

To who it may concern could you please upload my below objection and comments to the planning application 25/01696/OP following the recent additional documentation provided by the applicants, as it will not allow me to do so via portal:

Planning Application Ref: 25/01696/OP

Applicant: Gladman Developments Ltd

Proposal: Outline application for up to 130 dwellings (all matters reserved except access)

Site: Land to the rear of Elm Tree Farm / Coopers Elms, Pirton, Hertfordshire

1. Introduction and Summary

I write to formally object to the above outline planning application.

While the application is submitted in outline, access is not a reserved matter and must therefore be demonstrated to be safe, policy-compliant, deliverable and acceptable in principle at this stage. For the reasons set out below, the proposed development fails this fundamental test.

The proposal also repeats and materially worsens harms identified in two previous refusals and a dismissed appeal on the same site, with no substantive change in circumstances to justify a different outcome. Indeed, the current proposal increases scale by over 50% compared to the previously dismissed scheme.

Taken together, the application conflicts with adopted development plan policy, national policy, and appeal precedent, and should be refused.

2. Planning History and Appeal Precedent (Determinative Weight)

The site has a clear and recent planning history:

- 17/01543/1 – Outline application for 99 dwellings: refused
- 17/02563/1 – Outline application for 85 dwellings: refused, appeal dismissed (APP/X1925/W/18/3198996)

The Inspector's conclusions in the dismissed appeal included findings that the site:

- is not in a sustainable location;
 - would result in increased reliance on private car travel;
 - would cause harm to landscape character and the rural edge of Pirton;
- and

- did not represent appropriate development in planning policy terms.

These findings remain materially applicable. The site constraints, access arrangement, settlement context and sustainability characteristics are unchanged. The only substantive difference is that the current proposal seeks up to 130 dwellings, significantly increasing scale, intensity and impact.

There is therefore no evidential or policy basis for departing from the Inspector's conclusions.

3. Access is Not Reserved and is Determinative at Outline Stage

This is a critical point.

Because access is not reserved, the Local Planning Authority must be satisfied now, not at Reserved Matters stage, that:

- the access arrangement is safe and suitable;
- it can lawfully and physically operate as proposed;
- it can accommodate emergency vehicles and construction traffic; and
- it is appropriate to serve the scale of development proposed.

Deferring these matters to conditions would be unlawful where the acceptability of the development depends upon them.

4. Fundamental Access and Highways Failures

4.1 Single, Constrained Access with No Resilience

The proposal relies on a single point of access, routed through the internal road network of the completed Cala Homes development at Coopers Elms, before joining the public highway.

This internal network was designed, assessed and consented to serve a much smaller, self-contained residential development, not to function as the sole access for a further 130 dwellings.

There is:

- no secondary or emergency access;
- no alternative route in the event of obstruction;
- no resilience in the network.

This is fundamentally inappropriate for a development of this scale and conflicts with safe-design principles within national and local policy.

4.2 Intensification Through a Residential Spine Road with Unrestricted Parking

Regardless of the nominal design width at individual points, the Cala internal spine road operates with unrestricted on-street parking. There are no waiting restrictions or controls.

As a result:

- lawful parking routinely reduces the effective operational carriageway width;
- two-way movement is compromised in practice;
- service vehicles, refuse vehicles and emergency vehicles are constrained;
- pedestrians are placed in closer proximity to moving vehicles.

The proposal would intensify use of this constrained arrangement by introducing traffic associated with a further 130 dwellings, in addition to existing Cala and Coopers Elms residents.

This intensification materially increases the likelihood of obstruction, delay, and conflict, particularly during peak periods and throughout the construction phase. This is a matter of operational safety and suitability, not driver behaviour.

4.3 Emergency Access Failure

For a development of this scale, reliance on a single residential access route with no secondary or emergency alternative is unacceptable.

Emergency access is not a matter that can be “managed later” through layout or conditions where access is fixed. The proposal fails to demonstrate that safe and reliable emergency access can be maintained under real-world conditions, particularly given unrestricted parking and increased traffic volumes.

This represents a fundamental safety failure.

4.4 Construction Traffic is Not a Condition-Solvable Issue

Construction access must also be acceptable at outline stage.

The proposed access route passes through a live residential environment with:

- no footways in places;
- limited forward visibility;
- constrained geometry;

- existing residential parking.

The prolonged construction of up to 130 dwellings would involve HGVs, plant, deliveries and service vehicles over a sustained period. No Construction Traffic Management Plan can overcome the physical constraints of the access route.

Where geometry and context make safe construction logistics unrealistic, conditions are not a lawful remedy. This is a further reason the access arrangement is unacceptable in principle.

4.5 Constrained Junction onto the Public Highway

The junction between the Cala access and the public highway operates with limited tolerance for error, due to alignment and visibility constraints.

Even if minimum technical standards are met in isolation, the junction's safety relies on low speeds, good driver behaviour and absence of obstruction. The introduction of traffic associated with a further 130 dwellings would materially increase conflict and risk at this constrained junction, particularly as it would serve as the sole access.

This cumulative impact must be assessed in planning terms and weighs against the proposal.

4.6 Policy Conflict

Taken together, the access and highways impacts conflict with:

- NPPF paragraph 115(b) and (c) – safe, suitable access and severe cumulative impacts;
- Local Plan Policy T1 – transport safety and suitability; and
- general design and safety principles within national policy.

Access failure alone is sufficient to justify refusal.

5. Legal and Policy Conflict: Hedgerow H3 (Cala Homes)

The proposed access relies upon breaching or undermining Hedgerow H3, which forms the eastern boundary of the completed Cala Homes development.

This hedgerow is protected by binding, discharged and implemented conditions attached to Reserved Matters approval 15/01618/1, including requirements for retention, management and width, and forms part of the approved landscape and ecological framework relied upon to grant that consent.

The Gladman proposal:

- assumes removal or degradation of this hedgerow;
- has not demonstrated any lawful mechanism for variation;
- relies on future agreement that cannot be presumed.

The Local Planning Authority cannot lawfully approve a scheme that depends on breaching another live planning permission. This represents a standalone legal impediment to the proposed access and renders the scheme undeliverable.

6. Ecology and Biodiversity Harm

Hedgerow H3 is not only a legal constraint but an ecological one, functioning as:

- a priority hedgerow habitat;
- a bat commuting and foraging corridor;
- nesting bird habitat; and
- a key element of ecological connectivity.

Its removal or fragmentation would undermine previously approved mitigation and conflicts with:

- NPPF paragraph 180;
- Local Plan Policy NE6; and
- Environment Act 2021 biodiversity principles.

While ecological impacts might be mitigable in some contexts, here they are inextricably linked to an unacceptable and unlawful access strategy, and therefore weigh heavily against the proposal.

7. Landscape, Settlement Form and Countryside Harm

The site lies outside the Pirton settlement boundary and represents an exposed and visually harmful extension into open countryside.

The Inspector previously found landscape and settlement-edge harm on a smaller scheme. The current proposal increases that harm through greater scale and intensity, with no material change in landscape context.

Mitigation through planting does not remove the harm arising from the principle of development and reliance on long-term mitigation does not outweigh policy conflict.

The proposal conflicts with Local Plan policies relating to settlement form, landscape character and countryside protection.

8. Unsustainable Location and Car Dependency

The Inspector previously concluded that the site is not in a sustainable location and would rely on private car travel.

Nothing has changed in terms of:

- service provision;
- walking and cycling connectivity; or
- public transport reliability.

Indeed, increased scale exacerbates unsustainability. The proposal remains contrary to the plan-led approach and national policy objectives for sustainable development.

9. Best and Most Versatile Agricultural Land

The site comprises Grade 2 Best and Most Versatile agricultural land. No new evidence has been submitted to justify its loss, nor has overriding need been demonstrated.

Given the site's unsustainable location and access failures, the loss of BMV land is unjustified and contrary to national and local policy.

10. Overall Conclusion

The proposal:

- fails to demonstrate acceptable access at outline stage;
- relies on an undeliverable and unlawful access strategy;
- conflicts with binding conditions on an adjacent implemented consent;
- repeats and worsens harms identified by a previous Inspector;
- causes unjustified landscape, ecological and agricultural harm; and
- conflicts with adopted development plan policy and national policy.

Access failure alone is fatal. There are multiple additional and reinforcing reasons for refusal.

The application should therefore be refused in full.

Kind regards

James Burton

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