

Sele NP: Initial Comments from the Independent Examiner

District Council Responses

Question 6:

Permission was granted on 30 July 2020 on the southern site at (HERT3) Land West Of Thieves Lane, Hertford, Hertfordshire, SG14 2EJ, Hertfordshire (planning permission ref: 3/19/1024/FUL).

The proposal is for: Detailed planning application for the erection of 254 dwellings, associated parking, landscaping and amenity space along with vehicular and pedestrian access from Thieves Lane and Welwyn Road.

All documents relating to the application can be viewed [here](#).

With regards to the northern site (Archers Spring, Land North Of Welwyn Road, Hertford, Hertfordshire), there is currently an outline planning permission (ref: 3/19/0790/OUT) which is pending consideration.

The proposal is for: Outline Application for 342 residential dwellings (of a range of size and type) together with associated access, parking, public open space and amenity space. Access and Scale to be determined (Layout, Design and Landscaping reserved for future determination).

All documents relating to the application can be viewed [here](#).

The adopted Masterplans for both sites have been appended to this document for convenience.

It is noted that the Neighbourhood Plan refers to a number of aspirations within the HERT3 site allocation which includes, Green Corridors, respecting rural edges of the town location through building heights within the site, using micro-renewables at a domestic level, a 20 mph speed limit and improving and increasing pedestrian and cycle paths.

With regards to the permission granted at Land West of Thieves Lane the officer's report states that there will be areas of soft landscaping maintained along the site edges to provide a buffer with the woodland to the south and west. In addition, the dwellings that front Welwyn Road would be predominantly two storeys in scale but rise to three storeys adjacent to the roundabout and would reduce down to two storeys along the Thieves Lane frontage.

The officer's report also states that the proposal includes improvements to pedestrian access and a new shared footway/cycle way along Welwyn Road, in addition to a bus service that is proposed to run across the main spine road within the site.

It is therefore considered that planning permission ref: 3/19/1024/FUL, incorporated some of the Neighbourhood Plans aspirations into the proposal. At the time of writing the report however, the Officer noted that the draft Neighbourhood Plan was only afforded limited weight.

Turning to the northern site (Archers Spring) planning permission has not yet been granted, however the masterplan identifies the key areas of the site. This includes a Green Corridor from Panshanger Park to the Designated Wildlife site to the North West of the site and new pedestrian and cycle links within the site and to the nature reserve. With regards to housing design and density, the urban parts of the site is predominantly split into three sections with lower density houses, respecting the rural area, whereas the eastern edge would have a more formally designed public realm and focuses on the relationship with the existing urban area.

Whilst Archers Spring site is not as advanced in the planning process as the southern site, the masterplan appears to include some of the Neighbourhood Plans aspirations.

Question 9:

The requirements for a Flood Risk Assessment are set out in the Councils Local Validation Checklist which can be found below.

<https://eastherts.fra1.digitaloceanspaces.com/s3fs-public/2019-12/Local%20Validation%20Requirements%20for%20Planning%20and%20other%20applications.pdf>

A Flood Risk Assessment can be required for Full Planning, Outline Permission, Reserved Matters or Variation of Condition applications and is required for:

All major applications;

- Where the site is shown to be at High Risk of surface water flooding in the national Risk of Flooding from Surface Water maps;
- developments of 1 hectare or greater in Flood Zone 1;
- new development located in Flood Zones 2 and 3;
- development less than 1 ha in flood zone 1 including change of use, to a more vulnerable class where they could be affected by sources of flooding other than rivers and the sea;
- any development within flood zone 1 which has a critical drainage problem as notified by the Environment Agency.

A sequential test will be required for development on sites (not allocated in the District Plan) within flood zones 2 and 3, other than for minor development (see Planning Practice Guidance for definition) or changes of use (unless development is a caravan, camping chalet, mobile home or park home site).

An exceptions test is required for highly vulnerable development in flood zone 2, more vulnerable development and essential infrastructure in flood zone 3a and essential infrastructure in flood zone 3b.

Question 12:

View 2 within the Neighbourhood Plan shows a small part of Sele Farm estate visible from Bramfield Road. The landscaping masterplan for the site indicates that deciduous woodland to the north of the site would remain and would also include pine planting to the north-west of the site. The area of the site that would most likely be visible would be called 'Woodland Edge' and as indicated on the masterplan would have a more informal character with appropriate woodland planting. In addition, the masterplan indicates that the houses would have a rural character of medium density, likely two or three storeys in height and would have landscaping to the northern boundary.

It is likely that part of the allocated site could be viewed from this viewpoint. It is considered that the woodland could act as a screen from View 2 at Bramfield Road and would likely obscure the majority of the development and as such it is unlikely that there would be a *significant* impact on the view. Contrary to paragraph 4.31 of the NP however, it is likely that some development from the allocated site could impact on the view if the site did not address the view through its form, landscaping or capacity in a detailed planning application.

Question 15:

The Council is not aware of any recent planning permission from the Clinical Commissioning Group or Hertfordshire County Council for proposals relating to the enhancement of Health or Social Care.

Question 16:

There is currently no Community Infrastructure Levy in place in East Herts. The Council currently does not have any plans to adopt a CIL charging schedule either in the near future.

Question 18:

In July and February 2019 the NPPF was revised and paragraph 63 notes that the provision of affordable housing should only be sought for residential developments that are classified as a major development (10 or more homes or if the site has an area of 0.5 hectares or more). Consequently, notwithstanding the criteria of Policy HOU3, the Council will not seek affordable housing contributions on sites that are not classified as major developments.

Policy HOU3 states that affordable housing contributions would only be sought on sites proposing fewer than 10 dwellings *where* the dwellings would have a combined gross floor space of greater than 1,000 square metres.

Policy HSHT1 therefore would appear to trigger an earlier threshold for affordable dwellings which would not be in-line with the NPPF and not directly in-line with Policy HOU3 either.