by Hallam Land Management Limited Against the Decision of East Hertfordshire District Council to Refuse to Grant Outline Planning Permission for:

Development Of Employment Land (Flexible Use B2, B8, E(C) And E(G)), Informal Open Space, Associated Works And Infrastructure Including A New Access From A507, With All Matters Reserved Except For Access

at

Land South of A507, West of A10 Buntingford, Hertfordshire

Statement of Case on Behalf of East Hertfordshire District Council

PINS Ref: 6009644

EHDC Ref: 3/24/1255/OUT

July 2026

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1 Introduction

1.1. This appeal by Hallam Land Management ('**the Appellant**') relates to East Hertfordshire District Council's ('**the Council**') decision to refuse to grant outline planning permission for a *development of employment land (flexible use B2, B8, E(c) and E(g)), informal open space, associated works and infrastructure including a new access from A507, with all matters reserved except for access* ('**the proposed development**') at Land South of A507, West Of A10 Buntingford **('the Appeal Site').**

1.2. Planning permission was refused by decision notice dated 6 May 2026 for three reasons:

1. *Due to its siting, the proposals would be isolated and physically severed from the rest of Buntingford by the A10, with poor quality and unsafe active travel connections to the town. The provision of a signal-controlled crossing, at grade, located on the A10 in close proximity to the Baldock Road (A507/A10) roundabout due to its current road geometry, the characteristics of the traffic flows and unpredictable operation (of signalling) would create an unsafe environment for pedestrians, cyclists and other highways users. As such the proposals represent an unsustainable and unsafe form of development and would not be acceptable in highway safety terms. The proposals would not provide a genuine choice of alternative travel modes, would not ensure that safe and suitable access can be achieved for all users and would not amount to sustainable development (in accordance with the NPPF). The development would also result in a form of development outside of the settlement boundary, which in addition to the above harm identified, amounts to a significant conflict with the Development Strategy within the District Plan and objectives of the Buntingford Community Area Neighbourhood Plan. The proposal would be contrary to Policies DPS2, ED1, TRA1 and TRA2 of the East Herts District Plan (2018), policy BE2 of the Buntingford Community Area Neighbourhood Plan, policies 1 (The Transport Users Hierarchy) and 5 (Development Management) of the Hertfordshire County Council Local Transport Plan 4 (May 2018)), and paragraphs 110 and 115 National Planning Policy Framework)*

2. *The proposals by reason of scale, form, visual impact and siting on the west side of the A10 outside of the Buntingford Settlement Boundary, would intrude upon and have a significantly harmful urbanising impact upon the 'Cherry Green Arable Plateau' (LCA 141) character area within the East Herts District Landscape Character Assessment (2007). The development would also fail to preserve and value the Rib Valley setting of the Buntingford Community Area by virtue of the substantial presence of built form at the elevated parts of the landscape. As such the proposals comprise a substantial urban extension outside of and adjacent to Buntingford which encroaches into the rural area beyond the Green Belt. The development would therefore result in significant harm to the rural landscape character and would fail to recognise the intrinsic character and beauty of the countryside, conflicting with Policies GBR2 and DES2 of the District Plan (2018), Policies ES1 and BE2 of the Buntingford Community Neighbourhood Plan (2017) and paragraph 187(b) of the National Planning policy Framework.*

3. *The proposed development results in a conflict with Policies BUNT3, INT1, DPS2, GBR2, DES2, ED1, TRA1 and TRA2 of the District Plan (2018) and Policies ES1 and BE2 of the Buntingford Community Neighbourhood Plan (2017). Thus, the proposals fail to comply with the Development Plan as a whole. In accordance with Section 38(6) of the Planning*

and Compulsory Purchase Act (2004), the harms and policy conflicts identified are considered to significantly and demonstrably outweigh the benefits of the proposals in terms of delivery of new employment floorspace and other public infrastructure, having regard to NPPF paragraph 11d, which forms another material consideration. As such, the proposals fail to constitute sustainable development and would therefore conflict with the National Planning Policy Framework. The application of the tilted balance does not constitute a further material consideration which indicate a decision should be made otherwise than in accordance with the Development Plan.

1.3. Attached at **Appendix A** is a copy of the Council's Officer Report which should be read as part of this Statement of Case.

1.4. The Appellant also submitted an outline application on land to the north of the A507, West Of A10 Buntingford for a residential led development (reference 3/24/0966/OUT) which was also refused planning permission. A copy of the decision notice and site location plan for application reference 3/24/0966/OUT is included at **Appendix B.**

1.5. That decision is the subject of another appeal that will be heard at an Inquiry that will open in September 2026, i.e. before the Inquiry for this appeal opens. PINS ruled that the appeals will not be heard together.

1.6. Where in this statement or proofs we discuss planning weight, it has regard to the following scale:

Substantial
Significant
Moderate
Limited
None

2 Site and Surroundings

2.1 The appeal site comprises 13.28 hectares of open rural countryside to the south of the A507 Baldock Road and the west of the A10 trunk road. The land is in agricultural use and comprises an area of Grade 2 and 3a best and most versatile agricultural land.

2.2 The site is bound to the north by the A507 Baldock Road, to the east by the A10 (with Buntingford beyond), Buntingford Business Park and open agricultural countryside to the north and to the west by open agricultural land. There is agricultural land beyond the site to the north, south and west.

2.3 The site is on undulating topography consistent with surrounding land, with the higher land on site generally descending westwards away from, and eastward toward Buntingford. The A10 alongside the eastern boundary of the site is over 5 metres lower than the area of the site to be developed for buildings of 10 – 12.5 metres in height.

2.4 Open views of the appeal site from the A10 as it runs alongside the eastern boundary of the appeal site are available. Glimpsed views are available over the appeal site and surrounding countryside from Baldock Road.

2.5 The closest settlement is Buntingford situated to the east of the A10. Buntingford is identified in the District Plan as being a small town located at the centre of a large rural area in the northern half of the district.

2.6 The appeal site is located within the civil parish of Aspenden with the west boundary of Buntingford Parish delineated by the A10.

3 The Application the Subject of this Appeal and Planning History

3.1 The application seeks outline planning application for development of employment land (flexible use B2, B8, E(c) and E(g)), informal open space, associated works and infrastructure including a new roundabout access from A507, with all matters reserved except access.

3.2 In addition to a location plan showing the extent of the appeal site[1] the application was accompanied by detailed plans showing the vehicular access to the site and measures for off-site highway works. An illustrative masterplan[2] and a Building Heights Parameters Plan[3] were also submitted with the application.

3.3 3 letters of objection, and 2 letters of support were received in respect of the application. Objections were also received from Buntingford Town Council, Cottered and Throcking Parish Council, Aspenden Parish Council and Westmill Parish Council. Objections were received from the Council's Landscape Officer, Planning Policy team, Conservation and Urban Design Officer and the Highway Authority and Archaeology Services. CPRE Hertfordshire objected to the application and Thames Water noted the lack of current foul water treatment capacity. Copies of all responses were included with the Council's Questionnaire, and a summary of the responses was included in the Officer Report at **Appendix A**.

3.4 Planning permission was refused for the three reasons set out in Section 1 and included on the decision notice at **Appendix A**.

3.5 The Planning History of the land in the vicinity of the appeal site is set out at section D of the Officer Report attached at **Appendix A**.

3.6 The Council will refer to an appeal decision at land east of the A10 Buntingford for outline permission for up to 350 dwellings, 4400m^2 of commercial and services floorspace (Use Class E and B8), and up to 500 sqm of retail floorspace (Use Classes E) and other associated works including drainage, access into the site from the A10 and Luynes Rise (but not access within the site), allotments, public open space and landscaping. The appeal was allowed and planning permission was granted[4] on 22 August 2024.

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1 HLM082/020 Rev C
2 HLM082/030 Rev H
3 HLM082/038 Rev --
4 APP/J1915/W/24/3340497

4 Policy Context

4.1 The development plan comprises the East Hertfordshire District Plan 2011-2033 adopted 2018 ('**EHDP**') and the Buntingford Community Area Neighbourhood Plan 2014-2031, made May 2017 ('**BNP**').

4.2 The Statement of Common Ground ('**SoCG**') lists the relevant policies of the development plan[5] and the Council will identify the most important policies for determining this appeal including the following policies of the EHDP:

- INT1 Presumption in Favour of Sustainable Development
- DPS2 The Development Strategy
- DPS4 Infrastructure Requirements
- GBR2 Rural Area Beyond the Green Belt
- BUNT1 Development in Buntingford
- HOU3 Affordable Housing
- DES2 Landscape Character
- DES3 Landscaping
- TRA1 Sustainable Transport
- TRA2 Safe and Suitable Highway Access Arrangements and Mitigation
- CFLR3 Public Rights of Way
- HA1 Designated Heritage Assets
- HA3 Archaeology
- HA7 Listed Buildings

4.3 A review of the Local Plan has commenced but it is not envisaged that a document will be adopted until 2028/9. The Council agree that no weight can be given to the emerging Plan at this stage and we will update the Inquiry in terms of any progress with the plan and any updates in terms of its timetable.

4.4 The SoCG identifies relevant Supplementary Planning Documents and Other Guidance.

4.5 The National Planning Policy Framework was revised in December 2024 ('**NPPF**') and the Council will refer to relevant parts of national policy and guidance.

[5] See Section 4

4.6 It is recognised that the NPPF may be revised before the Inquiry opens. The Government had issued a draft consultation NPPF, the consultation period has expired, and the Government has delayed publication of a revised NPPF until some unspecified date in the future. The consultation document can attract no more than very limited weight as Government has yet to respond to the consultee responses received.

4.7 The Local Plan exceeds five years in age, and whilst that of itself is not determinative of such matters, the Council accept that policies most important for determining the appeal are out of date and as such the decision will need to be taken in the context of the presumption in favour of sustainable development pursuant to paragraph 11d of the NPPF (the so called *tilted balance*). The presumption is not disengaged by reason of 11(d)(i) and footnote 7 and therefore that means granting permission unless:

> *"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."*

4.8 Footnote 9 relates to the relevant policies outlined in paragraph 11d ii of the NPPF and it states:

> *The policies referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12.*

4.9 In this regard NPPF paragraph 110 requires significant development to be focussed on locations that are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 115 expects *inter alia* sustainable transport modes to be prioritised and safe access to be achieved for all users and paragraph 117 sets out a number of expectations for new development including giving priority to pedestrian and cycle movement. Paragraph 116 states:

> *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios*

4.10 Paragraph 129 NPPF states *inter alia*:

> *Planning policies and decisions should support development that makes efficient use of land, taking into account:*
> *[…]*
> *d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
> *e) the importance of securing well-designed, attractive and healthy places.*

4.11 Paragraph 135 states that planning decisions should ensure developments *inter alia*:

> *c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
> *d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
> *and*
> *f) create places that are safe, inclusive and accessible and which promote health and well-being, […].*

4.12 Paragraph 187 relates to the appeal site which comprises land outside any designated settlement, therefore part of the countryside and within an area of attractive landscape, where paragraph 187(b) of the Framework directs that decisions on planning applications should:

> "*contribute to and enhance the natural and local environment by:*
>
> *b) recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services …"*

4.13 Consistent with the *Cawrey*[6] judgment, the *De Souza*[7] judgment accepts that the recognition of the intrinsic character and beauty of the countryside necessarily imparts a degree of protection to those matters. Such protection and the degree of protection will be commensurate to the circumstances of the countryside, its contribution and its condition and quality. In the case of this site the Council considers the degree of protection should be at a high level.

4.14 The Council has had regard to the Planning Practice Guide ('**PPG**') and National Design Guide ('**NDG**').

4.15 The NDG identifies the role of context in design, and it notes:

> *"The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. […]"*

4.16 The NDG as referenced in the PPG sets out 10 characteristics and states that good design considers how a development can make a positive contribution to all 10 characteristics. The NDG notes the importance of context and identity in achieving well-designed places.

4.17 The first of the ten characteristics is context within which the role of good design is to enhance the surroundings. The NDG advises that well designed new development responds positively to the surrounding context and details a number of physical features including existing built development including layout form, scale etc.

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6 ***Cawrey Ltd v SoSCLG*** *[2016] EWHC 1198 (Admin) paragraph 49*

7 ***Alwyn De Souza v SoSCLG*** [2015] EWHC 2245 (Admin), para 32.

5 The Council's Case

5.1 The Council will refer to the Buntingford Employment Study which forms part of the evidence base for the emerging Local Plan. It will note the increase in population in Buntingford, existing commitments in terms of housing growth and delivery of employment land. In addition, the Council will note existing commitments in and around Buntingford including an application on the Buntingford Business Park for phase 3 comprising four units for use classes E(g), B2 and/ or B8[8], the allocation of employment land BUNT 3 to the north of the Buntingford Business Park and forming an extension to that existing site[9] and the up to 4400 m^2 of Class E and B8 floorspace permitted as part of the recent appeal at Land East of the A10, Buntingford[10].

5.2 The overall development strategy in the EHDP outlined in Policy DPS1 is to maximise opportunities for jobs growth with the aim of achieving a minimum of 10,800 new jobs in the District to 2033 including 19-20 hectares of new employment land. This includes provision for 3 hectares of employment land in Buntingford which is allocated in land north of the Buntingford Business Park (allocated in Policy BUNT3). Policy DPS2 EHDP sets out the Council's development strategy for East Hertfordshire, which seeks sustainable development, within identified settlements or urban extensions to the largest towns in the district (which do not include Buntingford) to meet the district plan employment requirements.

5.3 The employment strategy for the town is to protect and enhance existing employment areas (Park Farm, Buntingford Business Park, Watermill Industrial Estate) to provide additional floorspace within these sites. Three hectares of additional employment land has been allocated to north of Buntingford Business Park (BUNT3) and despite being allocated in the plan adopted in 2018, it has yet to be developed.

5.4 The proposed eight year construction phase for the proposed development indicates that it is not intended to meet an immediate need and given the early stage of the development plan process it is considered that such matters are best resolved via the emerging local plan process and not ad hoc §78 appeals. The Council are not raising a prematurity objection given the plan has yet to be advanced to submission stage.

5.5 The Council accepts that for the purposes of this appeal that the proposals would contribute toward the supply of employment land and support economic growth and that such matters garner positive weight in favour of allowing the proposed appeal.

5.6 The Council accepts that the employment policies of the development plan are out of date but recognises that existing commitments and allocations have yet to be delivered and thus temper the degree to which policies are out of date or inconsistent with the NPPF for the purposes of this appeal.

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8 Application Ref 3/25/1986/FUL for 1900m^2 of B2/B8 floorspace which has yet to be determined at the time of finalising this statement

9 i.e. land allocated in the EDLP 2011 - 2031 which has yet to be developed

10 EHDC Ref. 3/23/1447/OUT allowed at appeal on 22 August 2024 PINS Ref. APP/J1915/W/24/3340497

5.7 Moreover, the scale of the proposed provision is at a strategic level given the characteristics of Buntingford and East Hertfordshire and, as such, are more suited to being located in or close to the main settlements (of which Buntingford is not one) which offer greater connectivity and accessibility to a wider population.

5.8 Given the Council accepts that the employment policies (which comprise some of the most important policies in this appeal) are out of date then the presumption in favour of sustainable development pursuant to 11(d)(ii) of the National Planning Policy Framework ("**NPPF**") is engaged. Therefore, the context for determining the application the subject of this appeal is that permission should be granted unless *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

5.9 The Council will show that the appeal site comprises part of the countryside beyond any settlement, and that the western extent of Buntingford is clearly and unambiguously marked by the A10 trunk road or features to the east of the trunk road.

5.10 The appeal site forms part of the countryside rural area of East Hertfordshire wherein only restricted forms of development compatible with the character and appearance of the rural area are permitted in order to maintain it as a valued countryside resource.

5.11 The Council will show that development of employment type development and the related infrastructure and development conflicts with the spatial strategy of the adopted development plan as well as Policy GBR2.

5.12 The appeal site and surrounding area are characterised by an open arable landscape, offering views across an undulating area of countryside. This rural setting forms a clear and attractive contrast to the built-up edge of Buntingford to the east.

5.13 Development of the scale proposed, elevated above the A10 within this rural area, beyond the existing settlement boundary, would be out of keeping with the prevailing landscape character and agricultural setting.

5.14 Apart from the existing Buntingford Business Park located to the north of the A507 on a former nursery site, there is limited built development directly west of the A10. The Local Planning Authority considers the A10 to represent a strong and defensible urban edge to the settlement of Buntingford and will demonstrate that development extending beyond this feature would be unacceptable in landscape terms.

5.15 The submitted LVIA underestimates the landscape and visual effects arising from the proposed scheme.

5.16 Accordingly, the proposed development would not comprise good design and fails to conserve, enhance or strengthen the character and distinctive features of the district's landscape and thus conflict with Policies GBR2 and DES2 of the East Hertfordshire District Plan, Policies ES1 and BE2 of the Buntingford Community Area Neighbourhood Plan and paragraphs 129(d) and (e) 135(c), 187(b) National Planning Policy Framework.

5.17 There are significant unresolved concerns regarding the operation, design, and highway safety of the proposed A10 toucan crossing. The findings of the most recent Road Safety Audit highlight persistent doubts about whether a safe and secure crossing can be successfully delivered at this location. In particular the location of a signalised surface crossing close to the A10/ A507 roundabout on the trunk road network as well as the effectiveness of localised speed reduction are not considered acceptable in highway safety terms. As such, the proposal is considered to be contrary to the objectives of the Local Transport Plan and East Hertfordshire District Plan Policy TRA2, as well as paragraphs 115, 116, and 117 of the National Planning Policy Framework.

5.18 Furthermore, in respect of the connectivity of the appeal site to Buntingford the Council will show that:

a) Priority has not been given to active travel in the design of off-site access arrangements such that a genuine choice of transport modes would be available to future occupiers.
b) The proposed active travel routes and infrastructure as designed are not suitable for all users (for example disabled cyclists, people who cannot walk quickly, children, older people and people including women and girls who tend to be more vulnerable to attack in areas without good natural surveillance).
c) Subjectively and objectively safe accessibility is not achieved by the proposed infrastructure. Safety in this context means both road safety and social safety.

5.19 As a result of 5.17(a), (b) and (c) the proposed development would be isolated and likely to be car-dependent due to a lack of exceptional quality, safe and inviting active travel infrastructure that should give priority to active travel modes. This situation exacerbates the site's isolation, making it likely future users and employees will be heavily dependent on the private car. As such the development would conflict with Policies DPS2 and TRA1 of the East Hertfordshire District Plan Policy HD1 of the Buntingford Community Area Neighbourhood Plan and paragraphs 110, 115 and 129(c) National Planning Policy Framework.

5.20 Furthermore, the Council will also identify harm arising from the fact that the proposals will result in the loss of best and most versatile agricultural land (assessed solus and in combination with the losses proposed by the same appellant on land north of the A507) and such harm should be attributed limited weight. It will also lead to less than substantial harm to the setting of the Grade I Listed St Mary's Church, Grade II Listed Aspenden Hall and the Aspenden Conservation Area.

5.21 The Council understand it to be common ground that such harm to heritage assets is at the lower end of the spectrum of less than substantial harm and the public benefits of providing more employment land are considered to outweigh the harm to those assets, meaning that there is no strong reason to resist development on this basis. However, such harm should still be weighed against the development in any planning balance, acknowledging that great weight should be given the conservation of designated heritage assets.

5.22 The Council will conclude that the proposed development conflicts with the development plan taken as a whole and should be refused and that material considerations (including the NPPF 'tilted balance') do not indicate otherwise.

5.23 Notwithstanding the benefit of developing the site for employment land (as outlined in the Officer Report at Appendix A) the Council will show that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole. Therefore, permission should be refused in the context of the tilted balance being engaged.

5.24 In coming to this judgment, the Council will have regard to both to policies of the NPPF including those referred to in footnote 9 especially those relating to directing development to sustainable locations and achieving well-designed places, as well as policies of the development plan as set out above.

5.25 The Council has not weighed in the balance the lack of a §106 obligation to deliver necessary infrastructure including off site works, bus service improvements, travel plan contributions etc. as we understand the Appellant will provide an obligation to deliver such matters. However, absent such an undertaking such matters would add further weight to the case against the proposed development.

5.26 In that context the Council will invite the Inspector to dismiss this appeal.

A

Delegated Officer Report

Recommendation: Refuse Planning Permission

Application number: 3/24/1255/OUT

Proposal: Outline planning application for development of employment land (flexible use B2, B8, E(c) and E(g)), informal open space, associated works and infrastructure including a new access from A507, with all matters reserved except for access.

Site Address: Land South of A507, West of A10 Buntingford

A: Site Context:

The application site measures circa 13.28 hectares in area and comprises undeveloped agricultural land to the south of the A507 Baldock Road and the west of the A10. The town of Buntingford is situated to the east of the A10.

Buntingford is identified in the District Plan as being a small town located at the centre of a large rural area in the northern half of the district. It functions as a rural service centre for outlying villages in the north of the district.

The application site comprises agricultural fields and is assessed by the applicants to be Grade 2 (8.83 ha, 66.4%) and Subgrade 3a (3.25 ha, 24.4%) quality agricultural land, as well as 1.22 ha (9.2%) of non-agricultural land. The site is not designated for its environmental or landscape value. The red line boundary includes land for proposed access works, including a small part of the opposite field north of the A507; and south of the A507, the northern tip of the adjoining field and highway to the west for visibility splays and other highway infrastructure.

To the north there is further agricultural land and the Buntingford Business Park and Tire Hill woodland beyond. The agricultural land was subject to a separate application for a residential-led development including a mixed-use local centre, first school and associated green infrastructure (LPA reference 3/24/0966/OUT), see planning history.

To the east is the A10 and the Buntingford built up area beyond. There is a small area of woodland (circa 1.3ha) known as 'The Thicket' at part of the southern boundary and further agricultural land that separates the site from the village of Aspenden further south.

Further agricultural land adjoins the western site boundary. Thistley Vale Brook is further west and then How Green Farm, residential dwellings and an industrial estate. The village of Throcking lies to the northwest.

The site is within Flood Zone 1. 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 to the south. Listed buildings within 1km include the Parish Church of St Mary to the south (Grade I listed). The other Listed Buildings nearby are either Grade II or Grade II*.

The site is not specifically allocated for any use or development within the East Herts District Plan 2018 and is outside of the Buntingford Settlement Boundary. As such the site is within the 'rural area beyond the greenbelt'. The site lies within the Buntingford Community Area which is covered by the Buntingford Community Area Neighbourhood Plan.

The application as submitted comprised a number of plans for approval and supporting documents which are listed within appendix 1 of this report. Following receipt of neighbour / consultee comments during the first round of consultation, revised / additional information in connection with the application was provided on 22nd November 2024, 9th June 2025, and 16th February 2026 and are listed in appendix 2 of this report. All of the above plans and documents have been considered as part of the assessment of this planning application and report.

B: Application proposals:
The Site is to be developed for an employment zone, the extent of which is shown on the submitted Land Use Components Plan. The employment land comprises circa 4.71ha, providing up to 27,420 sq. m of floorspace in a mix of uses (Use Class B2, B8, E(c) and E(g)). The proposed development includes circa 6.31ha of informal open space. The open space would create a buffer around the proposed employment zone. Vehicular access into the site (for which detailed planning permission is sought) will be from the A507 Baldock Road at the northern site boundary. All associated infrastructure, including internal estate roads, sustainable urban drainage feature and provision for a potential foul water pumping station (if required).

C: Planning History (application site):
Screening Opinion (ref: 3/23/2349/SCREEN) for proposed development of Land West of Buntingford, South of the A507 Baldock Road for solar farm, commercial uses and greenspace issued in January 2024 (no EIA required).

D: Relevant applications in the vicinity of the site:

Land north of A507 Baldock Road, west of the A10, Buntingford:
An outline application (ref: 3/24/0966/OUT) was also submitted in May 2024 by the same applicant as this current application (Hallam Land) on the north / opposite side of the A507 for 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 access.

This application is subject to a current planning appeal with the Public Inquiry scheduled to take place in September 2026.

Land East of the A10, Buntingford:
An outline application on a nearby site (Land to the east of the A10 Buntingford) for development of 350 dwellings, with up to 4,400 sq. m of commercial and services floorspace (Use Class E and B8) and up to 500 sq. m of retail floorspace (Use Class E) and other associated works (ref/23/1447/OUT) was refused by the Council. The application was subject to an appeal to the Planning Inspectorate and considered at a public inquiry (appeal ref: APP/J1915/W/24/3340497) in 2024.

The Planning Inspector's decision letter was released on 22nd August 2024, allowing the appeal. This appeal decision is significant in terms of providing advice from the Planning Inspectorate to the Council on the weight to be attached to various planning considerations for new housing development in Buntingford, and a snapshot of the Councils 5-year housing land supply position. The Inspectors decision considered that the Council could only demonstrate a supply of 4.2-4.49-year housing land supply at the time of the Inquiry.

With regard to the relationship of Buntingford and the surrounding rural area, the Inspector noted that: *"I am satisfied that the A10 would provide a buffer and defensible boundary between the urban edge and the countryside and that the landscaping included in the*

parameter plan demonstrates an ability to soften the urban edge between the built development, the A10 and the countryside. Indeed, the landscaping parameter plan demonstrates that post development it is possible to create a buffering function greater than currently experienced elsewhere in the vicinity".

Buntingford Business Park Baldock Road Buntingford
Planning application submitted in December 2025 for erection of 4 x industrial units (use classes E[g], B2 and B8) with associated parking and external works (ref: 3/25/1986/FUL).

E: Neighbour Responses:

Neighbour Consultations	Contributors	Neutral	Objections	Support
52	5		3	2

Summary of Neighbour Responses

Objections

- Unwelcome speculative development.
- Proposals will result in increased congestion upon the A10.
- The towns infrastructure will not survive additional development.
- Employment development would be more suitably located in Royston as it is more accessible from major roads.
- despite the screening opinion (reference 3/23/2349) by the Council dated 16 January 2024, there may be significant impacts that should be assessed through a formal Environmental Impact Assessment (EIA) of the proposals.
- the Council failed to consider the fact that the proposed development was only part of
- a much larger development for land both sides of A507 west of the A10, by the same applicant who was already promoting it locally, and for the northern part of which is the subject of planning application reference 3/24/0966 to the Council.
- Both developments individually are covered by Schedule 2 of the EIA Regulations, but in combination, it is clear that the likely impacts would be much more significant, that full scrutiny of the likely environmental effects should take place, and that the correct action by the Council now is to require that EIA be carried out before either of the applications is determined.
- Buntingford Sewage Treatment Works is not capable of managing demand from new development.
- The development would create an entirely new industrial area, isolated from most of the services.
- and facilities in Buntingford and separated from it by the heavily used A10. The A10 would remain a major physical barrier to movement on foot and cycle from and to the town by any potential employees and business owners at the site.
- Proposals conflict with the development plan as they propose development on land identified as rural area beyond the green belt.
- Other allocated sites for employment development have not been built out. As such the proposals are unnecessary to meet local needs.
- The cumulative impacts of the proposals in conjunction with development proposed on the opposite side of the A507 would be significant.
- The proposed development is not sustainable as defined in the National Planning Policy Framework.
- The proposals are badly sited in respect of the need for speculative commercial floorspace in East Herts District and the county as a whole and would be almost entirely dependent on a significant increase in private vehicle trips by employees.

- The proposed commercial estate would be built in a visually prominent location, particularly on approach from the west on A507, in open countryside, and from the submitted examples of the intended types of building up to 3 storeys in height that are proposed, this would have a major permanent detrimental impact on highly valued open arable landscape providing open views across the Cherry Green Arable Plateau and the valley of the River Rib.
- There would be a loss of Best Most Versatile (BMV) agricultural land.
- The proposed access onto the A507 would be unsafe.

Support

- Businesses are currently searching for warehouse space in Buntingford.
- There is a shortage of business accommodation, as there has been new housing development in Buntingford, but without employment development.

Consultee / local group / Parish Council Responses

Consultee	Comments
EHDC Landscape Officer	The site is located within landscape character area 'Cherry Green Arable Plateau' (LCA 141) of the East Herts District Landscape Character Assessment (2007). The area is principally an open arable landscape with extensive views over a gently undulating plateau. This rural context provides a natural contrast and boundary with the built development of Buntingford to the east. In their assessment of the nearby development site, on 'Land East of A10 at Buntingford,' considering the principle of development within the gap between the existing settlement edge and the A10, the Planning Inspector stated that "I am satisfied that the A10 would provide a buffer and defensible boundary between the urban edge and the countryside." The Inspector's view is echoed for this proposal. The A10 corridor provides a logical boundary to the western settlement edge of Buntingford, and there is concern that the proposed development would 'leapfrog' the corridor and represent an incursion into the open countryside beyond. However, there is an existing employment area 'Buntingford Business Park' and allocated extension, to the west of the A10, north of the proposed development site. The location of the site within a relatively low-lying flat area enclosed, by the apex of the roundabout approach routes (A10 and A507), a framework of vegetation, and the ridgeline further to the west, helps to mitigate its landscape and visual impact to an extent. There is concern that the proposed development site does not benefit from such effective mitigation as the existing site, due its more open and elevated aspect on the east facing valley slopes, and its encroachment beyond the ridgeline to the west. There is concern for the impact of the development upon views from the east. These are currently open views, across the sloping landform, up towards the elevated ridgeline and The Thicket woodland. From here the proposed buildings eastern elevations (up to 12.5m high) would be visible, at 5m above road level (A10), with the upper floor/ roofscape of the buildings behind, stepping up the slope to the ridgeline. There is concern that the proposed planting scheme is not sufficient to provide the most effective mitigation. It is currently intended to provide a single row of trees alongside the existing roadside hedgerow, along the eastern site boundary with the A10 and roundabout. A single row of trees

	lacks canopy density and overlapping and will not provide effective visual softening (especially during leaf fall). The proposals appear to show the replacement of the existing rural road with a widened carriageway and roundabout, with pedestrian crossings and lighting columns, and segregated pedestrian and cycle paths, and new structural planting along both sides of the eastern and western approaches. This highly engineered and urban approach does not feel appropriate and will detract from the character and quality of this countryside location. At this stage the proposed access is not supported. There is concern for the removal of a substantial section of the existing roadside vegetation and the introduction of a highly engineered and urban solution in this rural location. As a matter for approval landscaping mitigation and enhancement scheme is required. The arboricutural report confirms the removal of existing trees and hedgerows (G13-B2, G14-C2, H17-C2, H49-B2, H50-B2, and H51-C2) from along both sides of Baldock Road to accommodate the proposed new access. The existing vegetation makes a positive contribution to the local landscape character and visual amenity. The hedgerows are predominantly in good condition and provide a sense of enclosure and an attractive rural setting to the highway. It would be preferable to see the existing vegetation retained. In conclusion, at his stage the proposed development gives rise to significant adverse landscape and visual effects (for the reason as discussed above) and is therefore not supported.
EHDC Planning Policy Team	Having reviewed the additional information in the planning statement addendum, the planning policy team maintain their objection to the proposal as set out in our original response. This proposal for significant employment and open space constitutes an urban extension to the west of the town, which represents a clear departure from the development strategy set out in Policy DPS2 and BUNT3 of the adopted District Plan, 2018. Concerns remain that the location is disconnected from the town and will result in high dependency on cars, with a detrimental impact on the local road network. As set out previously, the Buntingford employment study (2025) identifies. that the commercial property market is relatively self-contained. Over 92% of local businesses are microbusinesses (companies employing under nine employees) and these types of businesses will continue to drive. demand for floorspace in Buntingford. Whilst there is a need to provide choice to accommodate a range of potential occupiers and unit sizes, and to support the potential growth requirements of local businesses, most demand is anticipated in the 0-250 sqm bracket for E(g) uses and 0-1,000 sqm for B class uses. The Study identifies that local agent feedback suggested that there could be some potential for warehousing and storage uses in Buntingford, given transport improvements such as the Little Hadham bypass improving access to Bishop's Stortford, Stansted Airport and the M11. However, larger industrial and logistics uses would be expected to come forward in locations with superior access to the strategic road network, such as Bishop's Stortford. Conversely, despite limited spare capacity, there was viewed to be more limited demand for office space in Buntingford due to

	the impact of Covid-19 on demand, and this type of employment being concentrated in the larger settlements such as Bishop's Stortford and Hertford. The additional information submitted does not address concern that the proposal is a strategic employment park, which focuses on serving wider district needs, rather than employment land needed to meet local employment demand in the town. There is no clarity at this stage that the scale, and type of units will be designed to meet the needs of the local market, as opposed to more strategic employment. Therefore, it is considered that the scale of this proposal is more appropriate for the employment markets in the larger towns in the district, where there is better access to the strategic road network and public transport. These issues emphasise the need for employment development of this scale to be considered strategically through the new District Plan, when the impacts of development can be assessed more holistically, informed by evidence on the wider employment, housing and infrastructure needs across the district. Key up-to-date economic evidence, including district job requirements and local employment assessments of the other four towns in East Herts (which are currently being commissioned), is needed to fully understand the most sustainable location for strategic employment development within East Herts.
EHDC Conservation and Urban Design	The proposed development, given its scale, is a significant development. As required under Policy DES1 any significant developments should undergo a collaborative master planning process prior to a planning application being submitted. Such a master planning process should result in a collaboratively prepared masterplan framework and design coding information to define the vision for the site. While the applicant has undergone some degree of consultation, it does not appear that a policy compliant fully collaborative process with all relevant parties has been undertaken. A movement assessment study and map is required to understand pedestrian/cyclist movement and desire lines from key residential areas within walking/cycling distance. The assessment should identify any problem areas along such routes, and this should lead to the full scale of off-site improvements to ensure better pedestrian/cyclist links to the site. Overall, in the absence of fully resolved and confirmed sustainable travel links, the concern remains that this is a fundamentally unsustainable development that relies on private car journeys from/to Buntingford and nearby towns.
HCC Highways	HCC Highways initially raised concerns that: The proposed change of the sped limit on Baldock Road from 60mph to a 30mph speed limit adjacent to the vehicle access would be unsafe. Furthermore, a roundabout access is unlikely to reduce vehicle speeds significantly prior to the proposed bus stops and toucan crossing to the east. Therefore, HCC's Speed Management Group (SMG) are unlikely to promote the TRO and thus the site could not be accessed safely. Additionally, the relocation of the speed limit from within Buntingford would necessitate a section of the 60mph A10 strategic link road and its roundabout with the A507 being subject to 30mph and this would be

	unsafe, unenforceable and unpractical for strategic traffic and would not be supported by the SMG. In terms of cycling provision whilst the proposals along Baldock Road to the west of the A10 are generally good and can be refined in Reserved Matters, HCC has concerns about the details and deliverability of the proposed route within Buntingford. In terms bus provision the delay crossing the A507 and A10 this is considered too substantial to encourage sustainable travel by bus. However, the applicant is providing bus stops outside their site which could address this. Financial contributions would be required in accordance with the HCC toolkit for bus network and active travel scheme improvements. Following submission of additional transport information including the redesign of the Baldock Road access to the site, HCC stated that they retained their concerns regarding road safety and still object for the following reasons: <u>Toucan crossing on the A10</u> A signal controlled crossing positioned very close to the A10 roundabout entries and exits remains a fundamental concern. On the exit side in particular, a red phase would risk queues forming back onto the circulatory carriageway, with the associated blockage and collision risks. On the entry side, the proximity also interacts with the “constant green” behaviour that has been raised before. These points would need very careful consideration in the Road Safety Audit (RSA) and through supporting queue modelling. <u>Proposed extension of the 40mph limit</u> The proposal to move the 40mph limit roughly 1.1km north of Neale Drive, together with a crossing warning sign, also raises issues. There is currently and no proposed active frontage or meaningful change in roadside environment along this section of the A10, so it isn’t clear how the reduced limit would be interpreted consistently by all road users or how it would remain logically justified. We have seen on other routes that long, isolated 40mph sections in areas with limited frontage can lead to overtaking issues, greater speed variability, and in some cases a general disregard for subsequent speed limits further along a journey. When the environment does not reinforce the posted limit, predictable behaviour becomes harder to achieve, which has implications for every road user. <u>Interaction between the two issues</u> Although these are distinct matters, they do interact. The combination of a signal-controlled crossing positioned close to a roundabout, alongside a long and isolated 40mph section without supporting frontage, introduces inconsistency in how the corridor will be interpreted. That inconsistency increases risk and needs to be understood and addressed through the RSA and any further design work.
HCC Archaeology Service	The applicant has now submitted a report on a geophysical survey of the site, which was carried out in November 2024 (Sumo Geosurveys, Geophysical Survey report. Land South of the A507, West of Buntingford - Area 3, November 2024). A plan (PN4006 Southern Application Overlay) has also been submitted that overlays the geophysical survey results on the development proposed land use. The survey has identified significant

	and widespread below ground archaeological remains. These comprise a complex of probable later prehistoric or Romano-British settlement activity, predominantly in the western half of the proposed development site, and covering some c. 4.7 hectares. The complex includes rectilinear enclosures with internal features including smaller enclosures, ring ditches and pits, and areas of probable small-scale industrial activity, such as kilns. The survey results also indicate that archaeological remains may be present in the eastern part of the site, to a lesser degree. We therefore advise that further archaeological field evaluation of the site should be undertaken, via a programme of intrusive archaeological trial trenching, prior to determination of the application.
HCC Ecology	A 12.49% net gain for habitats, and 10.11% net gain for hedgerows is now proposed. Only very minor changes have been made in terms of habitat and hedgerow creation, and development still achieves the minimum 10% required by law. The biodiversity gain condition will apply to this application, whereby a biodiversity gain plan will be submitted as part of this condition. We advise that the government template for the biodiversity gain plan should be used, and a metric which corresponds with the gain plan should be submitted alongside this. Given that BNG for this site is significant, if the LPA were minded granting permission, a Habitat Management and Monitoring Plan (HMMP) should be secured via the legal agreement. This shall demonstrate how the habitat enhancement and creation, and subsequent target habitat conditions on-site will be created, enhanced, and monitored over 30 years following the completion of the capital works required to create them. Recommend conditions with regard CEMP, badgers, reptiles, barn owls, lighting, and biodiversity enhancements.
HCC Growth and Infrastructure Unit	Will not be seeking financial contributions.
Lead Local Flood Authority (LLFA)	Initially raised concerns with regard to further clarification into the location of the ditch which is proposed to receive runoff from the development and a high level assessment into maintenance requirements for any drainage components. Following submission of revised information the LLFA have confirmed no objection to the application subject to conditions with regard to: Surface Water Drainage details to be submitted with each phase; details of interim drainage measures; details of maintenance / management of sustainable drainage to be submitted; drainage verification report.
HCC Fire and Rescue Service	Recommend condition with regard to details of fire hydrants.
HCC Minerals and Waste Planning	Recommend that a Site Waste Management Strategy and Site Waste Management Plan for construction phase be secured by condition.
Thames Water	Waste Comments: Thames Water has identified that the existing FOUL WATER network does not have sufficient capacity to support the proposed development. As such, we request that the following condition be attached to any planning permission granted: The development shall not be occupied until confirmation is provided that either: 1. All necessary upgrades to the foul water network to accommodate additional flows from the development have been completed; or 2. A phasing plan for development and infrastructure, agreed with Thames Water and the Local Planning Authority, is in

	place. Where such a plan exists, no occupation shall occur other than in accordance with the approved phasing schedule. The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority.
Parish Councils	Comment
Buntingford Town Council	Previously sites allocated for employment development within plans have not been implemented. As such the proposed development is inappropriate and unsustainable. The proposals are contrary to a number of development plan policies including policy GBR2 which seeks to restrict development within the rural area beyond the greenbelt. The proposals have not been subject to a master planning process as required by policy DES2. 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 employment sites. 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 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. The Submitted Jubb Transport Assessment makes no mention of a recently implemented weight restriction on the A507 from Baldock to Buntingford which restricts vehicles above 7.5 tonnes to access only. The creation of this facility will give rise to a significant number of Heavy Goods vehicles accessing the site from Baldock, thus undermining the implementation of the weight limit and exacerbating a situation that it was trying to alleviate.
Cottered and Throcking Parish Council	Cottered and Throcking Parish Council objects on the following grounds: The road infrastructure is inadequate and unsafe, construction traffic and the resultant permanent increase in traffic volume from commercial vehicles and visitors attracted to the site, are at odds with the planned weight restriction for the A507, which recognises its unsuitability for use by large, heavy vehicles approaching Cottered, a small, ancient village already blighted by an excess of traffic with a narrow, sharp bend at the Baldock side, where two large vehicles cannot pass each other easily and where traffic passes only feet away from the living spaces of homes. The proposed development does not accord with the sustainability principles set out in the NPPF as the location has limited services and amenities, the site is not connected to mains sewage with concerns, in a water-stressed area, regarding drinking water and wastewater requirements (INFRA4 and INFRA5 of the BCANP refer).

	Site development would be in direct conflict with paragraph 196 (c) of the NPPF and would neither enhance the defining local characteristics of the area or improve its distinctiveness. The site is close to the village of Throcking and in an area recognised in both East Herts District Landscape Character Assessments 140 and 141 as 'quiet and remote', 'distinctive' and 'significant' to the community. Development resulting in the unjustified loss of greenfield space would not contribute to or protect the valued landscape which is a requirement of chapter 15 of the NPPF.
Westmill Parish Council	The A10 passes through the Westmill Parish and provides Westmill residents with access to, and exit from, the village. There are two available junctions, the northern one being within 800m of Buntingford. Both junctions have become increasingly unsafe for road users, in particular our residents and their visitors, due to the volume of traffic and the current layout of the road. An increase in traffic volume on the A10 (inevitably involving Westmill's junctions) arising from construction vehicles, commercial vehicles and visitors would further compromise highway safety and conflict with Policy TRA2 of the East Herts District Plan (EHDP) and paragraph 115 of the National Planning Policy Framework (NPPF). Vehicles using the A10 are sometimes required to divert through Westmill when the A10 is closed due to maintenance works / accidents. This causes traffic. To navigate single track lanes, which are used by pedestrians / cyclists. The risk of injuries and fatalities is increasing and would increase again as a result of the proposals.
Aspenden Parish Council	The site is not allocated for employment use. The proposals are of an inappropriate scale for the size of the village. The proposed development is not compatible with the character and appearance of the surrounding area, which is classified as a Rural Area Beyond the Green Belt. The application has ignored the Master Planning Process, required for all "significant" development proposals; The proposed development:- will have a material impact on the local road infrastructure and is in direct conflict with the recent weight restriction for the A507; will have a material impact on the local wastewater, foul & surface water drainage infrastructure; will have a material impact on the biodiversity of the area; will substantially increase the built-up area of Buntingford, breaching the well-defined boundary protecting Buntingford; will neither enhance the defining local characteristics of the area or improve its distinctiveness - we also understand the site borders the Thistley Vale Brook, an identified (rare) chalk stream; We are concerned that this application closely follows the recent application 3/24/0966/OUT for 600 dwellings on land adjacent to the application site which if consented will only add to the pressures on local infrastructure and will represent a significant increase in the size and nature of Buntingford.
Local groups	Comments
CPRE	The site is designated as 'rural area beyond the greenbelt' and the development is contrary to policy GBR2. The site is not allocated in the East Herts District Plan for development of any kind, and as a relatively isolated development on the edge of town, the proposal cannot be regarded as being in a sustainable location as required by National Planning Policy Framework. It would inevitably be dependent on private

	vehicle use for employees; there is no railway station in Buntingford and bus services are limited. The site is entirely open agricultural land forming a clear and well-defined boundary to the built-up area of Buntingford. The Agricultural Land Classification is Grades 2 and 3a categorised as "Best and Most Versatile Land "which should be maintained for agriculture to maintain food security, which is gaining in significance due to global trade uncertainties and related issues. CPRE Hertfordshire is most concerned about the visual and landscape impacts of the proposed development on the open countryside. We note the proposed development type that may be up to three storeys in height which will inevitably have a major detrimental impact on the setting of the town in the River Rib valley. We support representations that refer to the Council's Landscape Character Assessment which identifies the high quality of the area and the high sensitivity of the landscape which would be affected by the proposed development. The impact is further increased by the present lack of buildings south of the A507 and west of the A10 and proposals for the removal of hedgerows for highways provision. Buntingford has been subject to a very significant quantum of development in recent years which has undoubtedly changed the character of this historic market town and the surrounding rural area putting massive pressure on local infrastructure and amenities. As noted above, we believe development is inappropriate west of the A10. We note the recent decision by the Inspector on the Inquiry regarding Land East of A10 Buntingford where she states: "I am satisfied that the A10 would provide a buffer and defensible boundary between the urban edge and the countryside" (para 20 APP/J1915/W/24/3340497). We support this view that the A10 provides a defensible boundary and believe that the proposed development is unsustainable and inappropriate.

Planning Policies:

Main Issue	**NPPF**	**DP policy**	**NP policy**
Principle of Development	Chapters 5, 11	INT1, DPS1, DPS2, DPS3, DPS4, DPS5, GBR2, BUNT1, ED1	BE2
Design / landscape	Chapters 8,11 and 12.	DES1, DES2, DES3, DES4, DES5, HA1	ES1, ES8
Transport	Chapter 9	TRA1, TRA2, TRA3, CFLR3	T1, T2, T3, T4, T6,
Heritage Assets	Chapter 16	HA1, HA2, HA3, HA4, HA7	HD6
Sustainability and Climate Change	Chapters 2, 14	CC1, CC2, WAT4	ES3, INFRA5

Trees / Ecology Biodiversity	Chapter 15	DES2, NE1, NE2, NE3, NE4	ES1; ES5, ES7, ES8
Green space provision		CFLR1, CFLR9, NE4	ES5, ES8
Flood Risk and Drainage	Chapter 14	CC1, NE4, WAT1, WAT2, WAT3, WAT4, WAT5, WAT6	INFRA4
Environmental impacts (noise / air ground / light	Chapter 15	EQ1, EQ2, EQ3, EQ4	
Neighbour Amenity	Chapter 12	DES2, DES3, DES4, DES5, EQ2, EQ3, EQ4	LR3, ES5

Emerging Policies / Background Information:

Draft NPPF:
A revised NPPF was out for consultation in early 2026. The proposed draft NPPF includes a number of proposals of potential relevance including new policy on business development, which proposes that substantial weight should be given by the decision-maker to the economic benefits of proposals for commercial development (with particular references included to certain areas, e.g. supporting improvements in freight and logistics).

The Draft NPPF included proposed variations of the presumption in favour of sustainable development (similar to the tilted balance) for development outside of settlements, and development in proximity to rail stations alongside a raft of other national planning policies which were drafted to encourage development which supports/boosts the economy.

While this is noted for information, very limited weight is currently given to it considering its draft status.

Buntingford Employment Study
In March 2025 the Council agreed the Buntingford Employment Study (Aecom, 2025), as part of the evidence base to inform the emerging East Herts District Plan and as a material consideration for Development Management purposes in the determination of planning applications.

The Study concludes that over the period 2015-2022, the population in Buntingford increased by 2,474, representing growth of 33.9%. This growth is considerably higher than that recorded in East Herts (5.9%), the East of England (5.0%) and England (4.2%). Based on the age structure of the population and economic activity levels set out in Section 4.2, the economically active population of Buntingford is expected to have increased by 1,041 over this period, reflecting growth of 27.0%. This is again notably higher than East Herts, the East of England and England.

Over the same period, workplace employment in Buntingford increased by 205 jobs, as shown in Section 4.3.5, representing significantly lower growth of 10.8%, broadly. comparable to the increases seen in East Herts (8.3%), the East of England (6.8%) and England as a whole (7.7%). Further population growth is forecast as a result of consented planning applications for housing in the town.

Since the previous Employment Study was undertaken in 2014, there has been a notable loss of industrial employment land in Buntingford associated with the loss of the former Sainsbury's Distribution Depot, now occupied by residential development and a First School, as well as the development of vacant employment land at Park Farm Industrial Estate for residential use. However, there has been an increase of ~3,000 sqm industrial

floorspace in recent years and an additional 1,000 sqm of office space was delivered in 2017. Property market analysis demonstrates that there is currently no known vacant floorspace within Buntingford across office, industrial, and warehousing and storage properties, while vacancy rates across East Herts are also below the regional and national averages for these uses. This indicates a lack of spare capacity in the market, with a frictional vacancy rate of 5-8% generally viewed to represent a property market in balance, and with sufficient capacity to support move-ins and move-outs.

The above disparity between population and employment growth in the town, suggests a need for greater balance to support sustainable development, while the loss of employment land and lack of spare capacity in the property market also support the need for additional employment space in Buntingford.

F: Considerations

Principle of development

Several policies within the East Herts District Plan 2018, Buntingford Community Neighbourhood Plan and the National Planning Policy Framework are of relevance to the principle of the development. The overall development strategy in the East Herts District Plan 2018 is summarised in adopted Policy DPS1, aims to maximise opportunities for jobs growth with the aim of achieving a minimum of 10,800 new jobs in the district up to 2033 including 19-20 hectares of new employment land. This includes provision for 3ha of employment land in Buntingford which is allocated in land north of the Buntingford Business Park (allocated in Policy BUNT3). Policy DPS2 of the District Plan (DP) sets out the Council's development strategy for East Hertfordshire, which seeks sustainable development, within identified settlements or urban extensions to the largest towns in the district (not including Buntingford) to meet the district plan employment requirements. The Guiding Principles 3 and 8 set out in the supporting text to the Development Strategy (Part 3.3 of the District Plan) are relevant to the provision of new employment development in the rural area beyond the Green Belt.

(*3) To promote self-containment by directing development to areas where there is reasonable proximity to services and facilities, and which reflect existing travel to work areas, school catchments, and retail spend patterns and functional geographies.*

(8) To protect and enhance the rural area and the Green Belt outside the allocated development are as to maintain the countryside and the rural character of the District;

The site comprises grade 2/3A Best & Most Versatile agricultural land, located adjacent to the west side of the A10, beyond which is the Buntingford settlement boundary. As such the site falls within the ‘rural area beyond the greenbelt’ as part of the District Plan.

The application site is located outside of the settlement boundary of Buntingford (to the north west of the town), which lies beyond the A10 to the west. Buntingford is one of the 5 market towns listed in the District Plan with the settlement boundary defined in the Buntingford Community Area Neighbourhood Plan.

Policy ED1 states that land is protected for industry within designated employment areas. Provision of new employment uses are supported in principle where they are in a sustainable location where access can be achieved by a choice of sustainable transport and there is no conflict with other development plan policies. Employment development should be flexibly designed to respond to the changing needs of small and growing enterprises.

District Plan Policy BUNT3 of the District Plan states that small scale employment allocations are appropriate to provide opportunities for local businesses to serve the town and nearby area. As such the employment strategy for the town is to protect and enhance existing employment areas (Park Farm, Buntingford Business Park, Watermill Industrial Estate) to provide additional floorspace within these sites. Three hectares of additional employment land has been allocated to north of Buntingford Business Park (BUNT3).

The supporting text in the District Plan Buntingford Site Specific Policies Section states:

"*The large rural hinterland surrounding the town makes Buntingford an ideal base for small businesses that have links to the town itself rather than those that rely on a proximity to major road networks. Existing employment sites in Buntingford will be retained and, where appropriate, extended and modernised. 2 hectares of employment land has been retained through the redevelopment of the former Sainsbury's Depot site, and an additional 3 hectares of employment land has been allocated as an extension to the Buntingford Business Park".*

Policy GBR2 of the district plan states that: "*I. In order to maintain the Rural Area Beyond the Green Belt as a valued countryside resource, the following types of development will be permitted, provided that they are compatible with the character and appearance of the rural area:*
(a) buildings for agriculture and forestry;
(b) facilities for outdoor sport, outdoor recreation;
(c) new employment generating uses;
(d) the replacement, extension or alteration of a building, provided the size, scale, mass, form, siting, design and materials of construction are appropriate to the character, appearance and setting of the site and/or surrounding areas;
(e) limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land);
(f) Rural Exception Affordable Housing Sites; accommodation for Gypsies and Travellers and Travelling Showpeople;
(h) development identified in an adopted Neighbourhood Plan".

The Buntingford Neighbourhood Plan ("NP") considers the landscape around Buntingford as being one of the most highly valued in the district. The NP emphasises that existing employment sites should be preserved and protected. New employment development is expected to fit within existing business estates. The NP policy (BE2) states that proposals to upgrade, intensify or extend the existing main industrial sites and other smaller employment sites will be permitted provided that (inter alia) they are well integrated into existing clusters of activity, contribute to the character of the area and do not impact upon the attractiveness of local countryside.

NPPF paragraph 6 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Planning policies and decisions should recognise and address the specific locational requirements of different sectors...including clusters or networks of knowledge intensive industries, storage and distribution operations at a variety of scales, and the expansion or modernisation of other industries of local, regional or national importance.

In addition, NPPF paragraph 11d is of relevance and states that "*where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (this includes applications for housing where the local planning authority cannot demonstrate a 5-year housing land supply), granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance*

provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole". The balancing exercise with a presumption in favour of sustainable development, identified above is termed the 'tilted balance' elsewhere in this report.

Also of relevance to the application, is the current full planning application under consideration for land north of the A507 at the Buntingford Business Park for circa 1,900 sqm of Class B2 and B8 floorspace within land at the southern end of the Business Park. The application was submitted by the owners of the existing Business Park for a new 'flexible B2/B8 unit' which forms part of the existing Business Park (referred to in the submission as Phase 3). This application comprises an alternative development to the previously approved scheme (dating back to 2004) for employment floorspace which has lapsed.

The recently approved development on land east of the A10 to the south and east of the application site also includes provision for up to 4,400 sqm (Class E and B8 floorspace) which benefits from outline planning permission. The application included a condition which requires at least 4,000 sqm of the employment floorspace to be delivered before occupation of 75% of the housing element of the development.

The proposed development on land south of Baldock Road amounts to a major departure from the Development Plan due to the location, scale and form of the development which is positioned outside of the defined settlement boundary of the town to the west of the A10, and in the rural area. The site is not within an identified settlement, is not in or adjoining the allocated employment site (Buntingford Business Park or land covered by BUNT3) as allocated (within the District Plan or Neighbourhood Plan) and (in the LPA's view) does not form a sustainable location due to the severance with the town and limited and compromised routes into and out of the town. The proposals therefore conflict with strategy of the District Plan which is to deliver sustainable development in accordance with the hierarchy set out in Policy DPS2 which directs development to other more sustainable and appropriate parts of the District. The development also results in a conflict with the Guiding Principles 3 and 8 set out in the supporting text to Policy DPS2.

The proposals also amount to a fundamental conflict with policy GBR2, as the proposals would result in large-scale urban development within the rural area beyond the Green Belt. The proposals would not meet any of the forms of development or exceptions within policy GBR2 as the development would not be compatible with the character and appearance of the area. The proposals would have an urbanising effect on the rural landscape on the western side of the A10 to west of Buntingford. The proposals are also in conflict with Buntingford Neighbourhood Plan and District Plan policies ED1 and BUNT3 due to the sites location outside of the town where it is not accessible by sustainable transport modes. Adverse landscape impacts would also conflict with strands of the above policies (accessibility and landscape impacts are considered further below). In addition, the proposals would result in the loss of around 12ha of grade 2/3A agricultural land. These policy conflicts will be attributed negative weight in the overall planning balance.

Notwithstanding the conflicts with the Development Plan, the proposals would contribute towards provision of business space and support economic growth. The applicants consider that the publication of the Buntingford Employment Study adds further urgency towards the development of new business floorspace given the unmet demand in the area and the increased imbalance between employment and residential development in the town. As such the applicants consider that district plan policies with regard to the need for and location of employment development are out of date and the 'tilted balance' within NPPF paragraph 11d is engaged. This requires that a balancing exercise is undertaken to weigh any adverse impacts against the benefits of the proposals; and given the importance of supporting

economic growth, this should attract significant weight in decision making. A full balancing exercise is undertaken at the end of this report following assessment of the proposals against all relevant policies.

Officers accept that due to the age of the East Herts District Plan and the adoption of the Buntingford Employment Study there has been a change of circumstances, which suggests that in order to meet demand it may be necessary for some unallocated employment development to proceed, on the basis that the weight attributed to district plan policies on employment have reduced weight. However, the main thrust of development plan strategy in terms of policies which seeks to direct employment development to sustainable locations (across the whole District) still remains relevant and are highlighted within chapter 2, paragraph 7 of the NPPF. In addition, it is noted that there is still capacity for new employment development to come forward within Buntingford with existing business parks or allocated sites. For instance, in addition to the 4,400 sqm of Class E and B8 floorspace (0.66 ha) approved under application ref: 3/23/1447/OUT at land east of the A10 (Buntingford), it is noted that a planning application has been submitted for further employment development for circa 0.48ha) within Buntingford Business Park (ref 3/25/1986/FUL), see planning history section). In addition, it is noted that the land allocated for employment development adjacent to Buntingford Business Park (BUNT3) is still available for development. As such officers consider that relevant District Plan policies with regard to employment development should still be accorded appropriate weight as part of the assessment of this application.

The scale and characteristics of the proposed employment development also have a bearing on how they relate to the Development Plan strategy. Policy BUNT3 and Buntingford community Area neighbourhood plan policies note that there is a need for employment development which meets the smaller scale needs of local businesses. This is reiterated by the more up to date Buntingford Employment Study 2025, which notes at paragraph 8.3.2 that *"the business base in Buntingford is dominated by microbusinesses (companies employing up to nine employees), which account for 92.4% of local businesses. It would be anticipated that these types of businesses would continue to drive demand for floorspace in Buntingford, with demand for smaller, flexible units (~1,500 sqft) that can accommodate E class uses".* The Employment Study for Buntingford does not set minimum floorspace requirements, and it does not set these in context with the remainder of the District. Therefore, although local circumstances relating to the employment needs/demand may have evolved following the adoption of the District Plan, the evidence for increasing supply to meet District-wide needs may not have evolved to the same extent.

The scale of proposed employment development is significant, and as noted by the EHDC planning policy officer comments, the concern is that given their scale they would amount to a strategic employment park, which focuses on serving wider district needs, rather than employment land needed to meet local employment demand in the town. The willingness of the applicants to accept planning conditions to provide employment units within a range of sizes is welcomed. However, there is still some uncertainty that the scale, and type of units will be suitable to meet the needs of the local market, as opposed to more strategic employment. Therefore, it is considered that the scale of this proposal is more appropriate for the employment markets in the larger towns in the district, where there is better access to the strategic road network and public transport.

Recent appeals - at Land east of the A10 - provide some guidance as to the approach taken by Planning Inspectors when considering unallocated sites for significant development including employment / business development around Buntingford. The inspector noted that conflict with some locational development plan policies such as TRA1 was reduced due to proximity of the site to Buntingford and because some economic and retail opportunities are proposed as part of the scheme. As such the inspector accorded significant positive weight to the proposed business floorspace as part of the development. It is also important to note that

the employment floorspace within the land east of the A10 development would be located within the extended settlement limits of Buntingford, which is more in line with the thrust of the District Plan policies to locate 'new employment generating development' within the main settlements, as well as the Neighbourhood Plan policy requirement to do the same.

Further assessment regarding transport and accessibility of the site in relation to Buntingford is provided within the transport section of the report, and any potential policy conflicts with regard to locational sustainability are taken into account as part of the balancing exercise at the end of this report.

Principle of development conclusion

The proposals comprise development of significant scale within the rural area beyond the greenbelt, on a site which is not allocated for development. As such the proposals would be isolated from the town and less accessible by a variety of transport modes. The proposals would therefore conflict with the District Plan strategy (policy DPS2, ED1, GBR2 and BUNT3) and significant harm is attributed to this policy conflict.

However, the proposed employment floorspace would help to meet business needs, support job creation and economic growth. There is an identified need for new employment development to meet needs in Buntingford and provide a better balance between housing and employment in the town. As such this benefit is also attributed significant positive weight in decision making, although tempered by the large scale of the proposed development which is more strategic in nature and less suited to meeting local employment needs. Further assessment regarding transport and accessibility of the site in relation to Buntingford is provided within the transport section of the report below.

Transport / Accessibility

Sustainability / accessibility:

Policy TRA1 states that to achieve accessibility improvements and promotion of sustainable transport in the district, development proposals should: primarily be located in places which enable sustainable journeys to be made to key services and facilities to help aid carbon emission reduction; Ensure that a range of sustainable transport options are available to occupants, including improvement of pedestrian links, cycle paths, passenger transport network (including bus and/or rail facilities) and community transport initiatives; ensure that site layouts prioritise walking, cycling and, where appropriate, passenger transport; allow for the early implementation of sustainable travel infrastructure; protect existing rights of way.

Paragraphs 110 and 115 of the NPPF are also of relevance and state that *"Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes"* and that "*In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location; b) safe and suitable access to the site can be achieved for all users".*

The applicant's Transport Assessment (TA) notes the site's context, on the west side of the A10, and relationship to services and amenities within Buntingford which are within 2km of the site. A number of measures are proposed to facilitate access and connectivity including a new main vehicle access junction to the site from the A507 Baldock Road, with footway / cycleway leading to the junction of Baldock Road with the A10, with Toucan crossings proposed at this junction. Improvements to Baldock Road on the east side of the A10 are also proposed to

facilitate a 3m wide footway / cycleway link from the A10 roundabout to close to the junction with High Street.

The Transport Assessment considers that these measures would reduce vehicle trips associated with the development, as well as resulting in a modal shift towards of walking and cycling of around 15%. The proposals are there assessed as having a limited and acceptable impact on the highway network.

The Highway Authority initially raised concerns regarding the design of the junction to access the site, the safety of proposed speed limit changes, and the quality of proposed walking and cycling connections to the town centre. Further concerns were raised regarding the lack of information with regard to bus connections.

The applicant submitted additional information during June, September 2025, and February 2026 including a redesigned access to the A507 with accompanying Road Safety Audit, further details on active travel route enhancements and public transport provision. However, the highway authority still has significant concerns with regard to the safety of the proposed signalised crossing on the A10, and the feasibility of the proposed speed limit change to this area of the A10 to 40mph in connection with the pedestrian crossing. The LHA remain concerned regarding the isolated character of the site, outside of the town.

It is noted that active travel routes from the site to Buntingford, such as footway / cycleway connections along Baldock Road, with toucan crossing points over the A10, have been proposed to be upgraded as much as is feasible, given the scale of the development. It is accepted that the majority of Buntingford would be within 2km (or 20 minutes walking distance) of the site, including the town centre, the supermarket and Buntingford secondary and middle schools.

It is considered, nonetheless, that, given the physical distances involved and physical quality of the routes, that the will result being perceived as physically isolated from the rest of Buntingford. The existing / proposed footway / cycleway on the west of the A10 is largely surveyed and the proposed surface level crossing point north of the A10 roundabout would represent a hostile environment for pedestrians / cyclists due to the width of the A10 and its car dominated environment. The proposed-on carriageway cycle route along Baldock Road on the east side of the A10 into the centre of Buntingford would include number of potential conflicts points and require crossing from the south to the north side of the road which would not be convenient. Due to the constraints of the existing highways infrastructure this route would not accord with LTN1/20 guidance on cycle routes.

In addition, officers consider that the current design of the A10 / Baldock Road roundabout presents the legacy of a 20th century car-dominated design whereby pedestrians and cyclists are secondary to the primary requirement to facilitate vehicle movement along the A10 and A507. The relatively minor interventions proposed as part of this application not in the officers view follow the vision-led approach advocated in the NPPF paras 110-115 (to promote sustainable travel) and are unlikely to result in anything other than a development which is heavily designed to support vehicular trips.

As such Officers consider that the site would be perceived as a physically isolated location, severed from the rest of the town and inaccessible by sustainable modes of travel. Travel to the site by staff and visitors would therefore be likely to be dependent upon private vehicles. The proposals therefore amount to significant development at a location which cannot be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes to the extent proposed within this application and the initiatives proposed. This would be contrary to policy TRA1 and paragraphs 110-115 of the NPPF which require that patterns of growth are actively managed to achieve sustainable development, ensuring *that "b) safe*

and suitable access to the site can be achieved for all users". This policy conflict is accorded substantial negative weight as part of the overall planning balance.

Accessibility Implications of Residential (and associated uses) Application on North Side of Baldock Road

The potential development of up to 600 dwellings and associated supporting uses / infrastructure to the north of the site (application 3/24/0966/OUT) would have the potential to reduce the level of perceived isolation and severance of the application proposals. The development would provide more active frontage onto Baldock Road A507. In addition, travel between the employment and residential development by sustainable transport modes would be possible without needing to cross the A10. However, this application was refused (now subject of an appeal to the Planning Inspectorate) and therefore only very limited weight is attributed, with regard to its relationship with the application proposals.

Transport Impact / highway safety:

Policy TRA2 states that Development proposals should ensure that safe and suitable access can be achieved for all users. Site layouts, access proposals and any measures designed to mitigate trip generation produced by the development should: (a) Be acceptable in highway safety terms; (b) Not result in any severe residual cumulative impact; and (c) Not have a significant detrimental effect on the character of the local environment.

The traffic impact of the development has also been assessed within the Transport Assessment submitted with the application. Potential residential trip generation has been assessed to comprise 380 two-way vehicle movements in the am peak and 267 in the pm peak (based on the assumptions regarding a 15% modal shift to walking / cycling / public transport). Vehicle trips are anticipated to be distributed predominantly north and south on the A10 and west on the A507.

The impact of these proposed additional trips upon nearby junctions including the site access has been modelled including all A10 junctions serving Buntingford, Baldock Road / High Street and Hare Street Road / Station Road / High Street. Junction modelling considers that the development proposals are not forecast to result in a tangible growth in traffic volume along the study highway network with an overall average increase of less than 5% forecast. It is noted that an increase of less than 10% is generally within the range of typical daily variation and therefore insignificant in terms of traffic impact.

Sensitivity testing taking into account other potential development as well as future traffic growth forecast that the identified key junctions will operate within capacity. The proposed development is not forecast to constitute any discernible impact with a notional increase in queue length and delays predicted at all tested junctions and thus the proposal would not result in a severe residual cumulative impact. The highway authority has not raised concerns with regard to impact of vehicle movements on the capacity of the highway network and as such this aspect of the proposals is not considered to be a concern by officers.

The proposed highway access from the site onto Baldock Road has been revised following initial highway Authority comments with the proposed 'dutch style' roundabout replaced with a conventional roundabout with Toucan crossing points. This revised layout has been subject to a Road Safety Audit. The Highways Authority have now accepted that the proposed access from Baldock Road into the site could be achieved without undue harm to highway safety.

However, Highway authority comments identify some significant concerns with regard to the impact of the proposed signalised pedestrian / cycle crossing point on the A10 positioned close to the A10. On the exit side, a red phase would risk queues forming back onto the circulatory carriageway, with the associated blockage and collision risks. On the entry side, the proximity

also interacts with the “constant green” behaviour that has been identified on this area of the A10. HCC (the Highways Authority) therefore raises objection to the proposals on this basis.

In addition, the proposal to move the 40mph limit roughly 1.1km north of Neale Drive, together with a crossing warning sign, also raises safety issues for drivers cyclists and pedestrians. There is currently and no proposed active frontage or meaningful change in roadside environment along this section of the A10, so the highway authority is concerned that the reduced limit would be not be interpreted consistently by all road users leading to overtaking issues, greater speed variability, and in some cases a general disregard for subsequent speed limits further along a journey. When the environment does not reinforce the posted limit, predictable behaviour becomes harder to achieve, which has implications for every road user.

LPA officers consider the proposed crossing point on the A10 is essential to ensure some connection by sustainable modes from Buntingford to the site. However, given the above significant concerns of the highway authority with regard to this crossing point, and noting in particular, the objection from the HA, the LPA considers that the the proposals are not capable of ensuring safe and suitable access for a variety of transport modes, which is contrary to DP policy TRA1. The development is viewed as not being acceptable in highways safety terms which is also contrary to DP policy TRA2. Significant adverse weight is attached to these concerns as part of the overall planning balance.

Car / cycle parking:
Policy TRA3 states that vehicle parking provision will be assessed on a site-specific basis and should consider the provisions of the District Council’s currently adopted Supplementary Planning Document on vehicle parking. This includes requirements for secure covered, cycle parking.

No details of car or cycle parking have been submitted for the proposals, other than to confirm that the proposals intend to comply with vehicle and cycle parking standards. However, this element of the proposals has been submitted in outline only and as such full details of these elements will be required to be submitted as reserved matters. As such the proposed car parking provision is capable of compliance with policy TRA3.

Urban Design / Architecture / Landscape proposals

Master planning process:
Policy DES1 of the DP requires that all significant proposals will be required to prepare a Masterplan setting out the quantum and distribution of land uses, sustainable high-quality design and layout principles, necessary infrastructure, the relationship between the site and adjacent land uses, landscape and heritage assets and other relevant matters. The Masterplan should be prepared collaboratively with the Council, town and parish councils and other relevant stakeholders including a public consultation process.

As the application site is not allocated within district plan, a formal masterplan process, with establishment of a steering group and eventual adoption by the Council of a Masterplan Framework has not been undertaken.

However, as the application proposals are submitted in outline and the design of business is/ employment development will be led by operational requirements, there is scope for design issues to be fully resolved at reserved matters stage as part of a master planning process.

Urban design approach:
Policy DES4 states that *“All development proposals, including extensions to existing buildings, must be of a high standard of design and layout to reflect and promote local distinctiveness. Proposals are expected to: (a) Make the best possible use of the available land by respecting*

or improving upon the character of the site and the surrounding area; (b) Incorporate homes, buildings and neighbourhoods that are flexible to future adaptation; (c) Avoid significant detrimental impacts on the amenity of occupiers of neighbouring properties and land; (d) Incorporate high quality innovative design, new technologies and construction techniques, and make appropriate provision for high speed broadband connectivity, (e) Make provision for the storage of bins and ancillary household equipment, including electric vehicle charging points; II. Proposals must not prejudice the development opportunities of surrounding sites; III. Development proposals which create new or have a significant impact on the public realm should: (a) Maximise legibility and accessibility of the public realm through the layout of buildings, landmarks, use of colour, landscaping, paving, high quality public art, street furniture and legible signposting, (b) Maximise opportunities for urban greening, (c) Avoid creating 'left-over' spaces with no clear purpose or function; (d) Ensure that long-term maintenance and management arrangements are in place for the public realm as appropriate; (e) Engage the Hertfordshire Design Review Panel as part of the Pre-application stage and throughout the Development Management process".

The submitted parameter plans, and illustrative master plan show a development parcel stretching from the access from the A507 Baldock Road down towards the A10, accessed by a central spine road. The development parcel is set back from site boundaries to the north, southeast and west. Areas of open space with landscaping are incorporated into the western edge of the site. With a belt of structural landscape planting on the western boundary and a surface water drainage basin proposed at the southeastern corner of the site nearest to the A10.

The above layout is a rational response to the site constraints and will help to screen the development parcel in views from major roads to the north and east (subject to following sections which consider landscape impacts). The detailed design of buildings within the development parcel will be subject to reserved matters and as such the initial design approach at this stage is considered to be broadly in accordance with policy DES4.

<u>Proposed landscaping; open / green space provision:</u>
Policy DES3 states that development proposals must demonstrate how they will retain, protect, and enhance existing landscape features which are of amenity and/or biodiversity value, in order to ensure that there is no net loss of such features. II. Where losses are unavoidable and justified by other material considerations, compensatory planting or habitat creation will be sought either within or outside the development site.

The application proposals retain existing trees and hedgerows along parts of the northern and southern edge of the site. Although some trees and hedgerows are proposed to be removed along the northern boundary with Baldock Road to facilitate the proposed vehicle access and visibility splay. Loss of hedgerows is highlighted as a concern within the landscape officer comments. However, such loss is unavoidable to facilitate the development and will be partially mitigated by the above proposed landscaping and tree planting and as such the proposals are considered to be broadly in accordance with policy DES3.

The development proposes a substantial area of public open space on the western side and around site boundaries (6.31ha). Provision of the ridge top woodland within this space will help to screen the visual impact of the proposal, and the open space provision would also represent a public benefit arising from the development. However, the public benefit of this space is tempered by the sites isolated location and the fact that it is unable to used in conjunction with other public rights of way / open spaces which reduces its utility.

Landscape / visual impacts

Paragraph 187 of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by *inter alia* (b) recognising the intrinsic character and beauty of the countryside.

Policy DES2 states that "Development proposals must demonstrate how they conserve, enhance or strengthen the character and distinctive features of the district's landscape…Appropriate mitigation measures will be taken into account when considering the effect of development on landscape character/landscaping…Where relevant, development proposals will have regard to the District Council's currently adopted Landscape Character Assessment Supplementary Planning Document".

Buntingford Community Area Neighbourhood Plan (BCANP) policy ES1 states that "Development proposals should be appropriate to and maintain the Rib Valley setting of the BCA. Development on the fringes of Buntingford which extends on to the higher ground surrounding the Rib Valley could have a harmful effect on the landscape of this area and parts of the Cherry Green Arable and Wyddial Plateaux".

The intentions of the landscape policies in the District Plan and Neighbourhood Plan are broadly consistent with the requirements in para 187 of the NPPF in that the policy texts advocate for recognising the intrinsic character and beauty of the countryside through a range of requirements. The landscape character assessment (SPD) expands upon the intentions further by characterising the landscape character area. The Neighbourhood Plan sets out that the landscape is highly valued and important from a local perspective.

A Landscape & Visual Impact Assessment (LVIA) has been submitted with the application and has been updated during the course of the application to include additional views for a fuller assessment of landscape impacts. The site is located within landscape character area 'Cherry Green Arable Plateau' (LCA 141) of the East Herts District Landscape Character Assessment (2007). The area is principally an open arable landscape with extensive views over a gently undulating plateau. This rural context provides a natural contrast and boundary with the built development of Buntingford to the east.

The LVIA identifies a number of potential viewpoints of the site from public footpaths and public highway around the site and from higher ground to the west towards Throcking, with a smaller number of viewpoints on the opposite side of the Rib Valley to the east. Impacts on receptors from these viewpoints range from 'minor', 'moderate' to major adverse' in the worst case at year 1. However, the LVIA considers that visual impacts would reduce by year 15 of the development to no more than moderate adverse. This is due to several mitigation measures within the proposals, due to areas of the site remaining undeveloped, submission of a building heights parameter plan with restrictions on building heights to 10-12.5m, and with buildings located at higher levels restricted in height to 10m to reduce their prominence.

The LVIA, as well as additional LVIA addendum and wireline images have been reviewed by the Council's Landscape Officer who states that from an analysis of the additional requested views there is concern for the impact of the development upon views from the east. These are currently open views, across the sloping landform, up towards the elevated ridgeline and The Thicket woodland. From here the proposed buildings eastern elevations (up to 12.5m high) would be visible, at 5m above road level (A10), with the upper floor/roofscape of the buildings behind, stepping up the slope to the ridgeline. There is also a concern that the proposed planting scheme is not sufficient to provide the most effective mitigation. It is currently intended to provide a single row of trees alongside the existing roadside hedgerow, along the eastern site boundary with the A10 and roundabout. A single row of trees lacks canopy density and overlapping and will not provide effective visual softening (especially during leaf fall).

Officers consider that development of this scale within the rural area outside of the settlement would not be compatible with the landscape and agricultural character of the area. There is no other significant built development beyond the A10 to the west, apart from the Business Park to the north of the site on the opposite side of Baldock Road. The LPA considers that the A10 provides a strong urban boundary to the town and that development beyond this feature is fundamentally unacceptable in landscape terms. The Inspector noted in the 2024 Appeal and Land east of the A10 that:

"The A10 would provide a buffer and defensible boundary between the urban edge and the countryside and that the landscaping included in the parameter plan demonstrates an ability to soften the urban edge between the built development, the A10 and the countryside".

It is pertinent to note the Inspector references the A10 as defining the existing settlement boundary and provides a buffering function between the urban edge and countryside beyond. Officers consider that this statement underlines the physical importance of maintaining the existing A10 as the defining western edge of Buntingford.

Arboriculture impacts
The arboricutural report confirms the removal of existing trees and hedgerows (G13-B2, G14-C2, H17-C2, H49-B2, H50-B2, and H51-C2) from along both sides of Baldock Road to accommodate the proposed new access. The existing vegetation makes a positive contribution to the local landscape character and visual amenity. The hedgerows are predominantly in good condition and provide a sense of enclosure and an attractive rural setting to the highway. It would be preferable to see the existing vegetation retained.

Landscape / arboriculture conclusion
Given the above conclusions, the proposals are considered to give rise to significant adverse landscape character and visual effects, and the development would fail to recognise the intrinsic character and beauty of the countryside. As such the proposals would result in a conflict with NPPF para 187 (b), and District Plan Policy DES2. There is some scope for the visual impacts to be mitigated to some extent by the design of the development and the proposed landscaping strategy, over time. However, from the outset for a significant period of time whilst construction occurs, and landscape character/visual impacts would be irreversible and permanent once the housing is completed and occupied, although they would reduce, but would still remain after year 15, when landscaping is established. This adverse landscape character and visual impact would amount to a conflict with District Plan policy DES2, and BCANP policies ES1 and the NPPF para 187 (b) will need to be considered as part of the proposals overall planning balance.

Impact on heritage assets / Archaeology

Impact on above ground heritage assets:
District Plan Policy HA1 states that development proposals should preserve and where appropriate enhance the historic environment…proposals that would lead to substantial harm to the significance of a designated heritage asset will not be permitted unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Less than substantial harm should be weighed against the public benefits of the proposal.

A Heritage Statement has been submitted with the application which identifies the heritage assets potentially affected by the proposals to be Aspenden Hall (listed grade II), St Marys church (listed grade I), and Aspenden Conservation Area located 500-800m to the south of the site. There is likely to be some inter-visibility between these heritage assets and the site, although only limited glimpsed views. As such the proposals are assessed to result in less than substantial harm (at a low level) to these heritage assets.

As noted within the conservation / design officer comments, officers accept the conclusions of the Heritage Statement that there would be some less than substantial harm as a result of the proposals. This harm is assessed as part of the overall planning balance for the application at the end of this report. It is, by itself, outweighed by the public benefits of the scheme and so does not, of itself, provide a 'strong reason' for refusing the application.

Archaeology:
District Plan policy HA3 states that where a site has the potential to include heritage assets with archaeological interest (whether scheduled or unscheduled), applicants should submit an appropriate desk based assessment and, where necessary, the results of a field evaluation…where development is permitted on sites containing archaeological remains, planning permission will be subject to conditions and/or formal agreements requiring appropriate excavation and recording in advance of development and the subsequent storage and display of material.

A desk-based Archaeology Assessment has been submitted with the application, which noted that the site has moderate potential for prehistoric, iron age and Roman remains. As such further survey and evaluation of the site is recommended to establish if this is the case. HCC's Archaeology advisor advised that due to the size of the site it would have potential to impact upon archaeological remains and that in addition to the desk-based assessment, further geophysical surveys and archaeological trial trenches should be excavated.

Geophysical surveys were subsequently submitted by the applicants, although trial trenching was not undertaken as this was considered to be unduly onerous a requirement at the application stage. The geophysical surveys identified significant and widespread below ground archaeological remains. These comprise a complex of probable later prehistoric or Romano-British settlement activity, predominantly in the western half of the proposed development site and covering some c. 4.7 hectares.

Officers consider that it would be possible to secure trial trenching through appropriately worded planning conditions, and it would be unreasonable to require this work at the application stage given the outcome of the application is unknown. As such subject to recommended conditions the proposals would accord with policy HA3.

Drainage

Policy WAT1 of the District Plan states that development proposals should neither increase the likelihood or intensity of any form of flooding, nor increase the risk to people or property on site and to neighbouring land or further downstream. Policy WAT3 of the District Plan states that development proposals will be required to preserve or enhance the water environment.

Surface Water Drainage:
The submitted flood risk assessment and drainage strategy proposes that surface water runoff will mimic the existing patterns of drainage across the site and drain at Greenfield runoff rates into existing drainage ditches on the south and eastern sides of side before passing in a culvert under the before connecting with the existing surface drainage network and the river Rib. SUDs feature such as rain gardens and permeable paving are proposed to be incorporated throughout the development, in addition to an attenuation basin to facilitate this strategy.

The submitted details have been reviewed by the LLFA who initially requested additional information with regard to location of the drainage ditches and maintenance arrangements. The applicants have submitted additional information to address these concerns, and an updated response from the LLFA has confirmed that their initial objection has been removed. Several conditions are recommended in the LLFA response with regard to submission of full

drainage details for each phase as well as during construction, details of maintenance and management, and verification. Subject to these conditions officers consider that the surface water drainage proposals would adequately manage flood risk and would accord with policy WAT1.

Ecology / biodiversity

Policies NE1 and NE3 of the District Plan state that proposals should not result in detrimental impacts to biodiversity and should seek to enhance biodiversity and create opportunities for wildlife. Policy NE2 of the District Plan outlines that all proposals should achieve a net gain in biodiversity (BNG). The Environment Act 2021 requires that new developments achieve a minimum BNG of 10%.

The applicant's submitted Ecology Report states that the existing site baseline conditions comprise arable land, hedgerows and small areas of woodland. The proposed development would retain most existing features of value such as trees and hedgerows with some loss of hedgerows to allow for formation of the access. In addition, the proposals will include areas of open green space, tree and structural landscaping as well as surface water attenuation basins.

The HCC ecology team initially raised some queries with regard to the submitted information, in terms of the lack of protected species surveys, but have now confirmed that the submitted Ecology Report and BNG metric are supported, subject to planning conditions to secure biodiversity Enhancement/ mitigation for badgers, reptiles, barn owls, bats, newts. A standard BNG condition / or S106 head of term is also required to secure habitat mitigation to achieve the forecast a 12.49% BNG and 10.11% uplift in hedgerow units. As such the proposals would accord with policies NE1, NE2 and NE3 of the District Plan. Provision of a BNG of 11.22% is considered to form benefit of limited positive weight within the planning balance.

Sustainability

Policies CC1 and CC2 of the District Plan state that all proposals must demonstrate how the design, materials, construction, and operation of the development would minimise overheating, reduce the need for heating, integrate green infrastructure and minimise carbon dioxide emissions. Policy WAT4 of the District Plan states that development must minimise the use of mains water through water saving measures, the recycling of grey water, and reducing mains water consumption.

A sustainability statement has been submitted which states that proposed buildings would be designed to the upcoming Future Buildings Standards (FBS) (75% reduction in carbon emissions against 2013-part L building regulations) and a target of "net zero ready" under the upcoming UK Net Zero Carbon Building Standard (UKNZCBS). It should be noted that in order to achieve FBS buildings will be likely to incorporate an all-electric heating cooling strategy with photovoltaic panels, batteries and air source heat pumps included.

Further measures such as electric vehicle charging points, with buildings over 1000sqm subject to BREEAM assessment. Water efficiency measures are required to meet the BREEAM Wat01 requirements.

Given the above and subject to the proposed measures being secured by condition, the proposals are considered to demonstrate an acceptable response to climate change and have been developed in accordance with sustainable design principles in accordance with the requirements of policy CC1 and CC2.

Socio economic impacts

An Economic Benefits Statement has been submitted with the application. The Statement considers that during the construction phase 426 direct and indirect Full Time Equivalent (FTE) jobs are anticipated to be generated during the 8-year construction period (of which 210 FTE jobs within East Herts). Total temporary economic output during the construction of the proposed development would amount to £24m, of which £12m would be within East Herts.

During the operational phase the proposed employment land will create 467 on-site jobs, including approximately 805 jobs across the wider economy. 397 jobs are likely to be filled by East Herts residents. In addition, the employment floorspace will generate an economic output of approximately £43m, of which £21m will benefit the East Herts economy.

The economic benefits of the proposals terms of employment, spend in the local economy have been accorded moderate positive weight within the planning balance (significant positive weight has already been accorded to the provision employment floorspace to meet the business needs of district as part of the district plan strategy).

Ground / air pollution

Noise:
Policy EQ2 states that development should be designed and operated in a way that minimises the direct and cumulative impact of noise on the surrounding environment. Consideration should be given to the proximity of noise sensitive uses. A Noise report has been submitted with the application which assesses the potential impact of business / industrial uses on the nearest noise sensitive receptors, as well as impact of existing road traffic noise from the A10 upon the development itself. The assessment models potential noise from plant / machinery / industrial processes upon the nearest receptors which are potential residential development on the opposite side of Baldock Road to the north (NSR1), as well as a detached house on Baldock Road to the west of the site (NSR2).

The assessment considers that the proposed noise levels would be below the background sound levels at the nearest receptors during the day, representing a 'Low Impact'. During the night, predicted rating sound levels are also well below the background level at NSR2, representing a 'Low Impact'. At NSR1 during the night, rating sound levels are predicted to be 5 dB above the prevailing background sound levels, which is BS4142 terms could represent an 'Adverse Impact', However there are significant opportunities to further mitigate noise impacts at reserved matters stage, through measures such as locating B2 class uses further from Baldock Road, as well as the design of proposed buildings and the siting of loading bays, servicing areas so that they are screened by the proposed buildings. In addition, any mitigation measures required to protect the proposed development from traffic noise from the A10 could also be incorporated at reserved matters stage.

Given the above and subject to further assessment at reserved matters stage, it is considered that the application is capable of complying with policy EQ2 and providing an acceptable noise environment for future occupiers, subject to a condition requiring details of mitigation measures, as part of reserved matters submissions.

Air Quality:
Policy EQ4 states that the effect of development upon air quality is a material consideration. All applications should take account of the Council's Air Quality Planning Guidance Document.

The applicant's Air Quality Assessment considers the air quality impacts arising from the development. Construction phase air quality impacts such as dust from construction vehicles are identified. However, this issue can be addressed by a condition requiring submission of construction and logistics management plans which can ensure measures reduce dust are implemented.

During the operational phase no information is available at outline stage as to emissions from future occupiers of the business units. Reserved matters submissions would be required to provide information to demonstrate how they would meet Air Quality Neutral requirements, along with mitigation measures if required. As such the proposals are considered to accord with policy EQ4.

Light pollution:
Policy EQ3 requires that external lighting schemes must not have an unacceptable adverse impact on neighbouring uses or the wider landscape. A lighting strategy has been submitted which considers that lighting can be provided with a neutral effect on amenity, highway safety or biodiversity. As such the proposals are considered to be in accordance with policy EQ3, subject to suitable conditions requiring lighting strategies across the site.

Ground contamination:
Policy EQ1 states that the remediation of contaminated land to ensure that land is brought back into use is encouraged. The Council will require evidence, as part of any application, to show that unacceptable risks from contamination and land instability will be successfully addressed through remediation without undue environmental impact.

The ground contamination risk assessment submitted with the application considers that the ground conditions at the site would result in a low risk to human health and controlled waters. A ground investigation is recommended during reserved matters phases. Groundwater levels should be investigated, and the installation of shallow groundwater monitoring wells and subsequent rounds of monitoring should be carried out to identify any potential risk to the development. Deeper boreholes should target the ground conditions to approximately5-10m bgl, although proposed borehole depths should be assessed based on expected development and anticipated foundation loads (which will become clear as the masterplan develops).

Subject to the above measures being secured by conditions / reserved matters, the proposals the proposals are considered to accord with policy EQ1.

S106 Planning Obligations

The proposals would require some financial contributions / heads of terms within a S106 agreement in order to mitigate impacts. In the absence of these contributions / mitigation the proposals could be contrary to a number of district plan policies including TRA1 and TRA2:

HCC Transport
- Travel Plan;
- financial contribution with regard to bus improvements
- sustainable travel contribution
- S278 agreement with regard to off site highway works.

Non Financial obligations
- Details of longer-term stewardship, maintenance and managements, public access of open space
- Retention and maintenance of significant on site BNG mitigation areas for 30 year period

S106 Monitoring fees
EHDC Monitoring fee
HCC Monitoring fee

These obligations identified are considered necessary, proportionate and are required to make the development acceptable in planning terms.

Equality Considerations

Section 149 of the Equality Act (2010) confirms that a Public Sector Equality Duty (PSED) came into force in April 2011 and requires the Council to consider the equality impacts on all protected groups when exercising its functions. In the case of planning, equalities considerations are factored into the planning process at various stages. The first stage relates to the adoption of planning policies (national, strategic, and local) and any relevant supplementary guidance. The policies and guidance referenced in the committee report and this updated report have all been subject to an equalities impact assessment (EqIA) therefore, the planning policy framework is considered to meet the first stage in the process. The proposals have potential to deliver a range of employment related uses within flexibly designed floorspace and external areas. The uses themselves are likely to provide benefits to individuals with protected characteristics of the various groups set out in the Equality Act. Subject to detailed designs, which will come forward under reserved matters, it will be possible to carry out a further assessment of the proposals with regards to the equality impacts. Officers have duly considered the equalities impacts on protected groups in the context of the development proposals, at this outline stage, subject to this planning application which is set out above.

Other relevant issues, including the adopted Supplementary Planning Guidance (Affordable Housing and S106 Agreements/Planning Obligations) policy considerations are referred to in the 'Considerations' section above.

Planning Balance and Conclusion

The report provides a comprehensive officer consideration of the Outline planning application and its supporting documentation, including the further/additional information submitted and any representations received. The report has considered the proposals in light of the adopted development plan policies and other material considerations or representations relevant to the environmental effects of the proposals.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the determination of planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise.

In this regard, officers have found that the proposed development would comply with a range of policies set out in the District Plan, and Neighbourhood Plan as identified in this report. However, officers also consider that the development would amount to significant conflicts with several important and key policies in the Development Plan, namely District Plan policies DPS2, ED1, GBR2, DES2, TRA1 and TRA2 and policy BE2 of the Buntingford Community Area Neighbourhood Plan. Therefore, as a whole the proposals would not comply with the Development Plan.

Notwithstanding this, Section 38(6) of the 2004 Act requires the decision maker to have regard to any material considerations which could lead to a decision being made notwithstanding any conflict with the Development Plan. In this regard, consideration needs to be given to the application of the 'tilted balance' and 'the presumption in favour of sustainable development', which could be engaged in the decision-making process if the Council's employment related policies are determined to be out-of-date. There are balanced arguments supporting application of the tilted balance in this case as the Council's employment supply policies and district-wide development strategy are dated and have been overtaken by more recent events (in this case the 2025 Buntingford Employment Study). This argument has been advanced by the applicant in their supporting application statements.

Notwithstanding this, the District Plan makes provision for 3ha of employment land at the area north of the Buntingford Business Park, and provision of circa 1ha of employment generating floorspace is proposed to come forward within recent planning applications (cited in this report). Between these potential development sites, there are arguments to suggest there remains significant planning policy and development management provisions to support new employment generating development, at more sustainable locations in the Buntingford area (and District) which would respond to the findings of the Buntingford Employment Study, without the need for the application site to be brought forward.

Notwithstanding the above, officers have carried out the tilted balance in this case. Paragraph 11(d) of the NPPF states that for decision taking this means: (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 11(d)(ii) requires a balancing exercise to be undertaken to determine whether the adverse impacts of the development would significantly and demonstrably outweigh the benefits. Officers consider that elements of the District Plan are dated due to new information forming part of the evidence base of emerging district plan (Buntingford Employment Study 2025). However, the broad thrust of relevant policies (DPS2, ED1, GBR2, TRA1), which aim to guide development to sustainable locations remain relevant and must be afforded appropriate weight.

Nonetheless the proposed scheme would give rise to public benefits, which range from limited to significant and when taken cumulatively, would attract very significant positive weight in favour of the proposal. However, the proposals would also give rise to the adverse impacts addressed earlier in this report and are in conflict with Development Plan policies as outlined in the report. These adverse impacts range from limited to substantial and cumulatively attract substantial adverse weight. Both these positive and negative impacts are set out in the table below. Planning considerations not listed in the table below are of neutral value:

Planning balance	
Planning issue	**Positive Weight/beneficial effect**
Provision of 27420sqm of employment floorspace, to meet business needs in the district	Significant Positive Weight (Tempered by lack of information with regard to the range of employment spaces and speculative nature of proposals, although commitment for planning conditions to restrict unit sizes welcomed)
Biodiversity Net Gain of 12.49% + 11.11% gain in hedgerow units	Moderate Positive Weight
Economic benefits of new employment during construction (247FTE) / operational phases (467 on site), and increased business	Moderate Positive Weight

activity / business rates.	
Provision of 6.31ha new green / open space to meet wider need in Buntingford	Limited Positive Weight (Tempered by isolated location)
Planning Issue	**Negative Weight/Adverse effect**
Conflict with development plan strategy, including Neighbourhood Plan, as proposals comprise large scale development in the Rural Area Beyond the Greenbelt.	Significant Negative Weight.
Conflict with transport policies, physically isolated unsustainable location. Unsafe pedestrian/ cycle crossing over the A10. Unsustainable increase in car-vehicle bound trips.	Substantial Negative Weight
Adverse landscape visual and character impacts	Significant Negative Weight, reducing to moderate by year 15.
Loss of 13.28 ha agricultural land (grade II BMV)	Limited Negative Weight.
Less than substantial harm (low level) to Aspenden Conservation Area, Aspenden Hall (grade II) and St Marys Church (Grade I)	Limited Negative Weight.

Given the above assessment officers consider that public benefits of the proposal - principally in terms of delivery of new employment development - are significant. However substantial concerns remain that the proposals would remain physically isolated and severed from the rest of Buntingford, by the A10, which forms a substantial physical barrier to active travel and sustainable movement. The proposed toucan crossing point would be unsafe in highways terms and would result in conflict between all users. A combination of the adverse transport and highways impacts result in a substantial level of harm which is a decisive consideration in the determination of this application.

The A10 also forms a strong urban feature which defines the town of Buntingford to the east in contrast to the rural landscape to the west. The effective settlement limit (defined by the A10) would be breached were this development built out. The NPPF states that the purpose of the planning system is to achieve sustainable development, and given the isolated location of the site, the proposals are not considered to deliver a sustainable form of development. As such the harms of the proposals are considered significantly and demonstrably outweigh the benefits.

Officers have carefully weighted the benefits and adverse impacts for this development, on the basis of the merits of the application whilst acknowledging the recent Appeal decisions and the approaches undertaken by Inspectors in other appeals in Buntingford. Of particular significance is the weight applied to the District Plan and the most relevant policies DPS1, DPS2, GBR2, ED1, TRA1, TRA2, DES1, DES2 and DES3. However, these policies are also relevant with regard to delivering sustainable development in appropriate locations, which is of primary importance within the NPPF as noted in paragraphs 7, 110 and 115. As such the overriding importance with regard to sustainability within the NPPF means that substantial weight is accorded to this issue as part of the decision-making process.

Officers consider it is justified to accord significant weight to the breach of these policies here, for the reasons set out in this report in respect of the locational, transport and landscape impact. They consider that the scale, form and isolation of the development would amount to substantial harm overall and would represent a significant conflict with the Development Plan. Officers consider that the proposals will result in significant adverse landscape impacts (in Year 1) but this could reduce by year 15 following the landscaping assimilating with the context over time. However, when considered alongside the fundamental conflict with the Development Plan due to the concerns over the unsuitability of the location and absence of sustainable and inclusive travel modes being identified to support the development, the proposals do not constitute a sustainable form of development and these matters combine to form substantial adverse weight which is considered to outweigh the benefits of the proposals (which range from limited to significant)

Overall, it is considered the substantial harm arising from the proposals would significantly and demonstrably outweigh the benefits and therefore, on application of the tilted balance, it is concluded that there are no other material considerations which suggest that the proposals should be determined otherwise than in accordance with the Development Plan. In this case, it has been established that the proposals fail to accord with the Development Plan as a whole and there are no other material considerations which indicate that the proposals should be supported.

Reason(s) for Refusal:

1) *Due to its siting and location, the proposals would be isolated and physically severed from the rest of Buntingford by the A10, with poor quality and unsafe active travel connections to the town. The provision of a signal-controlled crossing, at grade, located on the A10 in close proximity to the Baldock Road (A507/A10) roundabout due to its current road geometry, the characteristics of the traffic flows and unpredictable operation (of signalling) would create an unsafe environment for pedestrians, cyclists and other highways users. As such the proposals represent an unsustainable and unsafe form of development and would not be acceptable in highway safety terms. The proposals would not provide a genuine choice of alternative travel modes, would not ensure that safe and suitable access can be achieved for all users and would not amount to sustainable development (in accordance with the NPPF). The development would also result in a form of development outside of the settlement boundary, which in addition to the above harm identified, amounts to a significant conflict with the Development Strategy within the District Plan and objectives of the Buntingford Community Area Neighbourhood Plan. The proposal would be contrary to Policies DPS2, ED1, TRA1 and TRA2 of the East Herts District Plan (2018), policy BE2 of the Buntingford Community Area Neighbourhood Plan, policies 1 (The Transport Users Hierarchy) and 5 (Development Management) of the Hertfordshire County Council Local Transport Plan 4 (May 2018)), and paragraphs 110 and 115 National Planning Policy Framework).*

2) *The proposals by reason of scale, form, visual impact and siting on the west side of the A10 outside of the Buntingford Settlement Boundary, would intrude upon and have a significantly harmful urbanising impact upon the 'Cherry Green Arable Plateau' (LCA 141) character area within the East Herts District Landscape Character Assessment (2007). The development would also fail to preserve and value the Rib Valley setting of the Buntingford Community Area by virtue of the substantial presence of built form at the elevated parts of the landscape. As such the proposals comprise a substantial urban extension outside of and adjacent to Buntingford which encroaches into the rural area beyond the Green Belt. The development would therefore result in significant harm to the rural landscape character and would fail to recognise the intrinsic character and beauty of the countryside, conflicting with Policies GBR2 and DES2 of the District Plan (2018), Policies ES1 and BE2 of the Buntingford Community Neighbourhood Plan (2017) and paragraph 187(b) of the National Planning policy Framework.*

3) *The proposed development results in a conflict with Policies BUNT3, INT1, DPS2, GBR2, DES2, ED1, TRA1 and TRA2 of the District Plan (2018) and Policies ES1 and BE2 of the Buntingford Community Neighbourhood Plan (2017). Thus, the proposals fail to comply with the Development Plan as a whole. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), the harms and policy conflicts identified are considered to significantly and demonstrably outweigh the benefits of the proposals in terms of delivery of new employment floorspace and other public infrastructure, having regard to NPPF paragraph 11d, which forms another material consideration. As such, the proposals fail to constitute sustainable development and would therefore conflict with the National Planning Policy Framework. The application of the tilted balance does not constitute a further material consideration which indicate a decision should be made otherwise than in accordance with the Development Plan.*

Plans / Supporting documents

Plans referred to in decision notice

Name	Reference	Date
Plans		
Location Plan	HLM082/020 Rev C	30.05.24
Land Use Components Plan	HLM082/019 Rev G	12.03.25
Building Heights Plan	HLM082/038	16.01.25

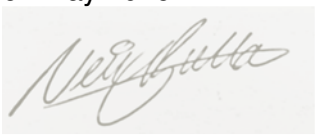
Supporting documents originally submitted
Agricultural Land Classification Survey by Wardell Armstrong
Air Quality Assessment (including Air Quality Neutral Assessment) by Air Pollution Services
Arboricultural Impact Assessment by Barton Hyett Associates
Archaeology Desk Based Assessment by Orion Heritage
Biodiversity Net Gain Assessment by CSA
Design and Access Statement by David Lock Associates
Ecological Impact Assessment by CSA
Economic Benefit Statement by Marrons
Employment Market Messaging Paper by Cushman & Wakefield
Employment Needs Assessment by Marrons
Flood Risk Assessment and Drainage Strategy by Jubb
Framework Travel Plan by Jubb
Heritage Statement by Orion Heritage
Landscape and Visual Impact Assessment, Figures and Appendices by Stantec
Lighting Impact Assessment by Williams Lighting Consultants
Noise Impact Assessment by inacoustic
Planning Statement by Marrons
Statement of Community Involvement by Meeting Place
Sustainable Construction, Energy and Water Management Statement by Turley
Transport Assessment by Jubb
Utilities Assessment by Jub

Additional supporting documents submitted during the course of the application
Email from Jubb Engineering to LLFA dated 21.11.24
Geophysical Survey Report by SUMO dated 27.11.24

Transport Technical Note by Jubb dated June 2025
Design and Access Statement Addendum by David Lock Associates (DLA) June 2025
Flood Risk and Drainage Technical Note Version 2 by Jubb dated May 30th 2025
Illustrative Masterplan by DLA HLM082/030 Rev H, dated 09.04.25
LVIA addendum by Stantec Dated May 2025
Planning Statement Addendum by Marrons dated May 2025
Arboricultural Impact Statement by CSA June 2025
BNG Assessment by CSA dated May 2025
BNG Metric by CSA dated May 2025
Ecological Impact Assessment by CSA dated June 2025
Employment Land Supply and Demand Report by Bidwells 30th May 2025
Employment Delivery Note by Marrons Dated February 2026
Highways Technical Note TN14 by Ridge submitted February 2026
Highways Technical Note TN15 by Ridge submitted March 2026

Recommending Officer and Date
Steve Fraser-Lim
6th May 2026

Authorising Officer and date:
Neil Button
6th May 2026



B

Development Management

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EastHertsDC
EastHerts
easthertscouncil

Application Ref: 3/24/0966/OUT

Mr Reiss Sadler
Marrons
Bridgeway House
Bridgeway
Stratford Upon Avon
CV37 6YX

Town and Country Planning Act 1990 (as amended)

DECISION NOTICE

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 access.
Land North Of A507, West Of A10 Buntingford

In pursuance of their powers under the above mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council hereby

Refuse Outline Permission

For the development proposed in your application received 20th May 2024 and registered on 28th May 2024 and shown on the submitted plans.

The reason(s) for the Council's decision to refuse permission for the development is/are:

1. Due to its siting, the proposals would be isolated and physically severed from the rest of Buntingford by the A10, with poor quality active travel connections to services within the town. As such the proposals are likely to be car dependent and result in increased vehicle trips and pressure upon the highway network. The proposals represent an unsustainable form of development and residents and visitors would be heavily reliant on the private car to access employment, main food and comparison shopping elsewhere. The proposals fail to provide a genuine choice of alternative travel modes and would not amount to sustainable development (in accordance with the NPPF) and would result in a form of development outside of the settlement boundary that amounts to a significant conflict with the Development Strategy within the District Plan and objectives of the Buntingford Community Area Neighbourhood Plan. The proposal would be contrary to Policies DPS2 and TRA1 of the East Herts District Plan (2018), policy HD1 of the Buntingford Community Area Neighbourhood Plan and paragraphs 110 and 115 National Planning Policy Framework.

2. The proposals by reason of scale, form, visual impact and siting on the west side of the A10 outside of the Buntingford Settlement Boundary, would intrude upon and have a significantly harmful urbanising impact upon the 'Cherry Green Arable Plateau' (LCA 141) character area within the East Herts District Landscape Character Assessment (2007). The development would also fail to preserve and value the Rib Valley setting of the Buntingford

Community Area by virtue of the substantial presence of built form at the elevated parts of the landscape. As such the proposals comprise a substantial urban extension outside of and adjacent to Buntingford which encroaches into the rural area beyond the Green Belt. The development would therefore result in significant harm to the rural landscape character and would fail to recognise the intrinsic character and beauty of the countryside, conflicting with Policies GBR2 and DES2 of the District Plan (2018), Policies ES1 and HD2 of the Buntingford Community Neighbourhood Plan (2017) and paragraph 187(b) of the National Planning policy Framework.

3. The harms and policy conflicts identified are considered to significantly and demonstrably outweigh the benefits of the proposals in terms of delivery of new housing and other public infrastructure, having regard to NPPF paragraph 11d. As such the proposals fail to constitute sustainable development and would therefore conflict with the National Planning Policy Framework and Policies INT1, DPS2, GBR2, TRA1 and TRA2 of the District Plan (2018) and Policies BE2, ES1, HD1 and HD2 of the Buntingford Community Neighbourhood Plan (2017).

4. In the absence of a completed legal agreement the application fails to secure appropriate financial contributions to infrastructure to off-set the impact of the development on local infrastructure or to provide any affordable housing, custom/self-build housing, or active travel provisions and public transport improvements. As such the proposal is contrary to policies TRA1, DPS4, DEL1, DEL2, HOU3, 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.

Informatives:

1. East Herts Council has considered the applicant's proposal in a positive and proactive manner and whether the planning objections to this proposal could be satisfactorily resolved within the statutory period for determining the application. However, for the reasons set out in this decision notice, the proposal is not considered to accord with the Development Plan.

This Decision Relates to Plan Numbers:

Plan Ref	Version	Received
HLM082/021	RevB	20th May 2025
HLM082/018	RevR	20th May 2025
HLM082/036	RevC	6th June 2025
HLM082/037	RevD	6th June 2025
23161 SK 003	P4	28th August 2025
23161 SK 023	P8	28th August 2025
23161 SK 029	P3	28th August 2025
23161 SK 034	P2	28th August 2025
BHA_5798A_02		6th June 2025
Design Principles Document by David Lock Associates		6th June 2025

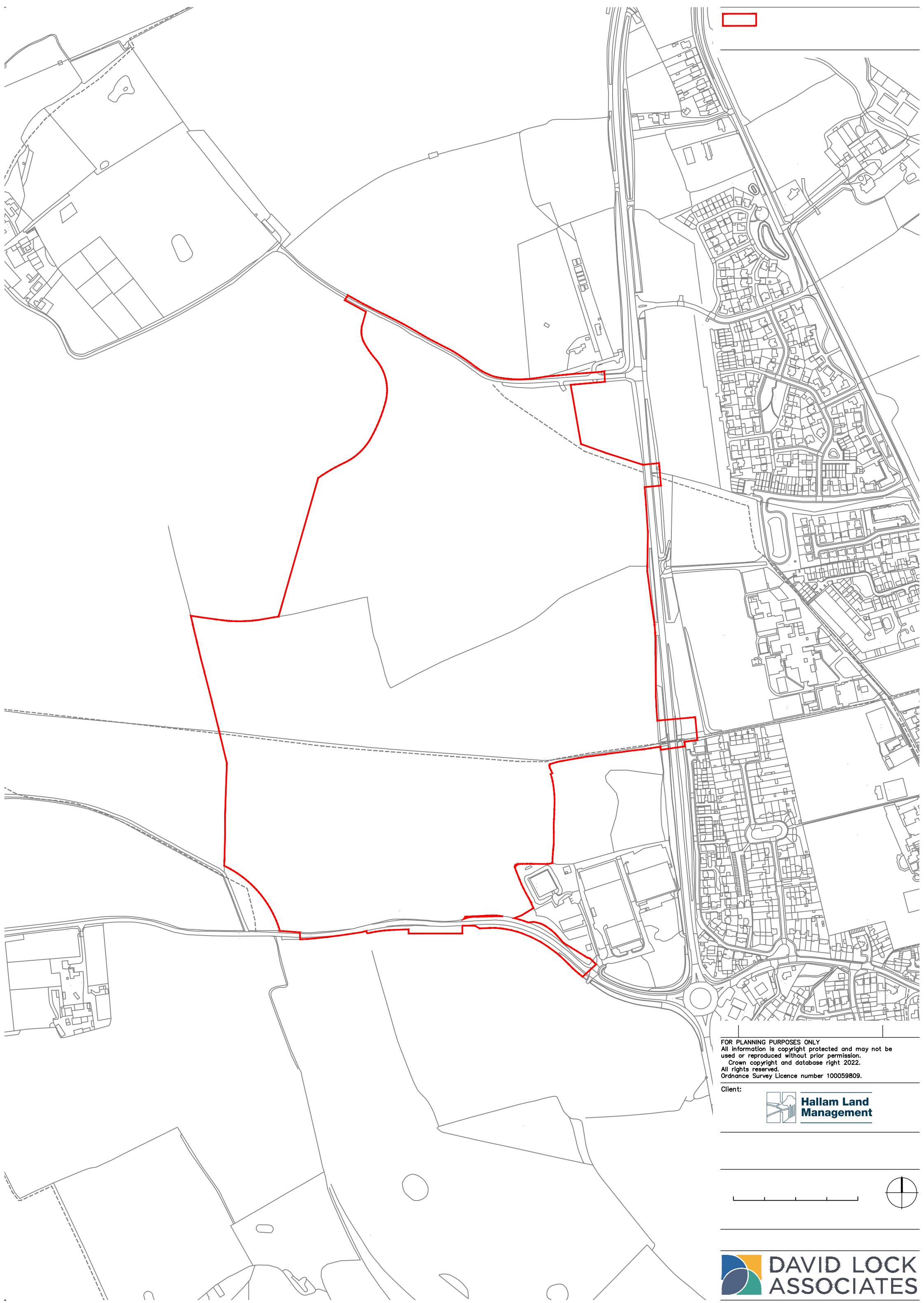
Dated: 24th October 2025

On Behalf Of Development Management



Signed:
Head of Planning and Building Control

We are interested in your feedback. Please complete the survey by clicking here SURVEY



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Client:

Hallam Land Management

DAVID LOCK ASSOCIATES