

Independent Examiner's Report of the
Wymondley Neighbourhood Plan

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SECTION 2

Summary

As the Independent Examiner appointed by North Hertfordshire District Council to examine the Wymondley Neighbourhood Plan, I can summarise my findings as follows:

- 2.1 I find the Wymondley Neighbourhood Plan and the policies within it, subject to the recommended modifications does meet the Basic Conditions.*
- 2.2 I am satisfied that the Referendum Area should be the same as the Plan Area, should the Wymondley Neighbourhood Plan go to Referendum.*
- 2.3 I have read the Wymondley Consultation Statement and the representations made in connection with this subject I consider that the consultation process was adequate and that the Neighbourhood Development Plan and its policies reflect the outcome of the consultation process including recording representations and tracking the changes made as a result of those representations.*
- 2.4 I find that the Wymondley Neighbourhood Plan can, subject to the recommended modifications proceed to Referendum.*
- 2.5 At the time of my examination the Development Plan for North Hertfordshire comprises the saved policies from North Hertfordshire District Local Plan No 2 (1996) and the Hertfordshire CC Waste and Mineral Plans. North Hertfordshire District Council are at a relatively advanced stage of preparing a new plan for the District, the Local Plan 2011-2031 which was submitted for examination in June 2017, the hearings taking place from November 2017 to the end of March 2018. The key elements of the plan set a target to deliver 14,000 new homes for North Hertfordshire.*

SECTION 3

Introduction

3. Neighbourhood Plan Examination.

3.1 *My name is Deborah McCann and I am the Independent Examiner appointed to examine the Wymondley Neighbourhood Plan.*

3.2 *I am independent of the qualifying body, I do not have any interest in the land in the plan area, and I have appropriate qualifications and experience, including experience in public, private and community sectors.*

3.3 *My role is to consider whether the submitted Wymondley Neighbourhood Plan meets the Basic Conditions and has taken into account human rights; and to recommend whether the Wymondley Neighbourhood Plan should proceed to Referendum. My role is as set out in more detail below under the section covering the examiner's Role. My recommendation is given in summary in Section 2 and in full under Section 5 of this document.*

3.4 *The Wymondley Neighbourhood Plan has to be independently examined following processes set out in the Town and County Planning Act 1990 (as amended by the Localism Act 2011) and the subsequent Neighbourhood Planning (General) Regulations 2012.*

3.5 *The expectation is that the examination of the issues by the examiner is to take the form of the consideration of the written representations. However, there are two circumstances when an examiner may consider it necessary to hold a hearing. These are where the examiner considers that it is necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case. Having read the plan and considered the representations I concluded that it was not necessary to hold a Hearing. However, the Neighbourhood Plan NPIERS Guidance for examiners has introduced the opportunity for examiners to hold "exploratory meetings".*

3.6 *Like a Hearing, an Exploratory Meeting is called at the discretion of the examiner; with the examiner determining who should be invited to speak and which areas of the plan should be covered. Where it differs from a Hearing is that the purpose of the meeting is to help the examiner establish whether or not there is a fundamental issue that potentially may jeopardise the success of the plan at examination.*

3.7 *In contrast to a hearing, an exploratory meeting provides the flexibility for the examiner to convene a discussion with identified participants about the plan, where this may not fall necessarily within the very special statutory reasons for convening a hearing session.*

3.8 An exploratory meeting will provide an opportunity to consider an issue and scope whether there is any viable remedy, exploring all the options.

3.9 The exploratory meeting, in the best-case scenario, may in itself provide the necessary clarification and lead to resolution of the issue. Alternatively, it may reveal that nothing further can reasonably be done that will prevent the plan failing the basic conditions or other legal requirements. In certain circumstances, it may be that further remedial work can be undertaken, subject to the examiner, qualifying body and local planning authority agreeing that there is a reasonable prospect of remedying the plan's shortcomings by placing the examination on hold i.e. suspending the examination.

3.10 Suspension of the examination. This may occur after the exchange of correspondence, or after the exploratory meeting, where one has been held. Suspension is likely to be most relevant to rectifying a procedural failing rather than a basic condition compliance issue. However, even a procedural failing may be better dealt with by withdrawing the plan and going back to the point of the plan's preparation (including consultation or submission to the local planning authority) where the failure occurred. If the suspension relates to a policy's basic condition compliance, it will be clear what the purpose of the suspension is e.g. to gather more evidence, propose a different approach etc. The length of suspension is at the examiner's discretion. Following the suspension period, the aim is to be in a position to make the necessary modifications to the plan and recommend it proceeds to a referendum. However, there can be no guarantee.

3.2. The Role of Examiner including the examination process and legislative background.

3.2.1 The examiner is required to check whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

3.2.2 As an independent Examiner, having examined the Plan, I am required to make one of

the following recommendations:

- 1. The Plan can proceed to a Referendum*
- 2. The Plan with recommended modifications can proceed to a Referendum*

Where a policy does not meet the basic conditions or other legal requirement I may, on occasion, need to delete wording, including potentially an entire plan policy and/or section of text, although I will first consider modifying the policy rather than deleting it. Where a policy concerns a non-land use matter, advice in the Planning Practice Guidance states “Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable. For example, set out in a companion document or annex.” As such, when considering the deletion of any non-land use matters from the plan, I will consider if I can make a modification to place the relevant proposed actions in a non-statutory annex to the plan, dealing with ‘Wider Community Aspirations’. I will not generally refer back to parties on these detailed revisions. I will make modification either in order to meet the Basic Conditions, to correct errors or provide clarification. However, the focus of my examination, as set out in legislation is relatively narrow, I must focus on compliance with the Basic Conditions. The main purpose of a neighbourhood plan is to provide a framework for the determination of planning applications, policies in a plan which have elements which either seek to control things which fall outside the scope of the planning system or introduce requirements which are indiscriminate in terms of the size of development or overly onerous and would not meet the Basic Conditions. In these circumstances it will be necessary to make modifications to the plan. In making any modifications I have a duty to ensure that the Basic Conditions are met however I am also very careful to ensure, where possible that the intention and spirit of the plan is retained so that the plan, when modified still reflects the community’s intent in producing their neighbourhood plan.

- 3. The Plan does not meet the legal requirements and cannot proceed to a Referendum*

3.2.3 I am also required to recommend whether the Referendum Area should be different from the Plan Area, should the Wymondley Neighbourhood Plan go to Referendum.

3.2.4 In examining the Plan, I am required to check, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether:

- the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area are in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act 2004*
- the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 to specify the period for which it has effect*

- *the Plan has been prepared for an area designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.*

3.2.5 I am also required to determine whether the Plan complies with the Basic Conditions, which are that the proposed Neighbourhood Plan:

- *Has regard to national policies and advice contained in guidance issued by the Secretary of State;*
- *Contributes to the achievement of sustainable development; and*
- *Is in general conformity with the strategic policies contained in the Development Plan for the area.*

The Plan must also not breach, and otherwise be compatible with EU obligations and Human Rights requirements.

3.2.6 North Hertfordshire District Council will consider my report and decide whether it is satisfied with my recommendations. The Council will publicise its decision on whether or not the plan will be submitted to a referendum, with or without modifications. If the Neighbourhood Plan is submitted to a referendum, then 28 working days' notice will be given of the referendum procedure and Neighbourhood Plan details. If the referendum results in more than half those voting (i.e. greater than 50%), voting in favour of the plan, then the District Council must "make" the Neighbourhood Plan a part of its Development Plan as soon as possible. If approved by a referendum and then "made" by the local planning authority, the Neighbourhood Plan then forms part of the Development Plan.

SECTION 4

The Report

4.1. Appointment of the Independent Examiner

North Hertfordshire District Council appointed me as the Independent Examiner for the Wymondley Neighbourhood Plan with the agreement of Wymondley Parish Council.

4.2. Qualifying Body

I am satisfied that Wymondley Parish Council is the Qualifying Body.

4.3. Neighbourhood Plan Area

North Hertfordshire District Council approved the designation of Wymondley 's Neighbourhood Development Plan Area on the 26th of August 2015. The designated Neighbourhood Area does not follow the Parish Boundary but excludes an area to the south of Todd's Green, as illustrated on the map in annex 1 of the Basic Conditions Statement.

4.4. Plan Period

It is intended that the Wymondley Neighbourhood Plan will cover the period 2015-2031.

4.5. North Hertfordshire District Council Regulation 15 Assessment of the Plan.

Wymondley Parish Council, the Qualifying Body for preparing the Wymondley Neighbourhood Plan, submitted it to North Hertfordshire District Council for consideration under Regulation 15. North Hertfordshire District Council has made an initial assessment of the submitted Wymondley Neighbourhood Plan and the supporting documents and is satisfied that these comply with the specified criteria.

4.6. Site Visit

I carried out an unaccompanied site visit to familiarise myself with the Neighbourhood Plan Area on the 29th of January 2019.

4.7. Exploratory Meeting.

The expectation is that the examination of the issues by the examiner is to take the form of the consideration of the written representations. However, there are circumstances when an examiner may consider it necessary to hold a hearing or exploratory meeting. These are where the examiner considers that it is necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case or explore whether issues identified are of such significance that the progress of the examination is in question. Having

read the plan and considered the representations I concluded that it was not necessary to hold a Hearing. However, there were a number of issues which I considered sufficiently substantive as to require an Exploratory Meeting.

An Exploratory Meeting was held on Wednesday 30th January 2019. This is a new process introduced in the Guidance for Examiners produced by NPIERS. The structure and process of the Exploratory Meeting is detailed in paragraph 1 of this report.

I called the Exploratory Meeting in order to explore the following issues:

- *Housing: exploring how the housing need of the area is to be met across the plan period and whether or not the plan is in general conformity with the development plan and therefore meets the Basic Conditions. This involved a discussion of the housing and green belt policies within the Neighbourhood Plan.*
- *Local Green Space Designation*
- *Documents and information accompanying the plan; the Basic Conditions Statement, the Consultation Statement, SEA and HRA Screening reports.*

The Exploratory Meeting was held to establish whether or not the Wymondley Neighbourhood Plan could meet the Basic Conditions with or without modification in this respect. To establish whether or not there was a fundamental issue that could jeopardise the success of the plan at examination.

A full transcript of the proceedings is available on the North Hertfordshire District Council website.

Conclusion

During the course of the meeting it became evident that there has been a significant period of time since the original production of the draft plan and examination. As a result, there have been various changes in circumstances including the current position with the emerging Local Plan. The Documents submitted do not reflect these changes although I was satisfied that they could once reviewed.

My main area of concern related to the delivery of housing within the Neighbourhood Plan Area across the plan period and the Neighbourhood Plan's relationship with the existing development plan, the National Planning Policy Framework and the evidence base for the emerging Local Plan. The information provided at the meeting by both the Neighbourhood Plan Committee and representatives of North Hertfordshire District Council satisfied me that this concern could be overcome by the modification of policies within the Neighbourhood Plan.

I concluded that subject to modification the Wymondley Neighbourhood Plan could meet the Basic Conditions. However, this was caveated on the basis that the documents listed below were reviewed and updated satisfactorily. To enable the Qualifying Body to carry out this work it was necessary for me to suspend the examination for a period of one month from the date of the meeting.

I required the following documents to be reviewed and updated:

1. *The Basic Conditions Statement*
2. *The Consultation Statement*
3. *The Strategic Environmental Assessment and Habitats Regulations Assessment screening reports*

Another recent change of circumstance, which was touched on during the meeting is the additional requirements relating to Habitats Regulations Assessment this has resulted in the introduction of a new Basic Condition:

"The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(d)"

I also required additional information for the proposed Local Green Space designations.

Following the receipt of the required information I recommenced my examination on the 1st of March 2019. I refer to the additional submissions in the relevant sections of the plan and the documents are available to view on the Council's website.

4.8. The Consultation Process

The Wymondley Neighbourhood Plan has been submitted for examination with a Consultation Statement which sets out the consultation process that has led to the production of the plan, as set out in the regulations in the Neighbourhood Planning (General) Regulations 2012.

The Statement describes the approach to consultation; the stages undertaken and explains how the Plan has been amended in relation to comments received. It is set out according to the requirements in Regulation 15.1.b of the Neighbourhood Planning (General) Regulations 2012):

(a) It contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;

(b) It explains how they were consulted; (c) It summarises the main issues and concerns

raised by the persons consulted; and

(d) It describes how these issues and concerns were considered and, where relevant, addressed in the proposed neighbourhood development plan.

Following the Exploratory meeting the Qualifying Body submitted an updated Consultation Statement to include details of the consultation and response of the owners of the proposed Local Green Spaces.

I received a number of representations relating to the consultation process. Having examined the documents and considered the focus of the Neighbourhood Plan I conclude that the consultation process was adequately conducted and recorded and meets the statutory requirements.

A list of statutory bodies consulted is included in the Consultation Statement.

4.9 Regulation 16 consultation by North Hertfordshire District Council and record of responses.

North Hertfordshire District Council placed the Wymondley Neighbourhood Plan out for consultation under Regulation 16 from 23rd June to the 4th August 2017.

A number of detailed representations were received during the consultation period and these were supplied by the District Council as part of the supporting information for the examination process. I considered the representations, have taken them into account in my examination of the plan and referred to them where appropriate.

4.10 Compliance with the Basic Conditions

The Wymondley Neighbourhood Plan Committee produced a Basic Conditions Statement on behalf of Wymondley Parish Council. The purpose of this statement is for the Neighbourhood Plan Committee to set out in some detail why they believe the Neighbourhood Plan as submitted does meet the Basic Conditions. Following the Exploratory Meeting the Qualifying Body have submitted an updated Basic Conditions Statement, and this is available to view on the North Hertfordshire District Council website. It is the examiner's role to take this document into consideration but also take an independent view as to whether or not the assessment as submitted is correct.

I have to determine whether the Wymondley Neighbourhood Plan:

- 1. Has regard to national policies and advice*
- 2. Contributes to sustainable development*
- 3. Is in general conformity with the strategic policies in the appropriate Development Plan*

4. *Is not in breach and is otherwise compatible with EU obligations and Human Rights requirements.*
5. *There is now an additional Basic Condition to be considered. Since the 28th of December 2018, the Neighbourhood Planning (General) Regulations 2012, Schedule 2 para 1 has stated:*

"In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act—

The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017."

Documents brought to my attention by the District Council for my examination include:

- (i) *The Wymondley Neighbourhood Plan - the main document which includes policies developed in consultation with the community at various engagement events and workshops.*
- (ii) *Consultation Statement – sets out how the community, and other stakeholders, have been involved in preparing the Plan. (revised February 2019)*
- (iii) *Basic Conditions Statement - An appraisal of the Plan policies against European Union (EU) and national policies, as well as the strategic policies of NHDC and any other policies and guidance. (revised February 2019)*

Comment on Documents submitted

I am satisfied having regard to these documents and other relevant documents, policies and legislation that the Wymondley Neighbourhood Plan does, subject to the recommended modifications, meet the Basic Conditions.

4.11 Planning Policy

National Planning Policy

National Policy guidance is in the National Planning Policy Framework (NPPF). At the time of the preparation of the Neighbourhood Plan the relevant NPPF was the National Planning Policy Framework (NPPF) 2012. During the course of my examination the government published the revised NPPF.

The revised NPPF provides for transitional arrangements as follows:

"214. The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted (69) on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, the policies contained in this Framework will apply to any subsequent plan produced for the area

concerned.

(69) For neighbourhood plans, 'submission' in this context means where a qualifying body submits a plan proposal to the local planning authority in accordance with regulation 15 of the Neighbourhood Planning (General) Regulations 2012.

(22 Footnote to paragraph 48) During the transitional period for emerging plans submitted for examination (set out in paragraph 214), consistency should be tested against the previous Framework published in March 2012."

Therefore, for the purposes of my examination the relevant national policy document is the NPPF (2012).

To meet the Basic Conditions, the Plan must have "regard to national policy and advice". In addition, the NPPF requires that a Neighbourhood Plan "must be in general conformity with the strategic policies of the local plan". Paragraph 16 states that neighbourhoods should "develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan".

The Wymondley Neighbourhood Plan does not need to repeat national policy, but to demonstrate it has taken them into account.

I have examined the Wymondley Neighbourhood Plan and consider that, subject to modification, the plan does have "regard for National Policy and Advice" and therefore the Plan, subject to modification does meet the Basic Conditions in this respect.

Local Planning Policy- The Development Plan

Wymondley is within the area covered by North Hertfordshire District Council. The relevant development plan, at the time of my examination was the District Local Plan No 2 with Alterations adopted in 1996, including saved policies 2007.

4.12 Other Relevant Policy Considerations

European Convention on Human Rights (ECMR) and other European Union Obligations

As a 'local plan', the Neighbourhood Development Plan is required to take cognisance of the EU Strategic Environmental Assessment (SEA) Directive 2001/42/EC.

The initial screening assessment to determine the need for a SEA in line with regulation and guidance was undertaken by the Qualifying Body. The conclusion was that no SEA was

required, However I had some reservations about the screening process undertaken. At the Exploratory Meeting I requested an update on the assessment and North Hertfordshire District Council have submitted an addendum to the original Strategic Environmental Assessment Screening Determination.

The original SEA screening report was prepared by the Wymondley Parish Neighbourhood Plan Committee and was submitted to the District Council in March 2017. The screening report was prepared using a standard template which has been prepared by consultants on behalf of the District Council to enable neighbourhood planning groups to start the SEA screening for their neighbourhood plan.

The District Council sent the screening report to the three statutory consultees, the Environment Agency, Natural England and Historic England on 12 June 2017. Responses were requested by 24 July 2017.

One response was received during the consultation period from Historic England and a further response was received from Natural England after the close of the consultation period.

Both responses stated that there was no need for a SEA to be undertaken.

After the exploratory meeting, the SEA screening was sent to the Environment Agency again to request a formal response. The Environment Agency has confirmed that following a review of the environmental constraints affecting the neighbourhood plan, there are no comments and that they do not consider there to be any potential significant environmental effects.

“The principal reasons for this conclusion are set out below:

- There are no sites allocated for development;*
- The neighbourhood plan focuses on protecting the quality of the village and its environment;*
- The neighbourhood plan does not seek to change the outcomes of development proposals in the existing or emerging Local Plan to the extent that it might lead to substantively different effects to those already assessed;*
- The neighbourhood area does contain natural and heritage features but there are no proposals in the neighbourhood plan which are likely to have significant environmental effects on these features.”*

The District Council has amended the SEA Screening report to include a screening determination.

From the findings of the screening assessment it was concluded that there was no requirement for a SEA to be undertaken. All of the consultation responses from the statutory

bodies concurred with this conclusion.

The following organisations are the statutory bodies for the purposes of the SEA screening:

- Natural England
- Historic England
- Environment Agency

Habitats Regulations Assessment (HRA)

The Habitat Regulation Assessment was discussed at the exploratory meeting. At the time the Wymondley Parish Neighbourhood Plan was submitted, the District Council was satisfied that there was no need for an HRA to be undertaken as the Habitat Regulation Assessment that had been prepared as part of the Local Plan concluded that it was unlikely that there would be any significant effects on any European sites and that no appropriate assessment under the Habitats Directive was required.

Following the exploratory meeting and in the light of recent case law and the new Basic Condition, the District Council re visited the HRA screening. The Council's conclusion was that because there are no site allocations in the Wymondley Parish Neighbourhood Plan it is not likely to cause a significant adverse effect on a European Site and that no further action is required.

The following organisation is the statutory body for the purposes of the HRA screening:

- Natural England

I am satisfied with the Council's conclusion.

Sustainable development

The Basic Conditions sets out the neighbourhood plan's approach to achieving sustainable development.

I am satisfied that the Wymondley Neighbourhood Plan has done so.

I am therefore satisfied that the Wymondley Neighbourhood Plan meets the basic conditions on EU obligations.

Excluded development

I am satisfied that the Wymondley Neighbourhood Plan does not cover County matters (mineral extraction and waste development), nationally significant infrastructure such as highways and railways or other matters set out in Section 61K of the Town and Country

Planning Act 1990.

Development and use of land

I am satisfied that the Wymondley Neighbourhood Plan, subject to modification covers development and land use matters.

General Comments

Planning Guidance on preparing neighbourhood plans and policies is clear, it states:

“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.

Neighbourhood planning can inspire local people and businesses to consider other ways to improve their neighbourhood than through the development and use of land. They may identify specific action or policies to deliver these improvements. Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable. For example, set out in a companion document or annex.”

In order to provide clarity and to ensure that the policies in the Wymondley Neighbourhood Plan meet the Basic Conditions it has been necessary for me to make modifications to a number of policies. This includes modifications where:

- Policies have sought to introduce controls outside the scope of the planning system or where existing policy already sets out the scope of control.*
- A policy has not been drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.*
- Policies have not been written as a planning policy as they do not address the development and use of land.*

As I have found it necessary to modify a number of policies it will also be necessary to modify the supporting text within the plan to align with the modified policies. The details of these modifications are set out within my comments on the related policies.

Paragraph 1.2 should be modified to include a map of the Neighbourhood Plan Area.

Paragraph 1.4 and other relevant paragraphs. The reference to the Wymondley Parish Neighbourhood Plan Forum should be removed and replaced with reference to the

Wymondley Neighbourhood Plan Committee.

My comments on policies are in **blue** with the modified policies in **red**.

13. Wymondley Neighbourhood Plan Vision

I am satisfied that the vision has been developed from the consultation process and the aims and policies flow from the vision.

13.1 Wymondley Neighbourhood Plan Policies

13.2 Natural and Historic Environments

Aim: to conserve and enhance our Parish's natural and historic environments, by ensuring that any proposed new development contributes positively to its distinctive character; takes into account its identified biodiversity and environmental issues; and does not negatively impact on its existing green infrastructure or its valuable archaeological heritage.

13.3 Policy NHE1: In our discussions with the planning authorities, and responses to any relevant consultation exercises, we will aim to ensure that landscape character assessments have been prepared where appropriate; integrated with assessment of historic landscape character and landscape sensitivity; and due regard had to them in development proposals.

COMMENT

This is not a policy but a statement. For clarity and to meet the Basic Conditions the policy should be modified as follows:

Policy NHE1 Landscape Character:

~~In our discussions with the planning authorities, and responses to any relevant consultation exercises, we will aim to ensure that landscape character assessments have been prepared where appropriate; integrated with assessment of historic landscape character and landscape sensitivity; and due regard had to them in development proposals.~~

Where appropriate planning applications should be accompanied by an assessment of the impact of the proposal on landscape character including historic landscape making reference to the relevant character assessment documents including the North Hertfordshire Landscape Study.

13.4 Policy NHE2: When determining development proposals, we will ensure that decisions will minimise impacts and result in net gains to biodiversity. Net gain will be determined by applying the Biodiversity Impact Calculator.

COMMENT

This is more of a statement than policy. For clarity and to meet the Basic Conditions the policy should be modified as follows:

Policy NHE2 Biodiversity:

~~***When determining development proposals we will ensure that decisions will minimise impacts and result in net gains to biodiversity. Net gain will be determined by applying the Biodiversity Impact Calculator.***~~

Proposals should, where appropriate be supported by a biodiversity action plan and measures to ensure net gains in biodiversity. The use of a Biodiversity Impact Assessment Calculator is encouraged.

13.5 Policy NHE3: In considering development resulting in significant ecological impact there will be a presumption against such development unless clear and significant ecological gains can be demonstrated.

COMMENT

I am unsure of the meaning of this policy and it is unclear how it could be implemented in the development management process. In order to meet the Basic conditions this policy should be deleted.

13.6 Policy NHE4: In determining development proposals affecting designated sites and Priority Habitats or Species, we will ensure that their nature conservation value is protected in accordance with their status. Development affecting such sites or species is expected to deliver a net gain in biodiversity. In granting permission, we will impose conditions or seek planning obligations that secure appropriate management regimes to deliver biodiversity gain in-perpetuity.

COMMENT

This policy does not make reference to specific sites within the Neighbourhood Plan Area and a policy regime already exists protecting designated sites at a European, national and local level. Paragraphs 6.14 and 6.15 read more as policy and are overly prescriptive not reflecting national or local policy. Both paragraphs should be modified

in line with policy NHE4. For clarity and in order to meet the Basic Conditions the policy should be modified as follows:

Policy NHE4: Wildlife and Ecology.

~~*In-determining Development proposals affecting designated sites and Priority Habitats or Species, must comply with the relevant European, national and local policy requirements. we will ensure that their nature conservation value is protected in accordance with their status. Development affecting such sites or species is expected to deliver a net gain in biodiversity. In granting permission, we will impose conditions or seek planning obligations that secure appropriate management regimes to deliver biodiversity gain in perpetuity.*~~

13.7 Policy NHE5: In considering development proposals we will expect Green Infrastructure to provide permeability for wildlife through and around development. GI should be connective and functional as wildlife habitat in its own right not just as a link between habitats.

COMMENT

For clarity and to meet the Basic Conditions the policy should be modified as follows:

Policy NHE5 Green Infrastructure:

~~*In-considering Where appropriate development proposals should be supported by, we will expect a Green Infrastructure Plan which will to provide permeability for wildlife through and around development and GI should be connective and functional as wildlife habitat in its own right not just as a link between habitats.*~~

13.8 Policy NHE6: All suitable development will be expected to include integrated bat and bird roosting devices within the fabric of the brickwork.

I have no comment on this policy as it meets the Basic Conditions.

13.9 Policy NHE7: In considering development proposals that negatively impact upon bat movement corridors we expect these corridors to be identified, protected and enhanced to ensure continued ecological functionality of bat populations.

COMMENT

I have no comment on this policy as it meets the Basic Conditions.

13.10 Policy NHE8: Development will not be permitted within 12 m of a watercourse.

COMMENT

Flood risk is already regulated by a policy regime. This policy does not have regard for existing policy and therefore does not meet the Basic Conditions. In accordance to meet the Basic Conditions it should be modified as follows and moved to the flood risk section:

Policy NHE8 Flood Risk:

Development will not be permitted within 12 m of a watercourse should be supported by any required Flood Risk Assessment and adequate information to assess the potential impact of the proposal on flooding both on and off site.

13.11 Policy NHE9: In considering ecological information in support of planning applications we expect that surveys are undertaken by suitably qualified personnel and are consistent with nationally accepted standards i.e. British Standard 42020: Biodiversity – Code of practice for planning and development.

COMMENT

Paragraphs 6.26-6.30 are written like policies and are overly prescriptive. They should be modified appropriately. There can be no requirement to submit European Protected Species Licenses to the Parish Council, for example. This policy would be better located with policy NHE7 modified and renumbered.

13.12 Policy NHE10: In considering development involving potentially adverse lighting impacts to wildlife we will expect surveys to identify movement corridors and ensure that these corridors are protected and enhanced.

COMMENT

This policy lacks clarity and should be modified as follows:

Policy NHE10 Lighting:

On sites where, protected species have been identified proposals should include mitigation measures to address In considering development involving potentially adverse lighting impacts. ~~to wildlife we will expect surveys to identify movement corridors and ensure that these corridors are protected and enhanced.~~

13.13 Policy NHE11:*in considering landscaping schemes we will expect that appropriate native species are used whenever possible and the benefits to biodiversity are maximised.*

COMMENT

Paragraph 6.35 should be modified; the submission of details can be requested but not required.

This policy should be given a title. I have no other comment.

13.14 Historic Environment

Policy NHE12: *By working collaboratively with our local and neighbouring planning authorities, (and other stakeholders), we will aim to ensure that the significance of the Parish's heritage assets and the contribution they make to the environment is recognised - and due account taken of it in considering development proposals. This includes ensuring that, in line with paragraphs 169 – 170 of the Government's National Planning Policy Framework (NPPF), the planning authorities use their required up-to-date evidence about our historic environment to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.*

COMMENT

This policy is confusing and would be better located under heritage assets and renumbered as NHE 13. National and local policy already exists which sets out clearly how proposals affecting non-designated heritage assets should be considered. As currently worded this policy does not accurately reflect existing policy. For clarity and to meet the Basic Conditions the policy should be modified as follows:

Policy NHE12: Heritage Assets

Proposals affecting designated and non-designated heritage assets and their settings including those with archaeological interest must comply fully with the requirements of National Planning Policy and the development plan.

~~*By working collaboratively with our local and neighbouring planning authorities, (and other stakeholders), we will aim to ensure that the significance of the Parish's heritage assets and the contribution they make to the environment is recognised – and due account taken of it in considering development proposals. This includes ensuring that, in line with paragraphs 169 – 170 of the Government's discovered in the future. National Planning Policy Framework (NPPF), the planning authorities use their*~~

~~required up-to-date evidence about our historic environment to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be~~

13.15 Heritage Assets

Policy NHE13: We wholeheartedly concur with this view, and will work vigorously with local planning authorities and other stakeholders to ensure that the historical character of the area is preserved; the key environmental features maintained (and enhanced wherever possible); and that in the absence of any “exceptional circumstances”, (as defined in relevant legislation, case-law or guidance), Green Belt land in and around our Parish remains inviolate.

COMMENT

As currently worded, this is not a policy. For clarity and to meet the Basic Conditions the policy should be modified as follows:

Policy NHE13:- Historic Character

~~We wholeheartedly concur with this view, and will work vigorously with local planning authorities and other stakeholders to ensure that the historical character of the area is preserved; the key environmental features maintained (and enhanced wherever possible); and that in the absence of any “exceptional circumstances”, (as defined in relevant legislation, case-law or guidance), Green Belt land in and around our Parish remains inviolate.~~

~~Development proposals should reflect and where possible enhance the historic character of the area.~~

13.16 Policy NHE14: We value our green infrastructure and its key role in maintaining the historic character and environment of Wymondley Parish. Consequently, as opportunities arise, we will continue to work with local authorities, landowners and other interested parties to encourage improved hedgerow and woodland management; maintain and extend the rights of way network; increase appropriate tree belt screening and field boundaries in our parish landscape; lessen the impact of the A1 (M) and other elements of our transport infrastructure; and create new accessible green infrastructure.

COMMENT

This is not a policy but a community aspiration and should be moved to a separate

section of the plan.

13.17 Policy NHE15: *We will also seek to protect our village greens (and other green spaces) from inappropriate development or unsympathetic management, as they form a key element of the character of the Parish. (Issues relating to green infrastructure are covered in more depth in Section 9 of this Plan.)*

COMMENT

This policy should be given a title. I have no other comment on this policy

13.18 Policy NHE16: *To protect our natural and historic environment, and retain the rural character and intimate scale of Wymondley Parish we will work with local authorities, landowners and other interested parties to ensure that any new development is appropriately sited and of an appropriate scale, form and style; that visually intrusive locations such as upper ground where they would be visible from the skyline are avoided; and that associated lighting does not create additional urbanising influences on the character of the area.*

COMMENT

This policy would be better combined with NHE13 and for clarity modified as follows:

Policy NHE16: Natural and Historic Environment

To protect our natural and historic environment, and retain the rural character and intimate scale of Wymondley Parish ~~we will work with local authorities, landowners and other interested parties to ensure that any new development is~~ should:

- ~~be appropriately sited and of an appropriate scale, form and style; that~~*
- avoid visually intrusive locations such as upper ground where they would be visible from the skyline ~~are avoided;~~*
- avoid ~~and that associated lighting does not that~~ would create additional urbanising influences on the character of the area.*

13.19 Green Belt

Aim: *to preserve the look and feel of the Parish, with particular importance being given to the protection of the Green Belt surrounding it, to prevent erosion of the Parish's character by urban sprawl;*

13.20 Policy GB1: *We will work positively with stakeholders to ensure that*

development proposals impacting on Wymondley Parish comply with Government Green Belt policy; and that primary consideration is given to effective use of brown-field sites which are not of high environmental value.

COMMENT

As currently worded GB1 is not a policy, for clarity it should be combined with policy GB2 and modified as follows:

**~~Policy GB1 Green Belt: We will work positively with stakeholders to ensure that~~
~~Development proposals impacting on Wymondley Parish must comply with~~
~~Government Green Belt policy; and that primary consideration is~~ will be ~~given to~~
~~effective use of brown-field sites which are not of high environmental value.~~**

**~~We will work positively with stakeholders to ensure that Development proposals do~~
~~should not impact negatively on Wymondley Parish - particularly in terms of visual~~
~~impact on the openness of the Green Belt landscape and its important contribution to~~
~~the character of our villages/hamlets~~**

**~~We will work positively with stakeholders to ensure that development proposals do not~~
~~impact negatively on Wymondley Parish – particularly in terms of visual impact on the~~
~~openness of the Green Belt landscape and its important contribution to the character~~
~~of our villages/hamlets~~**

COMMENT

As currently worded GB2 is not a policy, for clarity it should be combined with policy GB1 please refer to GB1 for modification.

13.21 Policy GB3: Where we believe Government Green Belt policy has not been complied with, we will robustly challenge any proposals to change our Green Belt boundaries or to build on Green Belt land in or near to Wymondley Parish.

COMMENT

Green Belt policy is set out at national level. This policy does not meet the Basic Condition and should be deleted from the plan.

13.22 Flood Risk

Aim: to contribute to the well-being of the Parish by seeking to address the current shortfall in Flood Prevention Measures; and to work constructively with local planning

authorities to pre-empt the future effects of climate change and ensure that any development proposals are sustainable, have no adverse effect on potential flood risk and will contribute to existing and necessary future infrastructures.

13.23 Policy FR1: We will rigorously pursue the need for implementation (and regular maintenance) of satisfactory Flood Prevention Measures in the Parish, particularly in relation to Little Wymondley.

COMMENT

FR1 is not a policy but a community aspiration and should be moved to a separate section of the plan.

**13.24 Policy FR2: We will continue to work with HCC to develop a SWMP for the Parish.
We**

view this as particularly important, given the absence of a SUDS policy in relation to

Stevenage Road in Little Wymondley, notwithstanding the fact that it follows the natural contour of an Ice Age river bed.

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.25 Policy FR3: We will work constructively with local planning authorities, flood authorities, and other stakeholders, to ensure that any development proposals are sustainable and address local concerns regarding exacerbation of flood risk.

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.26 Policy FR4: We will robustly oppose any proposed development that fails to address the required infrastructure implementation needed to mitigate and reduce flood risk to our community.

COMMENT

The National Planning Policy Framework only requires that new development does not

increase existing flood risk and ideally reduces flood risk overall. In order to meet the BAsi9c conditions the policy should be reworded as follows:

Policy FR4: Flood Risk

Development proposals which would result in an increase in flood risk will not be supported.

~~***We will robustly oppose any proposed development that fails to address the required infrastructure implementation needed to mitigate and reduce flood risk to our community.***~~

13.27 Policy FR5: We believe an integrated, risk-based approach to flood risk management is the way forward, and strongly support the inclusion of Sustainable Urban Drainage Systems (SUDS) in any development proposal. We will work positively with local authorities and other stakeholders to ensure they are fully considered from the design stage onwards; and that development proposals include (and implement) measures to satisfactorily address issues highlighted in SFRA's and SWMPs.

COMMENT

As currently worded this policy mixes policy and community aspiration. The second sentence of the policy could be included in a separate section of the plan. In order to meet the Basic Conditions, the policy should be modified as follows:

~~***Policy FR5 Flood Risk: We believe an integrated, risk-based approach to flood risk management is the way forward, and strongly support the inclusion of Sustainable Urban Drainage Systems (SUDS) in any development proposal. We will work positively with local authorities and other stakeholders to ensure they are fully considered from the design stage onwards; and that development proposals include (and implement) measures to satisfactorily address issues highlighted in SFRA's and SWMPs.***~~

13.28 Green Infrastructure and Spaces

Aim: to contribute to the health and well-being of our Parish, by ensuring community access to high quality open spaces and opportunities for sport and recreation - including consideration of Local Green Space designation; and by seeking to ensure that any proposed development within, (or impacting on), the Parish or its green infrastructure is consistent with national Green Belt policy.

13.29 Policy GIS1: We will conserve and, (where possible), enhance our green spaces for their positive impact on the health, quality of life and social cohesion of our current

community and future generations.

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.30 Designating Local Green Spaces (LGS)

Policy GIS2: we will apply to NHDC for Local Green Space designation in relation to green spaces within Wymondley Parish which are special to the local community; meet the relevant criteria, and which are not otherwise protected.

COMMENT

Local Green Space and open space are two distinct issue. It is unclear whether this policy is intended to designate Local Green Space. Although there are areas identified in the evidence base and included on maps within the NP itself the policy does not seek designation and no information provided as to whether or not the spaces identified meet the Local Green Space requirements as set out in the NPPF.

“The NPPF states:

76. Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed and be capable of enduring beyond the end of the plan period.

77. The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;*
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and*
- where the green area concerned is local in character and is not an extensive tract of land.*

It was clarified at the Exploratory Meeting that the intention was to designate the Local

Green Spaces and additional information has been submitted in accordance with the NPPF to support the designations. For clarity I have been provided with the following list of proposed designations (this information is available to view on the North Hertfordshire District Council website):

- 1, Wymondley Woods and Scout Hut*
- 2. Church Green, Great Wymondley*
- 3. Siccut Road Green, Little Wymondley*
- 4. Recreation Ground, Gravely Road, Great Wymondley*
- 5. Tower Close Green, Little Wymondley*
- 6. Queen Elizabeth II Playing Fields, Little Wymondley*
- 7. Allotments, Siccut Road/ Grimstone Road, Little Wymondley*
- 8. Garden Plots (Allotments), Great Wymondley*
- 9, Allotments, Stevenage Road, Little Wymondley*
- 10. Tower Close Central Green, Little Wymondley*

I am satisfied that the proposed designations were the subject of appropriate consultation.

Having considered the information closely I can confirm that I am of the opinion that all of the Local Space Designations meet the NPPF requirements with the exception of the following:

- 9. Allotments, Stevenage Road, Little Wymondley*

I have not been provided with sufficient evidence to satisfy me that the area in question is where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and

For clarity the policy should be modified as follows:

Policy GIS2 Local Green Spaces

The following Local Green Spaces are designated:

~~we will apply to NHDC for Local Green Space designation in relation to green spaces within Wymondley Parish which are special to the local community; meet the relevant criteria, and which are not otherwise protected. The following Local Green Spaces are designated~~

- 1. Wymondley Woods and Scout Hut**
- 2. Church Green, Great Wymondley**
- 3. Siccut Road Green, Little Wymondley**
- 4. Recreation Ground, Gravely Road, Great Wymondley**
- 5. Tower Close Green, Little Wymondley**
- 6. Queen Elizabeth II Playing Fields, Little Wymondley**
- 7. Allotments, Siccut Road/Grimstone Road, Little Wymondley**
- 8. Garden Plots (Allotments), Great Wymondley**
- 9. Tower Close Central Green, Little Wymondley**

Development will not be permitted except in very special circumstances.

13.31 Transport Links

Aim: to promote, facilitate and encourage use of sustainable transport within the Parish; and work effectively with the Highways Agency, local authorities, landowners and other relevant stakeholders to support cyclists, pedestrians and other non-motorists in their use of “green” routes within the Parish.

13.32 Policy TL1: We will support appropriate initiatives to maintain, extend, improve, promote or facilitate use of, these “green” transport routes; and make recommendations to Hertfordshire Highways, (and local landowners), with the intention of improving footpaths and bridleways to facilitate safe walking, riding and cycling within the Parish and reduce motoring, where possible.

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.33 Policy TL2: We will support initiatives to increase provision of relevant local bus services, which would reduce the need for pupils to be driven to school or walk along unsafe footpaths; thereby also reducing traffic and benefiting the environment and Parish residents.

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.34 Policy TL3: As part of our on-going liaison with the Highways Agency, local authorities and other relevant bodies, we will be proactive in ensuring necessary maintenance work is promptly and satisfactorily undertaken; and support appropriate initiatives to protect the safety of pedestrians within the Parish.

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.35 Traffic Management

Aim: to work positively and collaboratively with local planning authorities to ensure that the traffic management needs of the Parish are met effectively; principally that there are sufficient measures available to identify, mitigate and resolve key issues relating to building developments.

13.36 Policy TM1: We support the need for safety cameras on the Corey's Mill traffic lights to deter "red light runners", thereby giving increased time and opportunity for motorists from Little Wymondley and Graveley to access the roundabout safely. We also support the need for traffic lights at those two junctions with the roundabout.

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.37 Policy TM2: We will work with the Highways Agency, HCC, local planning authorities and other stakeholders to ensure improved traffic calming measures are put in place, in line with Government guidance, specifically the Local Transport Note 01/0727

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.38 Policy TM3: We will press for air quality monitoring on all congested local roads at peak hours, and additional safety measures, in relation to the Corey's Mill roundabout and other key traffic "hot-spots" identified as being of concern to residents.

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.39 Policy TM4: We will work to identify and implement appropriate solutions to local parking problems

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.40 Policy TM5: We will study closely any development proposals, impacting on the Parish, to ensure that road infrastructure issues have been properly considered and addressed from project concept to implementation; and where insufficient account has been taken to mitigate the effects of increased traffic we will object accordingly.

COMMENT

The policy as currently worded lacks clarity and should be modified as follows:

Policy TM5 Roads:

~~*We will study closely any Development proposals should where appropriate, be supported by a Travel Plan assessing the impacting on the Parish, to ensure that road infrastructure issues have been properly considered and addressed from project concept to implementation; and where insufficient account has been taken to including any mitigation measures. mitigate the effects of increased traffic we will object accordingly.*~~ *Development will be refused where the residual cumulative impacts of development are severe.*

13.41 Education

Aim: to work positively and collaboratively with local planning authorities to help ensure that the educational needs of the Parish are met, principally that there are sufficient school places available to meet its needs; and to identify and resolve key issues relating to developments intended to create, expand or alter our schools – or impacting on existing schools.

13.42 Policy E1: We will continue to work with authorities involved in local education and planning, to ensure that our children's educational needs are catered for in terms

of sufficient school places and Information Technology infrastructure; and that they are not adversely affected by any future development activities.

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.43 Policy E2: *As part of this process we will seek to ensure that all key issues are taken into consideration, not only in our Neighbourhood Plan, but in neighbouring and cross- boundary plans and development proposals.*

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.44 Policy E3: *We will carefully consider, (in tandem with others), any knock-on effects of development on our children’s health, e.g. through greater emissions and reduced air quality due to increased traffic; and on their ability to continue to use existing recreational facilities – particularly those involving enjoyment of designated Green Spaces and Green Belt.*

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.45 Telecommunications and Broadband

Aim: *to ensure the Parish has a high-quality communications infrastructure, through ongoing liaison with relevant telecommunications and broadband providers.*

13.46 Policy TB1: *We will work closely with the Herts LEP, local telecommunications, companies and other stakeholders, to highlight the Parish’s communications infrastructure requirements and ensure that necessary service improvements are made.*

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.47 Supporting Local Business and Employment

Aim: to encourage rural economic growth and employment, through support of business expansion and development which is appropriate and in keeping with the Parish's intrinsic character and environment.

13.48 Policy SLBE1: We will continue to support and seek to encourage the economic growth of our local businesses - particularly the public houses which form the hub of our community; our local farmers who manage and conserve our natural environment; and the hotels/wedding venues and other businesses which encourage visitors to the Parish, thereby boosting its economy.

COMMENT

This is a community aspiration and should be deleted from the policy section and moved to a separate section of the plan.

13.49 Policy SLBE2: We will work positively with local businesses, landowners and relevant planning authorities to ensure that any proposed business development within Wymondley Parish is appropriate in terms of location, scale and type; and is otherwise in keeping with the intrinsic character and environment of our parish. (In relation to business premises on the Elms Close industrial estate in Little Wymondley, for example, we would seek to limit any expansion on this site to within its current boundary.)

COMMENT

The policy as currently worded lacks clarity and should be modified as follows:

Policy SLBE2 Business Development:

~~We will work positively with local businesses, landowners and relevant planning authorities to ensure that Any proposed business development within Wymondley Parish should be is appropriate in terms of location, scale and type; and is otherwise in keeping with the intrinsic character and environment of our parish. (In relation to business premises on the Elms Close industrial estate in Little Wymondley, for example, we would seek to limit any expansion on this site to within its current boundary.)~~

13.50 Policy SLBE3: We will carefully scrutinise any proposals for the development of additional industrial premises in, or directly adjacent to, the Parish (as put forward by Stevenage Borough Council (SBC), for example). Where there is evidence that such

development would have a detrimental effect on existing parish businesses; be wholly inappropriate due to inconsistency with the look and feel of the area; or would exacerbate existing infrastructure problems (particularly in relation to flood risk and traffic management) we will oppose them.

COMMENT

Neighbourhood Plans cannot have policies which relate to land outside the Neighbourhood Plan Area and as currently worded policy SLB3 does not meet the Basic Conditions. This policy in essence repeats SLBE2 and should be deleted.

13.51 Policy SLBE4: Given the number of already vacant plots in Stevenage and Hitchin, we find further encroachment on our surrounding Green Belt, (through urban creep of commercial or domestic development from both towns), totally unacceptable and we oppose it.

COMMENT

This is not a policy and should be deleted from the plan.

13.52 Social Cohesion and Well-being

Aim: to improve quality of life, social cohesion and well-being for our community, through positive action to retain local services and community amenities and, where suitable opportunities arise, improve them to meet parishioners' needs.

13.53 Policy SCW1: We will encourage, support and promote initiatives aimed at improving health, well-being and social cohesion within our community; particularly those which make best use of our current amenities, public spaces and recreational facilities.

COMMENT

This is not a policy and should be removed from this section of the plan and placed within the community projects/aspirations section.

13.54 Policy SCW2: We will take action to ensure that our amenities, public spaces and recreational facilities are regularly maintained and upgraded; and seek to extend and enhance them when suitable opportunities arise.

COMMENT

This is a community aspiration and not a policy. It should be deleted from the policy section and moved to a separate section of the plan.

13.55 Housing and Other Development

Aim: to promote sustainable development in our Parish, by ensuring any necessary development is well-designed and located appropriately, i.e. where it will enhance or maintain the vitality of our community; reflect the identity of our parish; and respond to its local character and history. Also, through consideration of demographic trends and community needs, and by identifying possible “deliverable”³⁴ sites within the Parish, we will strive to ensure that any proposed housing is affordable and of a suitable size, type, tenure and range for the community.

13.56 Policy HOD1: In considering housing proposals impacting on the Parish we will consider demographic trends and community needs, and work with stakeholders to ensure that any housing delivered meets community needs in terms of affordability, type, tenure and range.

COMMENT

In this section reference should be made to the impact of the emerging local plan policies and site allocation.

This policy should be given a title. I have no other comment on this policy.

13.57 Policy HOD 2: In considering planning applications and other development proposals impacting on the Parish we will work to ensure that developments are well-designed and located appropriately, i.e. where they will enhance or maintain the vitality of our community; reflect the identity of our parish; and respond to our local character and history.

COMMENT

HOD 2 is currently worded as a statement not a policy. For clarity and to meet the Basic Conditions the policy should be modified as follows:

Policy HOD 2: Design

~~*In considering planning applications and other development proposals impacting on the Parish we will work to ensure that All developments are should be well-designed and located appropriately, i.e. where they will enhance or maintain the vitality of our community; reflect the identity of our parish; and respond to our local character and*~~

history.

13.58 Policy HD04 We will continue to explore opportunities to increase available parking within the Parish and, when considering Development proposals work with relevant parties to ensure that adequate parking facilities are included in plans.

COMMENT

HD03 seems to be missing?

The first part of this policy is a community aspiration and should be moved to a separate section of the plan. For clarity, the second part of the policy should be modified as follows:

Policy HOD4 Parking:

~~We will continue to explore opportunities to increase available parking within the Parish and, when considering Development proposals should provide parking to meet the relevant adopted parking standards, work with relevant parties to ensure that adequate parking facilities are included in plans.~~

13.59 Policy HOD5: we will give further consideration to the provision of additional facilities for the Parish's children, to determine the most appropriate location(s) and type.

COMMENT

This is a community aspiration and should be moved to a separate section of the plan.

13.60 Policy HOD1: We will work positively and collaboratively with local planning authorities in considering planning applications, and other development proposals impacting on the Parish, to identify and resolve key issues affecting long-term sustainability.

COMMENT

This is presumably HD06?

This is not a policy but community aspiration and should be moved to a separate section of the plan.

SECTION 5

Conclusion and Recommendations

- 5.1 *I find that the Wymondley Neighbourhood Plan has been prepared in accordance with the statutory requirements and processes set out in the Town and County Planning Act 1990 (as amended by the Localism Act 2011) and the subsequent Neighbourhood Planning (General) Regulations 2012.*
- 5.2 *The general text in the plan should be modified to conform with the policy modifications.*
- 5.3 *The Neighbourhood Plan does not deal with County matters (mineral extraction and waste development), nationally significant infrastructure such as highways and railways or other matters set out in Section 61K of the Town and Country Planning Act 1990.*
- 5.4 *The Wymondley Neighbourhood Plan does not relate to more than one Neighbourhood Area and there are no other Neighbourhood Development Plans in place within the Neighbourhood Area.*
- 5.5 *The Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening, meet the EU Obligation.*
- 5.6 *The policies and plans in the Wymondley Neighbourhood Plan, subject to the recommended modifications would contribute to achieving sustainable development. They have regard to national policy and to guidance, and generally conform to the strategic policies of the Development for North Hertfordshire. At the time of my examination the Development Plan for North Hertfordshire comprises the saved policies from North Hertfordshire District Local Plan No 2 (1996) and the Hertfordshire CC Waste and Mineral Plans. North Hertfordshire District Council are at a relatively advanced stage of preparing a new plan for the District, the Local Plan 2011-2031 which was submitted for examination in June 2017, the hearings taking place from November 2017 to the end of March 2018. The key elements of the plan set a target to deliver 14,000 new homes for North Hertfordshire.*
- 5.7 *I am satisfied that the Wymondley Neighbourhood plan has been developed having cognisance of the emerging local plan.*
- 5.8 *I therefore conclude that the Wymondley Neighbourhood Plan subject to the recommended modifications can proceed to Referendum.*

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Planning Consultant

NPIERS Examiner

CEDR accredited mediator

10th of March 2019

