

Examination of the North Hertfordshire Local Plan (2011-2031)
Examination hearing sessions
Statement of North Hertfordshire District Council

Matter 30 – Barkway and Site BK3

Question 30.1 Should the site be allocated for housing, either with or without the land reserved for education purposes? If so:

1. No, the Council considers this site should be considered for deletion from the Plan for the reasons set out in ED210.

a) Is there a reasonable likelihood that the land identified for primary education will be needed for that purpose during the plan period?

2. No. The Council does not consider there is a reasonable likelihood of the land identified for primary education being needed or used for primary education over the plan period to 2031. As set out in evidence to the examination and the correspondence with Hertfordshire County Council (HCC) appended to ED210, the Council had considered that the development of BK3 would be the most likely trigger for any use of the school site. HCC's representations have consistently sought to retain the site to ensure flexibility in the event needs could not be met from existing provision¹.
3. As set out in Paragraph 11 of ED210, HCC's response to a 2018 planning application for development of site BK3 showed that it did not trigger a definitive need to use the reserve school site at that time. The October 2019 letter from the Council to HCC, which was agreed as an action arising from a meeting between the Council and the site promoter's representative in September 2019, sought clarity on this matter. The letter recognised that the response to the planning application would not necessarily represent the final word on this matter over the plan period to 2031.
4. As set out in Paragraph 13 of ED210, HCC's November 2020 response did not identify a reasonable likelihood of the reserve school site being required in the period to 2031. Hertfordshire County Council have reconfirmed in January 2021 that "the reserve school site does not seem to be the way forward and discussions had to date cannot identify a solution"².

¹ Hertfordshire County Council Regulation 19 representations, Matter 11 statement and response to NHDC in ED148A

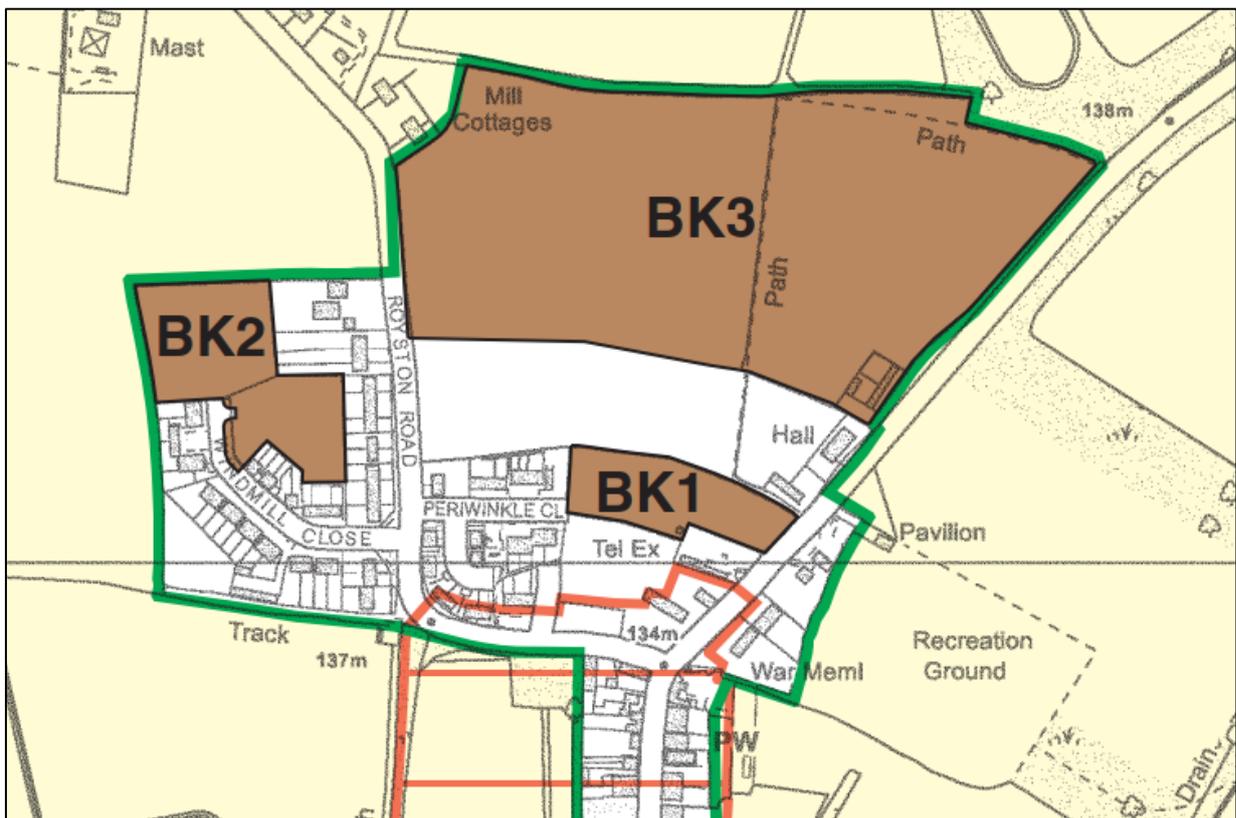
² Email from Xavier Preston, Hertfordshire County Council Growth & Infrastructure Unit to Nigel Smith, North Hertfordshire District Council, 6 January 2021.

b) If the identified land were not to be developed for primary education purposes, is there a reasonable likelihood that housing on the remainder of Site BK3 would be capable of visually integrating into the existing village?

5. The Council's position is set out in the October 2019 letter appended to ED210:

Our Development Management team... have also expressed concerns that, should the reserve school site remain unused in the long-term, it would not be possible to support development of housing on the remainder of BK3 in urban design terms as it would be divorced from the remainder of the village by the unoccupied school site. The whole of BK3 is currently in agricultural use. In the event the remainder of BK3 was developed, I suspect it would no longer be practical to manage the residual reserve school site land in this way. This would risk this part of the site becoming unmanaged / unkempt further accentuating this separation.

6. This severance can be seen on the policies map as submitted (LP2d).



Submission Policies Map detailing proposed allocations in Barkway, showing BK3 and 'white land' reserve school site to south adjoining Royston Road

7. The October 2019 letter proactively suggested there may be ways to address this issue. However, at the time of writing, no proposals for any land swap or other alternate arrangement have been presented to the examination to suggest there is any likelihood of this. The Inspector, at the previous hearing session on Barkway, expressed his concern at the prospect of other forms of development on the reserve school site and that any such development should be plan-led.

c) If not, would the deletion of Site BK3 be necessary for soundness, or would there be a more appropriate course of action?

8. Yes, the Council considers the allocation should be deleted as it is no longer justified or consistent with national policy without the need for the school site. There is no alternate, nor appropriate nor deliverable approach to education provision that would require it or secure an appropriate level of education provision within the village such as to justify the allocation of site BK3. Paragraphs 7 and 8 of ED210 explain that the nature of provision within Barkway has changed since the site was allocated for development and considered at the original examination hearing session in February 2018.
9. The Council's evidence to earlier sessions established that the Plan's settlement hierarchy "primarily relied upon the distribution and availability of key facilities alongside broader sustainability considerations and a high-level understanding of urban form" (HOU1, p.5, paragraph 2.3). The importance of schools' provision in the villages was further expanded upon in the extract from the Housing and Settlement Hierarchy Background Paper appended to HOU1:

"The Council believes that rural schools play an invaluable role in providing a focal point for their communities, minimising the need for young children to have to travel significant distance to school, and providing rural employment opportunities" (HOU1, Appendix 1, paragraph 5.18)
10. At the original Matter 2 hearing on the settlement hierarchy, the Council explained that the presence of a school was a defining factor in identifying the (then) proposed Category A villages as their presence were – in addition to providing a key element of social infrastructure provision – likely to indicate that a village was already of a critical mass, the primary settlement within a parish and / or more likely to be host to other community facilities (NHDC Matter 2 statement, p.2, paragraph 9).
11. In addition to identifying the presence of 'bricks and mortar' facilities, it is also necessary to understand the nature of provision made within them and how this might contribute to patterns of sustainable development. As set out in ED210, Barkway is now unique amongst the villages where housing allocations are proposed in not offering a full range of either Primary or First school provision within the settlement thereby necessitating a greater degree of travel for education purposes. In turn, this requires a balanced planning judgement to be made on the extent to which it is appropriate to direct a significant amount of development to Barkway having regard to its sustainability credentials alongside relevant national policies including the advice in Paragraph 55 of the NPPF on rural facilities. These points are expanded upon further in the answers below.
12. The Council has considered alternate courses of action that might allow for the retention of site BK3 as suggested in its October 2019 letter to HCC and set out in

paragraph 14 of ED210 but does not consider these are appropriate for the reasons provided.

- Options which might allow for use of the reserve school site or the making of a wider range of provision in Barkway, such as consolidation of all provision for Barkway and Barley on a single site or de-federation of the schools, are outside the control of HCC as they are Diocesan Church of England schools. Any such options could, in any event, have a detrimental impact upon the two villages if, for example, they led to the removal of all provision from one of these villages or compromised long-term operational sustainability by reverting to their previous arrangement.

Question 30.2 If the site is allocated for housing, should the land identified also be allocated for primary education purposes?

- As per the answers above, the evidence now indicates that there is no reasonable prospect of the land being used for primary education purposes over the plan period to 2031.

Question 30.3 Depending on the preceding questions, what tier of the settlement hierarchy should Barkway be categorised as, and why?

- Barkway should be a Category A village in the settlement hierarchy, as proposed in Policy SP2 as originally submitted for the reasons given in paragraphs 16 and 17 of ED210.

Question 30.4 If it were necessary for soundness to delete Site BK3 from the Local Plan and no alternative land were proposed to replace it:

a) would this affect or undermine the Local Plan's spatial strategy and the aim of directing new housing development to the most sustainable locations?

- No, for the reasons set out in paragraphs 16 and 17 of ED210 and in this statement. The significant majority of development would remain directed towards the towns and largest villages, including land proposed to be released around those settlements within their adjusted settlement boundaries.
- As previously explained to the examination³, Barkway is one of the smaller villages in the District. It is located in the rural east of the authority which, other than the town of Royston, is generally characterised by a pattern of smaller, more dispersed and less sustainable villages than the south and west of the District.
- The original decision to direct a greater level of development here was influenced by the presence and potential opportunities afforded by the existence of facilities including

³ Matter 11 Local Plan Examination Hearing, 8 February 2018

the First School and / or the reserve school site and the policy requirement for BK3 itself to provide a shop. This, in turn, led the Council to focus a greater proportion of needs arising from the rural east of the District in a single location rather than dispersing it across a greater number of locations and allocations on the basis that Barkway would be comparable with other villages in terms of the facilities provided. This position has now changed.

19. As set out in Paragraphs 8 and 22 of ED210 Barkway, in terms of education provision, is now demonstrably worse than the other locations proposed for a similar scale of development (see also paragraphs 24 to 26 below). ED210 sets out there is no clear prospect of this situation being remedied at the current time. The Council therefore considers that the site should be deleted.

20. Notwithstanding this point, Paragraphs 16 and 17 set out the Council's view that the level of development proposed in Barkway without site BK3 – with a single proposed allocation for 20 homes⁴ would be appropriate as a matter of planning judgement. Such an approach would be entirely consistent with the overall spatial strategy. The Council considers, as a matter of planning judgement, that this revised and materially lower level of development strikes an appropriate planning balance between:

- Meeting identified needs for development and maintaining supply (see below);
- Supporting the operational sustainability of the current federated educational arrangements in line with NPPF Paragraph 55;
- The additional need to travel for education purposes that this current arrangement necessitates, recognising that the reduced level of allocations would generate a substantively small number of additional pupils; and
- The sustainability credentials of Barkway as a whole, including consideration of the need to travel outside the village for other purposes such as work.

b) would it be necessary for soundness to reject MM010 such that Barkway would remain a 'Category A village'?

21. It would be necessary for soundness to reject MM010 only insofar as it related to the categorisation of Barkway and any associated references (e.g. to the number of settlements or proportion of development anticipated in each band of the hierarchy).

22. It would not be necessary to reject other elements of MM010 including, but not limited to, the identification of Knebworth, Codicote, Ickleford and Little Wymondley in a separate tier of the hierarchy to other proposed Category A villages⁵.

c) would this affect or undermine the demonstration of the exceptional circumstances required to 'release' land from the Green Belt around other settlements for new housing?

⁴ ED191B proposes that site BK1 for 13 homes be deleted as this site has now been developed.

⁵ Following the Matter 26 Hearing Session the Council has been invited to present further modifications to address concerns around the 'villages for growth' label suggested in MM010.

23.No. The Council has sought to reasonably maximise the amount of development upon previously developed land, greenfield land within existing settlement limits and the rural area beyond the Green Belt. However, this should not extend to the release of sites whose benefits no longer outweigh their harms in order to ‘save’ the release of Green Belt sites. Many Green Belt sites are more sustainable locations for development than villages such as Barkway on their own merits in any event (ED173, Paragraphs 16 to 21, pp.10-11).

24.The table below compares Barkway with those villages where Green Belt releases are proposed. It can be seen, firstly, that Barkway is smaller than those settlements proposed to receive an equivalent or higher level of allocated development in the submitted plan⁶. Secondly, all the sites proposed to be released from the Green Belt surrounding villages for housing are at settlements that benefit from a full seven-year range of primary school provision (i.e. Reception to Year 6) whilst Barkway now only offers two years of primary school provision in addition to the nursery offering.

Area	Dwellings at 2011 (parish)	Total allocated sites (LP1)*	Current schools' provision
Barkway	329	173	0.4FE First school federated with Barley. Nursery, reception and Year 1 provision in village
Knebworth	2,002	598	2FE Primary school
Codicote	1,496	315	1FE Primary school
Kimpton	884	13	1FE Primary school
Ickleford	844	199	1FE Primary school
St Ippolyts	799	52	0.67FE Primary school
St Paul's Walden	537	41	0.5FE Primary school
Wymondley	480	300	0.5FE Primary school
Weston	441	40	0.33 FE Primary school
King's Walden	410	16	1FE Primary school
Graveley	198	8	0.53FE Primary school
Hexton	52	0	0.33FE Primary school

*Allocation figures exclude sites within these parishes that adjoin, and would functionally form part of, neighbouring towns (e.g. Policy SP16 / site NS1: North of Stevenage in Graveley parish). FE = Form of Entry. 1FE represents a school with a class of 30 pupils in each year group. Current schools provision as shown in Hertfordshire County Council's published admission statistics for 2020/21.

25.Where necessary, the policies for these Green Belt village sites include requirements for further primary school provision to ensure the needs of those developments are met and that a full range of Primary school provision can and will continue to be made within that settlement. This includes the provision of land for school expansion within Site CD5 at Codicote, a new primary school within Site KB2 at Knebworth and appropriate solutions to deliver any necessary primary school capacity at sites IC3 in

⁶ None of the remaining villages currently in the Rural Area Beyond the Green Belt in North Hertfordshire have proposed allocations of an equivalent or higher level. Site LS1 (120 homes), which now benefits from an implemented planning permission, adjoins a settlement in neighbouring Central Bedfordshire with a First School making a full range of provision.

Ickleford and WY1 in Wymondley. These policy requirements have the support of Hertfordshire County Council as the authority responsible for education.

26. Given its lesser sustainability credentials – by virtue of its smaller size, narrower range of facilities and operating under a three-tier rather than a two-tier education system - the case for significant development in Barkway has always been far more marginal than in those Green Belt locations where equivalent levels of development are proposed. The Council's evidence to the original hearing sessions in February 2018 was clear that the justification for site BK3 should be viewed through the 'prism' of overall housing needs and the opportunity to enhance the sustainability credentials of the settlement through enhanced education provision. The current and likely future sustainability credentials of Barkway in education terms have substantially deteriorated from the original position – both in absolute terms and relative to other villages within North Hertfordshire – with no reasonable prospect of being appropriately remedied.
27. Paragraph 22 of ED210 is clear that the Council's decision to advocate removal of site BK3 from the plan does not have wider implications.

Question 30.5 What bearing, if any, does this have on the supply of land for housing?

Question 30.6 If it were necessary for soundness to delete Site BK3 from the Local Plan, would it also be necessary for soundness to allocate alternative land for housing, either in Barkway or elsewhere? If so, how much land, where and why?

28. These questions are answered together.
29. It is regrettable that the deletion of site BK3 would result in the loss of 140 homes from the housing trajectory and future forecasts of five-year supply. However, the Plan could still continue to meet the revised proposed housing requirement in full and also demonstrate a rolling five-year housing land supply, albeit that the margin over the five-year requirement, which was already tight⁷, would reduce by around 0.1 years as a consequence. It is therefore concluded that when the five-year supply position is balanced against the reduced sustainability credentials of the site that it should be deleted.
30. The Council is satisfied that this would still result in a sound approach to five-year land supply but could not countenance any further reduction(s) in housing supply under its currently proposed approach. The Council has previously stated, in documents ED178 and ED191B, that delaying the Plan in order to consider additional sites is not a viable option and reiterates this position. The acute position that the Council finds itself in in relation to housing delivery, and which necessitates a timely resolution of the examination, has been clearly set out in the evidence provided to the Matter 22 hearing in November 2020.

⁷ As shown in ED191B and ED215