

# North Hertfordshire Local Plan 2011-2031

## Schedule of Proposed Additional Modifications

This schedule sets out suggested changes to the Plan which the Council intends to make to the Local Plan prior to any future adoption. The Council considers these to be ‘additional modifications’ for the purposes of the relevant legislation as they do not significantly alter the policies or strategy of the plan. However, it will be for the Inspector to determine if any of these changes (and any other changes) should be ‘main modifications’ and subject to additional consultation.

This list excludes minor typographical and / or formatting errors which will also be amended in the final plan.

Proposed additional text is shown in **bold**. Text to be deleted is shown ~~struck through~~.

Para / ref	Page	Change	Reason [representor no]
About this consultation	0	Delete	Consultation has occurred
After para 2.55 [new paras.]	20	<p><b>The county council’s adopted Mineral Consultation Area Supplementary Planning Document identifies areas of the district where particular care is needed to prevent the unnecessary sterilisation of sand and gravel resources.</b></p> <p><b>In order to prevent sterilisation of minerals resources the council and developers will consider the effect of future development on mineral resources in these areas at an early stage and seek the advice of Hertfordshire County Council as the Mineral Planning Authority in accordance with the Minerals Consultation Area SPD (and any future revisions/successor).</b></p>	Representations by HCC environmental resource [310]
Vision (2 <sup>nd</sup> bullet)	27	<ul style="list-style-type: none"> <li>...catering for the needs of North Hertfordshire’s residents <b>and, where appropriate, the wider housing market</b> will be provided...</li> </ul>	Representations by Beechwood Homes [16080] and James Property [16083] Investment
After Ch.3	30	Add key diagram as appended to the end of this schedule	Omitted in error

Para / ref	Page	Change	Reason [representor no]
Policy SP1(c)(iv)	31	Protect key elements of North Hertfordshire's environment including <b>biodiversity</b> , important landscapes...	Representations by Natural England [15697]
Para 4.13	34	...Category A villages have defined settlement boundaries <b>denoting the</b> <del>and</del> area excluded from the policy designation (either Green Belt or Rural Area Beyond the Green Belt – see Policy SP5) which affects the surrounding countryside	For clarity in neighbourhood planning
Policy SP3(a)	35	...to meet the requirements of the local economy over the plan period to 2031. <b>This includes provision towards unmet needs for employment arising from Stevenage.</b>	Representations by Stevenage Borough Council [7993]
Para 4.46	39	Our evidence shows there will be a steady growth in retail demand over the plan period, <b>although projected growth post-2026 carries a degree of uncertainty due to changing shopping and retail patterns. Projected growth is</b> driven in part by planned population growth... [New sentence at end of paragraph:] <b>Projected retail needs, and particularly those in the post-2026 period, will be kept under review via the monitoring framework and updated retail studies.</b>	Representations by Welwyn Hatfield Borough Council [15698]
Policy SP7(a)(i) (fourth bullet)	45	<ul style="list-style-type: none"> <li>Mitigate <del>any</del> adverse impacts</li> </ul>	Representations by Bloor Homes [14326] and The Crown Estate [16131]
Policy SP7 (b)	45	Ensure <b>essential</b> infrastructure to support new development <del>is</del> <b>will be</b> operational...	Representations by Home Builders Federation [14437] and Pigeon Land Ltd [16084]
Policy SP7(d)	45	Have regard to <del>any</del> <b>relevant</b> guidance or requirements...	Representations by Bloor Homes [14326]
Policy SP7(e)	45	Work with landowners, developers and other agencies in facilitating the delivery of sites identified in the Local Plan <b>and associated infrastructure</b> and seek to overcome known obstacles	Representations by Hertfordshire Local Enterprise Partnership (LEP) [14949]
Policy SP9(d)	52	Adopt the Government's <b>additional</b> technical standards...	For clarity

Para / ref	Page	Change	Reason [representor no]
Para 4.117	52	...Having regard to relevant evidence, we consider it appropriate to introduce these standardised <b>optional</b> requirements in North Hertfordshire.	For clarity
Policy SP11 [new criterion]	55	<b>Work with utilities providers, East Hertfordshire District Council and relevant agencies to ensure additional wastewater treatment capacity is delivered without harm to protected European sites.</b>	Representations by Natural England [15697]
After para 4.138 [new para.]	56	<b>Wastewater from some parts of North Hertfordshire is treated at Rye Meads on the Hertfordshire / Essex border. This site lies within a protected site of European importance and currently has capacity to serve additional development until 2026. We will work with the relevant bodies to ensure long-term wastewater treatment solutions are available which will not have an adverse impact upon the Lee Valley Special Protection Area.</b>	Representations by Natural England [15697]
Policy SP12 [new criterion]	56	<b>a. Protect, enhance and manage designated sites in accordance with the following hierarchy of designations:</b> <ul style="list-style-type: none"> <li>• <b>Internationally designated sites</b></li> <li>• <b>Nationally designated sites</b></li> <li>• <b>Priority species &amp; habitats</b></li> <li>• <b>Locally designated sites</b></li> </ul>	Representations by Natural England [15697], Hertfordshire County Council [310] and Royal Society for the Protection of Birds [855]
Policy SP12(b)	56	Protect, enhance and manage biodiversity networks including wetland and riverine habitats, Local Geological Sites, <b>priority habitat and non-designated sites of ecological value</b> and seek opportunities for net gains for biodiversity;	Representations by Herts & Middlesex Wildlife Trust [5907] and the Royal Society for the Protection of Birds (RSPB) [855]
After para 4.144 [new paras, moved from paras 11.41- 11.45]	56	<b>Whilst there are no biodiversity sites designated at the European level in the District, for example Ramsar sites, Special Areas of Conservation or Special Protection Areas, there are a number of nationally designated sites. This includes six Sites of Special Scientific Interest (SSSIs) as shown on the Proposals Map and eight designated Local Nature Reserves (LNRs).</b>  <b>Ancient woodland is a nationally agreed designation for land that has been woodland since at least 1600 AD. The District's woodlands will be managed over the plan period to provide recreation and amenity for local residents, and also to</b>	Consequential to suggested changes to Policy SP12

Para / ref	Page	Change	Reason [representor no]
		<p>ensure their survival to benefit biodiversity.</p> <p>Species or Habitats of Principal Importance as identified in S41 of the Natural Environment and Rural Communities Act 2006 are defined at the national level and the Hertfordshire Biodiversity Action Plan<sup>[x]</sup> sets out an approach to biodiversity at the county level. In addition to this, the Hertfordshire Local Nature Partnership (LNP) Guiding Principles have informed the policies in this Plan.</p> <p>The District has over 300 designated Wildlife Sites<sup>[y]</sup>. The Hertfordshire Environmental Records Centre updates the list of designated Wildlife Sites on a regular basis. Sites identified or designated as Wildlife Sites are afforded protection as sites of substantive nature conservation value.</p> <p>Local Geological Sites are given the same level of protection as Wildlife Sites and are considered important for their educational or historical value. There are currently 11 Local Geological Sites in North Hertfordshire.</p> <p>[x] Hertfordshire Environmental Forum (2006) A Biodiversity Action Plan for Hertfordshire, <a href="http://www.hef.org.uk/nature/biodiversity_vision/index.htm">http://www.hef.org.uk/nature/biodiversity_vision/index.htm</a></p> <p>[y] Please refer to the list held by the Hertfordshire Environmental Records Centre for the current list of designated Wildlife Sites</p>	
Policy SP15 [new criterion g]	63	<b>Undertake a detailed odour assessment to demonstrate no adverse impact on future residents and occupants of non residential buildings.</b>	Representations by Anglian Water [0861]
After para 4.194 [new para.]	64	<b>An odour assessment will need to demonstrate that a suitable distance is provided between Letchworth Garden City Water Recycling Centre and sensitive development (defined as buildings which are regularly occupied) as part of the detailed masterplanning of the site.</b>	Representations by Anglian Water [0861]
Policy SP17 [New criteria h]	67	<b>Undertake Contaminated Land Preliminary Risk Assessment, particularly relating to current and historic agricultural use</b>	Representations by Environment Agency [852]
Policy SP19, [New criteria m]	71	<b>Undertake Contaminated Land Preliminary Risk Assessment, particularly relating to historic landfill</b>	Representations by Environment Agency [852]

Para / ref	Page	Change	Reason [representor no]
Para 5.41	82	Although The <b>District of</b> North Hertfordshire is <b>itself</b> not a major tourist destination, the inclusion of a tourism policy reflects this sector's growing significance as a form of economic development, and its potential to diversify both urban and rural economies. <b>However</b> , there are a wide range of attractions in the District, particularly based on heritage and the countryside. Some, such as Letchworth, the world's first Garden City, Royston Cave and the British Schools <b>and Museum</b> in Hitchin are unique. <del>whilst</del> Knebworth House and <del>its</del> grounds <del>is</del> <b>are</b> a major day visitor destination <b>in the region</b> and <del>venue</del> <b>unique nationally in their capacity for large music events in the region.</b> <b>The inclusion of a tourism policy reflects this sector's growing significance as a form of economic development, and its potential to diversify both urban and rural economies.</b>	Representations by Knebworth Estates [5193]
Para 9.6	102	<del>"...Development should meet the requirements of the most up to date standards on seek to minimise carbon emissions and embedded maximise opportunities for the generation of energy from renewable sources, so far as is practicable given other policies in this plan and viability considerations. The reduction of carbon emissions should be achieved by both making new development as energy efficient as possible and through increasing the amount of energy gained from renewable sources."</del>	Representations by The Crown Estate [16131]
After para 9.23 [new paragraph]	104	<b>London Luton Airport immediately adjoins the District to the west. Development potentially affected by noise will need to ensure that appropriate mitigation measures are incorporated. Site-specific criteria for relevant allocated sites are set out in the Communities section of this plan.</b>	Representations by London Luton Airport Operations Ltd [LLAOL] [481]
Policy NE4(a)	113	It can be demonstrated that the open space is surplus to requirements, <del>or otherwise</del> <b>and</b> justified on the basis of...	Representations by Sport England [672]
Para 11.33	116	<del>...As such, in exceptional</del> <b>In these</b> circumstances...	Representations by The Crown Estate [16131]

Para / ref	Page	Change	Reason [representor no]
Policy NE6	117	<p>POLICY NE6: <del>Designated</del> <b>Biodiversity and geological sites</b></p> <p>...</p> <p>a. <del>Protect, enhance and manage designated sites in accordance with the following hierarchy of designations:</del></p> <ul style="list-style-type: none"> <li>• <del>Internationally designated sites</del></li> <li>• <del>Nationally designated sites</del></li> <li>• <del>National Planning Policy Framework sites</del></li> <li>• <del>Locally designated sites</del></li> </ul> <p>a. Submit an ecological survey and demonstrate that adverse effects can be <b>avoided and / or</b> satisfactorily minimised by following the hierarchy below...</p> <p>...</p> <p>b. Manage construction impacts by:</p> <ol style="list-style-type: none"> <li>i. Demonstrating how existing wildlife habitats <b>supporting priority species</b> will be retained, safeguarded and managed during construction; and</li> <li>ii. Providing a buffer of complimentary habitat for all connective features of wildlife habitats, <del>or</del> priority habitats <b>and species</b></li> </ol> <p>...</p> <p>Development proposals on non-designated sites that include important habitats and species will be expected to meet <del>parts (b) to (d)</del> <b>the requirements</b> of this policy...</p>	<p>Representations by Herts &amp; Middlesex Wildlife Trust [5907], Natural England [15697] and Royal Society for the Protection of Birds [855]</p>
Paras 11.41-11.45	117-118	<i>Delete (moved to supporting text of revised Policy SP12. See above)</i>	Consequential to suggested changes to Policy SP12
Para 11.51	119	...Where buffers are provided, these should be a minimum of <del>40</del> <b>12</b> metres...	Representations by Herts & Middlesex Wildlife Trust [5907]

Para / ref	Page	Change	Reason [representor no]
Policy NE7 criteria changes	119	<p>Planning permission for development proposals will be granted where (as applicable):</p> <p><b>a) Development is located outside of medium and high risk flood areas (flood zone 2 and 3) and other areas affected by other sources of flooding where possible;</b></p> <p><b>b) Where a) is not possible, application of the sequential test and exception test is demonstrated...;</b></p> <p>c) An FRA has been prepared in accordance with national guidance <b>that considers the lifetime of the development, climate change impacts and safe access and egress;</b></p> <p>d) ...;</p> <p><b>e) The impact of any residual flood risk will be minimised</b> through flood resistant, resilient design and construction;</p> <p>f) Flood protection and mitigation measures which may be necessary <b>will have a positive impact</b> on nature conservation...</p> <p>g) Overland flow routes <b>and functional floodplain</b> are protected from all development...</p>	Representations by Environment Agency [852]
Para 11.55	120	[additional sentence at end] <b>This should include appropriate consideration of downstream flood risks and, where necessary, on site attenuation to address this.</b>	Representations by Bedfordshire & River Ivel Internal Drainage Board (IDB) [999]
Policy NE8(a)	120	The most <b>appropriate</b> sustainable drainage solution is used...	Representations by Bloor Homes [14326] and The Crown Estate [16131]
Para 11.58	120	The Council will consult and work with the Lead Local Flood Authority (LLFA), and the Environment Agency <b>and Internal Drainage Boards</b> as required...	Representations by Bedfordshire & River Ivel IDB [999]
Policy NE10(d)	123	'Mechanisms for delivering any necessary new or improved water <b>and/ or wastewater infrastructure</b> are secured under the requirements of Policy SP7 <b>and adequate foul water treatment and disposal already exists or can be provided in time to serve the development.'</b>	Representations by Anglian Water [0861] and Thames Water [14149]
Policy NE10	123	<i>Change order of criteria, so b. comes before a.</i> c. It helps achieve the objectives of flood management goals from <b>set out in</b> the Anglian and Thames River Basin Management Plans; and	Representations by Environment Agency [852]

Para / ref	Page	Change	Reason [representor no]
After 11.67 [new para]	123	<p><b>At present only the River Ivel is at a “good” status while the rest of the water bodies in North Hertfordshire are failing. Further information in relation to the water bodies in North Hertfordshire is available on the Environment Agency’s Catchment Data Explorer<sup>[x]</sup> including measures that will help achieve their objectives. Developers will be expected to contribute towards measures and objectives through their development proposals.</b></p> <p>[x] <a href="http://environment.data.gov.uk/catchment-planning/">http://environment.data.gov.uk/catchment-planning/</a></p>	Representations by Environment Agency [852]
Policy NE11(b) and (c)	124	<p>b. Appropriate mechanisms are in place to investigate, <b>characterise the risks</b> and <del>where necessary</del> remediate the contamination;</p> <p>c. The site is suitable for the <del>new</del> use taking account ground conditions, groundwater vulnerability and pollution arising from previous <b>land</b> use and land remediation in <b>reference to relevant guidance (and any subsequent updates)</b><sup>[x]</sup></p> <p>[x] Groundwater Protection: Principles and practice (GP3), <a href="https://www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3">https://www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3</a>; Model Procedures for the Management of Land Contamination, <a href="https://www.gov.uk/guidance/land-contamination-risk-management">https://www.gov.uk/guidance/land-contamination-risk-management</a></p>	Representations by Environment Agency [852]
11.72 and 11.73	124	<p><del>There are numerous sites in the District which are potentially affected by contamination as a consequence of their historical land uses.</del></p> <p><del>The policy addresses the protection of the health of end users of proposed developments, as well as the protection of the historic, built and natural environment, including groundwater. The latter is of particular relevance in North Hertfordshire because much of the District’s water supply comes from an unconfined aquifer.</del></p> <p><b>Decisions should ensure that the site is suitable for its new use taking account of ground conditions, pollution arising from previous uses and any proposals for land remediation.</b></p> <p><b>Much of the area covered by this plan overlies Secondary and Principal Aquifers. Abstractions are located throughout the plan area, with WFD aquifers and rivers present. Source Protection Zones (1 to 3) and landfills are present within the plan area, and mostly in the areas around Hitchin, Letchworth, Baldock, Royston,</b></p>	Representations by Environment Agency [852]

Para / ref	Page	Change	Reason [representor no]
		<p>Ashwell and Stevenage. Principal aquifers are geological strata that exhibit high permeability and provide a high level of water storage. They may support water supply and/or river base flow on a strategic scale. Secondary aquifers are often capable of supporting water supplies at a local scale and normally provide an important source of flow to some rivers. The use of groundwater for local drinking water supplies in the area makes it particularly vulnerable to pollution.</p> <p>Certain new activities need to be deterred in sensitive areas based on their intrinsic hazard to sensitive receptors (e.g. groundwater, Principal Aquifers, Source Protection Zones). Close to sensitive receptors a precautionary approach is likely to be taken even where the risk of failure is low as the consequences may be serious or irreversible.</p> <p>Where risks from landfill gas are likely to arise, where land contamination may be reasonably suspected, or particularly environmentally sensitive developments (e.g. petrol filling stations) are proposed for sensitive sites, developers are encouraged to hold pre-application discussions. A Preliminary Risk Assessment (PRA) should be undertaken as the first stage in assessing these risks and is a requirement for validating relevant planning applications.</p>	
Allocation BA5 [4 <sup>th</sup> bullet]	139	<ul style="list-style-type: none"> <li>Appropriate treatment of <del>south-eastern and south-western</del> site boundaries to maintain access to, and integrity of, Footpath Baldock 036 <b>and east-west green corridor;</b></li> </ul>	Representations by Mr Alan Gordon [1292]
Allocation BA10 [new bullet point]	141	<b>Undertake Contaminated Land Preliminary Risk Assessment, particularly in relation to current and historic agricultural use.</b>	Representations by Environment Agency comments [852]
After Para 13.30 [new paragraph]	142	<b>Baldock has historically experienced air quality issues associated with traffic in the town. However, these measures should help to ensure that relevant Air Quality Objectives are not exceeded as a consequence of growth. Detailed assessments will be required in line with Policy D4 when larger sites (including BA1 to BA4) are brought forward for development.</b>	Representations by Mrs Christine Watson [11635] and Mr John Gingell [13929]
Site BK3	144	<ul style="list-style-type: none"> <li>Incorporation of <del>footpath</del> <b>bridleway</b> Barkway 017</li> </ul>	Representations by Barkway Parish Council [13235]

Para / ref	Page	Change	Reason [representor no]
Para 13.38,	144	...is limited to a petrol filling station/garage, <del>soft furnishings business</del> and car repairs business.	Representations by Barkway Parish Council [13235]
Site CD2	153	<ul style="list-style-type: none"> <li><b>Access through site to adjoining sports field and community centre</b></li> </ul>	Representations by Mr Chris Johnson [2991] and Mr & Mrs Park [2943]
Para 13.78	154	<i>CD4 allocation should read 7 rather than 6 pitches</i>	Error, should be the same as SP8 and HS7
Allocation HT8 [new bullet]	163	<ul style="list-style-type: none"> <li><b>Development should not prejudice future use of the safeguarded rail aggregate depot.</b></li> </ul>	Representations by HCC environmental resource [310]
Allocation IC2 Allocation IC3 [new bullet]	169 170	<ul style="list-style-type: none"> <li><b>Development should prevent unnecessary mineral sterilisation by taking into account the mineral resource block and any subsequent mineral safeguarding mechanism.</b></li> </ul>	Representations by HCC environmental resource [310]
Para 13.237,	190	...between the A600 Bedford Road and Henlow airfield <b>in Henlow parish...</b>	Representations by Stondon Parish Council [13938] and Henlow Parish Council [10773]
Allocation RY9, 6 <sup>th</sup> Bullet	202	Phasing of development to link to Sewage Treatment Works	Representations by Anglian Water [0861]
After 13.302 (new paragraph)	204	<b>For site RY4, an odour assessment will need to demonstrate that a suitable distance is provided between the Water Recycling Centre and sensitive development (defined as buildings which are regularly occupied) as part of the detailed planning of the site.</b>	Representations by Anglian Water [0861]
Allocation SI1 [new bullet]	207	<ul style="list-style-type: none"> <li><b>Appropriate noise mitigation measures, to potentially include insulation and appropriate orientation of living spaces</b></li> </ul>	Representations by LLAOL [481]
Allocation SI2 [new bullet]	207	<ul style="list-style-type: none"> <li><b>Appropriate noise mitigation measures, to potentially include insulation and appropriate orientation of living spaces</b></li> </ul>	Representations by LLAOL [481]
Allocation SP2 [new bullet]	209	<ul style="list-style-type: none"> <li><b>Development should prevent unnecessary mineral sterilisation by taking into account the mineral resource block and any subsequent mineral safeguarding mechanism.</b></li> </ul>	Representations by HCC environmental resource [310]

Para / ref	Page	Change	Reason [representor no]
Allocation WY1	213	<b>Undertake site specific Flood Risk Assessment</b> to address surface water and river flood risk issues, particularly along Stevenage Road through. <b>and help inform</b> SuDs or other appropriate solution <b>as well as the site's access</b> ;;	Representations by Environment Agency [852]
Allocation WY1 [new bullet point]	214	<b>Undertake Contaminated Land Preliminary Risk Assessment, particularly in relation to historic landfill.</b>	Representations by Environment Agency [852]
Para. 14.9, p.218	218	...continued and proactive engagement with relevant parties, such as the developers, Highways Agency and Highways Authority, the Local Education Authority, the Environment Agency and Water companies, <b>the Hertfordshire Local Enterprise Partnership</b> and the Hertfordshire Local Nature Partnership is fundamental in achieving appropriate solutions.	Representations by Hertfordshire Local Enterprise Partnership (LEP) [14949]