

## NORTH HERTS PROPOSED SUBMISSION LOCAL PLAN INCORPORATING PROPOSED MAIN MODIFICATIONS 2016: CPRE HERTFORDSHIRE REPRESENTATIONS

### Introduction

Wherever possible, the following representations by Campaign to Protect Rural England Hertfordshire (CPRE) on the Council's Proposed Main Modifications to the Submitted Local Plan (the Main Mod's) are set out individually against the Policy and paragraph numbers in the Council's Consultation document. Where necessary, reference is also made to related proposed changes to the Policies Map.

Our representations and specific comments are set out in the order in which the relevant text appears in the Plan and other Plan documents, and in every case are made on the basis that the proposed modification is unsound for the reasons stated. We are also concerned that there may be issues of legal compliance as a result of the method of consultation on proposed changes to the Submitted Local Plan, and the reliance on evidence submitted to the Plan Examination by the Council that other parties have had limited or no reasonable opportunity to make submissions on.

This document is being submitted in 'word' format to enable the Council and the Examination Inspector to directly copy extracts for their use during future stages of the Plan Examination process.

#### Key Diagram (MM007)

This is not sound because the five 'Growth Villages' shown are a new policy proposal that was not included in the Submitted Plan or any earlier draft of the Plan or background paper, and has not been the subject of adequate consultation with the parties that are likely to be directly or indirectly affected by its consequences. See also our representations below on MM010, MM012, MM035, MM038, MM108, MM213, MM222, MM265, MM283 and MM365.

#### Policy SP2 (MM010) - Settlement Hierarchy

The proposed inclusion of a new third paragraph for a specific proportion (11 percent) of total housing development in the District to be delivered in five specified villages is not sound. It is not justified by adequate evidence and is not consistent with the NPPF 2012.

Irrespective of the Inspector's findings, in the light of evidence available to him, on whether the specific housing allocations for the five named villages in the Submitted Plan should be retained in the Plan as a result of his Examination, the setting of a target proportion of the District's future housing for the five villages would result in a requirement to further expand any or all of the villages into the Green Belt, or rural countryside in the case of Barkway, in the event that the District's total housing provision increased beyond the level set out in the Plan currently being examined. Four of these five villages are within the Green Belt. No exceptional circumstances for

doing so have been set out in the text of the Plan or in support of the proposed Modification, which is therefore unsound by virtue of being contrary to national planning policy as set out in the NPPF.

New paragraph after Submitted Plan paragraph 4.12 (MM012)

The proposed new paragraph states that ‘Five villages have been identified that can support higher levels of growth’ and proceeds to name these in three bullet points. This proposal is unsound for the reasons set out here and above under MM010 in respect of associated Policy SP2.

In addition to the lack of evidence for encouraging further development within the Green Belt that would result from growth of four of the specified villages, there is no evidence presented for treating Barkway ‘as a focus for development in the rural east of the District’. Barkway does not exist in isolation and a significant amount of additional development there affects not only that village’s community and its wider parish, but the other communities affected directly and indirectly by the activity generated by that development.

In the case of Barkway, that includes not just the neighbouring village of Barley in North Herts, but also the string of settlements of Hare Street, Dassels, Hay Street and Braughing along the B1368 south through East Herts District to Puckeridge on the main A10 Cambridge to London strategic road. The impact of traffic on this road has been a concern for many years and will be greatly exacerbated by the scale of housing already proposed in the Submitted Plan, let alone any additional traffic that would arise as a result of an 11 percent target for the five named villages.

We are not aware of any consultation between the Council and East Herts Council or the local Councils representing the above mentioned settlements on the likely implications of this change in Planning status of Barkway, or of such consultations in respect of the impacts on the other four villages in the District and their neighbours affected by this policy change.

Policy SP 3 (MM014)

Part ‘g’ of the Policy is proposed to be modified by the deletion of the words ‘Category ‘A’ with the effect that ‘concentrations of B-Class employment uses would be supported in “certain villages” (which are undefined), and which would then apply to any category of village in the District, not just those best equipped to accommodate such uses. No evidence to support this modification is provided and the proposed change of wording is therefore unsound and not consistent with NPPF 2012 because it would facilitate such development in unsustainable locations across the District.

Policy SP8 (MM035)

CPRE objects to the proposal to include in new text for part ‘c’, sub-paragraph ‘iii’, a bullet point to allow Housing development ‘within the adjusted settlement boundaries of the five villages identified for growth’.

As set out above we object to the growth villages designation in principle but in the event that this new designation is adopted in due course we consider that the wording should refer to ‘defined’ settlement boundaries, rather than ‘adjusted’ which is open to misinterpretation. We consider that the proposed wording is currently unsound.

We have similar concerns about the proposed new wording set out in a new final paragraph for the Policy referring to the use of ‘other land identified following a review of other relevant boundaries or designations’. This would appear to invite further settlement boundary changes to facilitate development in the Green Belt without the demonstration of exceptional circumstances in a Local Plan review, or very special circumstances with a planning application. In either case this would be contrary to the NPPF.

Paragraph 4.95 (MM038)

For the reasons stated above in representations on the proposed new policy for ‘Growth Villages’, we consider the reference to 1,600 homes in ‘village locations identified for growth by Policy SP2’ should not be included in the Plan.

We note the proposed modification (fifth bullet point in this paragraph) to delete the reference to boundary changes to settlements in the Rural Area Beyond the Green Belt (that include Barkway), but the total target figure of 400 homes for such villages is unchanged despite Barkway being re-categorised as a ‘growth village’. This appears to be an oversight in the text and the total figure would need to be reduced accordingly if Barkway is re-categorised.

Paragraph 4.96 (MM039)

CPRE objects to the proposed modification to include a new allocation for a new Gypsy and Traveller Site at Woodside Place on the southern edge of the District, also proposed in MM139 (Policy HS7), and referred to in MM140 to MM142, MM229, and MM231 (Policy CD6), and which we consider is not justified by adequate evidence of exceptional circumstances in the context of NPPF policy for the protection of the Green Belt from inappropriate development.

Policy SP 16 Site NS1 North of Stevenage (MM068)

Proposed new parts ‘b’ and ‘i’ of the modified Policy, and the second new paragraph in the supporting text (MM070) refer to the integration of development with ‘adjacent development’ in Stevenage, including for a new school, ‘in conjunction with **the adjacent land allocated for development in Stevenage Borough Council**’, but the proposed allocation in Stevenage has yet to be approved through the Stevenage Local Plan which is still subject to a Holding Direction by the Secretary of State. In the event that the adjacent proposals in the Green Belt in Stevenage did not proceed, the development proposals that are the subject of the proposed modification would be neither effective nor justified.

Policy ETC 2 (MM090)

As a result of the proposed wording change to Policy ETC1 to refer to ‘Safeguarded’ employment areas, the word ‘Safeguarded’ should be inserted before ‘Employment Areas’ in both the Policy heading and text, and the word ‘allocated’ replaced by ‘safeguarded’ in the first line of the Policy itself.

A similar re-wording is needed in the final paragraph of the Policy which currently refers only to ‘unallocated’ sites rather than ‘unsafeguarded’. Both changes are needed to make the Policy effective.

Part ‘i’ in the final paragraph of the Policy, and the addition to paragraph 5.9 in the text propose a requirement to show evidence of ‘active marketing’ of the site for ‘at least 12 months’ before allowing an alternative use under the Policy. CPRE considers this time period to be excessive in a period of unprecedented pressure to identify previously developed land for residential use in order to minimise the loss of Green Belt and undeveloped countryside.

CPRE would furthermore advocate mixed use solutions as a stage to be tested rather than wholesale loss of employment for areas, particularly if an equivalent level of employment is provided, and as a way of making optimal use of brownfield land. This could involve ground floor employment or commercial uses integrated within buildings that are suitable for residential on upper floors.

Policy CGB 2 (MM108)

Part ‘a’ on affordable housing exception sites in the Green Belt, and part ‘b’ for such development in the Rural Area Beyond the Green Belt, refer in bullet point 1 to granting of permission for such development ‘adjacent to a category ‘A’ village’, but not next to the proposed new category of ‘growth village’. In the event that the proposed modifications to designate some villages as ‘growth villages’ proceeds (contrary to CPRE’s representations), Policy CGB2 would need to be modified accordingly to make it effective.

Paragraph 13.35 (MM213) Barkway

Please see the representations above on the proposed designation of village locations for growth (MM 007, 010 and 012), which also apply specifically to the proposed changed designation of Barkway.

Paragraph 13.74 (MM222) Codicote

Please see our representations above on the proposed designation of village locations for growth (MM 007, 010 and 012), which also apply to Codicote.

Paragraph 13.155 (MM265) Ickleford

Please see our representations above on the proposed designation of village locations for growth (MM 007, 010 and 012), which also apply to Ickleford

Paragraph 13.185 (MM283) Knebworth

Please see the representations above on the proposed designation of village locations for growth (MM 007, 010 and 012), which also apply to Knebworth.

We note that the proposed change to the text for the other ‘growth villages’ is not shown for Knebworth in the track change version on the Council’s website or in the schedule of Modifications under MM283, which we assume is an oversight.

Paragraph 13.348 (MM365) Little Wymondley

Please see our representations above on the proposed designation of village locations for growth (MM 007, 010 and 012), which also apply to Little Wymondley.

Policy BA2 (MM386)

There is no clear justification for extending the boundary of the allocation south-eastwards to the Baldock Bypass as proposed, as this land is not required to meet the housing target for the Plan period set out in the submitted Plan. In the event that the Plan is adopted with the proposed Housing target and the Green Belt boundaries proposed in the submitted Plan, despite objections, including those of CPRE, to the unnecessary loss of Green Belt, such ‘white land’ should be retained for potential development in the long term in accordance with NPPF policy.

Policy BA3 (MM387)

There is no justification for extending the boundary of site allocation BA3 north-eastwards to the Baldock Bypass as proposed, as this land is not required to meet the housing target set out in the submitted Plan for the Plan period. In the event that the Plan is adopted with the proposed Housing target and the Green Belt boundaries proposed in the submitted Plan, despite widespread objections including those of CPRE to the unnecessary loss of Green Belt, such ‘white land’ should be retained for potential development in the long term in accordance with NPPF policy.

Section 4 - Communities

Policies in the Section 4 of the Plan referring to Employment Areas that are unmodified, and still use the term ‘Designated’ Employment Areas, should be amended to refer to ‘Safeguarded’ and/or ‘Allocated’ areas in accordance with modified Policies SP3 and ETC1. This applies to policies for Baldock, Hitchin, Letchworth and Royston.

Policies Map (MM380)

The Map shows ‘Employment Area’ as a designation, but other Modifications (ETC 1) and MM383 now refer to ‘Safeguarded Employment Area. The wording should accordingly be amended to be effective.

Policies Map (MM381)

This Modification is missing from the Maps showing Policies Map changes on the Council’s Consultation website

Policy IMR1 (MM372)

The proposed modification to include a new policy on 5-year housing land supply includes at item 'b' that the shortfall in provision during the first ten years of the Plan would be added to the 'requirement' set out in the Plan. This wording is however potentially misleading because it could be interpreted as referring to the overall Plan requirement rather than the 5-year requirement as intended. The words 'Five-Year' should therefore be inserted at the end of item 'b' of the Policy so that it reads ' , to the calculation of the Five-Year requirement', in order to make this part of the Policy effective

CPRE Hertfordshire: February 2019