

Sele Neighbourhood Area Plan 2018 - 2033

Initial Comments of the Independent Examiner

Prepared by

JOHN SLATER BA(Hons), DMS, MRTPI

John Slater Planning Ltd

8th October 2020

Introductory Remarks

1. As you will be aware, I have been appointed to carry out the examination of the Sele Neighbourhood Plan. I have carried out my initial review of the Plan and the accompanying documents. I visited Hertford on 5th October, spending the afternoon visiting all the sites in Sele Ward. I also made a return visit the following morning to see traffic conditions at the start of the school day.
2. My preliminary view is that I should be able to deal with the examination of this Plan by the consideration of the written material only. I do still have to reserve the right to call for a public hearing, if I consider that it will assist my examination, but that may only be necessary if there are issues that emerge from the responses to this note, which I feel warrant further exploration. If I were to have to call a hearing, it would have to be via a video conference call, in the current COVID 19 climate.
3. Set out in the following paragraphs are a number of matters that I wish to receive either clarification or further comments from the Town Council or in some cases from East Hertfordshire District Council. Such requests are quite normal during the examination process and the replies will help me prepare my report and come to my conclusions.

Regulation 16

4. I would firstly like to offer the Town Council the opportunity to comment on any of the representations that were submitted as part of the Regulation 16 consultation.

Timeframe

5. I have noticed that the start date for this plan is 2108, whilst the Bengoe plan is 2019. Is there a reason for this difference from the Town Council's perspective?

Allocation Sites

6. Can the District Council advise whether planning permission has been granted on either of the Local Plan allocation sites in the plan area? I noticed that the site to the west of Thieves Lane appears to be underway with the site cordoned off. Has the neighbourhood plan 's aspirations for these sites been incorporated, within either the approved masterplans or the planning consents granted?

Access to Green Space

7. A common theme is that many of the policies state that they apply to *all* development proposals – is it the intention that this policy would be a material

consideration on all applications, or just the allocation sites or other large developments on green field sites?

Green Infrastructure and SUDS

8. Can the Town Council review what is the correct paragraph to be quoting in the Policy HSHE5 as Para 103 of the NPPF 2019 is a transport related policy?
9. Can the District Council confirm the circumstances where it requires a Flood Risk Assessment to be submitted with a planning application, as set out in its Local Validation Checklist?

Views and Vista

10. Has the issue of incorporating views into the layout featured in any approved scheme for HERT1?
11. In terms of View 2, I was unable to identify from my site visit any particular public viewpoint, as there was no footpath on either side of Bramfield Road. My perception is that views across to the south are likely to be transitory and dynamic, rather than being based on a particular location where people would stop to appreciate a view. Could the Town Council explain why this particular view or vista will hold particular significance to local residents.
12. Can the District Council comment on whether in its view the strategic allocation site on land to the north of Welwyn Road is likely to significantly impinge on this view and would if the requirements of para 4.31 impact on the capacity or form of any development on this strategic allocation?

Non-Listed Buildings

13. Can the Town Council provide me with a plan showing the location of the three non-designated heritage assets, especially the Remains of Sele Farm, off North road? Please provide me with specific information as to the specific heritage significant of the assets especially the remains of Sele Farm, which are said to be subject to future investigations?

Accessible Childcare/ Pre-school Facilities

14. Can the Town Council clarify what type of development would be expected to contribute to these facilities by way of Section 106? Is it expected to be this funding should support private sector childcare provision?

Contributions to Improve Healthcare Facilities

15. Can the District Council advise whether the Clinical Commissioning Group and/ or Hertfordshire County Council have any proposals to enhance health or social care provision in Sele which could be funded using developer contributions as

implied by Policy HSC4. Again, guidance from the Town Council would help me, as to what type of schemes would be expected to contribute and how these would meet the legal requirements for planning obligations, which are replicated in Para 56 of the NPPF.

16. Can the District Council comment on whether there is a Community Infrastructure Levy Scheme in place or is there any intention of introducing such a scheme to collect payments off all types of development – 25% of which could be spent by the Town Council on projects that it has identified

Existing Shops

17. Could the Town Council comment on what the implications of the recent changes to the Use Classes Order with the introduction of new Class E and the accompanying permitted development rights would have on the first criteria in Policy HSC5?

Housing Mix

18. Can the District Council confirm whether in its view Policy HSHT 1 is in general conformity with Local Plan Policy HOU3 in terms of triggering affordable housing at 5 units or more?

Vehicle Parking

19. Are there examples locally, where developments have been able to incorporate underground parking, as I am concerned that it could affect the viability of residential development?

Concluding Remarks

20. I am sending this note direct to Hertford Town Council, as well as East Hertfordshire District Council. I would request that both parties' responses to my questions should be sent to me by 5 pm on **26th October 2020**. If either party needs extra time to respond, please let me know, but I wish to maintain the momentum on this examination.
21. I would also request that copies of this note and the respective responses are placed on the Neighbourhood Plan's and also the LPA's websites

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Independent Examiner to the Sele Neighbourhood Plan.

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