

## **Stanstead Abbots and St Margarets 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 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 parish councils 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 parish councils***

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

##### ***Policy H1***

As submitted, the policy reads as a statement of fact rather than as a land use policy. Is its intention to define the village development boundary and then support development proposals within the defined boundary in accordance with national and local planning policies?

**This policy is intended to redefine the village settlement boundary and amend the greenbelt boundary.**

**We would suggest amending the policy to add 'support development proposals within the redefined village settlement boundary'. In accordance with EHDC plan policy 10.3.6.**

**Note: Change wording from 'village development boundary' to 'village settlement boundary'.**

##### ***Policy H2***

Part II and III read as supporting text rather as a land use policy. In this context I minded to recommend that they are deleted and repositioned into the supporting text. Do the parish councils have any comments on this proposition?

**We agree and propose to remove from policy and add to supporting text.**

##### ***Policy H3***

I looked at the proposed allocation carefully during the visit and have considered the various mitigation measures in paragraph 4.26 of the Plan. I also note that the proposed site features in the preferred Option 2 in the Environmental Report.

I note the proposed approach to the development of the site as set out in the first two sentences of paragraph 4.26. In this context:

- to what extent was the site selection process driven by the requirement to achieve a certain number of new homes in the neighbourhood area?

The steering group undertook a robust site selection process (contained within our evidence base). Whilst we were mindful of the need to deliver 94 new homes within or adjacent to the settlement plan area, the criteria used to assess sites included minimising impact to the green belt, whilst retaining a defensible boundary. We would suggest removing the word “easily” from 4.26 as this could be misconstrued.

The site selection narrative (appendix C) “housing site selection and process” sets out the wider context for our site selection process. As can be seen from the reg 14 consultation, of the 60 possible sites, 31 were assessed in round 2. However a number of these fell by the wayside due to changes in the EA’s classification of flood zones. We had already set criteria that would exclude anything in flood zone 3, meaning sites in flood zone 3 with defences could be considered. The EA removed this classification which significantly reduced the number of remaining sites that could therefore remain open to consideration in the Plan.

- were alternatives considered that would have reduced the amount of land take from the Green Belt?

Overall we considered every parcel of land put forward or identified within or adjacent to the settlement boundary area. We started with over a hundred that led to an initial short list of sites that were assessed (refer to appendix C).

Part of H3 is brownfield that has planning permission already for 25 new dwellings. Therefore the Netherfield Lane site offers the least impactful amount of Greenbelt we could take in order to meet the housing targets and create a defensible boundary.

- are the parish councils satisfied that the development of the site as anticipated in the Plan will be commercially-viable and can be delivered in the Plan period?

We have had extensive discussions with the developer and there is advanced dialogue between EHDC, the developer, and the Parish, and we are confident this is a deliverable scheme.

There are opportunities for the parish councils to comment on the representations received to this policy later in this Note.

#### *Policy H4*

The sites identified in the policy are classic brownfield sites. For my clarity:

- is the proposed yield the overall number anticipated for the two sites? and

Yes.

- do the criteria in part IV of the policy apply to both sites?

Yes

*Policy H5*

As submitted, the policy reads as a combination of policy and supporting text. In this context:

- in part I does the first sentence overlap with the approach proposed in Policy H1?

Yes, suggest removing the first sentence of Policy H5 part I.

- is the second sentence of part I the substantive part of the policy

Yes, suggest retaining the second sentence with removal of the word “also” .

- is part II of the policy supporting text?

We intend to include a policy on suitable windfall sites as we have indicated in 4.20 that these will required to meet our target. We suggest taking out specific reference to Station Road and the High Street and retaining the policy in H5

*Policy D1*

This is a very distinctive policy which is underpinned by the Design Guidance and Codes.

In this context, I minded to recommend that the policy is modified so that it incorporated a proportionate element. This would acknowledge that minor and domestic proposals will not relate to most of the criteria. Do the parish councils have any comments on this proposition?

We agree and propose to add a proportionate element.

Change second sentence to ‘Where it is reasonable to do so, proposals that incorporate....’.

*Policy R1*

Part III d) of the policy is clearly distinctive to the neighbourhood area. However, how would this element of the policy be applied through the development management process? Are there any costed proposals for a river bus?

We propose to remove this Part III d). We will add to the Action Plan as an aspiration.

*Policy HA1*

Does this policy bring any added value beyond national and local planning policies?

We propose to retain HA1 I as this is specific to this area and often overlooked, but remove HA1 II and III.

*Policy HA2*

This is a good policy and a local iteration of the approach in the NPPF.

Noted.

*Policy HA3*

Does this policy bring any added value beyond national and local planning policies?

We agree on item I and propose to remove. However, II and III are specific to this area and we would like to retain.

*Policy NE1*

This is another good policy. In this case it is underpinned by Local Green Spaces Assessment (Appendix G). The maps of the Local Green Spaces are unclear. My report on the Plan will recommend that they are improved to provide the clarity required by the NPPF.

Maps will be updated.

#### *Policy NE4*

Part I of the policy reads as a statement of intent rather than a land use policy. How do the parish councils anticipate that this part of the policy would be implemented?

We agree and propose to remove I.

#### *Policy CL1*

I noted the importance of the various community facilities during the visit. This is another good policy which in this case is underpinned by Appendix F.

Noted.

#### *Policy B2*

I saw the vibrancy of the High Street during the visit. The policy provides an appropriate degree of flexibility for the Plan period.

Noted.

Part III is unclear. Does it offer support for a range of uses (and if so, which uses)?

We can remove B2 III as this doesn't add anything to existing policy.

#### *Policies TR2/3*

Do the policies bring any added value beyond national and local planning policies?

Agree, we will remove.

#### *Questions for the District Council*

Is the District Council satisfied that the Plan's proposed allocation of land at Netherfield Lane for housing purposes (Policy H3) properly relates to the contents of paragraph 145 of the December 2023 version of the NPPF?

Is the District Council continuing to work to the timetable for the District Plan Review as set out in the Local Development Scheme (August 2024)?

#### **Representations**

Do the parish councils wish to comment on any of the representations made to the Plan?

I would find it helpful if the parish councils commented on the representations made by:

- Webster Estates Limited (SAM12);

The submission is in conformity with our proposed Neighbourhood Plan

- The Regional Park Authority (SAM20); Please see separate document which sets out our responses
  - Catesby Estates (SAM22);

We are aware that EHDC has issued a call for sites as part of a refresh of the District Plan, however we are continuing to develop the SASM Neighbourhood Plan under the adopted EHDC District Plan.

Responses to the reg 14 have been clearly documented in the consultation spreadsheet and the response to the reg 16 consultation is largely a repeat of their reg 14 response.

The position regarding our assessment of this site has not changed, given they did not score as highly as other sites in the assessment process (see appendix C). The site is still being used for agricultural purposes and is part of the green gap that the village requires to avoid coalescence with Hoddesdon.

H3 is one site, not two sites. Note to the inspector to confirm that Websters are not intending to implement the consent they have for 20 homes but will submit a revised planning application in line with the neighbourhood plan. The site (including the BAESH trust homes) will deliver 40% affordable homes overall.

- Canal and River Trust (SAM36)

According to our records, the Canal and River Trust was consulted at reg 14 however we did not receive a response, despite chasing outstanding statutory consultee responses. We found their comments helpful however there was reference to areas that were outside the NP boundary and also areas which are already part of the existing national and local policy framework.

We are happy to update the hyperlink as suggested in 6. Riverside para 6. We are happy to add in policy SASM R1 “any development at the waterway frontage should not adversely affect the integrity of the waterway structure”.

We have proposed taking out SASM R1(d) which referenced the establishment of a river bus

Comments in support of leisure uses are implied in the supporting text for 6 and we do not consider that this requires a separate policy.

We acknowledge that the Canal and Rivers Trust could benefit from future BNG contributions. We would propose incorporating reference to this within our Action Plan.

SASM B4 II amend wording to make it clear that proposals for a) and b) should both be encouraged and in partnership with the Canal and Rivers Trust

For ease, we have attached proposed amends to wording on a separate word document.

- Hertfordshire County Council (SAM44)

We disagree with HCC request to refocus objective Q around reducing vehicle speed. We have referenced traffic calming measures and do not consider this to be focusing on a specific solution.

We have proposed removing policies TR2 and TR3 as these add nothing over and above existing EHDC policy.

Suggest add to TR1 I ....refer to where amenities **and public transport links** in the village can be readily and safely accessed .....

11.15 Amend to say HCC has now adopted the South East Hertfordshire Growth and Transport Plan.

11.16 Amend to include reference to emerging HCC Electric Vehicle Charging Strategy.

SUDS is already District Plan policy and does not need to be repeated in the N Plan. Comments relating to minimum floor levels above flood levels are too technically detailed to incorporate into the Neighbourhood Plan

8.57 We propose removing the second sentence.

Comments relating to H3 already form part of the pre application process with EHDC and do not require further policy in the N Plan over and above existing District plan policy.