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**Standing up for Hertfordshire's countryside**

Jill Shingler  
Development Management  
East Hertfordshire District Council  
Wallfields  
Pegs Lane  
Hertford  
SG13 8EQ

Our Ref:

Your Ref:

18<sup>th</sup> November 2020 (by email)

Dear Ms. Shingler,

**Application No 3/20/1950/FUL**

**Construction of 23 residential dwellings (use Class C3), and associated works including internal road network, associated highways works, landscaping, utilities and drainage infrastructure, car and cycle parking and waste storage Land East of Aspenden Road, Buntingford, Hertfordshire**

CPRE Hertfordshire object to this application for development in Buntingford, contrary to the East Herts District Plan, the Buntingford Community Neighbourhood Plan and the National Planning Policy Framework.

As paragraph 6.1.7 of the District Plan points out "as Buntingford is the only town in the District not constrained by Green Belt, it has been subject to a number of speculative planning applications in advance of the adoption of the District Plan. The development of approximately 1,100 dwellings has been approved across a number of sites in the town since 2011 and therefore, the development strategy for Buntingford is focused on seeking to ensure that the impacts of development can be mitigated and managed within the overall infrastructure of the town." Consequently, in District Plan Policy BUNT1(d) the Council allocated "around 56 homes on land off Aspenden Road."

That allocation was taken up (and exceeded) by the development of land immediately to the south of the site subject to this application, following approval of Application number 3/18/2457/ FUL. This proposal is intended to infill the remaining open land between that development and the residential development in Fairfield. As such it will be contrary to Policy BUNT1 and constitute a windfall site. The District Plan requires that windfall sites will be determined on an individual basis, taking into account the policies of the Plan.

None of the plans accompanying this application indicate the extent of ownership. The applicant is a recently created company (incorporated July 2020). However internal evidence in the documentation suggests that they are intimately linked with the developers of the

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adjoining site. (The Ecological Appraisal refers to this application as 'phase 2', the Design and Access Statements are virtually identical apart from site layout and quantum of housing, and the documents for this application refer repeatedly to their dependence on information relevant to the adjacent site.) The DAS for this application is clear that the applicant considers that "the land forms a logical and coherent addition to the development approved under application ref: 3/18/2457/ FUL."

It is unfortunate that if it had been intended to develop the northern site, that had not been made explicit at the time of the earlier application where the full impact of development could have been taken into consideration, not least because access to this site crosses the land included in the first application and the drainage from this site connects into the sewerage system of the earlier development.

This site represents the last piece of accessible natural green space in this part of Buntingford. Both the Vision Statements in the East Herts District Plan and the Buntingford Community Neighbourhood Plan state that such areas will be protected and enhanced and Policy ES7 in the Neighbourhood Plan requires development "to protect and enhance biodiversity in line with NPPF requirements and must demonstrate a net gain in biodiversity in an ecological report consistent with BS 42020."

We have considerable concerns regarding the impact of this proposal on the biodiversity of this site. The entire section on fauna in the Ecological Appraisal has been redacted (paras. 3.22 - 3.27 and 4.17 - 4.22 inc.) and the Ecological Management Plan makes no reference to fauna at all. Given the redaction it is impossible to determine what species are present or the likely impact on them. As there is normally no reason to redact such information we assume that this indicates that protected species are present on the site and will potentially be impacted by development contrary to Part 1 of the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017. The government's delayed Environment Bill has been proposing to achieve net biodiversity gain in new developments; in any event the biodiversity provisions of the NPPF (para 175) have to be met. The Council will have to satisfy itself on these points before determining the application.

Given the extent of proposed development on the site it is impossible that existing habitats can be maintained and it is insufficient to say that new native structural tree, hedgerow, shrub and amenity grassland planting will form a mosaic of new habitats. The absence of proposed mitigation measures is contrary to District Plan Policy NE3 and the Neighbourhood Plan. In order to be consistent with local and national policy, net gain to biodiversity must be proven in a measurable way.

The proposed layout does not provide for public open green space or children's play space, the applicant depending on residents using facilities on the adjoining site. The frontage to

Aspenden Road is not only entirely uninspiring it fails in any meaningful way to retain the character of a natural green space. Units 9-11 are provided without any meaningful open space. Overall we find the layout amounts to a poor and inadequate approach.

In terms of access, we have noted above that vehicular access to the development crosses over, and hence reduces, the open space on the adjoining site. There are numerous concerns regarding the impact of additional traffic on Aspenden Road, but as these have been covered in depth by other responses, we will not repeat the arguments here. However, we will comment on the statements made in the DAS that the development will maximise connectivity with all parts of the site and the surrounding areas. Apart from the exits on to Aspenden Road, all of the footways are the normal pavements which one would expect in a residential development. There are no direct pedestrian connections to the development to the south, or to Fairfield and Crouch Gardens to the east, which could be easily achieved, the latter giving direct access to the bus stops on London Road.

We consider this proposal to be unnecessary to meet Buntingford's housing need, damaging to the green infrastructure and local ecology and contrary to national and local policy. We urge the Council to reject it.

Yours sincerely,

David Irving  
Senior Planning Volunteer  
CPRE Hertfordshire