

Representations for St Pauls Walden Neighbourhood Plan

St Pauls Walden Neighbourhood Plan

| <u>Ref.</u> | <u>Rep No.</u> | <u>Applicant</u> | <u>Agent</u> |
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| LDF/00023 | 10 | Hertfordshire Gardens Trust | |

Document Section: St Pauls Walden Neighbourhood Plan

Comment

Representation:

Thank you for consulting the GHS and HGT on this Neighbourhood Plan for St Paul's Walden.

At this stage we have just one observation: Kimpton Hoo is a Registered landscape (Grade II) in the south east of the parish. We note that the proposed boundary for the plan does not include all of the Registered landscape, some areas of woodland lying in the adjacent southerly parish. We trust that any proposals affecting this landscape and its setting, would also consider the areas outside of the St Paul's Walden boundary.

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| LDF/00910 | 5 | Welbourne |
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Support

Representation:

From your letter dated 17th July, we understand that a neighbourhood plan is to give communities a voice regarding the development of their community.

Given that this parish is faced with two potential developments which could add up to 100 houses, we agree that it is important that the residents are able to have a say in where and how many houses are to be built, in the hope that a balance can be struck between the need for an increase in houses to meet North Herts quota and maintaining the village 'feel' and rural nature of the parish.

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| LDF/01960 | 4 | Gibbs |
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Document Section: St Pauls Walden Neighbourhood Plan

Object

Representation:

I am writing to object to the plans for the St. Paul's Walden REF: LDF/01960

I object because of the following points:

- 1) The infrastructure surrounding Whitwell village and surrounding area cannot take any further, the roads area narrow, rural roads and can be quite dangerous.
- 2) Whitwell High Street is used as a rat run between Luton/Hitchin/Stevenage/Welwyn/St. Albans/Harpندن etc. and at 8am weekday mornings is often hazardous to cross. It often takes a few minutes to wait for passing traffic before I can cross to get to the school bus. The High Street is also highly congested with parked cars, therefore causing obstructions.
- 3) Secondary school places are already few and far between with many children mostly having to travel at least 3 miles to school either by bus/school transport or cars.
- 4) As an area of outstanding beauty - it should be kept as such for both scenery and wildlife.
- 5) The area Horn Hill/Bradway is becoming more and more congested with parked cars make the junctions dangerous.
- 6) Our Doctors surgery is already fit to burst! It is often difficult to get appointments.
- 7) We have been able to maintain traditional culture and values in our community, we would like to keep it this way.

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| LDF/01966 | 4 | Gibbs |
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Representation:

I am writing once again, object to the plans for St. Paul's Walden REF: LDF/01966.

For the same reasons as in previous years, I object because of the following points:

- 1) The infrastructure surrounding Whitwell village and surrounding area cannot take any further traffic, the roads are narrow, rural roads and can be quite dangerous.
- 2) Whitwell High Street is used as a rat run between Luton/Hitchin/Stevenage/Welwyn/St. Albans/Harpندن etc. and at 8am weekday mornings is often hazardous to cross. It often takes a few minutes to wait for passing traffic before we can cross to get the school bus. The High Street is also highly congested with parked cars, therefore causing obstructions.
- 3) Secondary school places are already few and far between with our children mostly having to travel at least 3 miles to school either by bus/school transport or cars.
- 4) As an area of outstanding beauty - it should be kept as such for both scenery and wildlife.
- 5) The area Horn Hill/Bradway is becoming more and more congested with parked cars make the junctions more dangerous.
- 6) Our Doctors surgery is already fit to burst! It is often difficult to get appointments.
- 7) We have been able to maintain traditional culture and values in our community, we would like to keep it this way.

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| LDF/03413 | 2 | Norman |
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Support

Representation:

We support the application from our Parish Council re the development of a Neighbourhood Plan.

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| LDF/03413 | 3 | Norman |
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Support

Representation:

My husband has contacted you but I also want to add my support for a Neighbourhood Plan. We are faced with two developments in the village of about 44 houses. I think these are too big for our village and will destroy its local feel. However, I think we need limited housing development which will enable the village to support facilities like the local school, post office, surgery etc into the future.

I therefore support the Neighbourhood Plan as one way in which future development and protection of our village 'feel' can be properly balanced and supported by the villagers.

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| LDF/03422 | 4 | Reid |
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Object

Representation:

The building of 44 houses will put on intense pressure with entrance and exit will be funnelled into the narrow High Street. People in this village need to drive to work or take children to school every morning and evening. This High Street congested now! I do hope you take note of our concerns.

We have concerns about the traffic coming out and in onto a very narrow High Street. If there are 44 houses that means there will be approximately extra 60 cars. People need to drive to work or school every morning and evening and the High Street is congested now! and I am not including the other potential planning site SP2. I do hope this is

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| taken into consideration. | | | |

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| LDF/04752 | 82 | 'Hertfordshire County Council - Spatial and Land Use Planning | |
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Document Section: St Pauls Walden Neighbourhood Plan

Representation: *Comment* MAP Map/plans attached

I am writing in response to the St Pauls Walden Parish Council's application for the designation of a Neighbourhood Plan Area and provide comments in relation to minerals and waste planning matters.

The proposed Neighbourhood Plan Area does not coincide with any of the County Council's proposed waste site designations as shown in the Waste Local Plan. The area does, however, include a history of planning applications for waste facilities.

There is currently an operational sewage treatment works at Whitwell located within the Neighbourhood Plan Area. This is comprised of two sites, namely A and B. This is a safeguarded waste management operation under policy 5: safeguarding of sites of the Waste Core Strategy and Development Management Policies document.

There are two other existing waste facilities to be aware of which are located within close proximity of the Neighbourhood Plan Area. Breachwood Green sewage treatment facility lies 594m west of the Plan Area and Kimpton Road sewage treatment facility lies 790m south of the Plan Area. Both of these sites are safeguarded waste facilities.

In terms of minerals, the proposed Neighbourhood Plan Area is not located within the sand and gravel belt, however it includes parts of two mineral resource blocks where there is potential for the extraction of mineral as shown in the Minerals Consultation Area Supplementary Planning Document, 2008. These can be seen on the attached plan.

It should be noted, when the Parish Council develops its vision and objectives for shaping development and growth within the neighbourhood, that minerals and waste matters will need to be taken into account as Minerals and Waste Local Plans form part of the Development Plan. New development and growth of an area results in the generation of waste and this will be an important aspect needing consideration in due course in addition to the need to avoid the sterilisation of minerals.

The County Council would like to be consulted at future stages in the production of the Neighbourhood Plan.

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| LDF/07600 | 7 | Gladman Developments Limited | |
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Document Section: St Pauls Walden Neighbourhood Plan

Representation: *Comment*

Gladman Developments Ltd (Gladman) specialise in the promotion of strategic land for residential development with associated community infrastructure. This letter provides Gladman's representations on the application made by St Paul's Walden Parish Council for the designation of a Neighbourhood Area, for the purposes of preparing a Neighbourhood Development Plan.

At this stage Gladman have no specific comments to make on the application for the Neighbourhood Area designation. However, as the first normal stage of preparing a Neighbourhood Plan, Gladman would like to take the opportunity to comment on the St Paul's Walden Neighbourhood Area application to highlight a number of key requirements to which the development of the emerging Neighbourhood Plan should have regard. Gladman wish to participate in the Neighbourhood Plan's preparation and to be notified of further developments and consultations in this regard.

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Neighbourhood Plans - Guidance and Legislation

The National Planning Policy Framework (The Framework) sets out Government's planning policies for England and how these are expected to be applied. In doing so it sets out requirements for the preparation of neighbourhood plans and the role these should take in setting out policies for the local area. The guidance set out in the Framework has now been supplemented by the recently published Planning Practice Guidance (PPG) on Neighbourhood Plans.

Paragraph 16 of the Framework sets out the positive role that Neighbourhood Plans should play in meeting the development needs of the local area. It states that:

"The application of the Presumption (In Favour of Sustainable Development, set out in paragraph 14 of Framework) will have implications for how communities engage in neighbourhood planning. Critically it will mean 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 of the strategic elements of the Local Plan"

Further guidance on the relationship between Neighbourhood Plans and strategic policies for wider area set out in Council's Local Plan is included in paragraph 184 of the Framework:

"The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date plan is in place as quickly as possible. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans...should not promote less development than set out in the Local Plan or undermine its strategic policies".

Before a Neighbourhood Plan can proceed to referendum it must be tested against the Neighbourhood Plan Basic Conditions, set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 and further detailed in paragraph 065 of the Neighbourhood Plan PPG. Three Basic Conditions are:

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| <ul style="list-style-type: none"> a) Having regard to national policies and advice contained in guidance issued by the b) Having special regard to the desirability of preserving any listed building or its setting appropriate to make the order. c) Having special regard to the desirability of preserving or enhancing the character or d) The making of the neighbourhood plan contributes to the achievement of sustainable e) The making of the neighbourhood plan is in general conformity with the strategic f) The making of the neighbourhood plan does not breach, and is otherwise compatible g) Prescribed conditions are met in relation to the plan and prescribed matters have | <p>Secretary of State it is appropriate to make the neighbourhood plan or any features of special architectural or historic interest that is possesses, it appearance of any conservation area, it is appropriate to make the order development policies contained with the development plan for the area of the authority with, EU obligations been complied with in connection with the proposal for the neighbourhood plan</p> |
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If a Neighbourhood Plan is not developed in accordance with the Neighbourhood Plan Basic Conditions there is a real risk that it will fail when it reaches Independent Examination.

Relationship with Local Plans

To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, Neighbourhood Plans should be prepared to conform to up-to-date strategic policy requirements set out in Local Plans. Where an up-to-date Local Plan has been adopted and is in place for the wider authority area, it is strategic policy requirements set out in

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this document that a Neighbourhood Plan should seek to support and meet. When a Local Plan is emerging or is yet to be found sound at Examination, there will be a lack of certainty over what scale of development a community must accommodate or the direction the policies in the Neighbourhood Plan should take.

The North Hertfordshire Local Plan (Number 2 with alternatives) was adopted in April 1996 and covered the period up to 2001. A number of policies were saved following the Secretary of State's 'Saving Direction' on 27th September 2007. The North Hertfordshire Local Plan only planned for development up to 2001 and does not contain housing policies beyond this period, it is therefore significantly out of date and time expired against the requirements of the Framework.

The emerging North Hertfordshire District Local Plan will set out the spatial strategy and key planning policies for the district to 2031. Gladman note that the Council consulted on its preferred options document which ended in February 2015. The Council initially anticipated to consult on its proposed submission version of the plan, however this has been delayed due to ongoing discussions with Central Bedfordshire and Luton regarding unmet housing needs.

Given the current status of the emerging Local Plan and the uncertainty over the final policies it will set for the district and the level of growth that the Council may need to accommodate under the Duty to Cooperate, we question the Parish Council's ability to progress with a Neighbourhood Plan at this time and recommend that work on the Neighbourhood Plan be delayed to allow for the emerging Local Plan to be submitted to Secretary of State for Examination and successfully tested by an Inspector.

Although the Neighbourhood Plan PPG indicates that Neighbourhood Plans can be advanced before an up-to-date Local Plan is in place, Gladman would strongly question the ability to progress a Neighbourhood Plan on this basis. If a Neighbourhood Plan is progressed prior to an up-to-date Local Plan being prepared, or the strategic policies and development requirements set out in an emerging Local Plan change, then the work on the Neighbourhood Plan is likely to be abortive. A Neighbourhood Plan cannot be consistent with the requirements of the Framework or meet the Neighbourhood Plan Basic Conditions if it is progressed on a development plan that is out-of-date.

Neighbourhood Plan Policies and Proposals

In accordance with the Neighbourhood Plan Basic Conditions, Neighbourhood Plan policies should align with the requirements of the Framework and the wider strategic policies for the area set out in the Council's Local Plan. Neighbourhood Plans should provide a policy framework that complements and supports the requirements set out in these higher-order documents, setting out further, locally-specific requirements that will be applied to development proposals coming forward.

The Framework is clear that Neighbourhood Plans cannot introduce policies and proposals that would prevent development from going ahead. They are required to plan positively for new development, enabling sufficient growth to take place to meet the strategic development needs for the area. Policies that are clearly worded or intended to place an unjustified constraint on further sustainable development taking place would not be consistent with the requirements of the Framework or meet the Neighbourhood Plan Basic Conditions.

Communities should not seek to include policies in Neighbourhood Plans that have no planning basis or are inconsistent with national or local policy obligations. Proposals should be appropriately justified by the findings of a supporting evidence base and must be sufficiently clear to be capable of being interpreted by applicants and decision makers. Policies and proposals should be designed to add value to policies set out in Local Plan and national guidance, as opposed to replicating their requirements. The community should liaise with the Council's planning team to seek advice on the appropriateness of the Neighbourhood Plan's proposals.

Sustainability Appraisal/Strategic Environment Assessment

The preparation of Neighbourhood Plan may fall under the scope of the Environment Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) that require a Strategic Environmental Assessment (SEA) to be undertaken where a Plan's proposal would be likely to have significant environmental effects. The requirement to undertake an SEA will be dependent on Neighbourhood Plan's proposals, but is likely to be necessary where a Plan is proposing specific allocations or site designations.

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In accordance with Schedule 1 of the SEA Regulations, a Screening Assessment of a Neighbourhood Plan's proposals should be completed to assess whether an SEA must be prepared. Where an SEA is required this should be commenced at the earliest opportunity, alongside the preparation of the emerging Neighbourhood Plan, to ensure the Neighbourhood Plan's proposals have been properly considered through the SEA process, and appropriately justified against other reasonable alternatives. Where an adequate SEA has not been undertaken a Neighbourhood Plan is unlikely to meet the Neighbourhood Plan Basic Conditions.

Although Neighbourhood Plans do not require a Sustainability Appraisal (SA) of their proposals, preparing SA can help to show how a Neighbourhood Plan will contribute to the achievement of sustainable development, a Neighbourhood Plan Basic Condition. Where an SEA is required, extending this assessment to the preparation of an SA is unlikely to require significant additional input.

The Council's planning team will be able to advise on the likely need for an SEA of the Neighbourhood Plan's proposals. To be compatible with EU obligations, further appraisals, such as a Habitats Regulations Assessment, may also be required depending on local circumstances.