

NORTH HERTFORDSHIRE DISTRICT COUNCIL

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Ashwell Neighbourhood Plan
The Parish Council Office
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Our Ref: LP/18.
Your Ref: NP/Ashwell/2018
Consultation
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By email only

Dear Sir

Ashwell Neighbourhood Plan : Pre-submission Consultation Version (Regulation 14)
September 2018

Thank you for the opportunity to comment on the Ashwell Neighbourhood Plan. We recognise the significant amount of work that has been undertaken by the Parish Council and the Steering Group in preparation of this pre-submission consultation draft of the neighbourhood plan.

The Council has read the consultation document and has a number of comments to make. They are intended to help the Parish Council in preparing a neighbourhood plan which will meet the Basic Conditions and that can be used in determining planning applications during the lifetime of the plan.

General comments:

The National Planning Policy Framework (NPPF)

The Ministry of Housing, Communities and Local Government published the revised National Planning Policy Framework (NPPF) on 24 July 2018. The Council recognises that the preparation of this draft neighbourhood plan would have been undertaken using the 2012 version of the NPPF. However, the Parish Council will need to review all references to the NPPF in the draft neighbourhood plan as there have been a number of changes made which will need to be reflected in the neighbourhood plan.

Relationship between the draft neighbourhood plan and the emerging Local Plan

The Council has a number of concerns about the relationship between the draft neighbourhood plan and the emerging Local Plan which will need to be addressed:

1. The neighbourhood plan in Figures 5 and 6 show an area which is described in the key as a village boundary. The boundary shown does not reflect either the "selected village boundary" under the District Plan or the proposed settlement boundary in the emerging Local Plan. Is the area shown as the village boundary a statement of fact – in that it shows the built extent of the village, or is the neighbourhood plan looking towards defining a settlement boundary for Ashwell? If it is the intention of the neighbourhood

plan to amend the settlement boundary, then it would be necessary for the neighbourhood plan to be clear about the proposal and to provide a justification for the proposed boundary.

2. As the neighbourhood plan is currently drafted, the sites 1 (Partridge Hill) and 3 (land west of Gardiners Lane) would be considered as exception sites within the Rural Area under the emerging Local Plan and any development proposal would be assessed against the relevant policies, CGB1 and CGB2. Is this the intention of the neighbourhood plan or should the settlement boundary be amended through the neighbourhood plan to include these sites?
3. The neighbourhood plan is silent on the proposed Local Plan allocation at Claybush Road. Is it the intention of the neighbourhood plan to delete this allocation and replace it with the preferred sites? If this is the intention of the neighbourhood plan, what is the justification for this approach?
4. There are no references to either “settlement boundaries” or to “rural area beyond the green belt” in the neighbourhood plan. One of the basic conditions which the neighbourhood plan will be tested on at the independent examination will be whether the plan is in general conformity with the emerging Local Plan.
5. All of the references in this response to the emerging Local Plan are to the version of the plan submitted for examination in June 2017. However, the Parish Council should be aware that following the hearings sessions for the local plan examination, the District Council is expecting the Inspector to issue his Main Modifications to the Local Plan in the coming weeks. These Main Modifications may change the policies in the emerging local plan and should be considered when drafting the next version of the neighbourhood plan.

Strategic Environmental Assessment Screening Determination and potential land allocations in the neighbourhood plan

The District Council welcomes the ambition of the Parish Council to consider allocating a site or sites for development in the neighbourhood plan. However, before these options are considered further, the Parish Council should undertake some further work to establish the suitability of each of the possible sites and should complete the SEA/SA screening template, a copy of which is attached.

Given that this draft neighbourhood plan is considering the possibility of allocating sites for development, it is likely that once the SEA/SA screening template has been completed, it will demonstrate that a sustainability appraisal will need to be undertaken for each of the proposed sites. The District Council can help with providing the SEA/SA template but it might be more appropriate for the Parish Council to engage some additional assistance through the Neighbourhood Planning Support programme run by Locality. Technical support is available for neighbourhood planning groups which are dealing with complex issues, such as allocating sites. Full details of the support which is available can be found through the Locality website: <https://neighbourhoodplanning.org/>.

Locality has also prepared guidance for neighbourhood planning groups to assess and allocate sites for development in the neighbourhood planning area which should help the Parish Council in developing the policies in the neighbourhood plan. The advice note can be found here: <https://neighbourhoodplanning.org/toolkits-and-guidance/assess-allocate-sites-development/>

The Community Infrastructure Levy

There are several instances in the draft neighbourhood plan where there is a reference to the use of CIL funds for the provision of facilities and resolving existing car parking or highway issues. The Council is not currently looking to implement a Community Infrastructure Levy and is still securing S106 agreements with developers on schemes where this is appropriate. The Council is concerned that the references to using CIL funding in the draft neighbourhood plan are inaccurate and could raise expectations within the local community which might not be realised.

Local Green Spaces

A neighbourhood plan is an ideal opportunity to designate local green spaces where those spaces are demonstrably special to the local community (Planning Practice Guidance, Paragraphs: 005 Reference ID: 37-005-20140306 to 022 Reference ID: 37-022-20140306). For example, the draft neighbourhood plan in Section 4.2.1 refers to a site which might be considered as a local green space in Swan Street. Perhaps consideration should be given to designating some of these green spaces in the next version of the neighbourhood plan?

Availability of documentation

It would have been helpful if the supporting evidence for the neighbourhood plan had been made available on the website during the consultation period. This would enable all parties to make better informed comments to the draft neighbourhood plan. It would be helpful if this evidence is made available through the website in preparation for when the next stages of the neighbourhood plan are finalised.

Policy writing

In preparing the pre-submission version of the Neighbourhood Plan, the Parish Council are encouraged to refer to the Locality guide: "How to write planning policies for your Neighbourhood Plan" which might be helpful. The guide can be found on the following website: <https://neighbourhoodplanning.org/toolkits-and-guidance/write-planning-policies-neighbourhood-plan/>. There are some inconsistencies in the level of detail given for some of the policies in the draft plan. It might help to read the policies as a whole to determine where there might be some duplication or a need to provide additional supporting text.

Specific comments:

Page 9 : 5 th bullet point	Does this paragraph refer to this current consultation document or is it trying to reflect what might happen to the neighbourhood plan once it has gone through all of the statutory preparation stages?
Page 9 6 th bullet point	This sentence should be amended to reflect the status that is given to a "made" neighbourhood plan.
Page 10 Table 1	The description of the stages of neighbourhood plan preparation set out in the latter part of Table 1 do not reflect the stages set out in the Neighbourhood Planning Regulations. Suggested amendments are attached as Appendix 1 to these comments.
Page 15 Section 1.1	The Council would like to see this paragraph amended to better reflect how the housing target is derived – the housing target is not set by the government, but is the result of evidence commissioned for the Local Plan. It perhaps should be noted that only two of the developments mentioned

	in Figure 3 provided any affordable housing for the village, those at 61 Station Road and Walkdens.
Page 16 Section 1.1	The threshold for the provision of affordable housing is eleven or more dwellings. Private developments of less than ten dwellings will not meet the affordable housing threshold, which means that no affordable dwellings would be provided for Ashwell residents unable to afford market housing.
Page 16 Section 1.2	The revised version of the NPPF includes a change of emphasis for the three “dimensions” of sustainable development. The neighbourhood plan should be amended to reflect those changes.
Page 16 – 18 Sections 1.3 – 1.5 Page 17 Table 2 – points 1, 2 & 4	<p>The District Council has comments about two aspects of this section of the neighbourhood plan, firstly in relation to the criteria for site selection and secondly more detailed comments which refer to the provision of affordable housing:</p> <ol style="list-style-type: none"> 1. The consultation draft neighbourhood plan sets out criteria for identifying and assessing sites for housing development. Whilst the Council welcomes the ambition of the Parish Council to consider the allocation of sites for development in the neighbourhood plan, it is concerned that the criteria listed in the consultation draft for assessing sites is limited. In assessing sites for inclusion into the Local Plan, the District Council considers a much wider range of criteria, for example environmental, infrastructure, community, biodiversity, flood zones and heritage assets. <p>If the consultation shows that there is a continuing interest in the Parish for the allocation of sites for development in the village, the District Council considers that more work will need to be undertaken to determine whether the sites are suitable for the proposed use and whether there is sufficient evidence to allocate the sites for elderly persons accommodation only. Once that work has been completed, the Policies 1a, 1b and 1c could be deleted from the neighbourhood plan and be replaced by one policy allocating a site for development.</p> <ol style="list-style-type: none"> 2. In terms of the provision of affordable housing and the criteria listed, it is usual to provide advice to developers of affordable housing need, in accordance with the latest/ most up to date information available, where the affordable housing threshold is met. The District Council do not have specific evidence of need for market housing available and therefore if the size of development is limited to a maximum of 10 units, how will the need be determined? Once the Local Plan has been adopted, development outside the village boundary would be rural exception site and conditions would apply in any event.
Page 17 Section 1.4	<p>What about provision for older households living in market housing and growing children living in affordable and /or market housing who are unable to afford to leave home and set up their own household?</p> <p>All new affordable housing should be offered to applicants with a local connection to the village in the first instance. If there are insufficient applicants with a local connection to Ashwell a cascade should be put in place for applicants with a local connection to:</p>

	<ul style="list-style-type: none"> • Neighbouring parishes (to be named) • Any other rural parish in the District of North Hertfordshire • The District of north Hertfordshire
Page 18 Policy 1c	Policy HS4: “Supported, sheltered and older persons housing” in the proposed submission Local Plan provides details of the requirements to be met for planning permission to be granted for this type of housing. Would a policy in the neighbourhood plan simply duplicate the policy in the emerging Local Plan?
Page 19 Site 1	<p>In addition to the general comments about the principle of allocating sites in the neighbourhood plan, the District Council has some additional comments for each of the specific sites mentioned in the consultation draft.</p> <p>Site 1: Land adjacent to Partridge Hill – this site is in close proximity to the Arbury Banks Scheduled Ancient Monument. The views of Historic England on any potential development of this site and the impact on the scheduled ancient monument should be sought.</p> <p>The consultation document also states that any development proposals should seek to retain and renovate Partridge Hall. It should be recognised that this might mean that a development scheme becomes unviable.</p>
Page 20 Site 2	<p>Site 2: Land of former factory adjacent to 41 West End</p> <p>In principle, the redevelopment of this brownfield site within the settlement boundary would be acceptable and policies in the emerging Local Plan would support such development.</p>
Page 20 Site 3	<p>Site 3: Land west of Gardiners Lane and north of the High Street</p> <p>The District Council’s Statement of Community Involvement (paragraph 6.6) encourages developers to engage with the local interest groups and residents but does not insist that such consultation is undertaken. It is difficult to envisage how the proposed requirement that a developer consults the village community on a detailed masterplan before a planning application is considered will happen in practice.</p>
Page 21 – Page 25 Policies 2a and 2b	<p>Section 2 : Design Considerations for New Developments</p> <p>The emerging Local Plan includes two design policies which would be taken into account when determining planning applications, Policy SP9: Design and Sustainability and Policy D1: Sustainable Design. The Parish Council should consider whether there are any gaps in these policies for Ashwell and whether there are parts of the Ashwell Village Design Statement which should be included in the neighbourhood plan.</p> <p>It should be noted that the Ashwell Village Design Statement, October 2000 was identified in a report to Cabinet in July 2017, as existing supplementary planning guidance which should be revoked upon the adoption of a relevant neighbourhood plan.</p>
Page 22 Section 2.2.2	Could the wording of the first bullet point be simplified? As currently worded, the streets are described as rectilinear and as being rigidly

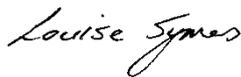
	straight.
Page 25 Section 2.2.3	Unlike the other features described in Section 2.2.3 Buildings, there are no features highlighted in blue text which perhaps should be noted?
Page 29 Policies 3a, 3b and 3c	<p>The policies as currently worded are not policies which can be used in determining planning applications. The policies could be re-worded so that they say that development proposals related to the expansion or continuation of a business will be supported?</p> <p>If the Parish Council wishes to seek advice about retaining businesses in the community or encouraging new business initiatives, the District Council has an Economic Development Officer who might be able to offer some advice and assistance to the Parish Council.</p>
Page 30 Policies 3d, 3e, 3f and 3g	<p>Policies 3d and 3g are not issues which the neighbourhood plan can address, but where discussions with the Economic Development Officer might be helpful.</p> <p>However, Policy 3e could be re-worded to express support for development proposals which would result in a permanent location for the Post Office. Would it be preferable to limit the location of a site for the Post Office or would a permanent home be a better solution for the community?</p> <p>In terms of parking issues, it might be better for the neighbourhood plan to consider these all together in Section 8?</p>
Page 30 Policies 3h, 3i and 3j	The emerging Local Plan includes a policy, ETC7 which states that planning permission will be granted for new shops and services within existing settlements and sets criteria for proposals which would result in the loss of any shops or facilities. Does the neighbourhood plan policy add any further detail to the policy in the Local Plan?
Page 32 Policies 4a, 4b and 4c	<p>As written, these policies cannot be used in determining planning applications. However, the neighbourhood plan could include a policy which would be supportive of development proposals for new sport and recreation facilities within the Parish?</p> <p>The ambition to identify additional land for sports pitches and the provision of a multi-functional hall for indoor sports might best be progressed in the first instance through discussions with Sport England. Advice notes published on their website indicate that the costs involved of providing pitches, indoor facilities or pavilions are significantly higher than the estimated costs outlined in Section 4.1.3. It might be better to explore these ideas further before including policies in a neighbourhood plan.</p> <p>Policy 4b mentions that the use of funds from CIL will be considered. The Council is not currently looking to implement a Community Infrastructure Levy and is still securing S106 agreements with developers where this is appropriate. The Council is concerned that the draft policy will raise expectations within the local community which might not be realised.</p>
Page 33 Policies 4d, 4e, 4f and 4g	<p>Would a map of the “twitchels” (mentioned in the 2nd paragraph in Section 4.2.1) help to demonstrate the pedestrian links in the village?</p> <p>The supporting text of the neighbourhood plan at Section 4.2.2 states that</p>

	<p>the public houses should be treated as community assets – however, they have not been designated as Assets of Community Value by the District Council. The Parish Council could consider nominating the public houses as assets of community value?</p> <p>With some re-wording, Policies 4e and 4f are appropriate for inclusion in a neighbourhood plan. The policies could be re-worded to state that proposals which include provision for new or enhanced public rights of way or open space will be supported.</p>
<p>Page 34 Section 5.1</p>	<p>The definition of affordable housing in the revised NPPF includes accommodation for sale or rent for those whose needs are not met by the market (including housing that provides a subsidised route into home ownership).</p>
<p>Page 35 Policies 5a and 5b Policies 5c, 5d and 5e Page 37 Policies 6a, 6b and 6c</p>	<p>These policies are not land use policies which can be used in determining planning applications. They can be included in the neighbourhood plan but it must be clear that they are non land use policies.</p>
<p>Page 38 Paragraph 4 Page 39 3rd paragraph</p>	<p>The 4th paragraph starts with “As a consequence”, but it is not clear whether this relates to enclosure referred to in the 3rd paragraph? This is also used in the 3rd paragraph on page 39.</p>
<p>Page 39 4th paragraph</p>	<p>The text in the 1st sentence should be amended to read: Natural England has prepared a number of Statements of Environmental Opportunity (SEO) for the East Anglian Chalk character area.</p>
<p>Page 40 Policies 7a, 7b, 7c, 7d, 7e and 7f</p>	<p>The Local Plan includes policies which address designated biodiversity and geological sites and sustainable drainage systems, policies NE6 and NE8. Do these policies address all of the issues that the Parish Council want to address in the neighbourhood plan? If they do not, where are the gaps?</p> <p>These policies as written also include references to commissioning work, these “policies” could be included in the neighbourhood plan, but only if it was clear that they cannot be used in determining planning applications.</p>
<p>Page 43 Policies 7g and 7h</p>	<p>Policies 7g and 7h are not land use policies which can be used in determining planning applications. They can be included in the neighbourhood plan but it must be clear that they are non land use policies.</p> <p>Is this an opportunity for the neighbourhood plan to identify non-listed buildings of local interest? This would link in with the emerging Local Plan which includes Policy, HE3 Local heritage.</p>

<p>Page 44 - 45</p> <p>Policies 8a, 8b, 8c, 8d, 8e, 8f, 8g and 8h</p>	<p>Most of these policies are not land use policies which can be used in determining planning applications. However, the neighbourhood plan could consider parking standards for new development within the village based on the standards included in the Local Plan.</p> <p>There are a number of traffic management issues which are addressed in this section – these can be included in the neighbourhood plan but as non land use policies.</p>
<p>Page 45</p> <p>Policies 8i, 8j and 8k</p>	<p>These policies are not land use policies which can be used in determining planning applications. They can be included in the neighbourhood plan but it must be clear that they are non land use policies.</p>

I appreciate that these comments are extensive, but they are intended to help the Parish Council in preparing a neighbourhood plan which will meet the Basic Conditions and help to determine the shape of development in the Parish in the plan period up to 2031. Perhaps once the Parish Council has considered all of the responses to the consultation draft of the neighbourhood plan it would be appropriate to arrange a meeting with the Strategic Planning Team to discuss the issues raised further?

Yours faithfully



Louise Symes
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