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MEETING : DEVELOPMENT MANAGEMENT FORUM
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 31 JULY 2024
TIME : 3.30 PM

1. Briefing Note - Land North of Hare Street Road, Buntingford - 3/24/0294/OUT (Pages 5 - 8)
2. Meeting Minutes - Development Management Forum, 31 July 2024 (Pages 9 - 16)

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Agenda Item 1 Development Management

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DEVELOPMENT MANAGEMENT FORUM (DMF) BRIEFING NOTE FOR MEMBERS

Time / Date of meeting: 3:30pm, 31/07/2024

Venue: Council Chamber, EHDC offices, Wallfields, Hertford

Reference: 3/24/0294/OUT

Address: Land north of Hare Street Road, Buntingford

Proposal: a) Outline approval for a residential development for around 200 new market and affordable homes, including self-build and custom build homes, new public open space, new ecological areas and other public realm, new pedestrian, cycle and vehicular networks within the site, potential pedestrian connections to The Causeway and Aldridge Way, and associated drainage and SuDs infrastructure. With all matters reserved for later approval.

b) Full planning approval for the construction of new Medical Centre, car parking area, related drainage and SuDs infrastructure, with associated access to Hare Street Road and enabling works to the existing highway, as defined on the Land Use Parameter and Detailed Access Plans. Pre-application advice in relation to a hybrid planning application for development of 200 houses (submitted in outline) and a medical centre (full details submitted).

Case Officer: Steve Fraser-Lim

Background:

The above application was submitted on 15th February 2024. Neighbour consultation letters and letters to statutory consultees have been sent out and a range of consultation comments have been received, including the petition which is the subject of this Development Management Forum (DMF). The petition is appended to this briefing note.

DMF Procedure:

The purpose of the DMF is a meeting where residents can present their views to councillors, planning officers and the applicant early in the planning application process prior to a decision on the planning application. The aim of the forum (as set out in the website link below) is to allow early, constructive discussion of the planning issues raised by residents and to explore the scope for building consensus and resolving concerns.

<https://www.eastherts.gov.uk/planning-and-building/development-management-forum>

The Forum is an informal meeting and the forum does not determine the application. The decision on planning applications is determined by the Council's Development Management Committee or through delegation to officers.

Development Management Committee (DMC) and Local/County Council Members can use the meeting to listen and observe the discussions between residents, stakeholders and the developer team in order to:

- improve their understanding of the development, its background and the planning policy position and the relevance of the key planning policies and guidance. *[For DMC Members – this will enable them to gain a greater understanding of the planning context in advance of any subsequent planning committee].*
- understand the planning issues ‘most’ important to local people.
- hear from the applicants and observe a presentation of the scheme.
- direct questions towards the developer as to how they have sought/are seeking to address the issues raised by the public, stakeholders or the planning authority as part of the planning process.

Members can seek advice from planning officers with regards to the processes and the planning policy background, and the content of any consultation responses submitted as part of the planning application. They are advised not to ask planning officers for a formal or binding view on the proposals.

Members should not use the Forum to undertake negotiations or appear to put undue pressure on the officers in relation to any future decision on the scheme. Members are however entitled to question developers, residents or planning officers to fully understand issues presented at the Forum.

Members of the Development Management Committee should be aware that if they wish to participate in any future Development Management Committee Meeting to determine the application, they should approach the debate within this DMF meeting with an open mind and avoid having a predetermined view on the application.

Site Designations:

- The northern part of the site is in proximity to Buntingford Conservation Area
- The group of trees along the northern boundary of the site with The Causeway is protected by a Tree Preservation Order (TPO) (152-G4).
- The site is identified as an Area of Archaeological Significance.
- The site is outside of but adjacent to the Buntingford settlement boundary, within the East Herts District Plan 2018.
- The site is adjacent to designated open space (allotments).
- The site falls within the ‘rural area beyond the green belt’ within the East Herts District Plan 2018 and comprises grade 2 agricultural land.
- Site is included within the Strategic Land Availability Assessment (SLAA).
- The site is within the area of the adopted Buntingford Neighbourhood Local Plan.

Planning history background

The land has historically been in agricultural use with limited planning history. However, planning permission was granted for 160 dwellings and allotments to the west of the site, following an appeal to the Planning Inspectorate in January 2014 (ref: 3/13/1000/FP). This application included change of use of part of the current proposal site to a cemetery

accessed from The Causeway. The housing and allotments have since been constructed, but not the cemetery, which has since been provided on an alternative site.

Most relevant planning policies

The site is not specifically allocated for any use or development within the District Plan 2018 and is outside of but adjacent to the Buntingford Settlement Boundary. As such the site is within the 'rural area beyond the greenbelt'. The overall District Plan strategy (policy DPS2) seeks sustainable housing development within settlement boundaries or on allocated sites. Policy BUNT1 of the district plan states that the strategy for the town is to focus on the delivery of existing sites with planning permission and to ensure that the impacts of development can be mitigated and managed within the overall infrastructure of the town.

The following District Plan policies and guidance would also be relevant as part of any future application proposals:

- Policy DPS4 Infrastructure Requirements states that healthcare facilities will be required to support future housing development in the district.
- Policy CFLR9 states that new development should be planned and located to promote healthy communities, including infrastructure such as healthcare facilities, footpaths, cycle routes and open spaces to live healthy and active lives. It requires that new health facilities are accessible to all and located where there are choice of sustainable travel options.
- Policy DES1 states that significant development proposals will be required to prepare a masterplan as part of a collaborative process involving key stakeholders.
- Policy DES2 Landscape Character states that development proposals must demonstrate how they conserve, enhance or strengthen the character and distinctive features of the districts landscape.
- Policy DES4 requires a high standard of design, including: promoting local distinctiveness; efficient use of land which responds to site context; are adaptable over time; incorporate sustainable design principles; and make well designed provision for ancillary elements such as car / cycle parking and waste storage.
- Policies CC1 and CC2 of the District Plan and the Sustainability SPD set out how developments must demonstrate commitments to the principles of sustainable design, including energy efficiency measures, efficient supply of heat and power, and incorporation of on site low / zero carbon forms of energy generation.
- Policy NE2 requires that proposals achieve a Biodiversity Net Gain (BNG), through application of a mitigation hierarchy of avoidance, mitigation and compensation. In addition, the Environment Act 2021 requires that new applications from February 2024 achieve a BNG of at least 10%.
- The adopted Buntingford Community Area Neighbourhood Plan forms part of the Development Plan. The NP considers that the landscape around Buntingford as being one of the most highly valued in the district. The NP supporting policy text emphasises the desirability of conserving and respecting the valley setting of Buntingford. The NP policies (ES1 and HD2) and supporting text recommend that future development of Buntingford is carried out in such a way that the landscape views across the Town are not adversely affected. This requires that building on higher ground is limited in height and that any further housing is developed within the valley setting.

Key Issues:

The issues / comments which have been identified as part of the petition to be discussed at the DMF are summarised as follows:

- Concern that the proposed planning application to move the town's only medical centre from the centre of the local community to an out-of-town site at the top of a steep hill would mean that primary health care provision would no longer be easily accessible for the vast majority of residents who live in the town.
- The location of the proposed site would mean that most journeys to and from the site (including those currently made on foot or by bike) would need to be made by private car journey due to the increased distance needed to travel and the steep gradient on the hill leading up to the site. The site is not easily accessible by public transport either as options are very limited.
- The proposal for around 200 houses would add even more vehicles to local roads. There is a serious concern that a large increase in local traffic would have a detrimental impact on the health and wellbeing of residents through increased road danger, air and noise pollution and would put further strain on the current road infrastructure that struggles to cope with existing traffic levels.

The site sits outside of the Buntingford Community Area Neighbourhood Plan boundary in a position on the eastern plateau above the Rib Valley. It is of concern that the plan for a two-storey medical centre and around 200 houses would not 'respect the valley landscape or consider the visual transition between urban and rural' as noted in the BCA Neighbourhood Plan.



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b) Full planning approval for the construction of new Medical Centre, car parking area, related drainage and SuDs infrastructure, with associated access to Hare Street Road and enabling works to the existing highway, as defined on the Land Use Parameter and Detailed Access Plans.

Case Officer: Steve Fraser-Lim

Attendees:

Chair: Cllr Vicky Glover-Ward

Applicants: Steven Kosky, Elliot George, James Orton-Malyon

Petitioners against: Cllr Sue Nicholls (Buntingford District Councillor, Lead petitioner), Steve Baker (CPRE), Graham Waite (Buntingford Town Councillor),

Petitioners For: Dr Kumar Mukherjee, Dr Will Nicolson (Buntingford and Puckeridge Medical Practice)

Councillors:

Present: Cllr Vicky Burt (as DMC member), Cllr Ben Crystall, Cllr Sarah Hopewell, Cllr Maura Connolly, Cllr Tony Stowe, Cllr Vicky Smith, Cllr Alex Daar,

Via Teams: Cllr Yvonne Estop, Cllr John Dunlop

Officers: Sara Saunders (Head of Planning), Neil Button (Major Sites Team Leader), Steve Fraser-Lim (Development Management Case Officer), Robert Jones (Development Management)

1. Introduction

- Meeting opened by Cllr Glover-Ward who explained the primary purpose of the forum is to facilitate residents having a say early in the planning process and to allow for constructive discussions.
- Cllr Glover-Ward notes the forum was pushed back due to the general election.
- Cllr Glover-Ward explained the minutes will be attached to the application reference and will be in attached to the officer report.
- Cllr Glover-Ward outlined the agenda.
- Cllr Glover-Ward explained the application description. 200 market and affordable homes, new public open space, new ecological area, new public realm, new vehicular networks, potential pedestrian connections to The Causeway and Old Ridge Way, associated SUDS and drainage. All matters reserved. Full Planning application for medical centre, related parking, SUDS, access to Hare Street Road and road improvements.
- Final Decision will be in accordance with the Councils Constitution, either by DMC or delegation to Officers.

2. Introductions

- Cllr Glover-Ward asked those present to introduce themselves

3. Presentations from the Applicants and the Petitioners

a) Applicant Presentation:

- Buntingford is not constrained by greenbelt and as such further development around it is likely to be necessary to meet housing targets.
- The site has been submitted as part of the Councils recent "Call for sites" as part of the preparation of a new district plan. This is because policies in the current plan are out of date in the opinion of the applicants, including housing requirements.
- Housing requirements in the emerging plan are likely to rise by a further 12.5% because of the new governments recently issued Written Ministerial Statement on calculating housing need.
- The proposals are Infrastructure led with the doctor's surgery delivered first, in a sustainable building (BREEAM 'excellent').
- Public transport will be improved with a new bus stop serving the site.
- The layout of the proposals is landscape led to respond to site context.
- The proposals have been developed over several stages, including a 2023 Patient survey and engagement with EHDC, Buntingford Town Council, Ward Councillors and Patient Participation Group (PPG)

- Preapplication engagement with Council officers, public consultation, and presentation to Hertfordshire Design Review Panel (DRP) have also been undertaken
- Statutory Consultees such as Hertfordshire County Council Highways and Lead Local Flood Authority have commented on the application and discussions with consultees to resolve issues are ongoing.
- The layout of the proposals has evolved in response to comments, as green fingers have been introduced to work with the site topography. Central village green space has been expanded to form a stronger focal point to the site.
- The design of the Medical Centre has evolved in response to comments and feedback from officers and DRP.
- The site is located at higher level than the town centre, but walking cycling improvements are proposed including a continuous footpath to the site on the north side of Hare Street
- It is not possible to deliver a cycle lane to the site along Hare Street to the site. However alternative cycle connections are being considered via the Causeway and through the Wheatley development (Hayden Road) on the opposite side of Hare Street Road.

b) Petitioner in Support:

- The current Buntingford and Puckeridge Medical Practice (BPMP) surgery building is not fit for purpose, the lease is running out, the premises are too small to meet the needs of existing patients and this situation will only worsen with population growth because of new development. Some patients already must travel to BPMP site in Puckeridge for treatment.
- It should be noted that BPMP serves villages over a wide area as well Buntingford. There is exponential population growth taking place all over this area.
- Current facilities cannot accommodate the range of functions required of the surgery including the doctor practitioner, nurse, and physio surgeries.
- Parking is also poor and when a patient is unwell they want ease of parking.
- As such the BPMP aim to meet existing demand as well as future proof against demographic changes.
- BPMP consider the current site is the only feasible option for provision of a new medical practice building which would meet the able aims. The redevelopment of the former Sainsbury's distribution site in Buntingford was a missed opportunity as the surgery and ICB were not prepared for this opportunity. Following this disappointment, the BPMP engaged consultants to find alternative sites. A number of sites were considered but did not meet requirements for various reasons, including the Nevetts site, as the site owners (HCC) did not consider that

a medical use would achieve best development value. As such the above process led to partnership with Taylor Wimpey.

- If the BPMP cannot find an alternative site to meet their aims, then it is likely that a number of medical services associated with the practice such as midwifery, phlebotomy would need to be relocated to other larger towns such as Stevenage, necessitating longer car journeys to reach them.

c) Petitioner Against:

- Adopted planning policies, in particular Policy GBR2, identify the site as an important rural resource to be protected from inappropriate development. The Council currently has a 5-year Housing Land Supply and so the NPPF 'tilted balance should not apply. In addition, the new governments proposed changes to the NPPF should be given only limited weight as they are at draft stage.
- As noted in the District Plan, Buntingford is one of the less sustainable locations for development in the district as it has no train stations and limited services, and employment. As such vehicle ownership is amongst the highest in East Herts and the UK. The site is therefore an unsustainable location for new housing and the proposals would not accord with the principles of sustainability (social, economic, environmental)
- The Buntingford Neighbourhood Plan identifies the site as being forming part of the Wydiall Plateau landscape character area to the east of Buntingford. The site is of importance, in terms of Buntingford's setting in the Rib Valley. In particular the site is at the top of hill which will exacerbate visual impacts of the development on this landscape setting.
- The proposed additional housing will result in further pressure on services in the town, which are already stretched. Other facilities such as the swimming pool, youth centre, recycling centre and day centre have recently closed.
- There is a concern that the proposals will result in a breakout of development into Wydiall plateau, with associated landscape harm, as noted by the Council's Landscape Officer in his response to the application.
- It was emphasised that the previous development at Aldridge Way, adjacent to the application site has been conditioned by the Inspector to limit the ridge height of the houses as this could impact on the landscape to the east. This opinion was shared by the EH Landscape Officer.
- A similar application site nearby (Owles Lane) was recently refused for its impact the Landscape.
- The design of the medical centre was considered to fail reflect the character of the area.
- The site is on Grade 2 agricultural land which should be protected.

- The provision of a new medical centre and housing should be considered as part of the District Plan review and should not pre-empt it.
- Drainage in the area is already problematic as foul drainage water provision feeds into the adjacent Taylor Wimpey site, which has pumped discharge causing overflow of sewage during rain events. In addition, the nearest sewage works has been known to use trucks to take sewage away from the site, due to inadequate treatment capacity on site.
- No Health Impact Assessment (HIA) has been submitted with the application from which to assess the health impacts of the proposals.
- The comments of the NHS Integrated Care Board (ICB) are noted that there has been a lack of engagement between the BPMP and the ICB, and concerns are raised regarding the size and design of the proposals. This is indicative of a piecemeal approach to infrastructure delivery rather than if it were joined up, development plan led process.
- The design of the medical centre is incongruous with inappropriate materials and finishes.
- The exclusivity agreement between BPMP and Taylor Wimpey prevents consideration of other sites, which may be better located in the town centre than the application site, in particular the Nevitts site.
- The application should be withdrawn followed by consultation with the ICB and selection of a more appropriate site for the medical centre, as part of the district plan preparation process.

4. Questions to the Applicants

- Petitioners highlighted that the site was contrary to the District Plan, and planning applications are required to be determined in accordance with the development plan, unless material planning considerations indicate otherwise.
- The applicant team reiterated that the site is outside of the settlement boundary, in the rural area and development would conflict with District Plan policies which seek to protect it. However, there would be economic benefits in terms of medical and construction employment as well as major new social infrastructure. There would be a 20% increase in Biodiversity Net Gain (BNG). As such they considered that the proposals would accord with the principles of sustainability.
- There was discussion around the ICB comments regarding lack of engagement between the BPMP with the ICB. The BPMP highlighted that this was not correct as there had been several discussions, including preparation a detailed Project Initiation Document (PID) by BPMP which was submitted to the ICB. The applicants stated that they would produce a document summarising the engagement which had been undertaken thus far between BPMP and the ICB.

- Petitioners highlighted that only one bus stop was proposed to serve the new development, and in addition the surgery is located at the top of the hill which would discourage visits by active travel modes.
- The applicant team responded that financial contributions are also proposed towards bus service improvements, alongside improved walking/cycling connections. Active Travel England have not objected to the proposals. In addition, the BPMP operates a volunteer driver service for patients with problems accessing the surgery. This could be expanded as part of the new building.
- Petitioners suggested that there could be potential for distribution of BPMP services through a number of smaller sites rather than the single large building proposed.
- In response the BPMP highlighted that this approach would be less efficient, lead to duplication of costs, and would be unlikely to be financially viable. For instance, it was noted that a smaller medical practice which used to be based in the town (The Orchard Practice) had closed as it was less viable to operate.
- Petitioners highlighted that it would be better if the provision of the medical centre was incorporated into the preparation of the new district plan as this would allow a full consideration of alternative sites, including the Nevitts site in the town centre.
- In response the applicants advised that several alternative sites had been considered, including as part of the preparation of the Buntingford Neighbourhood Plan. None of the sites were suitable or available due to a range of issues. In particular the Nevitts site is owned by Herts County Council who were seeking full market value for the site, including residential use. This would make the site too expensive for the BPMP to acquire.
- In addition, it was noted that 70% of patients drive to the existing surgery given the demographic of patients, and the rural catchment area of the BPMP. As such location of a new surgery building within Buntingford town centre would not reduce the numbers of car journeys significantly, in comparison with the application site. If a new site was not found, then it would be likely that patients would need to travel even further afield by car to locations such as Stevenage to access certain services (e.g. Phlebotomy).
- The applicant team also stated that the District Plan process for adoption of a site would take too long, given the requirements of the BPMP and as such it was necessary to progress a planning application in advance of this.
- There was discussion around the required capacity of the new medical centre, and its scope for expansion. In response it was noted that the proposed building could be expanded by 20-30% with an extension on the area of the proposed staff outdoor amenity space, which would not result in any reduction in car parking spaces.

- In addition, when assessing requirements, it was stated that the ICB took a backward-looking approach which didn't consider future demographic change or forecast new development. The responsibility for finding appropriate premises was for the BPMP to resolve. It was also noted that the new building would allow for accommodation of trainees which would assist with staffing needs which is often an issue for GP surgeries.

5. Summing up by the Petitioners

- Cllr Nicholls stated that the position of the petitioners remains that this is not a suitable site. All other options should be pursued within the settlement boundary. The proposed housing is located outside of settlement boundary and has landscape and visual impacts. Proposals should be progressed through the District Plan review rather than as a speculative application.

6. Building Consensus and Chair Summing Up

Cllr Glover-Ward summarised the key points raised from applicant, petitioners, and practitioners. Applicants main points were:

- The key driver for the applicants and petitioners in favour is a sustainable Medical Centre capable of meeting demographic change.
- The proposed medical building has been altered to reflect local architecture and will be BREEAM 'excellent' rated.
- The proposals include active / public transport improvements including footpath to the site, pedestrian linkages and a bus stop.
- The current surgery is deemed not fit for purpose, with no opportunity to extend, other sites are not suitable and there is no plan b for an alternative site.
- Housing will help deliver East Herts housing and achieve 40% affordable housing.

The petitioners' main areas of concern were:

- The proposal should be looked at as part of the District Plan review and should be considered in accordance with the Neighbourhood Plan and District Plan.
- Buntingford has limited infrastructure and the site is not in a sustainable location.
- Rib Valley setting is important and, from a landscape perspective, the site is on the ridge and the aspect is from the east and will impact the landscape. Limiting the height of the proposal would help protect the landscape in a rural context.
- In terms of Infrastructure, the main issues are around water and transport issues, there is no railway and limited bus services. There have been issues with sewage entering the river.
- Swimming pool, youth, day and recycling centres have all been closed and quality of life/amenity in Buntingford is not as developed as it used to be.
- In relation to the medical centre the ICB concerns with regard to engagement with the applicants were noted. The applicants will provide a schedule of discussions.

- Timing of local plan review does not meet the timing of the lease, although the lease may be extended.

Cllr Glover-Ward thanked all the attendees for their time and closed the meeting.