

Examination of the North Hertfordshire Local Plan 2011 – 2031

Inspector: Mr Simon Berkeley BA MA MRTPI
Programme Officer: Mrs Louise St John Howe
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Mr Jamie Melvin
Planning Lead Advisor – West Anglia
Natural England

By email only

19 March 2018

Dear Mr Melvin

Examination of the North Hertfordshire Local Plan 2011 – 2031: East of Luton sites

Thank you for your email of 18 February, sent to me via my Programme Officer, Mrs St John Howe.

I am writing to seek clarification from Natural England (NE) on both the Statement of Common Ground signed by NE and the Council ('the SoCG') [ED52] and the associated points raised in your email. As you note, paragraph 4.10 of the SoCG says:

*"It is **agreed** that the sites to the East of Luton (SP19) do not have a material impact on the AONB (or its setting) as confirmed by the landscape assessments accompanying the planning applications in this area. The SA/SEA (and associated landscape assessment) however state that the allocations can only accommodate small scale development, with respect to non-AONB landscapes of high value."*

On the face of it, it appears from this paragraph that NE agrees that the development of the East of Luton sites for housing will not have a material impact on the Chilterns AONB or its setting. From your email, however, I understand that this is not the case. You say that NE chose not to contest this part of paragraph 4.10 of the SoCG as NE lacks the site specific knowledge to do so. You indicate that you have given this matter very little consideration such that your opinion should carry no weight, and you suggest that "appropriate weight" should be given to the submissions of the Chilterns Conservation Board, saying that its "*knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan will be valuable in assessing the appropriateness of this location for this allocation*". The inference here is, or at least appears to be, that NE endorses the Conservation Board's submissions. You will, no doubt, be aware that the Conservation Board strongly objects to the allocation of the East of Luton sites for housing, for reasons including the effect on the AONB and its setting.

Your email also refers to the second sentence in paragraph 4.10 of the SoCG, set out above. On this point, you say that your "*desk-based interpretation of the documents provided ... was that the site was not suitable for large scale urban development and that there was no evidence to support this allocation in landscape terms*". Taking this statement at face value, it appears that NE considers the East of Luton land to be not suitable for the allocations proposed in the Local Plan, on the basis that the landscape evidence produced does not support it. If that is your position, it is difficult to reconcile this with the absence of any representations from NE making it apparent.

Programme Officer: Mrs Louise St John Howe, PO Services, PO Box 10965, Sudbury, Suffolk, CO10 3BF

Given NE's role as the Government's advisor for the natural environment in England, you will appreciate that I am eager to clearly establish NE's view about the effect of allocating these sites for housing on the AONB, its setting and on the landscape more generally. Unfortunately, at present, NE's position is rather ambiguous. Unless rectified, that is the situation which I will have little option but to reflect in my report. It would, therefore, assist me greatly if you could help to clarify matters.

To this end, I would be very grateful if you would respond to this letter at the earliest opportunity, or by 23 March at the latest. It would also greatly assist if you could attend an examination hearing session to enable any remaining ambiguity to be 'ironed out'. I have a hearing concerning these sites scheduled for 2.00pm on 26 March. It would be of considerable help if you, or another appropriate representative of NE, could attend this session. Please would you confirm your intentions in this regard to Mrs St John Howe.

Yours sincerely

Simon Berkeley

Inspector

Copy:

Ms Louise Symes, North Hertfordshire District Council

Ms Lucy Murfett, Chilterns Conservation Board