

## Ware Neighbourhood Development Plan

### Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt, matters of clarification are entirely normal at this early stage of the examination process.

#### *Initial Comments*

The Plan provides a clear and concise vision for the neighbourhood area. The relationship between the vision and objectives of the Plan and its policies is very clear.

The presentation of the Plan is very good. The difference between the policies and the supporting text is very clear. The Plan makes good use of high-quality maps. The photographs used throughout the Plan reinforce the issues addressed in the policies

#### *Points for Clarification*

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now able to raise issues for clarification with the Town Council and with the District Council

The comments made on the points in this Note will be used to assist in the preparation of the examination report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

#### *Questions for the Town Council*

I set out specific policy clarification points below in the order in which they appear in the submitted Plan:

##### *Policy W2*

This is a very effective policy. In the round it is an excellent local response to Section 12 of the NPPF.

Does the final part of the policy describe the range of improvements which may arise from the overall implementation of the policy? If so, is it supporting text rather than policy?

##### *Policy W6*

I looked carefully at the town centre during the visit. The thrust of the policy is entirely appropriate.

However, does the word 'normally' serve any useful purpose in the policy? Does the reference to other policies in the Plan make it unnecessary?

##### *Policy W7*

This is another good policy for the town centre. The wording 'that have the potential to provide public realm improvements' is unclear and does not bring the clarity required by the NPPF. Could this element of the policy be replaced with the proportionate approach as set out on Policy W2B?

*Policy W8*

This policy continues the approach in Policies W6/W7.

Should 'the significant enlargement units' read 'the significant enlargement of units'?

*Policy W9*

In part B of the policy does the word 'generally' serve any useful purpose in the policy? Does the reference to trade links make it unnecessary?

*Policy W10*

This is a good policy which will assist the development of local and starter businesses subject to appropriate safeguards.

*Policy W12*

This is a very comprehensive policy.

As I read parts B and C, they are supporting text to part A of the policy. Does the Town Council have any observations on this conclusion

Part F of the policy addresses two separate issues. I am minded to separate the two elements. Does the Town Council have any comments on this proposition?

Are the five criteria intended to apply to both types of development included in this part of the policy?

*Policy W13*

This is a good policy which is underpinned by the information in Appendix A.

*Policy W15*

This is a very comprehensive policy.

Should part D be worded so that it can be applied proportionately?

Is the final sentence of this part of the policy needed in the wider context of the Plan and the policy?

*Policy W16*

As I read Parts A and B of the policy, they set out process requirements rather than a land use policy.

Part C of the policy reads as support for general improvements to be undertaken to the identified elements of the highways network (presumably by the County Council as the Highways Authority) rather than a land use policy.

Please can the Town Council explain the way in which it has developed the policy?

*Question for the District Council*

What is the anticipated timetable for the determination of the current planning application (3/22/2406/FUL) relating to land to the north and east of Ware (WARE2)?

***Representations***

Does the Town Council wish to comment on any of the representations made to the Plan?

I would find it helpful if the Town Council commented on the representations made by:

- Hertfordshire County Council (Representation 14);
- Ptarmigan Ware Limited/Redellis Ware Limited (Representation 16); and
- Pigeon Investment Management (Representation 17)

***Protocol for responses***

I would be grateful for responses and the information requested by 12 May 2023. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

If certain responses are available before others, I would be happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Ware Neighbourhood Development Plan.

14 April 2023