

Ware Neighbourhood Plan

Responses to Independent Examiner's Initial Comments

Prepared by the Ware Neighbourhood Plan Town Council

10th May 2023

This note has been prepared by the Steering Group (SG) for the Ware Neighbourhood Plan (WNP) on behalf of the Town Council. We are grateful for the opportunity to provide further clarification on the points raised below.

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?

It is agreed that this text could be moved into the supporting text.

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?

The Town Council agree that this word is superfluous given the reference to the other policies in the Plan, and could therefore be removed.

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?

It is agreed that replacing the wording with "As appropriate to their scale, nature and location, development proposals should seek to" would add greater clarity to the interpretation of the policy.

Policy W8 - This policy continues the approach in Policies W6/W7. Should 'the significant enlargement units' read 'the significant enlargement of units'?

We can confirm that the word 'of' has been inadvertently left out of the sentence and should be included.

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?

It is agreed that the word 'generally' is unnecessary and could be removed.

Policy W10 - This is a good policy which will assist the development of local and starter businesses subject to appropriate safeguards.

The Town Council note this comment.

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?

The Town Council agree that this is supporting text and could be moved out of the policy into the justification section.

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?

The Town Council agree that the two points could be usefully separated out within the policy.

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

It is the intention of the Town Council that all five criteria should apply to both types of development set out in Clause F.

Policy W13 - This is a good policy which is underpinned by the information in Appendix A.

The Town Council note this comment.

Policy W15 - This is a very comprehensive policy. Should part D be worded so that it can be applied proportionately?

The Town Council are mindful that all developments should be capable of connecting to the existing movement network in order to maximise opportunities for walking and cycling. It is accepted, however, that this may not be relevant to certain proposals that might come forward through the planning system. The words "**as appropriate to their scale, nature and location**" could be used to enable flexibility, however the Town Council would not wish this to potentially 'water-down' proposals that should and can be more sustainably located and connected.

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

Strictly speaking, the sense behind this sentence could be moved into the supporting text. As above, the Town Council are mindful that the policy be sufficiently robust to avoid proposals interpreting the policy in a way that would lessen their sustainability and connectivity to the existing movement route network.

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?

The Town Council consider this to be an important policy. In terms of how it was developed, it started with the recognition that traffic issues in the town were already significant and, with further major growth planned, these are likely to get progressively worse unless properly addressed. In particular, the identified junctions and roads as set out in the policy are those that have been identified through the engagement process as being the pinchpoints that are most severe, which is why the policy was crafted as it was.

It is acknowledged, however, that the policy must address land use issues. A potential amendment that could achieve this, without diluting the purpose of the policy could be:

“Proposals to enhance the identified Key Movement Routes, as shown on Figures 8.3 and 8.5, will be supported. Major development proposals should not have an unacceptable impact on the safety and accessibility of Key Movement Routes. As appropriate to their scale, nature and location, development proposals should provide a strategy to mitigate the impact of additional traffic movements on the pinchpoints as shown on Figure 8.7, and on the safety and flow of pedestrian and cycle access on the identified Key Movement Routes”.

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)**

The Town Council is grateful to those individuals and organisations who have taken the time to comment on the Submission Version WNP. Comments on specific representations are as follows:

Town Council comments on Hertfordshire County Council (HCC) (Representation 14);

Policies W6 and W7– It is noted that HCC raise concerns about over-emphasising car parking (including off-street provision). This is in line with the overarching emphasis on sustainable transport provision and reducing over reliance on more polluting vehicles.

The Town Council are seeking, through the WNP, to support as far as possible a shift towards active and other more sustainable modes of transport in the town. This is important in the context of mitigating congestion and associated air pollution, as well as to support healthy lifestyles and wellbeing. However it is considered prudent to ensure that adequate car parking provision is provided to support the ongoing viability of the town centre for the range of uses laid out in the policy. This

goes beyond disabled provision as there are other user groups who are likely to be (more) reliant on their car for particular journeys and activities.

Policy W11 – Comments as above. ‘Mobility transport’ refers to access by those with reduced mobility and who may, for instance require a wheelchair or motorised scooter.

Policy W12 – The Town Council would be content to include direct reference to the importance and benefits of SuDS, including specific reference to above-ground features such as attenuation ponds and basins, blue-green roofs, swales and permeable paving.

Policy W15 – The Town Council would welcome discussions with HCC in developing a Local Walking and Cycling Infrastructure Plan for the town, building on the issue that have been identified via local consultation as part of the WNP process.

Policy W17 – Whilst the merit of the comment is appreciated, and supported, the Town Council consider that a shift in transport modes used by children getting to and from school will take time and investment (for instance where new or upgrades to walking and cycling routes is required). The policy is considered important in ensuring that development proposals during this period of shift fully consider their impacts on naturally used school drop-off/pick-up points and how they can be most effectively mitigated.

Policies W6 and W19 – The Town Council would be content to include reference to the new Ware library in the supporting text as an example of a community facility in Ware town centre.

Appendix A – The Town Council acknowledge the need for flexibility in planning for new school places and that this is the role of the County Council as the Education Authority.

Town Council comments on Ptarmigan Ware Limited/Redellis Ware Limited (Representation 16);

The Town Council would be content to accept the wording as proposed for paragraph 8.18.

Town Council comments on Pigeon Investment Management (Representation 17)

Policy W1 should be modified to include support for the provision of specialist accommodation, including age restricted general market housing, retirement living, housing with care and care home provision.

Policy W5 should be modified to allow for the consideration of other relevant design considerations: Proposals which incorporate the following energy design principles as appropriate to their scale and nature, and other relevant design considerations, will be particularly supported...”

Policy W12 should be modified to clarify that off-site and biodiversity credits will be an acceptable means of delivering 10% biodiversity net gain. **We would prefer this to be a sequential approach so that credits are not spent in other parts of the country.**

Policy W14 should be modified to require buffers to be provided in accordance with BS 5837:2012 (Trees in Relation to Design, Demolition and Construction). Whilst we broadly support the aims of this policy, we would suggest that criteria iii, “all priority habitats and mature trees must have a minimum buffer of complimentary habitat of 10m”, is overly prescriptive and could have unintended consequences, for example where new foot and cycleway infrastructure is proposed as part of an overall green infrastructure strategy. We would therefore suggest that the policy wording is

modified to require a buffer to be provided in accordance with the British Standard publication, “Trees in Relation to Design, Demolition and Construction” (BS 5837:2012).

Policy W16 should be modified to only require the impact of proposals on the junctions identified on Figure 8.7 where the proposals are likely to result in vehicle trips using the individual junctions in question (as opposed to all of the junctions identified on Figure 8.7).

Town Council comments on Hertfordshire Gardens Trust/The Gardens Trust (Representation 5)

Policy W3 – The Town Council would be content to add additional detail into the supporting text about the contribution to heritage made by the park and garden heritage assets in the parish.

Town Council comments on the Canal and River Trust (Representation 18)

The Town Council recognise that the tow path is under the ownership of the Canal and River Trust and will work with others to achieve the aspirations of the community.

Jan Stock

Chair of the Ware Neighbourhood Plan Steering Group