

# WALKERN NEIGHBOURHOOD PLAN 2021 - 2033



## First Revision Modifications Statement



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# Walkern Neighbourhood Plan

## Draft First Revision Modifications Statement

### 1 Introduction

- 1.1 This Draft Modification Statement has been prepared by Walkern Parish Council, as the Qualifying Body for the Neighbourhood Plan, under Regulation 17(e)(ii) of the Neighbourhood Planning (General) Regulations 2012 (as amended). It is one of the consultation documents accompanying the revised neighbourhood plan, for the statutory Regulation 14 consultation, in accordance with current [Planning Practice Guidance \(PPG\)](#) Paragraph: 085 Reference ID: 41-085-20180222.
- 1.2 The statement is required to set out whether the qualifying body considers that the modifications to the Walkern Neighbourhood Plan are so significant or substantial as to change the nature of the neighbourhood plan, giving reasons for this opinion.
- 1.3 There are 3 types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves:
- Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
  - Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
  - Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.
- 1.4 This statement sets out the background to the revision of the Plan, summarising the main modifications that are proposed and confirms why Walkern Parish Council considers the modifications are not so significant or substantial to change the nature of the 'made' Walkern Neighbourhood Plan 2017-2033. An analysis of the changes can be found in Appendix A: Proposed Modifications.

### 2 Background

- 2.1 The First Revision of the Neighbourhood Plan was agreed at a Walkern Parish Council meeting on 1<sup>st</sup> October 2020.
- 2.2 The original Neighbourhood Plan has been used as the basis for the review. It has been amended following consultation with the community and other stakeholders, by the WNPG with the help of the original planning consultant who was familiar with the village and the objectives of the Neighbourhood Plan.



- 2.3 There was a commitment in the original Plan to monitor its continued relevance and undertake a review in five years. Monitoring has revealed weaknesses in the policies and the need for changes in the original text, including expansion and clarification of some statements. The Green Belt and the environment in the Rural Area Beyond the Green Belt in the Neighbourhood Plan Area are under threat and any further development must be sustainable. The impact of the eastern extension of Stevenage into the Neighbourhood Plan area, will increase traffic and pollution with extra vehicles using Walkern village as a shortcut to the A507, A10 and A120.
- 2.4 The preparation of the original Plan was delayed when a large site on Froghall Lane was refused outline planning permission. The applicant lodged an appeal and following a public inquiry the appeal to build up to 85 new homes was granted. East Herts Council acknowledged that this level of development would satisfy the housing requirement for the village as set out in District Plan Policies DPS3 and VILL1. As a result, neither the original nor the revised Neighbourhood Plan allocates any sites for housing development.
- 2.5 On Sunday 1 August 2021 the Parish Council held an open event at the Walkern Sports and Community Centre. Villagers were able to read display boards explaining why the Neighbourhood Plan was being updated and filled in questionnaires to record their views. There was a general understanding of the purpose of the review of the Neighbourhood Plan. Feedback gathered from the community at this event shaped the Regulation 14 draft of the Neighbourhood Plan, refining its objectives and strengthening its policies. The results are appended to the Consultation Statement.

### 3 Summary of Proposed Main Modifications

- 3.1 The main modifications to the Neighbourhood Plan are outlined below:
- To strengthen the District Plan Policy for the Rural Area Beyond the Green Belt, a 'Countryside Gap' is included in Policy WLK2 and shown on the Proposals Map, to the west of the village between the edge of the Green Belt and the village boundary.
  - Following advice from Historic England, neighbourhood plans can identify Non-designated Heritage Assets which are important to the community. Several of these have been added in a new Policy WLK4.
  - Since the Plan was originally made Box Wood has been under threat. A specific policy on Archaeology is now included (Policy WLK4), along with a policy for trees and hedges (Policy WLK7) and a 'Tree Charter'.
  - Three spaces protected for recreation have been added in to the Protected Recreational Open Space Policy (Policy WLK8). Midsummer Meadows is a new space created following the build-out of the development on Froghall Lane and the two parts of the River Beane Walk have become so much more important during the last few years of Covid 19.
  - Policy WLK10 designates Box Wood, and two small graveyards as Local Green Spaces.
  - The policy for Froghall Lane (now Midsummer Meadows) (Policy WLK 11) has been revised to guide future applications for development within the estate.
  - Design Policies have been updated.
  - A single policy for Valued Community Assets (WLK19) supersedes the previous policies referring to 'Assets of Community Value'.
  - Policy WLK20 ties the funding priorities in with the Action Plan

- 3.2 There is no definitive list of material amendments that would require a referendum. The amendments proposed in the first revision of Walkern Neighbourhood Plan do not entail an amendment to the Neighbourhood Plan Area, and do not include the allocation of sites or any large scale development.
- 3.3 The amendments proposed do clarify existing policies and include further guidance on design. Consultation has been undertaken with residents and they have shown their support for the revised policies, welcoming the additional policy protections for tree and hedges, in particular.
- 3.4 The accountable body concludes that a referendum would not be required.

## 4 Strategic Environmental Assessment

- 4.1 To ensure that the Basic Condition in relation to SEA/HRA has been met, a Strategic Environmental Assessment (SEA) Screening Report was submitted to East Herts Council. Following East Herts consultation with the three prescribed statutory bodies, on the Screening Report, East Herts Council issued a Screening Determination, the responses from each consultee are attached to the Basic Conditions Statement. They each conclude that an SEA is not required.
- 4.2 The Screening Determination states that the emerging Walkern Neighbourhood Plan Review is unlikely to have significant environmental effects and is unlikely to have a significant effect upon a Natura 2000 designation. It concludes that neither an environmental assessment nor an HRA is required.

## 5 Conclusion

- 5.1 The modifications in the First Revision Walkern Neighbourhood Plan are necessary and timely.
- 5.2 The modifications are in conformity with the Strategic Policies in the East Herts District Plan 2018 and with the spirit of the plan, its vision and its objectives.
- 5.3 The modifications materially affect the policies in the plan. However, they are not so significant or substantial to change the nature of the Plan. The Plan would therefore require an examination but not a referendum.

## Appendix A: Proposed Modifications

Made Plan Policy Reference	Review Policy Reference	Modification	Reason for Modification	Type of Modification
WLK1	WLK1	Additional paragraph	Relevance of policy to Walkern	Material (does not change nature of plan)
WLK2	WLK2	One additional view New paragraph identifying an important countryside gap along the river Beane valley between Stevenage and Walkern to identify the significance of this area countryside 'Rural Area Beyond the Green Belt'	Public request for new view To address concern about coalescence, landscape impact and impact on character of the village	Material (does not change nature of plan)
WLK3	WLK3	Minor wording changes	Archaeology now in new policy	Material (does not change nature of plan)
WLK4	WLK8	Three Protected Recreational Spaces (PROS) added	To include a new PROS and recognise recreational value of riverside walk	Material (does not change nature of plan)
WLK5	WLK6	Minor re-wording	To include biodiversity net gains	Material (does not change nature of plan)
WLK6	WLK9	Wording changes highlight threat to Beane Valley	Focus the area of concern as the river runs through the village	Material (does not change nature of plan)
WLK7	WLK10	Add three new Local Green Spaces (LGS)	Include two graveyards and part of the threatened Box Wood	Material (does not change nature of plan)
WLK8	Deleted	Policy Deleted	Development now complete	Material (does not change nature of plan)
WLK9	WLK12	Includes policy criteria	Create clarity for decision makers	Material (does not change nature of plan)
WLK10	WLK13	Criteria for Local Needs Affordable Housing added	To replicate similar neighbourhood plan policies in East Herts District	Material (does not change nature of plan)
WLK11	Deleted	Deleted	Did not added to District Plan Policy	Material (does not change nature of plan)
WLK12	WLK14	Design Policy Criteria improved	To provide more specific guidance and distinguish between residential and other types of development	Material (does not change nature of plan)
WLK13	WLK15	No change	No change necessary	Material (does not change nature of plan)

Made Plan Policy Reference	Review Policy Reference	Modification	Reason for Modification	Type of Modification
WLK14	WLK16	Additional criterion on domestic housing Additional paragraph specifying mitigation if impact on rural lanes identified	Does not qualify as farm diversification Provide environmental benefits	Material (does not change nature of plan)
WLK15	Deleted	Deleted	Covered in NP Policy: Home Businesses	Material (does not change nature of plan)
WLK16	Deleted	Deleted	Covered in District Plan	Material (does not change nature of plan)
WLK17	WLK18	Additional paragraph requiring cycle storage in all types of development	To encourage cycling rather than car use and reduce congestion in village	Material (does not change nature of plan)
WLK18	WLK19	WLK18 and WLK19 amalgamated into single policy for Valued Community Assets	Assets of Community Value no longer considered to be a planning policy matter	Material (does not change nature of plan)
WLK19	WLK19	WLK18 and WLK19 amalgamated into single policy for Valued Community Assets	Policy now references criteria in District Plan Policy	Material (does not change nature of plan)
WLK20	Deleted	Deleted	GP surgery closed	Material (does not change nature of plan)
-	WLK4	New policy identifying non-designated heritage assets	Policy encouraged by Historic England and in District Plan	Material (does not change nature of plan)
-	WLK5	New policy to recognised archaeological features in Walkern	Highlighted by Hertfordshire Country Council's Historic Environment Record	Material (does not change nature of plan)
-	WLK7	New policy to recognised importance of trees, hedgerows and new village Tree Charter	Previously only referred to in design policies	Material (does not change nature of plan)
-	WLK11	Replacement for deleted WLK8 (development now completed)	To provide site specific guidance for further development on site	Material (does not change nature of plan)
-	WLK17	New policy for Home Businesses incorporating previous policy WLK15	Importance of home businesses recognised as a byproduct of Covid	Material (does not change nature of plan)
-	WLK20	New Policy referencing the Action Plan and funding priorities	Action Plan not previous in Neighbourhood Plan	Material (does not change nature of plan)
	Tree Charter	Tree Charter adopted by Parish Council included as an Appendix	To recognise the importance of trees on the character of Walkern	Material (does not change nature of plan)
	Action Plan	Action Plan included as an Appendix	Action Plan previously in the Consultation Statement	Material (does not change nature of plan)