

Preston Parish Neighbourhood Development Plan Examination

North Hertfordshire District Council's Response to the Examiner's Clarification Note

12 September 2019

The District Council's responses are set out below:

What is the current state of progress for the emerging Local Plan?

In particular when is it anticipated that it will be adopted?

The emerging Local Plan was submitted for examination on 9 June 2017. Hearing sessions were held between November 2017 and March 2018. Consultation on the Proposed Main Modifications took place between 3 January and 11 April 2019. Following this consultation, the Inspector has written two letters to the Council on 9 July and 9 August. The first of these letters asks the Council for further information on five substantive issues and suggests that further hearing sessions will be required. Given the extent of the work involved in addressing these concerns, the Inspector has requested that the Council set out a timetable for completion of the work. At the time of writing, this timetable has not been confirmed and a programme for the additional hearing sessions has not been agreed with the Inspector.

The emerging Local Plan therefore remains under examination. As a consequence of the issues raised by the Inspector and the need for additional hearing sessions, Officers anticipate that adoption of the Local Plan remains a year away at best.

In respect of the question asked to the Parish Council on the Basic Conditions Statement. Has the District Council directly considered this matter and the ability or otherwise of the Plan to meet the basic conditions in these circumstances?

What is the District Council's view about the potential making of the neighbourhood plan before the emerging local plan is adopted given the strategic nature of the proposed changes to Green Belt boundaries and the contents of paragraphs 135/136 of the NPPF 2019?

In respect of the examiners third question about the Basic Conditions Statement, the Parish Council state in paragraph 5.2 of the Basic Conditions Statement that policies in the neighbourhood plan are in conflict with Policies 2 – Green Belt and 3 – Settlements within the Green Belt of the Saved Local Plan. However, these policies do not apply to the parish of Preston because the parish is not yet in the green belt. Paragraphs 135/136 of the NPPF 2019 therefore do not currently apply.

Currently, the parish of Preston is in the rural area beyond the green belt and there is no defined village boundary. In determining planning applications in the parish, it is policies relating to "Rural Areas beyond the Green Belt" from the saved Local Plan which apply and which the neighbourhood plan should be in general conformity with.

The District Council stated in its response to the Reg.16 consultation that it considered the Plan to be in general conformity with the relevant saved policies of the District Plan; the relevant policies (Policies 6 and 7) seek to generally maintain the relatively undeveloped character of the rural area and the role and size of the villages within it. The Neighbourhood Plan achieves this.

The District Council considers that the inclusion of the village boundary, the proposed Local Plan housing allocation and / or the policies in the neighbourhood plan would effectively give Preston comparable status to a selected village within the rural area beyond the green belt (Policy 7 : Selected Villages beyond the Green Belt). This would not undermine the strategic approach to rural areas in adopted policy.

Paragraph 79 of the NPPF seeks to maintain the vitality of rural communities. Paragraphs 68 and 69 of the NPPF state that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and that neighbourhood planning groups should consider the opportunity of allocating small and medium sized sites suitable for their area. The site which is proposed to be allocated in the Local Plan is a medium sized site for approximately 20 dwellings within the core of the village. It is considered that if the village boundary and / or proposed Local Plan housing site was allocated in the neighbourhood plan, this would be in general conformity with the NPPF.

In the absence of progress on the Local Plan, it will now be necessary to address the question of whether the neighbourhood plan should establish the village boundary and / or the proposed housing allocation in policy itself. This may necessitate modifications and / or additional work including making clear whether policies apply within Preston parish, Preston village (i.e. within the village boundary) or the proposed Local Plan housing site. However, for the reasons above, the Council considers all of this can be achieved within the basic condition tests.

In conclusion, the District Council is satisfied that the neighbourhood plan is and can be in general conformity with the relevant policies in the saved Local Plan and the NPPF and could become a made neighbourhood plan if it was subject to a successful referendum.