

North Hertfordshire Local Plan - Examination in Public

MATTER 31 - WRITTEN STATEMENT

Final

Prepared on behalf of:

Hertfordshire County Council (Property Services)

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1. INTRODUCTION

- 1.1. This Written Statement has been prepared by Tetra Tech Planning on behalf of our client Hertfordshire County Council (Property Services) (HCC) in response to the “Matters, Issues and Questions” issued as a result of North Hertfordshire District Council’s “Additional Main Modifications” to the North Hertfordshire Local Plan (20th December 2020 – Document ED216). Please note that we have been acting for HCC throughout this Local Plan process as ‘WYG’ – ahead of our Tetra Tech re-brand which took effect from 11th January 2021.
- 1.2. This Written Statement specifically responds to:
 - Matter 31: Question 31.1 on Strategic Policy SP9 Design and Sustainability; and
 - Matter 31: Question 31.2 on Strategic Policy SP14 (Site BA1 – North of Baldock).
- 1.3. Section 4 of this Written Statement sets out our proposed amendments to Policy SP9 and Policy SP14.
- 1.4. Hertfordshire County Council, as landowner, has and continues to be engaged in collaborative discussions with North Hertfordshire District Council in relation to its landholdings in Baldock (Sites BA1, BA2, BA3, BA4 and BA10), however there are a number of concerns surrounding the proposed modifications, specifically the detailed requirements, the mechanics and impacts on delivery.

2. MATTER 31: QUESTION 31.1

Question 31.1:

Are the main modifications proposed in relation to Policy SP9 and its supporting paragraphs (FM001, FM002 and FM003) necessary for soundness? Are they justified, effective and consistent with national policy?

Response:

- 2.1. The Local Plan, (with Main Modifications), has 13 strategic policies and six separate (strategic) policies for each of the Strategic Housing Sites. These policies are contained within Section Two of the submitted Local Plan. Paragraph 1.3 of the Local Plan provides an overview of each of its Sections and in terms of Section Two states that:

“This sets out the spatial strategy and vision for the future of the District and links this to the strategic policies which provide the guidance on the main issues that the Plan seeks to address. It sets out our overall approach to topics such as housing, employment, Green Belt and countryside. It also contains a separate policy for each of the Strategic Housing Sites (defined as sites of 500 or more homes) which will make a substantial contribution towards housing requirements over the plan period”.

- 2.2. The National Planning Practice Guidance (NPPG) provides advice on the key points to consider on design and in terms of strategic policies states that *“Where a plan contains strategic policies, they can be used to set out these design expectations at a broad level”* (Paragraph 003).

- 2.3. It is clear that Strategic Policies (SP1-SP13) provide an overall approach to the main issues, which are then considered in more detail in Section Three of the Local Plan, namely the *“Development Management Policies”*. It is here in Section Three that we have:

“the detailed requirements that new development must meet to be granted planning permission. It includes issues such as open space, design and car parking.” (Paragraph 1.3. third bullet point).

- 2.4. With respect to design, this is *“Policy D1: Sustainable Design”*. Policy D1 sets out a number of detailed design criteria which developments must meet if planning permission is to be granted:

- a) *Respond positively to the site's local context;*
 - b) *Take all reasonable opportunities, consistent with the nature and scale of the scheme, to:*
 - i. *create or enhance public realm;*
 - ii. *optimise the potential of the site by incorporating Sustainable Drainage Systems (SuDS);*
 - iii. *reduce energy consumption and waste;*
 - iv. *retain existing vegetation and propose appropriate new planting;*
 - v. *maximise accessibility, legibility and physical and social connectivity both internally and with neighbouring areas;*
 - vi. *future proof for changes in technology and lifestyle; vii. design-out opportunities for crime and anti-social behaviour;*
 - vii. *minimise the visual impact of street furniture and parking provision;*
 - c. *Have regard to the Design SPD, and any other relevant guidance;*
 - x. *Within Letchworth Garden City have regard to the Letchworth Garden City Design Principles contained in Appendix 5; and*
 - d. *For residential schemes, meet or exceed the nationally described space standards and optional water efficiency standards”.*
- 2.5. Paragraphs 9.1 – 9.16 inclusive provide clear, detailed supporting information on each of the design criteria.
- 2.6. Strategic Policies SP14-SP19 then contain the site-specific detailed requirements for the six strategic housing sites, which must be met if planning permission is to be granted.
- 2.7. In addition, Section Four of the Local Plan – “Communities” sets out:
- “the site allocations for development for each community in North Hertfordshire. It identifies the detailed site-specific policy criteria for each local housing allocation. Retail and employment allocations are also identified, and site-specific policy criteria are provided where considered necessary”.*

- 2.8. It is apparent that the Local Plan (with Main Modifications) sufficiently details the design criteria by which development proposals will be assessed and that the further modifications now proposed are potentially confusing and not necessary to make the Plan sound.
- 2.9. It is considered that the further modification proposed at Part b of the policy (criteria i – x inclusive) is moving away from its purpose of providing a “strategic overview” and becoming a detailed Development Management Policy, and as a result, duplicating not only the policy requirements of Policy D1, but the site-specific requirements of Strategic Policies SP14-19, which is not required in the interests of soundness.
- 2.10. The language of the proposed modifications in Policy SP9 could be considered confusing. Part (b) details 10 requirements for *“masterplans and planning applications for significant development”*. There follows (in the proceeding text) another eight requirements for *“Strategic Masterplans ... for sites SP14-SP19”*. The supporting text reveals that “significant development” includes “the strategic housing sites SP14- SP19”, so in essence the Council is proposing another 18 requirements, in addition to the site specific criteria found in SP14-SP19; and the criteria within Policy D1.
- 2.11. The 18 criteria are highly prescriptive considering the Council’s definition of a “Masterplan” within the Local Plan Glossary states that it is *“An outline of the vision for the development of an area indicating the broad principles which should be followed in its development”*.
- 2.12. HCC understand and fully support the masterplan-led approach to formulating proposals for the delivery of Strategic sites, which will ensure those sites are comprehensively planned and delivered, however the overly prescriptive requirements across three design principles are confusing and we are concerned that it could lead to significant delays in the delivery of Strategic sites within the Plan, on which there is placed significant importance in meeting the Plan’s housing requirements.
- 2.13. In addition, the mechanism to “agree” the masterplan is ambiguous, again in part due to the proposed language. The proposed modification states that:
- “Masterplans will be prepared on a staged basis, initially evaluating and agreeing baseline technical, character and design analysis and assessments, then agreeing a shared vision and set of place-making objectives, exploring and testing a series of options with stakeholder input and then the agreement of a preferred option and masterplan.”*

For large sites that are developed over a long time period masterplans may require review and be flexible to adapt to changing circumstances. A masterplan is not a blueprint, it is a framework within which further planning and design instruction can emerge over time. This will be secured thorough the planning application approved documentation, conditions and s106 obligations to ensure design and place quality is secured”.

- 2.14. It is not known what “exploring and testing a series of options” entails; it is not known how long this exercise could go on for; and who is a ‘stakeholder’? If the masterplan is only “a framework within which further planning and design instruction can emerge over time”, then it is difficult to understand how the process allows flexibility if it is expected that the “agreement” then forms part of any approved planning documentation.
- 2.15. The ambiguity surrounding the proposed mechanism of “agreement” will inherently delay the process of masterplanning and the subsequent delivery of strategic sites and indeed those local housing allocations with more than 100 dwellings which could also be subject to this process. There is the real potential for this to impact on the Council’s ability to meet their housing requirements as a result.

Concluding remarks:

- 2.16. Paragraph 2.69 of the Local Plan explains that *“Some of the sites to be developed will be substantial new communities. Each will need careful planning to ensure that the development is properly integrated into the surrounding area, has the appropriate level of facilities on site and mitigates its impact on the local area. The most appropriate way to achieve this is, is through the preparation of masterplans with relevant bodies and joint plans where sites are close to or straddle the district boundary with neighbouring authorities”.*
- 2.17. The preparation of masterplans for strategic sites is then confirmed within the Council’s vision (Paragraph 3.6) which recognises that *“Strategic sites will have been masterplanned in accordance with the guiding principles set out within this Plan”.*
- 2.18. The text as proposed by the Council in 2018 (MM057: after paragraph 4.174, new paragraph) is considered to cover the principles and requirements of the masterplanning process in a clear and effective manner. It is not considered beneficial to delete the requirements that the Council has listed here (text included below for reference):

“All strategic sites will be masterplanned collaboratively with the Council and key stakeholders. It is the Council’s expectation that the masterplan will normally be provided before or at outline application stage. It will be secured through conditions and / or a legal agreement. The masterplan should include:

- *The broad layout of the allocated site;*
- *A phasing plan;*
- *The location of key infrastructure including:*
 - *main access roads;*
 - *key routes within the site for both vehicles and sustainable modes of transport;*
 - *schools and other supporting facilities; and*
 - *strategic landscaping and open space; and*
- *Identification of design parameters and / or character areas”.*

2.19. In conjunction with the other development management policies, it is considered that the Council has sufficiently expanded on its requirements for masterplans for strategic sites and therefore further proposed modifications within Policy SP9 Part (b) and its supporting text (FM001-FM003) are not required to make the Plan sound and should be deleted.

2.20. In concluding, Policy SP9 as submitted provides an appropriate overview of the Council’s approach to design; and the more detailed Development Management Policy D1 Sustainable Design, in addition to the requirements set out in each of the Strategic Housing policies; and within the Communities chapter provides the appropriate level of detail on design and the use of masterplans.

3. MATTER 31: QUESTION 31.2

Are the main modifications proposed in relation to Policy SP14: Site BA1 (FM004) necessary for soundness? Are they justified, effective and consistent with national policy?

3.1. We recognise the Council's need to provide site-specific detailed requirements for Strategic Housing Sites and we have no comments to make on the proposed modifications at "point a".

3.2. We do have concerns regarding the additional wording below:

"Where applications have already been submitted to the Council a Strategic Masterplan should be agreed prior to the or as part of the grant of planning permission".

3.3. Hertfordshire County Council has two outline planning applications pending with the Council (17/04420/OP covers land north of Baldock (allocation BA1); and 17/04417/OP covers land south east of Baldock (allocations BA2, BA3, BA4 (part) and BA10)). These applications have been subject to extensive collaboration with the Council and key stakeholders and are underpinned by submitted parameter plans for each application, which crucially have been informed by an evidence base and provide design safeguarding at this strategic level; and illustrative masterplans which have evolved throughout.

3.4. The proposed wording and ambiguity surrounding additional requirements during the decision-making process is concerning and ultimately unnecessary in respect of those outline planning applications; and critically the delivery of those allocated sites.

4. CONCLUSIONS

Policy SP9

- 4.1 We have concerns in relation to the proposed modifications for Policy SP9. We consider that the modifications will delay the delivery of Strategic Housing allocations within the Local Plan area and ultimately, impact the delivery of much needed housing in the Borough.
- 4.2 We do not consider that the modifications are justified; and are not required to make the Plan sound. We respectfully request that the modifications to Policy SP9 are deleted.

Policy SP14

- 4.3 We have no comments on the proposed modifications to part a of the policy but question the decision-making process of strategic masterplans, which could impact on the delivery of strategic housing allocations.