

Harpenden Neighbourhood Plan

Summary of Regulation 16 Representations

(NB Full representations can be viewed at http://stalbans-consult.limehouse.co.uk/portal/planning_policy/htnp/htnp?tab=list)

Person or Organisation	Summary
Environment Agency	<p>Thank you for your consultation on the above Neighbourhood Plan. We received your consultation on 10 May 2018.</p> <p>We are a statutory consultee in the planning process providing advice to Local Authorities and developers on pre-application enquiries, planning applications, appeals and strategic plans.</p> <p>Together with Natural England, Heritage and Forestry Commission we have published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at: http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environmentagency.gov.uk/lit_6524_7da381.pdf.</p> <p>Having reviewed your plan we have the following comments:</p> <p>Flood risk</p> <p>There are areas of flood zone 2 and 3 within the designated area. For further information please consult the Local Authorities Strategic Flood Risk Assessment and Surface Water Management Plans. You need to ensure a sequential approach is taken to the location of any site allocations to avoid areas at high risk of flooding and that relevant policies comply with the National Planning Policy Framework (NPPF), paragraphs 100-104.</p> <p>We are pleased to see that the proposed allocations have been directed to the areas at the lowest probability of flooding and that they are all located within Flood Zone 1.</p> <p>The Local Authority will be able to advise if there are areas at risk from surface water flood risk (including groundwater and sewerage flood risk) in your neighbourhood plan area. The Surface Water Management Plan will contain recommendations and actions about how such sites can help reduce the risk of flooding. This may be useful when developing policies or guidance for particular sites.</p> <p>Watercourses</p> <p>The River Lee runs through the neighbourhood area. This is a designated water body within the Thames River Basin Management Plan (ID number GB106038033392). This watercourse has a good ecological status under the Water Framework Directive (WFD). Please note that developments within or adjacent to this watercourse should not cause End 2 any deterioration and should seek to improve the water quality based on the recommendations of the Thames River Basin Management Plan. There may be opportunities to improve the watercourse in conjunction with other objectives such as enhancing open spaces, parks and recreation. Furthermore, should a</p>

	<p>Sustainability Appraisal/Strategic Environmental Assessment of your neighbourhood plan be required, an assessment of the potential impacts on the River Lee under WFD should be included.</p> <p>Section 6 Environment and Sustainable Design We are supportive of this section and its objectives, in particular ED04: Encourage and enhance biodiversity and ED07: Require development to reduce flood risk through sustainable solutions.</p> <p>ESD8 - Green and Open Spaces and Areas of Ecological and Landscape Value We are pleased that you recognise the importance of protecting the River Lee. We would like this to be expanded to include the river corridor. This will protect the river corridor from degradation and encourage enhancement of habitat and biodiversity in open areas associated with the river. This will support ESD13 Biodiversity.</p> <p>ESD11 – Access to the Natural Environment We are supportive of the statement; ‘The integrity and value of green corridors such as watercourses [...] should be maintained and opportunities to strengthen such green links are not to be unacceptably compromised.’ This will further support ESD13 Biodiversity.</p> <p>ESD18 – Flood Risk We are pleased that a policy on flood risk has been included in your Neighbourhood Plan that addresses the need to assess to climate change and the need for robust Flood Risk Assessments.</p> <p>ESD19 – Water Conservation We are supportive of the inclusion of this policy. The south-east is a highly water stressed region, and the impacts of population growth and climate change will add to this stress, it is therefore important that any development incorporates water efficiency measures to reduce water usage</p>
Network Rail	<p>Thank you for giving us the opportunity to comment on the Harpenden Neighbourhood Plan. We have only one comment to make; we support the aspiration to create additional car parking at the railway station (Policy T10, parking in Harpenden Town Centre) as it has long been recognised that there is limited capacity at the station to meet demand. As the policy says this is likely to be achieved through the provision of a multi storey car park; however this would need to be a collaboration between the local authority, ourselves and the train operating company (as the station is leased to the latter).</p> <p>One minor point concerns the wording of T10; it does not appear to scan correctly. The sentence beginning “In particular...” should be slightly amended. We suggest the following::</p> <p>.....capacity within Harpenden Town Centre are supported. This particularly includes proposals for a multi storey.....”</p>
Historic England	<p>Thank you for your correspondence dated 10 May 2018 inviting Historic England to comment on the Regulation 16 Submission version of the Harpenden Neighbourhood Plan.</p> <p>Unfortunately, owing to existing commitments and deadlines, we are not able to provide detailed comments at this time. We would refer you to our previous advice submitted at Regulation 14 stage, and also to our detailed guidance on successfully incorporating historic</p>

environment considerations into your neighbourhood plan, which can be found here:
<https://historicengland.org.uk/advice/planning/plan-making/improve-yourneighbourhood/>

I would be grateful if you would notify me if and when the Neighbourhood Plan is made by the district council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed NP, where we consider these would have an adverse effect on the historic environment.

Neighbourhood Plan for Harpenden - Regulation 14 Consultation Response:

Thank you for consulting Historic England about your Neighbourhood Plan. As the Government's adviser on the historic environment, Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process.

As you are aware, your Neighbourhood Plan Area encompasses the Harpenden Conservation Area, and includes a number of other designated heritage assets including a large number of listed buildings, of which nine are of the highest significance and listed Grade I or II*. It will be important that the strategy you put together for this area safeguards those elements which contribute to the significance of those historic assets. This will ensure that they can be enjoyed by future generations of the area and make sure it is in line with national planning policy. Although the neighbourhood area does contain a number of designated heritage assets, at this point we don't consider there is a need for Historic England to be involved in the development of the strategy for your area, but we offer some general comments below.

Overall, we welcome this clear and comprehensive neighbourhood plan document. We welcome the inclusion, in the Vision and Objectives on p.18, of the desire to conserve and enhance the built environment of Harpenden while supporting appropriately designed new development. We suggest that paragraph 4 of the Overall Vision statement is slightly reworded to say 'New developments that conserve and enhance the historic environment' instead of only the 'built environment'. This reflects the terminology used in the National Planning Policy Framework, and is a more holistic term that acknowledges that the heritage of Harpenden includes below ground archaeological heritage as well as the listed buildings and the Conservation Area already referred to.

We also make the general recommendation that below ground archaeological heritage could be given greater consideration in the development of your neighbourhood plan's evidence base and policy framework. You might consider contacting the staff at the Hertfordshire County Council who look after the Historic Environment Record and give advice on archaeological matters. They should be able to provide details of not only any designated heritage assets but also locally-important buildings, archaeological remains and historic landscapes. Some Historic Environment Records may also be available on-line via the Heritage Gateway (www.heritagegateway.org.uk).

We welcome the identification of Infrastructure Zones in policy SS2, and in particular the emphasis on the need for major development in the South West to demonstrate how they will preserve Harpenden Common, including key views in and out of it. We also welcome the emphasis on protecting the appearance of the historic Town Centre in this policy, but we suggest the wording is altered slightly to

'protect the character and appearance', which would then more precisely reference the requirement of s.72 the Planning (Listed Buildings and Conservation Areas) Act 1990 with respect to conservation areas.

We are pleased to note that conserving Harpenden's local character and heritage is enshrined in Environment and Sustainable Design Objective (EDO) 6, on p.33, and we also welcome the inclusion of policy ESD2 - Local Character and Heritage. However, we have concerns with this policy as it is currently presented. The current wording of the policy is not in line with the National Planning Policy Framework, and is therefore likely to be found unsound. Specifically, this concern is related to the balancing of harm vs public benefits. Paragraphs 133-135 of the National Planning Policy Framework (NPPF) make clear that only in the case of 'substantial harm' to the significance of designated heritage assets, are the public benefits of the scheme required to 'outweigh' that harm. In the case of 'less than substantial harm', also only applicable to designated heritage assets, the harm should be 'weighed against' the public benefits.

In the case of non-designated heritage assets (e.g. locally listed buildings) a less stringent test requiring a 'balanced judgement' to be had regarding the scale of any harm or loss is used. As policy ESD2 is presently worded, it is incorrectly applying only the most stringent test found in the NPPF for all types of heritage asset, whether designated or not, and the policy is therefore not aligned with the NPPF. We would suggest that, in lieu of any other changes related to our comments below, the wording "The Heritage Statement must then demonstrate non negative impact to those assets, or in the case of negative impact, that the public benefits of the proposal outweigh this impact" is altered to read "...or in the case of negative impact, that this impact is clearly and convincingly justified by the public benefits of the proposal".

The government's National Planning Practice Guidance is clear that, where relevant, Neighbourhood Plans need to include enough information about local heritage to guide local authority planning decisions and to put broader strategic heritage policies from the district authority's local plan into action, but at a neighbourhood scale. While it is therefore appropriate for a Neighbourhood Plan to identify and aim to conserve designated heritage assets within the Area boundary, it is also an important opportunity for a community to develop a positive strategy for the area's locally important heritage assets that aren't necessarily recognised at a national level through listing or scheduling, and aren't afforded a high level of detail at the district level. This includes identifying any non-statutorily designated historic buildings, sites, or places of importance to the local community, and setting out what factors make them special. These elements can then be afforded a level of protection from inappropriate change through appropriately worded policies in the plan. The plan could also include consideration of any Grade II listed buildings or locally-designated heritage assets which are At Risk or in poor condition, and which could then be the focus of specific policies aimed at their enhancement. At present, we suggest that the neighbourhood plan could go further to identify and specifically protect local heritage assets, for instance showing heritage assets on a map in the appendix and in a list. At present, the proposals map does not indicate the presence of any listed buildings or indeed the conservation area.

We welcome the intention to produce a design guide to support policy ESD3 - Shopfronts. We suggest that this is based on a detailed assessment of the historic and contemporary shopfronts presently found in Harpenden, coupled with documentary/photographic evidence of the town's appearance historically, which will help to underpin the design guidance's recommendations.

We welcome policy ESD4 - Streets as Social Places and its potential to improve or conserve the character and appearance of the conservation area. For streetscape improvements we would refer you to the Streets for All East of England publication:

<https://historicengland.org.uk/images-books/publications/streets-for-all-east-ofengland/>; the Streets for All case studies series: <https://www.historicengland.org.uk/advice/caring-for-heritage/streets-for-all/casestudies>; and our advice for highways engineers and designers: <https://www.historicengland.org.uk/advice/caring-for-heritage/streets-for-all/highwayengineers-and-designers/>. We would also refer you to Manual for Streets 2: <https://www.gov.uk/government/publications/manual-for-streets-2>, which provides the government's guidance on modifying and improving non-trunk roads and streets.

We welcome the general principle of improving sustainability and energy efficiency, as referenced in Policies ESD2 and ESD16. However, we would highlight that listed buildings, buildings in conservation areas and scheduled monuments are exempted from the need to comply with energy efficiency requirements of the Building Regulations where compliance would unacceptably alter their character and appearance. Special considerations under Part L are also given to locally listed buildings, buildings of architectural and historic interest within registered parks and gardens and the curtilages of scheduled monuments, and buildings of traditional construction with permeable fabric that both absorbs and readily allows the evaporation of moisture. In developing policy covering this area you may find the Historic England guidance Energy Efficiency and Historic Buildings - Application of Part L of the Building Regulations to historically and traditionally constructed buildings <https://historicengland.org.uk/images-books/publications/energy-efficiency-historic-buildings-ptl/> to be helpful in understanding these special considerations.

Your neighbourhood plan is also an opportunity for the community to specifically designate Local Green Spaces <https://historicengland.org.uk/advice/hpg/has/localgreenspace/>. Green spaces are often integral to the character of place for any given area, and your plan could include policies that identify any deficiencies with existing green spaces or access to them, or are aimed at managing development around them. Although your plan identifies the importance of the common to Harpenden's sense of place and in views through the town centre, and includes policy ESD7 - Green and Open Spaces etc, it presently does not designate any Local Green Spaces. You may wish to explore this potential further, and Locality has produced helpful guidance on this, which is available here: <https://mycommunity.org.uk/2018/03/15/new-neighbourhood-planning-programme-changes-to-my-community-everything-you-need-to-know/>

You can also use the neighbourhood plan process to identify any potential Assets of Community Value in the neighbourhood area. Assets of Community Value (ACV) can include things like local public houses, community facilities such as libraries and museums, or again green open spaces. Often these can be important elements of the local historic environment, and whether or not they are protected in other ways, designating them as an ACV can offer an additional level of control to the community with regard to how they are conserved. There is useful information on this process on Locality's website here: <https://mycommunity.org.uk/take-action/land-and-building-assets/assets-of-community-value-right-to-bid/>.

Communities that have a neighbourhood plan in force are entitled to claim 25% of Community Infrastructure Levy (CIL) funds raised from development in their area. The Localism Act 2011 allows this CIL money to be used for the maintenance and on-going costs associated with a range of heritage assets including, for example, transport infrastructure such as historic bridges, green and social infrastructure such as historic parks and gardens, civic spaces, and public places. As a Qualifying Body, your neighbourhood forum can either have access to this money or influence how it is spent through the neighbourhood plan process. Historic England recommends that the community therefore identifies the ways in which CIL can be used to facilitate the conservation of the historic environment, heritage assets and their setting, and sets this out in the neighbourhood plan. More information and guidance on this is available from

	<p>Locality, here: https://mycommunity.org.uk/2018/03/15/new-neighbourhood-planning-programme-changes-to-my-community-everything-you-need-to-know/</p> <p>Further information and guidance on how heritage can best be incorporated into Neighbourhood Plans has been produced by Historic England. This signposts a number of other documents which your community might find useful in helping to identify what it is about your area which makes it distinctive and how you might go about ensuring that the character of the area is retained. These can be found here: https://historicengland.org.uk/advice/planning/improve-your-neighbourhood/</p> <p>The following general guidance also published by Historic England may also be useful to the plan forum in preparing the neighbourhood plan, or considering how best to develop a strategy for the conservation and management of heritage assets in the area. It may also be useful to provide links to or reference some of these documents in the plan:</p> <p>HE Advice Note 2 - making changes to heritage assets: https://historicengland.org.uk/images-books/publications/making-changes-heritage-assets-advice-note-2/</p> <p>HE Good Practice Advice in Planning 3 - the setting of heritage assets: https://content.historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/gpa3.pdf/</p> <p>HE Advice Note 3 - site allocations in local plans: https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans</p> <p>HE Advice Note 7 - local listing: https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7</p> <p>We recommend the glossary contains the relevant terminology contained in the NPPF, in addition to details about the additional legislative and policy protections that heritage assets enjoy.</p> <p>Finally, we should like to stress that this advice is based on the information provided by Harpenden Town Council in your correspondence of 25 October 2017. To avoid any doubt, this does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed neighbourhood plan, where we consider these would have an adverse effect on the historic environment.</p>
<p>Rumball Sedgwick</p>	<p>1. INTRODUCTION</p> <p>1.1. As you may know Rumball Sedgwick is instructed by the City & District of St Albans Council (SADC) in respect of its proposed new Leisure and Cultural Centres at Rothamsted Park. However, these representations are being submitted on our own account, rather than on behalf of SADC and are based upon our extensive experience of the planning and development process, including planning policy representations (for instance, it may be recalled that we predicted the failure of the Strategic Local Plan during its consultation stages, but nevertheless the plan process continued its inexorable progress to the Court of Appeal at great financial cost and delay).</p>

1.2. We also submitted representations in connection with the previous draft HNP at the end of 2017 (letter dated 5th December), but with the exception of the Green Belt notation in the vicinity of Amenbury Lane Car Park and the Swimming Pool, none of the representations made seem to have been acted upon. In essence, we were concerned that the draft HNP would merely introduce a further tier of unnecessarily restrictive regulation, which would serve no purpose, other than, to deter the investment that the area needs. The current draft HNP is effectively the same document (albeit with a different date on the cover) and therefore contains the same flaws.

1.3. There is a further issue in this case, being the age of the adopted Local Plan and it seems that the HNP was prepared in order to fill a perceived policy vacuum (in fact most of the policy in the draft HNP is already more than adequately covered elsewhere in Government policy). The resources diverted into preparing the HNP would have been much better directed into progressing a robust new plan for the District.

2. THE NEW COMMUNITY FACILITIES

2.1. The SADC proposals at Rothamsted Park are complex, being a series of inter-linked projects which aim to improve the provision of community facilities within Harpenden. It is essential for the future of the Town that the emerging policy document does “*everything it can*” (see paragraph 19 of the NPPF) to support these projects and not promote policies that may deter, or unduly fetter, the delivery of this community infrastructure.

3. NATIONAL POLICY

3.1. General Comment - One of the Government’s stated reasons for producing the National Planning Policy Framework (NPPF) was to cut down upon the amount of planning policy in order to create usable concise documents which allow and promote genuine and meaningful participation by the wider community (see NPPF, paragraph 155). Since then the Government itself has issued copious amounts of policy in the National Planning Policy Guidance (NPPG) relating to a range of planning decision-making and plan-making topics, such as design, heritage, advertisements and flood risk, obviating the need for any additional local level policy, unless it is very specific to the locality. In this regard the NPPG states:

“...all Local Plans should be as focused, concise and accessible as possible. They should concentrate on the critical issues facing the area – including its development needs – and the strategy and opportunities for addressing them, paying careful attention to both deliverability and viability.....In drafting policies the local planning authority should avoid undue repetition, for example by using generic policies to set out principles that may be common to different types of development. There should be no need to reiterate policies that are already set out in the National Planning Policy Framework” (NPPG; Paragraph: 011 Reference ID: 12-011-20140306).

3.2. Positive growth - The presumption in favour of sustainable development is at the heart of the NPPF and on the matter of policy formulation it states that for plan-making:

- *“local planning authorities should positively seek opportunities to meet the development needs of their area”*; and
- *“Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change”* (NPPF, paragraph 14).

3.3. The NPPF continues: *“All plans should be based on and reflect the presumption in favour of sustainable development”* (paragraph 15) and should follow a set of core planning principles set out in paragraph 17. According to paragraph 17 local and neighbourhood plans should be: *“succinct.....setting out a positive vision for the future of the area” and provide a practical framework “within which*

decisions on planning applications can be made with a high degree of predictability and efficiency” and “support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs”.

3.4. Specifically, on the matter of Neighbourhood Planning the NPPF, at paragraph 184, states: *“Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies”.*

3.5. Provided that a neighbourhood plan has: *“demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing nonstrategic policies in the Local Plan for that neighbourhood, where they are in conflict”* (NPPF, paragraph 185).

3.6. The Government is clear that there should be a positive attitude to *“proactively drive and support sustainable economic development”* and to *“respond positively to wider opportunities for growth”*. Plans should *“take account of market signals”* and the needs of business communities (the NPPF’s “Core Planning Principles” set out at paragraph 17).

3.7. There are 3 ‘dimensions’ to sustainable development and in respect of delivering the ‘economic dimension’ plans must consider the NPPF’s first chapter *“Building a strong, competitive economy”*. Beneath this heading at paragraph 18, the Government says that it requires planning to *“operate to encourage and not act as an impediment to sustainable growth”* and *“significant weight should be placed on the need to support economic growth through the planning system”*. Local Planning Authorities *“should plan proactively to meet the development needs of business”* and *“Investment in business should not be overburdened by the combined requirements of planning policy expectations”*. In drawing up Local Plans, local planning authorities should set out a clear economic vision and strategy which *“positively and proactively”* encourages sustainable economic growth; and should *“support existing business sectors, taking account of whether they are expanding or contracting”*. The NPPF also confirms that *“Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances”* (NPPF, paragraphs 19, 20, & 21).

3.8. The need to meet the needs of business also appears in the NPPF at paragraph 160: *“Local planning authorities should have a clear understanding of business needs within the economic markets operating in and across their area. To achieve this, they should:*

- work together with county and neighbouring authorities and with Local Enterprise Partnerships to prepare and maintain a robust evidence base to understand both existing business needs and likely changes in the market; and*
- work closely with the business community to understand their changing needs and identify and address barriers to investment, including a lack of housing, infrastructure or viability”.*

3.9. Paragraphs 173 & 174 of the NPPF continue:

“Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable”.

“Local planning authorities should set out their policy on local standards in the Local Plan, including requirements for affordable housing. They should assess the likely cumulative impacts on development in their area of all existing and proposed local standards, supplementary planning documents and policies that support the development plan, when added to nationally required standards. In order to be appropriate, the cumulative impact of these standards and policies should not put implementation of the plan at serious risk, and should facilitate development throughout the economic cycle. Evidence supporting the assessment should be proportionate, using only appropriate available evidence”.

3.10. LPAs are expected to utilise national standards for a building’s sustainability and although it is permissible to have local requirements these *“will need to be based on robust and credible evidence and pay careful attention to viability”*. *“Plan makers should consider the range of costs on development.....Their cumulative cost should not cause development types or strategic sites to be unviable. Emerging policy requirements may need to be adjusted to ensure that the plan is able to deliver sustainable development”* (NPPG, Reference IDs: 6-009-20150327 & 10-007-20140306).

3.11. As well as promoting the ‘economic’ role of sustainable development and encouraging investment, in particular so that heritage assets are conserved and put to viable use (part of planning’s ‘environmental role’ – see NPPF at Chapter 12 “Conserving and enhancing the historic environment”), the NPPF’s ‘social’ dimension should also be considered

3.12. **Social Dimension** - In relation to its ‘social’ role, paragraph 69 of the NPPF states that *“the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities”* and, according to paragraph 70, in order *“to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*

- plan positively for the provision of community facilities [including meeting places and sports venues].....to enhance the sustainability of communities and residential environments”;* and
- ensure that “established facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community”.*

3.13. Sport and recreation are also specifically identified, at paragraph 73 of the NPPF, as making an important contribution to the *“health and well-being of communities”*. That same paragraph continues to say that specific needs and quantitative or qualitative deficits in the provision of recreational facilities should be identified through robust assessment and the *“information gained from the assessments should be used to determine what open space, sports and recreational provision is required”*.

3.14. **Green Belt** - Although, according to the NPPF “*the Government attaches great importance to Green Belts*” and most forms of development remain ‘inappropriate’, the manner for dealing with ‘previously developed land’ has changed completely from PPG2, which formerly set out the policy on the matter. PPG2’s more flexible approach towards development upon land defined as a ‘Major Developed Site’ (MDS) in a development plan, has been extended, by paragraph 89, to any previously developed sites that are in the Green Belt, regardless of whether it is specifically defined as an MDS, or not. Under the terms of paragraph 89 “*partial or complete redevelopment of previously developed land (brownfield land)*” is not inappropriate in the Green Belt. To be compliant with the NPPF this more pragmatic and flexible approach must now be fully recognised throughout the District’s ‘Development Plan’ policy.

3.15. Some **key elements of Neighbourhood Planning** according to the NPPG include:

- “*decisions on planning applications will be made using both the Local Plan and the neighbourhood plan, and any other material considerations. Neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people. They can put in place planning policies that will help deliver that vision or grant planning permission for the development they want to see*” (Paragraph: 003 Reference ID: 41-003-20140306 Revision date: 06 03 2014).
- “*A neighbourhood plan should support the strategic development needs set out in the Local Plan and plan positively to support local development*” (Paragraph: 004 Reference ID: 41-004-20170728 Revision date: 28 07 2017).
- “*If the policies and proposals are to be implemented as the community intended a neighbourhood plan needs to be deliverable. The National Planning Policy Framework requires that the sites and the scale of development identified in a plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened*” (Paragraph: 005 Reference ID: 41-005-20140306 Revision date: 06 03 2014).
- “*A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development....The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.....Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new Local Plan*” (Paragraph: 009 Reference ID: 41-009-20160211 Revision date: 11 02 2016).
- “*A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared*” (Paragraph: 041 Reference ID: 41-041-20140306 Revision date: 06 03 2014).

3.16. Finally, a draft neighbourhood plan must meet “*basic conditions*” in order to proceed to referendum. These conditions are set out at paragraph 065 Reference ID: 41-065- 20140306 Revision date: 06 03 2014 and include, amongst others:

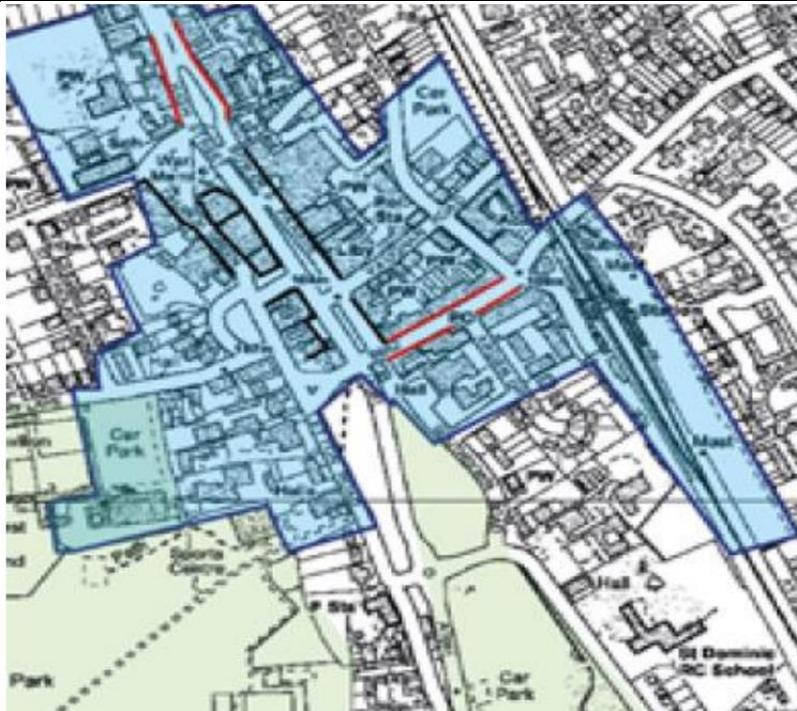
- “a. *having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).* [Note: according to paragraph: 069 Reference ID: 41-069-20140306 Revision date: 06 03 2014, “*having regard to national policy*” means the draft plan “*must not constrain the delivery of important national policy objectives*”] and
- “d. *the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development*”.

4. THE POLICIES

4.1. **General** - As we said in our previous representations in 2017, there is no need for most of the policy in the draft HNP, as it only duplicates, or repeats those matters already covered in the NPPF/NPPG, or dealt with by other legislation (such as Building Control). Examples of policies which should be struck out include all of those in the ‘Environment & Sustainable Design’ Chapter, none of which add anything Harpenden-specific to policy not already found elsewhere (if needed, there are policies about shopfronts and tree protection in the adopted Local Plan), and the ‘Transport & Movement’ Chapter, which seeks to involve itself in County Council matters. Much of the draft policy seeks to impose control over matters which are pre-granted by the General Permitted Development Order (GPDO) and can also be deleted as being completely otiose. Furthermore, there is a danger that incorporating compliance with sustainability standards into a policy means that the document becomes very quickly out of date, as legislation or technology moves on.

4.2. **Specific representation regarding the draft policies** – as noted there are far too many policies being promoted, few of which are Harpenden specific. The following draft policies in particular fail the “basic conditions” at paragraph 041-065 of the NPPG:

- **SS1 “The Spatial Strategy”** – despite its title this draft policy has no strategic function and the main part of this policy is futile, as any development in the Green Belt (unless it falls within the scope of paragraphs 89 & 90 of the NPPF, see above) has to demonstrate ‘very special circumstances’ anyway. Delete. The second part of this anodyne policy, relating to the designated Town Centre, includes substantial areas of land which remain in the Green Belt despite performing no Green Belt function, such as the Swimming Pool and one of the town’s main car parks. However, for reasons that are not made explicit, it still excludes the Sports Hall, which will soon be the Town’s main arts venue. If a ‘Town Centre’ boundary is to be designated, it should also include this major facility and its curtilage.



- **SS2 “Infrastructure Zones”** – the term “*significant development*” is used liberally throughout the entire plan, but particularly in this policy, and is poorly and opaquely defined. The draft Plan’s ‘Glossary’ says that “*for the purposes of this plan, significant development represents development proposals that would have a significant impact on local infrastructure*”. Any site of more than 1 hectare has to provide a flood risk assessment anyway and anyone that has ever been involved in a planning application in this District will know that evidence relating to drainage and transportation is always required regardless of size of scheme. Delete.
- **ER1 “Supporting Harpenden’s Economy”** – This is another example of a poorly drafted meaningless policy, which will have no impact on the delivery of economic development. The draft policy is riddled with loose, undefined, terminology, such as “*suitable locations*”, “*local businesses*”, “*appropriate*” (the word appears twice within the draft policy) and “*flexible workers*”. Delete.
- **ER2 “Designated Employment Locations”** – notwithstanding the existence of Article 4 directions upon some of these employment areas, there remain some provisions of the GPDO (for instance temporary changes of use, or changes to state nurseries), which are not removed. The policy will thus achieve nothing. Delete.

- **ER5 “Supporting Harpenden Town Centre Economy”** – this policy puts forward arbitrary percentages for minimum Class A1 frontage length in the defined Town Centre frontages notwithstanding GPDO rights which allow Class A1 uses to be changed to, say, banks or restaurants (and in some cases residential) without planning permission. The origin of the percentage figures seems to be merely what the level of Class A1 use happened to be at the time of the Annual Monitoring Report for 2016. However, it is unclear what it is about the position in 2016 that is material to the health of the Town Centre. Taking an arbitrary percentage as a measure of town centre health also fails to recognise that there are a great number of occupiers within the Class A1 use class that sell no goods at all (travel agents or hairdressers for instance) and their presence in a frontage does not necessarily equate to significant footfall. The draft policy also seeks to protect Harpenden Town Centre’s office uses from change of use, but again lacks the means to prevent the operation of the GPDO. Delete.
- **ER6 – “Supporting Local Centres”** – another policy full of poorly defined terms, such as “*appropriate and proportionate*” and that makes statements that cannot be delivered. There is no provision to prevent the ‘loss’ of convenience shops to another occupier, provided that the new user falls within Class A1, A2 or A3. Delete.
- **ER8 “Adaptable, Innovative and Up to Date Retail and Employment Centres”** - another example of a policy requiring much more clarity regarding its terms. The requirement placed upon retail developers to “*utilise latest technologies wherever possible*” cannot be achieved through the development control system. Delete.
- **ESD1 “Design Strategy”** – an unnecessary policy that says nothing that is not already covered in the NPPF/NPPG (both of which already have extensive text on the matter). Apparently “*all developments must be visually appealing*”, although yet again the term is undefined. The requirement placed upon all developments of 10 dwellings or more to produce a ‘design brief’ is unduly onerous and unnecessary. Delete.
- **ESD2 “Local Character and Heritage”** – this policy contributes nothing specific to Harpenden and controls over development in relation to the historic environment are imposed upon local planning authorities by statute and are also extensively covered in the NPPF/NPPG. Delete.
- **ESD5 “New Car Parking Design”** – again contains nothing Harpenden-specific and lacks definition (how is a “*visually attractive*” delivery yard to be assessed?). Delete.
- **ESD8 “Green and Open Spaces and Areas of Ecological and Landscape Value”** - again a draft policy that contains nothing Harpenden-specific and that does not already appear in Government policy. The term “*significant harm*” lacks clarity. Delete.
- **ESD9 “Key Views”** – something seems to be missing from the latter wording of this policy: “*Development proposals must include evidence that detail protection or enhancement of key views to and from these locations, including attractive green spaces and important townscape features, such as landmark and gateway buildings*”. Delete (or, at the very least, clarify the last sentence).
- **ESD10 “Views in New Developments”** – whilst this is innocuous, it is essentially a meaningless policy. Delete.
- **ESD12 “Allotments”** -registered statutory allotment sites are already protected anyway by other legislation, so this policy is unnecessary. Delete.
- **ESD14 “Trees and Hedges”** – ancient woodland and veteran mature trees are often given protection already via legislation, as well as through the NPPF policy. The terms used in the policy such as “*unacceptable loss*” and “*responsible planting*” of trees are again undefined and the requirement to replace any existing tree (regardless of its condition or species) “*at a ratio of at least 2:1 within the site*”, may not be feasible on some sites. Delete.
- **ESD15 “Sustainability and Energy Efficiency”** – the draft policy goes beyond land use planning and is best left to other legislation, such as Building Regulations. Delete.

- **ESD16 “Carbon Dioxide Emissions”** – the policy seeks to impose another burden upon developments proposing 10 dwellings or more (the likelihood of decentralised energy systems/combined heat and power being deliverable upon developments of a such a size is questionable). Otherwise, see comment above regarding Policy ESD15. Delete.
- **ESD18 “Flood Risk”** – this policy seeks to replicate the controls already in place with the Environment Agency and/or Hertfordshire County Council as consultees. It also seeks to apply itself to “*all development*”, when some development types listed would be permitted under the terms of the GPDO. The requirements being placed upon ‘major developments’ regarding SUDS will again comprise a further burden upon developers of schemes of more than 10 homes. Delete.
- **ESD19 “Water Conservation”** – requiring all ‘major developments’ to “*provide evidence of anticipated internal water use at or below 120 litres per person per day*” will be a further burden upon delivery of much needed new homes. Again, the provisions within this policy are best left to Building Regulations. Delete.
- **H1 “Housing Strategy”** – despite its title there is nothing strategic about this policy. Delete
- **H2 “Housing Renewal”** - The Neighbourhood Plan’s definition of “*a property as no longer fit for purpose*” being an “*inefficient use of its site*”, would potentially include a considerable number of properties in Harpenden which sit upon large plots. From looking at the remainder of the draft document, we doubt that it was the plan-makers intention to encourage the wholesale replacement of the existing stock.
- **H3 “Dwelling Size and Type”** - this draft policy seeks to impose another burden upon developers of ‘major’ residential developments. The draft policy states that it would not support proposals which do “*not meet an identified size/type need*”, also presupposes that there is an up to date ‘Needs Assessment’ available. Delete.
- **H4 “Residential Density”** - New ‘major’ residential development must be “*at an appropriate density subject to local character*”. The term “*net density*” requires further definition in the draft plan, but there are parts of Harpenden where what is considered to be “*an appropriate density*” will vary considerably from the minimum 40 dwellings per hectare. It would be best if the draft plan were to leave this matter to the individual circumstances of the site itself. Delete.
- **H5 “Higher Density Development”** – this policy limits development to “*no taller than three stories [sic] in height unless in exceptional circumstances*”. Paragraph 7.13 then defines what is deemed to constitute ‘exceptional circumstances’ as being “*where it can be robustly demonstrated that no harm will arise to the character of the surrounding area or amenity of neighbouring occupiers*”. Such circumstances are not exceptional, in that preventing harmful development is part and parcel of the usual process of development control. Delete.
- **H6 “Affordable Housing”** – another financial burden to be placed upon developments of 10 units or more. The impact of the 40% figure does not appear to have been tested. Delete.
- **H7 “Lifetime Homes”** - another financial burden to be placed upon developments of 10 units or more. Delete.
- **H8 “Specialist Accommodation”** – terms such as “*within walking distance*” and “*a safe and stimulating design*”, which would seem to be crucial to an application’s success against this policy require much greater definition. Delete.
- **H10 “Housing Site Allocations”** – If there is to be any point to this plan (rather than creating more policy for the sake of it), then it is to identify development sites for housing. However, the proposals for residential development over the 15 year plan period total just over 100 units (equating to about 7 units per annum), a singularly unambitious target when considered against the Town’s existing population of 30,000 people and the amount of housing that the area needs. Of the few sites within Table 7.1 only 3 (HA1, HA3 & HA4) would be large enough to produce any affordable housing element (the allotments site, HA2, is to be entirely affordable anyway). Another review of the Neighbourhood Plan boundary is required to identify sufficient land to begin the process of meeting the area’s needs.

- **S17 “Accessible GP Practices”** – requires “*appropriate funding towards GP provision*” from new ‘major’ residential development. Delete.
- **S19 “Harpenden Public Halls”** – As the draft Plan acknowledges once the relocation into the new Cultural Venue has taken place, the redevelopment of Harpenden Public Halls for some other purpose needs to take place to provide essential project funding. It is likely that the greatest project viability arises from a residential reuse, although as the decision is not to be taken for some time yet, the matter still has to be fully tested. The site is within the Conservation Area and partly listed at Grade II*, so the provisions of statute, as well as the extensive policy in the NPPF/NPPG relating to heritage assets (not to mention other policy advice emanating from statutory consultees such as Historic England) come into play when reviewing the merits of any proposal for reuse. As a result, the interests of the listed building are very securely protected already and there is nothing that the HNP would be able to contribute that could give any further protection. Most importantly, the viability of any future project must not be compromised by local policy requirements, such as those seeking “*an element of ground floor active use befitting the gateway location*”. Delete.
- **S111 “Utilities Infrastructure”** – another burden upon ‘major’ development proposals, this time regarding “*robust evidence of capacity within the existing utilities network...Where providers are unable to provide such confirmation, applicants must provide impact studies of the extent, cost and timescale for any required upgrade works*”. It is also unclear from the policy what happens to an application were the ‘impact study’ to identify a lack of capacity for a particular utility. Delete.
- **T1 “Transport Assessments”** – Another financial burden upon developers of ‘major’ schemes. This policy also reveals the lack of understanding of the difference between a ‘transport assessment’ and a ‘transport statement’ (the latter being more than sufficient for the majority of the ‘major’ development proposals likely to come forward in Harpenden). Delete.
- **T2 “Proposals Affecting the A1081, B653 and B652”** – any development proposals that have an impact upon these classified roads would be expected to make provision for contributions anyway via the County Council. The policy is thus unnecessary. Delete.
- **T3 “Travel Plans”** – the County Council require travel plans with large-scale proposals anyway. The policy is thus unnecessary. Delete.
- **T10 “Parking in Harpenden Town Centre”** – supports “*appropriate proposals to increase car parking....where appropriate in the context of local character and heritage....subject to appropriate traffic modelling that determines no severe impact to local highways*”. This policy also suffers from poor definition and can be deleted.
- **T11 “Residential Parking Standards”** – this policy requires ‘robust’ justification for any development which “*exceeds or significantly falls below [a term which, yet again, is not defined] the maximum standards*”. These parking standards, dating from 2002, have been superseded by other changes in Government policy and are due to be replaced. The draft policy therefore adds nothing. Delete.

5. CONCLUDING COMMENTS

5.1. The considerable number of additional constraints that this draft plan seeks to impose upon even relatively modest development are only likely to deter investment. Furthermore, there is very likely to be a severe impact upon the viability of the Council’s own developments, many of which are key to the vitality of the Town, being essential housing and/or community infrastructure.

5.2. The NPPG’s ‘basic conditions’ for neighbourhood plans are not met by the draft HNP (see for instance NPPG reference IDs 41-004-20170728, 41-005-20140306, 41-041-20140306 & 41-065-20140306) The current draft HNP:

	<ul style="list-style-type: none"> • is not positively framed; • is not concise, being replete with unnecessary, poorly drafted, imprecise and ambiguous policy statements; • seeks to impose significant and uncosted burdens upon new investment; • fails to provide any locally specific policy; and therefore • will fail to deliver sustainable development, including the level of housing and other development such as community infrastructure necessary to meet the area's needs. <p>5.3. On this basis the draft HNP does not meet the terms of Government policy and should not go forward to its referendum.</p> <p>5.4. Please continue to keep us informed of progress on all matters concerning the progress of this emerging Neighbourhood Plan.</p>
<p>Thames Water</p>	<p>Thank you for consulting Thames Water on the above document. Thames Water is the statutory sewerage undertaker for the area and is hence a “specific consultation body” in accordance with the Town & Country Planning (Local Development) Regulations 2012. Thames Water have the following comments to make on the consultation.</p> <p>General Comments</p> <p>New development should be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 156 of the National Planning Policy Framework (NPPF), March 2012, states: “Local planning authorities should set out strategic policies for the area in the Local Plan. This should include strategic policies to deliver:.....the provision of infrastructure for water supply and wastewater....”</p> <p>Paragraph 162 of the NPPF relates to infrastructure and states: “Local planning authorities should work with other authorities to: assess the quality and capacity of infrastructure for water supply and wastewater and its treatment.....take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.”</p> <p>The new web based National Planning Practice Guidance (NPPG) published in March 2014 includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that: “Adequate water and wastewater infrastructure is needed to support sustainable development” (Paragraph: 001, Reference ID: 34-001-20140306).</p> <p>New Connection Charges</p> <p>Since the 1st April 2018 all off site water and wastewater network reinforcement works necessary as a result of new development will be delivered by the relevant statutory undertaker. Local Spatial Planning Team St Albans City and District Council By Email: NP@stalbans.gov.uk thameswaterplanningpolicy@savills.com 0118 9520 509 20 June 2018 reinforcement works will be funded by the Infrastructure Charge which is a fixed charge for water and wastewater for each new property connected. Water and wastewater treatment works infrastructure upgrades will be funded through water companies’ investment programmes which are based on a 5 year cycle known as the Asset Management Plan process.</p> <p>Site Specific Comments</p>

	<p>Site specific comments in relation to site allocations in the Neighbourhood Plan are appended for information. For some sites, while individually there are limited concerns regarding sewerage network and treatment capacity, there are concerns regarding the cumulative impacts. To minimise the potential requirement for conditions requiring phasing of development, developers should be encouraged to discuss their proposals with Thames Water in advance of submitting any planning applications. Contact can be made with Thames Water Developer Services by post at: Thames Water Developer Services, Reading Mailroom, Rose Kiln Court, Rose Kiln Lane, Reading RG2 0BY; by telephone on: 0800 009 3921; or by email at: developer.services@thameswater.co.uk</p> <p>Policy SI11 – Utilities Infrastructure Thames Water support the aim of Policy SI11. However, as set out above the mechanisms for delivering new water and sewerage infrastructure have recently been revised. As such, where developers have not engaged prior to the submission of planning applications it is more likely that planning conditions will be requested to control the phasing of development. The costs of any infrastructure upgrades would be covered through the Infrastructure Charge and the AMP process.</p> <p>As a result of the above it is requested that the following additional supporting text is added in relation to Policy SI11: <i>In relation to wastewater infrastructure the Local Planning Authority will seek to ensure that there is adequate wastewater infrastructure to serve all new developments. Developers are encouraged to contact Thames Water as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary wastewater infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.</i></p> <p>Policy ESD18 – Flood Risk Thames Water support Policy ESD18 and in particular the policy on SuDS. In relation to the risk of sewer flooding, Policy SI11 incorporating the suggested additional supporting text would assist with ensuring that development would not result in sewer flooding by ensuring that any necessary sewerage upgrades are in place ahead of the relevant phase of development.</p> <p>Policy ESD19 – Water Conservation Thames Water support the aims of Policy ESD19 however, it is considered that all new dwellings should meet a water efficiency requirement of no more than 110 litres per person per day as opposed to only major developments ensuring use of below 120 litres per day. The lower requirement will reduce the impact on water resources and reduce wastewater flows which would help reduce the impacts of development on existing sewerage and wastewater treatment infrastructure.</p>
<p>Hertfordshire County Council (Property Development Service)</p>	<p>PUBLICATION OF THE HARPENDEN NEIGHBOURHOOD PLAN - TOWN AND COUNTRY PLANNING ACT 1990; PLANNING AND COMPULSORY PURCHASE ACT 2004; LOCALISM ACT 2011, REGULATION 14 - THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012</p> <p>The response is sent by Hertfordshire County Council (HCC) Property on behalf of HCC as landowner in response to the Harpenden Neighbourhood Development Plan (2011-2031) – Submission Version Consultation.</p>

	<p>Supporting Documents to the Neighbourhood Plan – Document F Site Assessment Summary Paper</p> <p>HCC note that Site 9 – Land to the rear of Harpenden Fire Station, Leyton Road, a freehold site owned by HCC, has been marked as unsuitable for development. The site has been included in the SHLAA (Update 2016) published by St Albans City and District Council (SACDC). Site 9 is known as SHLAA-U-H-130 in Table 3 of the SHLAA, which provides an initial assessment of the potential suitability of sites for development. This assessment has suggested the site has an indicative capacity to accommodate 4 dwellings.</p>
<p>Colney Heath Parish Council</p>	<p>Harpenden Neighbourhood Plan (NP) has much to commend it, but in our view has several areas of weakness.</p> <p>The NP has no housing need assessment to form the basis of its housing policies and to demonstrate how the NP meets the basic requirements.</p> <p>Page 47 states 'It also seeks to ensure that Harpenden takes no more than its "fair share" of housing in comparison to other parts of St Albans District' but gives no details as to what its fair share or what its housing need is.</p> <p>CHPC Comment Harpenden NP together with the SADC proposed strategic sites will only produce 97 new homes against its 'fair share' of 195 new homes <u>per year</u>.</p> <p>Population - the NP area includes both Harpenden Town and Harpenden Rural. Harpenden Town 30,000 (2011 census) Harpenden Rural 405 (2011 census) St Albans District 140,000 (2011 census)</p> <p>SADC Call for Sites 2018 – Strategic sites proposed within the Harpenden area Harpenden North East 760 SADC ref 583 Harpenden North West 595 SADC ref 605 Total 1,355</p> <p><i>While supporting the renewal of old housing stock, in fill within the built-up area and the use of brownfield sites only allocates sites to develop 108 new homes.</i></p> <p>CHPC comment Harpenden NP makes no comment about meeting its housing need, which it has not defined. The NP proposes only 108 new homes to be built and does not offer any support for SADC strategic green belt sites or other possible green belt sites.</p>

Harpenden NP area population is approximately 21.4% of the District. (Strategic sites + NP proposed sites)/Local Plan Period (Government requirement Forecast * Harpenden % of district)

$((1355+106)/15) = 97$ per annum in Harpenden area
against $(913*21.4\%) = 195$ per annum for Harpenden's fair share

CHPC Comment

A total of 195 dwellings per annum between 2020 and 2036 - the Local Plan period – totalling 1,568 dwellings required to be delivered in Harpenden for it to take its 'fair share'. If a Broad Location is not delivered the shortfall will need to be 'found'

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'The Harpenden Neighbourhood Plan does not have the duty to prepare its own assessments of need for housing, employment land or other types of development and therefore seeks to provide an appropriate amount of growth, while seeking to protect the Green Belt and the character of Harpenden.'

CHPC Comment

Without any housing numbers in the NP this statement and NP objectives are not supported by evidence and as shown above would place additional burden upon other Parishes and non Parished areas within St Albans District.

Page 21 SS2

'SS2 - The five Infrastructure Zones are shown in Figure 4.2. In order to mitigate the impact of new development, certain proposals in each zone must meet the following criteria as well as satisfying the policies of this Neighbourhood Plan.

Significant development proposals in the North West must:

- Demonstrate how impact of new development on the A1081 and local roads will be mitigated;*

Significant development proposals in the South West must:

- Demonstrate how impact of new development on the A1081 and Redbourn Road will be mitigated;*

Significant development proposals in the North East must:

- Demonstrate how impact of new development on the Lower Luton Road and Station Road will be mitigated;*

Significant development proposals in the North East must:

- Demonstrate how impact of new development on the Lower Luton Road and Station Road will be mitigated;'*

CHPC Comment

These policies cover a very large area and with current wording appear to significantly inhibit future developments.

The A1081 runs from south Luton through Harpenden to St Albans and with the current wording mitigation could be required at any point within the Harpenden area.

A change of wording that makes it clear mitigation is only required locally or a contribution for improvements in the wider area would clarify this point.

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'T2 – Proposals Affecting the A1081, B653 and B652

Proposals that provide for direct access or indirect access (such as via a side street) onto to the A1081, B653 (Lower Luton Road), B652 (Station Road) or Redbourn Road that would cause a significant increase in traffic on those roads will be required to make provision for, and contribute to, appropriate highways improvement measures to ease traffic congestion on those roads. Applicants must demonstrate that measures are incorporated that will ensure the proposals do not cause additional congestion on those roads or, in the case of the A1081 and its nearby streets, increase parking stress. '

CHPC Comment

The wording on this policy is poor, the first sentence is clear but second is confusing does it mean by additional traffic or by increased parking. Then does the policy mean that after contributing to highways improvements a proposed development must still not increase congestion, if this is the case then it could inhibit any larger development.

Crest Strategic Projects and Bloor Homes

On behalf of our clients Crest Strategic Projects/Bloor Homes (and Mr Wimms), please find attached representations to the Harpenden Neighbourhood Plan – Submission Plan Consultation.

This confirms our broad support to the NP insofar as it seeks to afford flexibility for strategic planning proposals to come forward through the St Albans Local Plan.

The representations set out some suggested minor amendments to the Plan in order for it to fully meet the test of soundness/basic conditions:

These representations have been prepared on behalf of Crest Strategic Projects, Bloor Homes and Mr. Wimms, who are promoting comprehensive mixed-use development proposals at land known as "North-East Harpenden" (hereby referred to as 'the Site').

Crest/Bloors have been actively engaged in the Neighbourhood Plan process to-date and have previously undertaken work at the following stages:

STAGE	DATE
Submissions to NP "Call for Sites"	April 2017
Presentation to NP "Steering Group"	July 2017
Representations submitted to NP Steering Group	Sept 2017
Representations submitted to NP "Pre-Submission" Draft Plan	Dec 2017

These further representations to the NP - Submission Plan Consultation comprise the following:

- Section 1 — Planning Policy Context;
- Section 2 — Representations to Reg 16 Submission Neighbourhood Plan; and

- Section 3 — Conclusion.

1.0 Planning Policy Context

The National Planning Policy Framework sets out that neighbourhood planning gives communities the opportunity to develop a shared vision for their neighbourhood and deliver the sustainable development they require. In this context, Crest/Bloors support the development of a Neighbourhood Plan for Harpenden, provided that the ambition of the Plan is aligned with the strategic needs and priorities of the wider City and District area, and is in compliance with National planning policy.

The recent consultation proposals on the draft revised NPPF (05 March — 10 May 2018) re-iterates the Government's support towards neighbourhood planning. This includes establishing "local policies" which are aligned to the strategic policies of the Local Plan and can be used by communities to set out more detailed policies for specific areas, neighbourhoods or types of development.

This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles and setting out development management policies.

The National Planning Policy Guidance (para 065 reference ID: 41-065-20140306) requires that for a Neighbourhood Plan to be considered sound, it must be in conformity with the Basic Conditions. These are as follows:

- i) Having regard to national policies and advice contained in guidance issued by the Secretary of State;
- ii) The making of the Neighbourhood Plan contributes to the achievement of sustainable development;
- iii) The making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
- iv) The making of the Neighbourhood Plan does not breach, and is otherwise compatible with EU obligations; and
- v) Prescribed conditions are met in relation to the Neighbourhood Plan and prescribed matters have been complied with, in connection with the proposal for the Neighbourhood Plan.

The NPPF (para 16) states that the application of the presumption in favour of sustainable development will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:

- Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development.

St Albans Local Plan (1994)

The Development Plan for the area comprises the "saved" policies of the St Albans Local Plan (1994). In terms of housing provision, the Plan relates to the period up to 2001 and is therefore well out-of-date, in this regard. It is therefore important to consider the emerging Local Plan for St Albans, as addressed below.

Emerging Local Plan

St Albans City and District Council (SACDC) has progressed work on the emerging Local Plan and the current timetable for the Plan is as follows:

STAGE	DATE
Initial Local Plan "Have Your Say" (Reg 18 Consultation)	Jan/Feb 2018
Pre-Submission Draft Plan (Reg 19 Consultation)	Sept 2018
Submission to Secretary of State (Reg 22)	March 2019
Examination (Reg 24)	Summer 2019
Adoption (Reg 26)	Spring 2020

An "Initial Working Draft" Local Plan was presented to SACDC's Planning Policy Committee meeting (22 May 2018) and this was followed by the "Working Draft" Plan as discussed at PPC (12 June 2018).

The Local Plan seeks to meet the housing needs for the area, as amounting to 913 dwellings per annum, during the Local Plan period 2020 — 2036. The Local Plan proposes for this need to be met by releasing extensive areas of land from Green Belt at 11No. "Broad Locations" in the District area.

At Harpenden this includes the following Broad Locations and scope of development:

North-East Harpenden (Policy S6 (vii) the 'Site') — urban extension comprising:

- C. 760 dwellings;
- Flexi-care scheme inc. special needs accommodation;
- A site for 2No. form of entry Primary School, inc. early years provision;
- Significant areas of open space;
- Transport network and public transport services upgrades/improvements; and
- Self-build opportunities.

North-West Harpenden (Policy S6 (viii)) — urban extension comprising:

- C. 580 dwellings;
- Flexi-care scheme;
- A site for 2No. form of entry Primary School, inc. early years provision;
- Significant improvements to existing and/or new walking and cycling facilities to promote carfree access to Harpenden town centre, station and secondary schools; and
- Self-build opportunities.

It is evident from the above that SACDC is seeking to earmark significant growth to Harpenden. This is addressed in the context of it being the second largest settlement in the District. As set out in the NPPF, Neighbourhood Plans for such areas should support the strategic development needs of the Local Plan and this is addressed further below.

2.0 Representations to Reg 16 Submission Neighbourhood Plan

The Reg 16 "Submission Neighbourhood Plan" (para 1.4) makes reference to the "current" Development Plan, i.e. the "saved" policies of the 1994 District Local Plan. As addressed earlier, in terms of housing provision, the "current" adopted Development Plan only provides a policy framework up to 2001 and is therefore considerably out-of-date.

It is therefore important for the Neighbourhood Plan to have regard to the emerging Local Plan and the growth to be earmarked therein but maintain flexibility to accommodate any future Local Plan, to ensure that the Neighbourhood Plan does not quickly become out of date and also local people have the best opportunity to shape development in their area. We comment on the relevant parts contained in the Neighbourhood Plan which we consider should meet the NPPF's Basic Conditions as set out above, in particular no. (iii), as follows.

Spatial Strategy

Policy SSS1 (The Spatial Strategy) of the Reg 16 Neighbourhood Plan sets out that:

The Built up Area of Harpenden is the priority for new development in the Harpenden Neighbourhood Plan Area. The Built up Area Boundary of Harpenden is shown in Figure 4.1. In the event that St Albans City and District Council releases land in the Green Belt adjacent to the current Built up Area Boundary of Harpenden for residential development in a future Local Plan, that land is considered by the Policy to be within the Built up Area Boundary of Harpenden. Planning applications for new development proposals outside the Built up Area Boundary must either:

- **Be an exception to inappropriate development in the Green Belt, or**
- **In the case of what would normally be deemed inappropriate development in the Green Belt, must demonstrate:**
- **Very special circumstances for development in the Green Belt. Why the proposal cannot be located within the Built up Area Boundary of Harpenden.**

Development proposals in Harpenden Town Centre, as shown on Figure 4.1 must have regard to the special characteristics of the town centre, in accordance with the policies of this Neighbourhood Plan.

This policy is supported by Policy H1 (Housing Strategy) which states:

New residential development should be delivered on sites allocated in the Neighbourhood Plan (and subsequently a future St Albans Local Plan) and infill and brownfield development.

These policies of the Neighbourhood Plan are considered to afford appropriate flexibility in terms of Green Belt release/development allocations coming forward through the emerging St Albans Local Plan. The Neighbourhood Plan is therefore supported and considered to be "sound" in this regard.

Disappointingly however, the Neighbourhood Plan only seeks to identify development of a minimum of 106No. dwellings within the Built up Area Boundary by means of allocations at 8No. sites (HA1 — HA8). This level of development is clearly not going to meet the housing needs of Harpenden and the wider District area and it is thus considered that the Neighbourhood Plan could allocate the Broad Locations as addressed by SACDC (as above).

The ability for Neighbourhood Plans to review Green Belt boundaries is proposed at para 135 of the draft revised NPPF which confirms that where a need for changes to Green Belt boundaries has been demonstrated through a strategic plan, detailed amendments to those boundaries may be made through local policies, including neighbourhood plans.

This would provide the opportunity for the Neighbourhood Plan to earmark the proposed comprehensive mixed-use development proposals for the Site. It would also afford the Neighbourhood Plan the opportunity to influence the proposals for the Site including setting out specific details on the infrastructure provision including for transport, education and health, etc.

In this context, policy SS2 (Infrastructure Zones) would appear to support significant proposals in Harpenden. At North-East Harpenden this policy expects development to:

- Demonstrate how impact of new development on the Lower Luton Road and Station Road will be mitigated;
- Incorporate a proportionate amount of public open space in accordance with community needs, including sports and recreational space;
- Demonstrate provision for appropriate education facilities in close proximity to new development to meet the need for school places arising from the proposed development; and
- Demonstrate sufficient convenience shopping within a close proximity to new development.
-

These aspects of the Neighbourhood Plan are supported, however it is considered that infrastructure provision aligned to the site proposals could be crystallised by means of the Site being allocated in the Neighbourhood Plan and policy SS2 could be expanded on to set out specific requirements to help shape the development of the Site.

Policy ESD1 — Design Strategy

This policy incorporates 12No. development management criteria for major developments and it entails that these aspects be considered through the production of a Design Brief prior to the submission of a planning application.

It is accepted that extensive consultation and engagement with local residents (inc. Town Council) would occur prior to a planning application being submitted for the Site. There is however no requirement under national policy or law for a Design Brief to be produced/submitted prior to a planning application. Indeed, the requirements for what should be contained in such Design Briefs are all matters that are required to be provided as part of a planning application and so it would not be appropriate for these matters to be submitted and essentially pre-judged and approved in advance of the legal requirement for the local planning authority to assess and determine the application. This pre-judging and pre-determination will occur because the policy states that development must be implemented in accordance with the Design Brief. This gives no ability for the input and consultation responses from statutory stakeholders, that the local planning authority is legally required to consult, to be taken into account and for the development to be adjusted to reflect such responses.

Moreover, as currently worded, the policy is unclear as to the procedure for such, i.e. who would produce the Brief (the developer or the local planning authority) and the stage and means by which it becomes acceptable. The policy is therefore considered to be unjustified/unsound — better clarity on this would be required for the policy to be considered sound, together with the removal of the requirement for developments to be implemented in accordance with the Design Brief that has to be submitted before submission of a planning application

Policy H5 — Higher Density Development

This policy seeks to secure higher density development in residential and mixed-use proposals and that building upwards is a means of securing this. This objective is supported.

The policy goes on to state that such proposals should be no taller than three stories in height unless in exceptional circumstances. This objective is broadly accepted given the current built form and fabric of Harpenden.

It is however considered that the policy should include a degree of flexibility for some uses especially as part of mixed-use proposals. For example, the scheme at North-East Harpenden seeks to make provision for a 2FE Primary School and "Flexi-care" development (including potential for GP provision) and these elements of the scheme could extend above the three-storey height limit that the Neighbourhood Plan is currently seeking to impose.

The exact height of such buildings forming part of the North-East Harpenden proposed development would be subject to further masterplanning and design of the Site, including at the detailed design stage. Yet, flexibility on building heights will be important so that the Neighbourhood Plan does not inadvertently prevent development and uses that would be necessary to support the community and achieve the social infrastructure and community facilities vision set out in the Neighbourhood Plan. It may also be necessary to achieve the minimum of 40 dwellings per hectare set out in policy H4.

We suggest that policy H5 should be amended to read "b) residential uses should be no taller than three storeys in height save at focal points, within local or neighbourhood centres or where it is demonstrated it is necessary in order to achieve density requirements set out in Policy H4".

	<p>3.0 Conclusion</p> <p>The Neighbourhood Plan for Harpenden is supported in broad terms and with small adjustments could be sound. It is considered to afford appropriate flexibility in terms of Green Belt release/development allocations coming forward through the emerging St Albans Local Plan.</p> <p>This would include development at North-East Harpenden in relation to which the Neighbourhood Plan could at this time seek to allocate the Site and go on to release from the Green Belt in accordance with para 135 of the draft NPPF.</p> <p>This could secure the following scope of development for the Site aligned with the emerging St Albans Local Plan:</p> <ul style="list-style-type: none"> • C. 760 dwellings at the Site; • 40% affordable provision; • Land for 2 FE Primary School; • Flexi-care development (50 units) and specialists needs accommodation (10 units); • Provision for community centre, small shop and pharmacy; • Potential provision for GP surgery; and • Significant areas open space including sports pitches, allotments and equipped children's play facilities. <p>The above proposals would contribute towards meeting housing needs within Harpenden (and the wider District area) and would form an appropriate extension to the urban area of Town adjacent the current development edge.</p> <p>Moreover, the scheme at the Site would deliver significant community benefits and accordingly could be positively addressed in the Neighbourhood Plan.</p>
<p>CEG</p>	<p>CEG welcomes the direction of the emerging Harpenden Neighbourhood Plan (HNP) and considers that this emerging Plan represents a positive step for planning in Harpenden. Our observations and comments are provided within this context, in order to assist the Neighbourhood Plan Inspector in examining and finalising the emerging Plan.</p> <p>By way of background, CEG has an interest in land at Ambrose Lane, north-west of Harpenden town centre which is owned by Action for Children. The site comprises approximately two-thirds of the proposed NW Harpenden Broad Location in the emerging St Albans Local Plan (2020-3036), which has been identified for green belt release and the delivery of approximately 580 dwellings, a primary school, community facilities, recreation and open space.</p> <p>CEG has been working with St Albans City and District Council (SACDC) for a number of years to support the plan making process and ensure the range of benefits which could arise from this development for current and future residents are realised. Working with communities is an important part of this process, and CEG has also been pleased to engage with the Town and Parish Councils during the preparation of the emerging HNP.</p>

CEG welcomes the following changes that have been made to the emerging HNP further to the Reg. 14 consultation:

1 Draft Policy SS1 now clarifies that land released for residential development in the Green Belt adjacent to the current Built up Area Boundary of Harpenden will also be considered to lie within the Built up Area Boundary. This change supports alignment between the emerging HNP and the emerging Local Plan.

2 Draft Policy SS2 now clarifies that development proposals in the NW Harpenden Infrastructure Zone must demonstrate provision for appropriate education facilities to meet the need for school places arising from the proposed development. This approach is considered to be reasonable and proportionate. Pg 2/3 16103359v10

3 In Draft Policy H1, paragraph 7.8, the requirement that sites within the Built up Area are “exhausted” before allowing development in the Green Belt has been replaced with the statement that the ability of the current Built up Area of Harpenden to provide appropriate new housing is “maximised”. CEG welcome this revised approach which promotes proper scrutiny of urban capacity within Harpenden without delaying necessary new Local Plan allocations.

CEG suggests that the following draft policies are amended as follows to provide greater clarity and to avoid prejudicing appropriate opportunities for strategic development:

1 The phrase “*visually appealing*” should be deleted from the introductory sentence at Draft Policy ESD1 because it is subjective. CEG proposes that this sentence is amended as follows:

“All developments must be ~~visually appealing~~, designed to a high quality; maintain or enhance the character of the area and support Harpenden as a low carbon place to live and work.” (proposed amendments underlined)

2 Draft Policy ESD1 (criterion v) should be clarified as follows to confirm that it may be appropriate to mitigate adverse impacts where this would make a proposed development acceptable, particularly in relation to the loss of, or significant harm, to ecological or landscape value. This will help to provide flexibility for developers to address issues arising on sites and ensure appropriate development can come forward:

“v. Protection against the loss of or significant harm to ecological or landscape value ~~without appropriate mitigation that outweighs the loss or harm~~, or demonstrate the provision of appropriate mitigation or compensatory measures” (proposed amendments underlined).

3 The requirement to “*aim to be carbon neutral*” at Draft Policy ESD15 should be made more flexible, in order to reflect the challenges of achieving carbon neutrality and to support the fulfilment of other planning objectives. CEG proposes that the final sentence of Draft Policy ESD15 is amended as follows:

“Developments should aim to move towards ~~be~~ carbon neutrality, subject to meeting other planning objectives, such as good design and viability.” (proposed amendments underlined)

	<p>4 The revised wording of Draft Policy T2 lacks clarity and does not address the following concerns:</p> <p>a Draft Policy T2 has been changed to include a reference to proposals that provide for indirect access (such as via a side street) onto the A1081, B653 and B652. CEG observes that some schemes in the wider area will create additional traffic movements that may affect these routes.</p> <p>b Draft Policy T2 still requires that relevant proposals contribute to highways improvements to ease existing traffic congestion on the A1081, B653 and B652. CEG considers that, whilst it is recognised that mitigation measures could also serve to ease existing traffic congestion, this should not be a policy requirement.</p> <p>c Draft Policy T2 now requires that developments “<i>do not cause additional congestion</i>” on the A1081, B653 and B652. This does not accord with the NPPF test at paragraph 32, point 3, which states that development should only be prevented or refused on transport grounds if its impacts are severe.</p> <p>CEG therefore proposes that draft Policy T2 is amended as follows:</p> <p><u>“Proposals that provide for direct access or indirect access (such as via a side street) onto to may result in a material increase in traffic on the A1081, B653 (Lower Luton Road), B652 (Station Road) or Redbourn Road (as demonstrated by a Transport Assessment) that would cause a significant increase in traffic on those roads will be required to make provision for, and contribute to, appropriate highways improvement measures to ease traffic congestion on those roads. Applicants will be required to make provision for, or contribute to, appropriate measures to mitigate the impact of any traffic on these roads arising from the development, including in relation to traffic flow and on-street parking pressure must demonstrate that measures are incorporated that will ensure the proposals do not cause additional congestion on those roads or, in the case of the A1081 and its nearby streets, increase parking stress.”</u> (proposed amendments underlined)</p> <p>In summary, CEG considers that the Reg. 16 Submission Version Draft HNP meets the basic conditions test but that the proposed amendments above would provide greater clarity and avoid prejudicing opportunities for strategic development.</p>
<p>Hertfordshire County Council (Development Services – Property)</p>	<p>Thank you for the opportunity to comment on the above consultation. This letter relates to the services of the Environment & Infrastructure Department, which also incorporates other services provided by the county council where relevant.</p> <p>The county council has the following comments to make in relation to ‘Children’s Services’ (School’s Planning and Early Childhood Services), ‘Highways’, ‘Landscape’, ‘Minerals & Waste’ and ‘Transport Planning.’</p> <p>Children’s Services <u>School’s Planning</u></p> <p>With regard to secondary school provision in Harpenden, the third and fourth sentences in paragraph 8.6 on p.57 currently state:</p> <p><i>“To address this deficiency, there are plans in place to deliver a fourth secondary school in Harpenden. Should that planning application be determined following the adoption of this Neighbourhood Plan, the proposals will need to be in accordance with its policies”.</i></p>

These sentences should be re-worded, as the planning application for the fourth secondary school has now been determined.

Early Childhood Services

The plan has highlighted a range of potential small development areas which appear to have very small numbers of houses proposed.

The plan covers the Children's centre areas as Harpenden/Batford and Harpenden/ Southdown. The childcare sufficiency in these areas is good, as long as the developments detailed remain small as in the current proposals (if the developments were 10 houses or less).

However, Southdown has a small deficit for 30 hour places and therefore we would be seeking contributions in this area to address the impact that any new housing provision would have on free early education places.

The proposal does mention the requirement for additional school provision. The usual additional school provision comes with a nursery class and this would be sufficient to meet the needs for the area.

Highways

The primary interest of HCC as Highways Authority in Neighbourhood Plans is in relation to its approach to highway and transport matters. The county council aims to provide a safe, efficient and resilient transport system that serves the needs of businesses and residents across Hertfordshire and to minimise impact on the environment. The Neighbourhood Plan should align with the county council's Transport strategy documents. The county council has recently adopted Local Transport Plan 4 (LTP4). This document sets out the long-term transport strategy for the County to accommodate the levels of housing and employment growth being identified by the District Councils in their emerging Local Plans. LTP4 provides a framework to guide all our future transport planning and investment. It highlights both existing and future transport problems and issues and identifies ways we can deal with them.

The county council are currently developing a number of Growth and Transport Plans (GTP) which will sit as daughter documents to LTP4. These are strategic spatial transport plans for the purpose of applying the Local Transport Plan policies and objectives to a growth-focused area. Each plan will focus on a different area and consider growth and transport challenges in order to improve accessibility to jobs, to key local services and to enhance quality of life.

GTPs aim to facilitate sustainable economic growth and positive change to local communities and their well-being through transport-led improvements. A GTP will identify multi-modal interventions which address transport issues affecting urban areas or inter-urban corridors and will develop and justify packages of transport-led improvement schemes and priority actions. The development of these packages and schemes is based on using robust evidence to underwrite the decision making process. Until the Growth and Transport Plans are adopted, the relevant Spatial Transport Plan for Harpenden is the Harpenden Urban Transport Plan, which was endorsed in July 2011. This identifies a number of proposals for improving sustainable transport in Harpenden some of which have been delivered.

The development and encouragement of sustainable modes and improved accessibility is a supported aspiration by Hertfordshire County Council. An opportunity to develop a multi-modal approach towards sustainable transport is something that must be explored to

ensure that these principals and identified infrastructure and behaviour can be secured as part of a planning application being submitted and determined. Emerging developments will be assessed against the National Planning Policy Framework (NPPF) and other applicable policies at the time.

HCC as the Highways Authority is a statutory consultee to planning applications submitted to St Albans City & District Council (SACDC). These are assessed and considered in the context of the current legislation. Both local and national policies are considered in relation to sustainable transport and for developers to recognise the clear business case for ensuring their development sites support their share of the required infrastructure and service improvements, and are accessible by all transport modes. Any new design/any associated off-site highway infrastructure will have to undergo appropriate scrutiny that promotes highway safety.

The overall vision of the Harpenden Neighbourhood Plan is broadly supported by the Highway Authority, although we would like to see the development of a sustainable transport network linked to reduced need for car use for shorter journeys. The Neighbourhood Plan contains a number of policies which need to be considered in relation to existing Highway policy and Law. The Highway Authority responded to the Regulation 14 consultation and expressed concern that some policies did not fit with the county council's policies or with the overall vision of the Plan. Although changes have been made to some of the wording, the Highway Authority considers that the policies still do not fit with LTP4 and promote sustainable modes. This could encourage more car travel within Harpenden, leading to higher levels of congestion and the health and socio-economic factors associated with it.

Policy specific Comments

Policy ER6 - Supporting Local Centres. The supporting text states that appropriate proposals to increase parking at convenience shops at Local Centres will be supported. Increased parking appears contrary to the aims of local centres which is provide local facilities for local people reducing their need to travel further and use the car. These sites are often already constrained and a more efficient use of space would be to promote sustainable access and parking facilities for cycles.

The Transport and Movement Objectives broadly support the aims of LTP4. However, some of the specific Transport and Movement Policies appear to support car travel above other modes and therefore seem contrary to the objectives.

Policy T2 – Proposals affecting the A1081, B653 and B652. There is a potential to align this with LTP4 further, and developments should be required to provide towards improving and encouraging opportunities for non-car modes of travel, particularly to the town centre, railway station and local facilities. Sites in these locations have been identified in the SACDC Local Plan Process and the Highway Authority has a duty to work with developers to ensure adequate mitigation proposals for the developments are identified. Identified mitigation measures could be fed into the 123 list and the Community Infrastructure Levy (CIL) mechanism will be the most appropriate means by which improvements are secured. Developments can only be asked to mitigate against the impact of their development not “ease traffic congestion”

Policy T8 – Bus stop layouts. This policy still refers to bus stops being provided off the main carriageway (in a layby). This is not supported by LTP4 and is not the recommended guidance in “Quality bus infrastructure in Hertfordshire”. Laybys can cause delays to bus services as it can be difficult for buses to pull out into a line of moving traffic.

Policy T9 - Harpenden to St Albans Cycle Route. The Highway Authority support improved cycling provision to St Albans. Preferred routes should be discussed with the Highway Authority

Policy T10 – Parking in Harpenden Town Centre. Chapter 9 on Transport and Movement identifies parking, particularly in the town centre as a key concern. The Highway Authority is aware of the proposals to increase town centre parking as part of the redevelopment of the leisure facilities and the plans to increase parking at the station. To ensure that increased levels of parking do not just encourage increased car journeys around the town, we would recommend that the Town Council work with SACDC on developing a town wide car parking strategy encompassing both on and off street parking in line with the overarching policies and strategy objectives of the Local Transport Plan and South West Growth and Transport Plan, rather than promote a general policy to introduce second tiers to surface car parks.

Consideration will be needed of the potential for wider impacts from parking outside of controlled parking zones exacerbating existing parking stress, but it should not solely be a case of providing more parking locally as this could negate the policies within the Neighbourhood Plan to promote sustainable journeys. Such a strategy should make reference to the setting of appropriate parking charges that support and encourage a shift away the use of the private car for short distance and commuter parking.

Paragraph 9.15 still seems to imply that congestion is caused by sustainable modes of transport particularly on the A1081 and can be seen as contrary to Policy 1 of the LTP4 which sets out the county council’s Transport User Hierarchy. This states that:

“To support the creation of built environments that encourage greater and safer use of sustainable transport modes, the county council will in the design of any scheme and development of any transport strategy consider in the following order:

- *Opportunities to reduce travel demand and the need to travel*
- *Vulnerable road user needs (such as pedestrians and cyclists)*
- *Passenger transport user needs*
- *Powered two wheeler (mopeds and motorbikes) user needs*
- *Other motor vehicle user needs*

HCC as Highways Authority would welcome a further meeting with the Town Council, in order to establish a mutually acceptable way forward, prior to consideration by the Inspector.

Landscape

Landscape comments have previously been submitted at the Regulation 14 PreSubmission Draft in December 2017, with regards to the policies that refer to landscape character, visual amenity and green infrastructure issues.

It is noted that the majority of the previous suggestions have not been carried forward into the Regulation 16 Submission Draft of the plan, which is disappointing.

Minerals & Waste

HCC as Minerals and Waste Planning Authority has previously provided comments for both the Plan Area Designation and the Regulation 14 consultation on the emerging Harpenden Neighbourhood Plan and would like to take this opportunity to echo what has previously been said and to provide some final comments to the Town Council.

HCC as Minerals and Waste Planning Authority previously asked that wording be added to Paragraph 1.4 of the Neighbourhood Plan, so that the Development Plan for Hertfordshire is stated to include the Minerals and Waste Local Plan Documents. It is clear that this comment has been taken into consideration in the re-drafting on the Neighbourhood Plan following the Regulation 14 consultation and the full development plan for the area is now stated.

Minerals

As previously outlined, a small part of the eastern boundary of Harpenden's Neighbourhood Plan area, falls within the 'Sand and Gravel Belt', as identified in Hertfordshire County Council's adopted Minerals Local Plan 2002-2016. The county council, as the Minerals Planning Authority, would raise concerns for any unnecessary sterilisation of minerals as a result of non-mineral developments being designated in the Sand and Gravel Belt.

Waste

With regards to waste, the county council would like to re-iterate the following points:

- The Household Waste Recycling Centre (HWRC) (located on Dark Lane), falls within the 'built up area' as defined within figure 4.1 of the Neighbourhood Plan.
- Housing Allocations HA4 and HA3, as identified in Figure 7.1 of the Neighbourhood Plan, adjoin the Household Waste Recycling Centre (HWRC) on Dark Lane. The Minerals and Waste Planning Authority has previously provided comments on the outline planning application that falls at this site (ref: 5/2017/1814), which were sent to St Albans City & District Council on 04 August 2017.
- In addition to the HWRC on Dark Lane, the Harpenden Neighbourhood Plan area also encompasses part of the Harpenden Sewage Treatment Works (STW). The Town Council should be aware that the county council will oppose development proposals which are likely to prevent or prejudice the use of land identified or safeguarded for waste management purposes, unless alternative or enhanced provision is made for a facility dealing with the equivalent waste capacity, or where it can be demonstrated that the need for those facilities can no longer be justified.

Transport Planning

Specific comments in relation to the policies and paragraphs in the submission document are mentioned below.

Policy SS2 – Infrastructure Zones. This policy includes comments on the impact on roads and congestion but no requirements for provision for sustainable/alternative modes e.g. development of new or creating links to existing footpaths, cycleways. In addition there could be reference to the LTP, Roads in Herts etc. There is also no requirement for electric vehicle charging infrastructure, cycle parking or passenger transport.

ERO4: Promote easy access to and increase footfall to the Town Centre, Southdown and Batford. This policy should state what type of access is being referred to and sustainable modes should be prioritised.

Paragraph 5.12. Increasing parking at convenience shops will encourage further car use and appears contrary with the objectives as well as the LTP.

EDO8: Require development to design streets as communities giving prime consideration to the needs of pedestrians and cyclists and to encourage initiatives to adapt streets which will prioritise pedestrians and cyclists. This policy would be compatible with policy 1 of the LTP.

Policy ESD4 – Streets as Social Spaces that are Pleasant to Be In. Specifically, the wording within this policy that states: “.....New residential streets (not including main routes in new residential developments) must be designed in a way that encourages and prioritises pedestrians and cyclists rather than vehicle traffic. These streets should be suitable for a range of social activities ...” would be compatible with the approach of policy 1 of the LTP and the “Healthy Streets” concept.

Policy SI10 – Visitor Accommodation including Hotels. Visitor accommodation should be accessible by a range of sustainable and alternative modes of travel.

TMO1: Create an environment that promotes walking, cycling and community public transport as first choice modes for all residents and ensure that the services supporting these modes are in place, from high quality safe routes to reliable and sustainable transport services. This policy would be compatible with the approach of LTP. However, it should be for all public transport not just “community” which could imply only those services run by the community such as the Hopper Bus.

TMO5: Ensure new developments include proportionate to scale transport infrastructure including sufficiently wide roads and pavements, cycle lanes, cycle parking, bus laybys, and other transport infrastructure with sufficient public transport and parking provision. There is reference to the need for sufficient public transport to support new developments, but there is no reference to the existing rail service. There are currently issues with capacity and there is a need to ensure rail services continue to meet the needs of the community in the future.

The only reference to the railway station is in relation to the need for more car parking spaces and the desire to see additional decks to the existing car park (as stated in paragraph 9.16). It is considered that there should also be reference to the need for improved cycling and walking links to and access into the station and better bus services serving the station, in order to minimise the need for car parking and the traffic generated by a drop-off at the station.

TMO6: Ensure new developments increase the density of walking and cycling routes and provide new crossings where appropriate. Provision for electric vehicle (EV) charging points should be facilitated on new developments.

Policy T3 – Travel Plans. Traffic generation does not have to be significant for a Travel Plan (TP), they can also be produced for residential and commercial developments, something not mentioned in the proposed plan. Further advice can be provided by HCC.

	<p><i>Policy T4 – School Travel Plans.</i> This policy states “whether new schools or redevelopment, are required to prepare and agree a detailed School Travel Plan in support of this.” But it does not state who will be agreeing the school travel plan and what the sign off process may be, something the school developers will want identified to avoid conflicting interpretations.</p> <p><i>Paragraph 9.10.</i> This should include reference to HCC policy documents (HCC is Highway Authority for this location)</p> <p><i>Policy T5 – Road Layouts.</i> There should be an additional comment stating that the proposals should be developed in line with HCC LTP policies and design guidance as the elements involved may be broader. The reference to “liaison with and supported by local people” is confusing. Is this refereeing to specific groups, the community in general or simply usual member processes e.g. determination of application as representatives of local people? Policy</p> <p><i>T8 – Bus Stop Layouts.</i> This policy promotes car use over buses (a more sustainable mode) and could therefore be considered contrary to the LTP. Road layout changes and the location of bus stops would be subject to HCC policy as Highway Authority taking into account its policies regarding sustainable modes (and policy 1 of the LTP) not to mention safety considerations etc.</p> <p><i>Policy T9 – Sustainable Transport Routes.</i> This appears an odd place to include EV charging points and could easily be missed. EV infrastructure should be included in relation to new development, redevelopment and parking facilities.</p> <p><i>Policy T10 – Parking in Harpenden Town Centre.</i> Proposals to increase car parking in isolation, without studies investigating the issue as a whole (not simply whether there would be an increase in congestion as implied) and without first promoting and facilitating provision for alternative modes would appear contrary to the LTP.</p>
<p>Legal and General</p>	<p>1.0 Introduction</p> <p>1.1 These representations are submitted on behalf of Legal & General Capital (LGC) and provide recommendations to the Examiner to enable the Harpenden Neighbourhood Plan (HNP) to better meet the basic conditions and proceed to referendum. This representation follows Savills’ previous representation at the HNP Regulation 14 ‘pre-submission’ stage, on behalf of LGC on 6 December 2017.</p> <p>1.2 LGC are the owners and promoters of land at Harpenden to the north of Cooters End Lane and are working collaboratively with Commercial Estates Group (CEG) who are promoting adjoining land south of Cooters End Lane. The combined LGC / CEG landholding forms an area known as the ‘North West Harpenden Broad Location’ in the emerging St Albans Local Plan. This land is within the HNP area, but outside the current built limits of the town. On 25 October 2017 Harpenden Town Council confirmed that the HNP no longer sought to allocate any sites in the Green Belt for new strategic housing, employment or other growth, effectively leaving such matters to be addressed through the emerging St Albans Local Plan. LGC are content with this approach and these submissions therefore relate to the general HNP-wide policies which could apply to the NW Harpenden broad location, should it receive an allocation through the emerging St Albans Local Plan.</p> <p>1.3 Both L&G and CEG have worked closely with St Albans City and District Council (SADC) through the Local Plan preparation</p>

process, and have also undertaken early and active engagement with the HNP Group, including a presentation to the HNP Steering Group on 28 July 2017.

- 1.4 LGC welcomes the direction of the submission HNP, which represents positive progress and seeks a limited number of modifications to certain policy wording set out within the HNP in order that it better meets the basic conditions. LGC provides the following comments within this context.

Legal and General Capital

- 1.5 Legal and General Capital (LGC) is a major investor-developer with a strong corporate social responsibility ethos. Investing from Legal & General's principal balance sheet, LGC's purpose is to generate long-term shareholder value by injecting new capital into key sectors where there has been a shortage of investment and innovation, including housing - this includes:

- Inspired Villages Group - Later living;
- Build to Rent - Residential build-to-rent;
- Legal & General Modular Homes - Modular homes factory; and,
- Legal & General Affordable Homes - A wholly-owned affordable housing provider.

- 1.6 Should their land at NW Harpenden receive a residential allocation through the St Albans Local Plan, this would be delivered through Legal & General Homes Communities. Legal & General Homes Communities is the housebuilding arm of Legal & General Capital (LGC), the early-stage investment arm of the Legal & General Group.

- 1.7 Legal & General Homes is driven by its mission to create beautiful, vibrant, sustainable communities and as a business it is committed to make a positive contribution to the area of Harpenden. It is passionately committed to building high-quality homes for people across a range of life stages and as part of this approach it is committed to delivering social value. This means adding value to the local economy through creating new transport infrastructure, jobs and trade for local businesses; improving the well-being of the community by providing education and shared community facilities, and helping to protect our environment through the materials used and the spaces created.

- 1.8 In summary L&G are:

- investing in housing for young and old in order to meet the shortfall in the UK market;
- investing at an early stage for a long term return – i.e. will see it through from concept to when people are living in their homes;
- committed to genuinely work with local communities for the better; and
- creating legacy developments to be proud of.

2.0 The emerging National Planning Policy Framework

2.1 On 5 March 2018 the government published its draft revisions to the National Planning Policy Framework (NPPF) for consultation, following its publication of the Housing White Paper 'Fixing our broken housing market' on 7 February 2017.

2.2 Savills submitted a response to the consultation on 10 May 2018, including in relation to Neighbourhood Plans and awaits the outcome of this consultation. Subject to the transitional arrangements set out at paragraph 209 of the revised NPPF, LGC reserves the right to make further submissions in light of the application of the revised NPPF, should it be material to the Examiner's consideration of the HNP.

3.0 The basic conditions

3.1 The submission HNP is accompanied by a Legal Compliance Statement, which includes a Basic Conditions Statement. This Statement explains how the submission HNP meets the basic conditions required of a Neighbourhood Plan.

3.2 In accordance with clause 8(2) of Schedule 4B of the Town and Country Planning Act, 1990, Neighbourhood Plans must meet basic conditions. A submission Neighbourhood Plan meets the basic conditions if:

- a) *having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,*
- b) *having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,*
- c) *having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,*
- d) *the making of the order contributes to the achievement of sustainable development,*
- e) *the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),*
- f) *the making of the order does not breach, and is otherwise compatible with, EU obligations, and*
- g) *prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.*

3.3 LGC provides the following representations, principally in respect of sub-headings a), d) and e) of clause 8(2) of Schedule 4B of the Town and Country Planning Act 1990. In doing so the primary consideration has been compliance with basic condition (a) and the key provisions of the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG), including:

- The Government's objective to 'boost significantly the supply of housing' (NPPF para 47); and,
- The PPG statement (ID:41-040-20160211) that in preparing neighbourhood plans 'proportionate, robust evidence should support the choices made and the approach taken'.

Policy SS1 'The spatial strategy'

<p>3.4</p> <p>3.5</p> <p>3.6</p> <p>3.7</p> <p>3.8</p>	<p>In response to the Regulation 14 consultation, LGC raised concern that draft Policy SS1 ‘The Spatial Strategy’ did not fully accord with the emerging St Albans Local Plan in that it sought to require any application outside the built up area boundary of Harpenden as currently shown in HNP figure 4.1 to demonstrate “why the proposal cannot be located within the Built up Area Boundary of Harpenden”.</p> <p>The Regulation 16 consultation draft plan does now contain an amendment within policy SS1 which states ‘In the event that St Albans City and District Council releases land in the Green Belt adjacent to the current Built up Area Boundary of Harpenden for residential development in a future Local Plan, that land is considered by this Policy to be within the Built up Area Boundary of Harpenden’.</p> <p>Whilst LGC is content that this wording achieves the necessary conformity with the emerging Local Plan, we would recommend a further amendment as follows (shown underlined):</p> <p><i>SS1 – The Spatial Strategy</i></p> <p><i>1. The Built up Area of Harpenden is the priority for new development in the Harpenden Neighbourhood Plan Area. The Built up Area Boundary of Harpenden is shown in Figure 4.1. In the event that St Albans City and District Council releases land in the Green Belt adjacent to the current Built up Area Boundary of Harpenden for residential development in a future Local Plan, that land is considered by this Policy to be within the Built up Area Boundary of Harpenden, <u>and is therefore in full compliance with this policy.</u></i></p> <p><i>Planning applications for new development proposals outside the Built up Area Boundary must either:</i></p> <ul style="list-style-type: none"> <i>• Be an exception to inappropriate development in the Green Belt, or</i> <i>• In the case of what would normally be deemed inappropriate development in the Green Belt, must demonstrate:</i> <i>• Very special circumstances for development in the Green Belt.</i> <i>• Why the proposal cannot be located within the Built up Area Boundary of Harpenden.</i> <p><i>2. Development proposals in Harpenden Town Centre, as shown on Figure 4.1 must have regard to the special characteristics of the town centre, in accordance with the policies of this Neighbourhood Plan.</i></p> <p>As an alternative, this clarification could be provided within the supporting text to this policy.</p> <p>Policy ESD1 ‘Design Strategy’</p> <p>The first paragraph of draft Policy ESD1 includes the requirement that all developments must be ‘visually appealing’. LGC recommends that to reflect the NPPF’s approach, and therefore accord with condition (a), the first line of Policy ESD1 is amended to read as follows:</p> <p><i>‘All developments must be visually appealing designed to a high quality, maintain or enhance the character of the area and support Harpenden as a low carbon place to live and work.’</i></p>
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- 3.9 LGC is also concerned that the drafting of criteria v) is unclear and in terms of **condition (a)** recommends that it should be clarified to state:
*'Protection against the loss of or significant harm to ecological or landscape value without appropriate mitigation that outweighs the loss or harm, **or demonstrate the provision of appropriate mitigation or compensatory measures**'.*

Policy ESD15 'Sustainability and energy efficiency'

- 3.10 The NPPF core planning principles (para 17) include seeking to 'support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy)'.
3.11 Related guidance within the PPG includes a sub-section within the Climate Change topic entitled 'What are government's national standards for a building's sustainability and for zero carbon buildings?' at ID: 56-001-20150327.
3.12 This includes reference to viability considerations at Paragraph: 009 Reference ID: 6-00920150327 as follows: 'Local requirements should form part of a Local Plan following engagement with appropriate partners, and will need to be based on robust and credible evidence and pay careful attention to viability'.
3.13 To ensure proposals are viable and therefore deliverable, in particular to ensure the Government's objective to boost significantly the supply of housing is achieved in accordance with **condition (a)**, LGC recommends the final sentence to the first paragraph of draft Policy ESD15 is amended to become more flexible given the significant acknowledged challenges of achieving carbon neutrality, and is therefore worded as follows:
'Developments should aim to move towards be carbon neutrality, subject to meeting other planning objectives, such as good design and viability'.

Policy ESD19 'Water conservation'

- 3.14 The planning practice guidance includes a sub-section entitled water efficiency standards within the section entitled: 'Guidance on how planning authorities can gather evidence to set optional requirements and the nationally described space standard' at ID: 56-001-20150327.
3.15 Paragraph: 003 Reference ID: 56-003-20150327 states: 'All new homes already have to meet the mandatory national standard set out in the Building Regulations (of 125 litres/person/day). Where there is a clear local need, local planning authorities can set out Local Plan policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day.' Paragraph 015 Reference ID: 56-015-20150327 states a clear need will need to be established based on factors including *'the need for consideration of the impact on viability and housing supply of such a*

	<p><i>requirement</i>'.</p> <p>3.16 In the absence of further evidence, LGC questions whether Building Regulations in fact remain the most appropriate statutory process to control water conservation.</p> <p>Policy T2 'Proposals Affecting the A1081, B653 and B652'</p> <p>3.17 Section 4 of the NPPF entitled '<i>Promoting sustainable transport</i>' encourages transport solutions that would reduce greenhouse gases and congestion, with para 32 confirming that mitigation options should include the full range of sustainable transport modes, and that development should only be prevented or refused on transport grounds where the residual cumulative highway impacts of development are severe.</p> <p>3.18 Whilst LGC agree with the general thrust of the policy - that major development proposals accessing the A1081 that involve an increase in traffic will be required to make provision for and contribute to appropriate measures to ease traffic congestion; LGC has some concerns with the detailed wording.</p> <p>3.19 To ensure the policy accords with the overarching sustainable transport guidance of the NPPF, in particular to ensure the Government's objective to boost significantly the supply of housing is achieved in accordance with condition (a), LGC recommends Policy T2 is amended to state:</p> <p><i>'Applicants must demonstrate that measures are incorporated that will ensure the proposals do not cause unacceptable additional congestion on those roads or, in the case of the A1081 and its nearby streets, increase parking stress'</i></p> <p>4.0 Summary and conclusion</p> <p>4.1 LGC welcomes the objectives and direction of the HNP and provides these comments to assist the Examiner. We trust the identified minor amendments demonstrate how the submission HNP can better meet the basic conditions test.</p>
<p>Hill Residential</p>	<p>Land at Townsend Lane, Harpenden</p> <p>On behalf of Hill Residential and its interest in the Land at Townsend Lane, Harpenden, we submit the enclosed information and comments to the Harpenden Neighbourhood Plan's Regulation 16 consultation with accompanying documentations including:</p> <ul style="list-style-type: none"> • Submission to the Harpenden Neighbourhood Plan Report, June 2018, • Appendices 1 – 15, • Figures 1 – 9. <p>Hill Residential (Hill) has been selected as development partner for Land at Townsend Lane by the Lawes Agricultural Trust (the Trust). The Trust is a registered charity that aids the advancement of agricultural science through providing support for Rothamsted</p>

Research (Rothamsted), the oldest agricultural research station in the world, located in Harpenden. The Trust owns the land and buildings at Rothamsted, provides annual research grants and makes capital grants to help complete and to modernise the facilities at Rothamsted.

Land at Townsend Lane represents a small-scale, sustainable site where exceptional circumstances are considered to exist, which presents an opportunity for the site to be removed from the Green Belt. Land at Townsend Lane offers the Council an available site which can be delivered within the early part of the Plan period and is currently identified within the SHLAA Update 2016 (site reference 97). A detailed planning report, together with a Landscape and Visual Appraisal is submitted, as part of this representation at Appendix 3.

The development would provide significant benefits in terms of supporting the vital and internationally renowned research at Rothamsted. It will provide assistance in meeting local housing needs significantly and demonstrably outweighing any very limited harm to the Green Belt in this location.

The site has been promoted at previous stages of the emerging Harpenden Neighbourhood Plan, including the 'Call for Sites' in August 2017 and Regulation 14 Consultation in December 2017. In addition, representations have been made, on behalf of Hill Residential, to the St Albans City and District Council's draft Local Plan (January 2018) as well as to previous iterations of the Detailed and Strategic Local Plans.

In support of this process detailed supporting work has been undertaken, including preparation of the following technical reports, which are attached as appendices* to this representation:

- Site location plan
- Indicative Site Layout
- Landscape and Visual Impact Assessment
- Access Appraisal
- Agricultural Land Classification Report
- Historic Environment Desk-Based Assessment
- Site Investigation
- Utilities and Services Report
- Combined Site Check Survey
- Flood Risk Assessment
- Preliminary Ecological Assessment
- Bat Survey
- Reptile Survey
- Arboricultural Impact Assessment

These reports highlight that there are no constraints identified which would prevent development on the site. Whilst submitted as part of the representations to previous consultations identified above, these documents have been included as the appendices for

completeness and ease of reference. The representation also includes Figures 1-10 detailing site plan and research, site photos and Green Belt Review Assessments.

Main representations:

Executive Summary

- i. Rothamsted Research is a regional asset that needs to continue to invest in its research and development, and other facilities to maintain its competitiveness.
- ii. The Lawes Agricultural Trust, responsible for funding Rothamsted, has identified Land at Townsend Lane as surplus to the requirements. Any monies generated from developing this land would be reinvested into the Trust's charitable purpose.
- iii. The revised NPPF refers to the need for Local Planning Authorities to meet their Objectively Assessed Need (OAN) for housing, which is to be calculated in accordance with a standardised methodology. For SADC, this methodology calculates an OAN of 619 new homes per annum.
- iv. The SADC's 2017 Annual Monitoring report confirms this Government OAN is the most appropriate figure of housing need. When assessed against the current housing land supply, SADC are unable to demonstrate a 5 year housing land supply and can only demonstrate 3.3 years of supply.
- v. There is therefore an urgent and unmet need for new housing locally and Townsend Lane could help to meet this need and is available, suitable and deliverable.
- vi. There are therefore exceptional circumstances which justify the release of the land from the green belt. The site does not contribute to the key purposes of green belt and its release would not cause harm to the functions of the green belt.
- vii. The Harpenden Neighbourhood Plan has the opportunity to be proactive in identifying suitable sites for Green Belt release, where demonstrated as suitability sustainable and adjoining the Built up Area Boundary.

1.0 Introduction

1.1 This document comprises representations submitted on behalf of Hill Residential, selected development partner of the landowner, Lawes Agricultural Trust (hereafter referred to as 'the Trust'), in response to the draft Harpenden Neighbourhood Plan (HNP) Regulation 16 stage 'Publicising a Plan Proposal' Consultation, in respect of land at Townsend Lane, Harpenden.

1.2 Representations have previously been submitted to the HNP in response to the Call for Sites (April 2017) and also at Regulation 14 Draft Neighbourhood Plan in (December 2017), identifying the suitability of Townsend Lane for residential development, promoting the land for housing allocation within the emerging plan.

1.3 In addition, the site has also been promoted through the St Albans City and District Council (SADC) Local Plan process including Call for Sites consultation on the new draft Local Plan in September 2017 and February 2018, and previously to the Strategic and Draft Local Plans (2016-2017).

1.4 Section 2 of this document provides specific comments on proposed draft policies. Section 3 evidences the suitability of the site, known as 'Land at Townsend Lane', for residential development, seeking to gain support within the Neighbourhood Plan.

1.5 The site is located on the edge of settlement and within the Green Belt. It is acknowledged that Neighbourhood Plans cannot currently amend Green Belt boundaries and any proposed allocation will need to wait for the next review of the Local Plan to be released from Green Belt. However, the HNP is capable of identifying appropriate locations for future development options, and these representations highlight the benefits of developing the site.

The Trust and Hill Residential

1.6 The landowner (the Trust) is a registered charity that aids the advancement of agricultural science through providing support for Rothamsted Research (Rothamsted), the oldest agricultural research station in the world, which is located in Harpenden. The Trust owns the land and buildings at Rothamsted, provides annual research grants and makes capital grants to help complete and to modernise the facilities. The Land at Townsend Lane lies on the periphery of the Rothamsted Estate and has been identified as surplus to the requirements of the Trust and Rothamsted.

1.7 As a local stakeholder and employer, firmly committed to the area, the Trust and Rothamsted Research wish to contribute positively to the local community, as well as securing its longer-term future at the forefront of research.

1.8 Development of the site will benefit Harpenden ensuring Rothamsted growth is delivered by continuing to invest in facilities and accommodation, attracting students and staff to the area. The site is linked to the existing urban area and facilities of Harpenden and will through the delivery of up to 50 new homes, assist the local economy and vitality of the town centre. Through the delivery of new homes across a range of sizes, types and tenures, the site will offer increased choice and availability of accommodation within the local area.

1.9 The Trust has been actively involved in Harpenden since 1889. The future of the town is important to the Trust as is providing a legacy for Harpenden. It is within the Trust's interests to ensure the development is of the highest quality. Hill Residential are the selected development partner, having a strong track record for delivering high quality award winning housing schemes.

National Planning Policy Framework (NPPF)

1.10 The NPPF was adopted in 2012 and identifies the presumption in favour of sustainable development. Paragraph 14 advises that this presumption should be seen as the golden thread inherent in both plan-making and decision-taking. The NPPF also sets out the 5 purposes of the Green Belt, which should be maintained, as reference below (paragraph 80):

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

1.11 Paragraph 83 continues and states that local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development (paragraph 84).

1.12 On the 5 March, the Government published the draft revised NPPF for public consultation, which closed on 10 May 2018. It is anticipated that the Government will publish the revised NPPF before the Summer Recess in July 2018.

1.13 There are number of changes which, if taken through the final publication, will be relevant for HNP. The revised NPPF strengthens the plan-led approach an emphasises the need for allocations within the Development Plan and promoting the use of small and medium sized sites.

1.14 Further, paragraph 135 of the revised NPPF identifies that where the need for changes to Green Belt boundaries has been demonstrated through a strategic plan, detailed amendments to those boundaries may be made through local policies, including Neighbourhood Plan.

1.15 Paragraph 3.4 of HNP states:

'Release of land from the Green Belt. This can only be done through a review of the Green Belt boundaries by a local planning authority (i.e. St Albans City and District Council) in its Local Plan, as established by Paragraph 83 of the NPPF. Therefore, this NP does not seek to allocate any sites in the Green Belt for new strategic housing, employment or other growth'.

1.16 While this paragraph of the HNP is still relevant, paragraph 135 of the revised NPPF places the onus on the emerging SADC's Local Plan to identify need to change Green Belt boundary first, before the NP could include detailed amendments to the Green Belt.

1.17 The revised NPPF also refers to the need for Local Planning Authorities to meet their Objectively Assessed Need (OAN) for housing, which is to be calculated in accordance with a standardised methodology. For SADC, this methodology calculates an OAN of 619 new homes per annum. SADC's latest Annual Monitoring Report, December 2017, confirms the Government's calculated OAN is most appropriate and when assessed against the current housing land supply, SADC are unable to demonstrate a 5-year housing land supply and can only demonstrate 3.3 years of supply.

Neighbourhood Plans – Basic conditions tests

1.18 In general, the draft HNP meets the basic conditions tests, as required, set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The conditions are:

- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).*
- b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.*
- c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.*
- d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.*
- e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).*
- f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.*
- g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan)*

1.19 Notwithstanding this however, it is considered that the HNP has capability to identify a greater number of housing allocations, including those within Green Belt, further ensuring the target objectives (a) and (d) above are met to achieve sustainable development and assist meeting the area's known housing need.

1.20 It is acknowledged that the HNP does not seek to allocate sites within the Green Belt. However, as identified within the HNP, it is anticipated that the SADC will need to release Green Belt land to deliver housing. Given the stage of the SADC Local Plan, the HNP has the opportunity to influence this and future proof Harpenden by selecting suitable sites at the neighbourhood scale, that in the event is considered appropriate by the SADC Local Plan, can achieve sustainable development with no harm to the Green Belt.

1.21 Land at Townsend Lane is demonstrated through this submission as appropriate for residential development, capable of contributing to urgent housing need without harming the purposes of the Green Belt.

2. Policy Specific Comments

2.1 The following sections seeks to present comments on specific policies within the Regulation 16 draft HNP for the Council's review and consideration.

SS1 – Spatial Strategy

2.2 Draft policy SS1 sets out that the built-up area of Harpenden is the priority for new development within the HNP. The Regulation 16 draft HNP includes an additional sentence within draft policy SS1:

'In the event that St Albans City and District Council releases land in the Green Belt adjacent to the current built-up area boundary of Harpenden for residential development in the future Local Plan, that land is considered by this policy to be within the built-up area boundary of Harpenden'

2.3 The inclusion of this sentence is supported by as it indicates the HNP would be supportive of development in the Green Belt on sites adjacent or adjoining the builtup area, in the event the Green Belt boundary were to be amended by SADC, as identified by paragraph 135 of the revised NPPF. To this extent, Land at Townsend Lane has been identified by the Trust as suitable for development given its limited ability to function for research purposes. The site is capable of assisting the Trust to provide funding towards Rothamsted Research, ensuring facilities continue to attract and retain research students in the globally competitive environment, in turn supporting Harpenden's economy. As such, it is considered that the development of this site would be appropriate, in the event the Green Belt boundary at this site was amended by the SADC.

2.4 In regard to the potential amendment of the Green Belt, it is considered important to develop homes on the most sustainable locations, to ensure that the character of the existing villages and towns are protected and the 5 purposes of the Green Belt are maintained, as reference below from paragraph 80 of the NPPF (2012):

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

2.5 It should be acknowledged that the supporting document (Appendix 2 "Land at Townsend Lane, Harpenden"), demonstrates that given the particular characteristics of the site and surrounds, development at Townsend Lane will not cause harm to the objectives or purposes of the Green Belt in this location. It is surrounded by existing built development on three sides, and would not affect the openness of the Green Belt. The additional technical documents (appendices 3- 15) and as considered within section 3, demonstrate that the site is free from constraints and is readily available for delivery.

2.6 Further, when considering the provision for jobs, the development of Land at Townsend Lane will contribute directly towards the funding of the Trust's charitable Hill Residential Representation to the Harpenden Neighbourhood Plan, Regulation 16 Terence O'Rourke Ltd 2018 6 aims, which include valuable support for the vital and internationally renowned research at Rothamsted.

SS2 – Infrastructure Zones

2.7 Policy SS2 acknowledges that there will be considerable growth in SADC over the HNP period, and this will include housing sites within the Green Belt. Given this acknowledgement, the HNP should identify sites considered appropriate, but not solely limited to those of significant scale. It is acknowledged that HNP would not allocate sites in the Green Belt, but it can seek to influence the SADC Local Plan by identifying potential sites considered suitable in order to future proof and protect HNP's interests and to ensure early delivery.

2.8 In doing so, the HNP should consider small-medium sites of a neighbourhood scale. Whilst it is noted that development of strategic scale will be more capable of delivering infrastructure requirements (e.g. education and open space provision and highways improvement works) within larger site areas, compared to smaller scale development, these small-medium sites can make a positive and early contribution to housing need, and must still demonstrate suitability and mitigate the impact of proposals.

2.9 Policy SS2 seeks to be pragmatic and ensure that any significant development outside of the Built-up Area Boundary addresses infrastructure required in each part of Harpenden. Small to medium sites also have a role to play and must demonstrate their suitability in the context of surrounding infrastructure.

2.10 SADC will in due course collect funds through S106 and/or Community Infrastructure Levy. Development sites will be liable for this charge and contribute towards identified infrastructure requirements and/or improvements. At the scale of development proposed for Land at Townsend Lane (circa 40 – 50 homes), CIL contributions would be payable. If developed in advance of CIL adoption, site specific planning obligations, including financial contributions, may be required if demonstrated as necessary and secured through a legal agreement.

2.11 Policy SS2 divides Harpenden into five zones, with Land at Townsend Lane located within the North West area. Land at Townsend Lane is in a highly sustainable location. Development proposals for the site will demonstrate acceptable impacts on the surrounding highway network, and provision of open space and access to recreation.

2.12 Land at Townsend Lane is within walking distance of Harpenden's convenience shopping. Figure 4 highlights the accessibility of the site to Harpenden town centre where all local needs can be met, and to the railway station. The location of the site is within walking and cycling distance to essential local facilities.

2.13 Figure 6 (appendices) highlights the distance of the site from the closest primary and secondary school. The closest primary school to the site is Roundwood Primary School and closest secondary is Roundwood Park School, both located approximately 800m walking distance from the site. Given the accessibility of the site to schools, local facilities, amenities and public transport, and its location close to the centre of Harpenden the site would be suitable for people of all ages, and at all stages of life.

ER1 – Supporting Harpenden's Economy

2.14 Hill support this draft HNP policy which seeks to support a high-quality offer through improvements to existing employment areas including new and redevelopment opportunities.

2.15 The principle of this policy epitomises the future development and expansion opportunities of the Rothamsted Research facility. However, Rothamsted Research requires on-going financial support and the need to raise monies to support the competitiveness and continued growth of the facility. The land has been identified as surplus to the Rothamsted Research requirements, and whilst outside of the boundary of Designated Employment Location (DEL1 Rothamsted), the policy should extend to redevelopment of land holdings outside of these zones, for not only employment land use, where the benefits to employment can be demonstrated.

2.16 In addition, draft policy ER1 should seek to acknowledge the future proofing and the subsequent exceptional circumstances that exist, which justify relevant sites' removal from the Green Belt and allocation for residential development. This is the case for 'Land at Townsend Lane' and the Trust's continued support for the prosperity of Harpenden's economy.

ER2 – Designated Employment Locations

2.17 Hill also support the inclusion of the Rothamsted Research as a designated employment location (DEL1). The Trust is committed to ensuring continued development and funding is invested into the research facility, to continue to attract and retain research students.

ER3 – Rothamsted Research

2.18 The Neighbourhood Plan's support for the redevelopment or expansion of Rothamsted Research, to meet Rothamsted's long-term needs and to accommodate firms carrying out complementary knowledge-based research and development activities, is strongly supported.

2.19 The previous draft version of the HNP (December 2017) supported cases of very special circumstances for development, which would not normally be considered appropriate in the Green Belt was welcomed, and was strongly supported by Hill. However, this Regulation 16 HNP removes this acknowledgment to the HNP's support.

2.20 Hill believe that the previous draft HNP rightly acknowledged the potential of the Rothamsted Research facility and it is therefore requested that this wording is reinstated within policy ER3. To confirm, this wording is as follows:

'Subject to an appropriate proposal, the Neighbourhood Plan would support a very special circumstances case made by Rothamsted Research for development not normally considered appropriate in the Green Belt'.

ESD1 – Design Strategy

2.21 The approach proposed by the Neighbourhood Plan towards the design is broadly supported. Notwithstanding this however, the necessity to prepare a Design Brief to establish the principles of development sites, prior to the submission of any major development application is queried, if in addition to national and local validation requirements. It is unclear how such a Design Brief would be "approved" or the weight it would carry. In the event of a full application, a proposal will be fully worked up in detail with supporting documentation addressing the criteria of the policy.

2.22 Pre-application process will further assist the process to ensure the preparation accords with the LP and NP aims. Whilst a Design Brief has merit, it should not be a mandatory requirement for all major applications (e.g. 10+ units).

ESD11 – Access to the Natural Environment

2.23 Draft policy ESD11 seeks to protect and enhance the connectivity to green space and the countryside through any potential development of land outside the built-up area, through land released from the Green Belt within the SADC Local Plan. Hill support this draft policy and wish to establish that the proposed development of 'Land at Townsend Lane' will ensure connections to footpaths in close proximity to the site are enhanced.

2.24 The mature trees and hedgerows currently occupying the boundary of the site will be retained, where possible, and utilised to act as green links and corridors to the wider openness of the Green Belt.

H1 – Housing Strategy

2.25 The HNP has altered this policy since the previous iteration of the HNP was published for consultation in December 2017. The proposed amendments to the policy seek to propose development through the allocated sites within the HNP and subsequent SADC Local Plan allocations as well as infill and brownfield development.

2.26 Whilst recognising that the HNP does not seek to allocate sites within the Green Belt, it is not considered appropriate for the HNP to require that sites in the built-up area are exhausted first. This process has potential to delay the delivery of appropriate housing sites, and the testing process to evidence that all areas are exhausted would be imprecise and subjective. St Albans has a median house price to median gross annual income ratio of 16.59. – the worst ration in the East of England and 3rd worst across Southern England (outside of London) and 10th worst in England. If the local plan determines that land needs to be released from the Green Belt to meet needs, delivery of affordable housing should not be delayed until all urban land has been built on. If land supply is constrained it is inevitable that prices will rise and affordability will worsen.

2.27 Given the likely need to release Green Belt to meet the housing needs of SADC, including land at Harpenden, the HNP has the opportunity to be proactive in its assessment of identifying suitable sites, of which Townsend Lane is demonstrated to be in terms of lack of harm to the Green Belt.

2.28 Land at Townsend Lane has potential to contribute to the right kind of homes in the right places, while protecting the wider Green Belt and enhancing and wildlife and landscape character in the site's immediate locality. The site is set within the existing built-up area at the western edge of Harpenden and when developed, it would seamlessly extend western edge of the built-up area boundary.

2.29 The site represents an available, sustainable infill site located on the edge of Harpenden Town. The site has been subject to a number of technical studies and assessments to consider the site's contribution to the Green Belt, among other considerations. The site is considered to provide limited openness to the adjoining Green Belt, the hedgerows and occasional mature trees on all sides of the site, in combination with the topography, visually contain the site from the surrounding area. Extensive technical work has been undertaken and are attached to this document at appendices 3 - 15. These reports highlights that the site is free from technical constraints and is readily available for delivery.

H4 – Residential Density

2.30 The requirement for residential development to have a minimum density of 40 dwellings per hectare is noted and the desire to maximise the potential of sites is welcomed and encouraged to boost the number of homes on a site.

2.31 Given the nature of existing neighbourhoods in Harpenden, with its varied densities, the policy will need to be applied with care to ensure new development balances the need to make efficient use of sites with the need to respect the character of existing areas and the relationship of the town with the countryside/Green Belt. The density of residential developments should not be subject to a 'on size fits all' approach and individual sites should be considered on a site by site basis, in line with the site's context and surrounding area.

H10 – Housing Site Allocation

2.32 The site allocations within this Regulation 16 draft HNP identified a total of 8 sites for development, comprising 106 new homes. This is a reduction from the 7 sites previous allocated within the Regulation 14 draft HNP, which proposed to provide 128 new homes. The current proposed 8 sites are expected to deliver a minimum of between 5 and 34 new homes respectively.

2.33 Harpenden is a highly sustainable location and has a key role to play in meeting housing needs and supporting the local economy and as a result there is likely to be a number of sites released from the Green Belt and allocated through the next local plan. The withdrawn SADC Local Plan proposed a number of strategic sites and proposed that small sites (delivering fewer than 30 dwellings) be identified through the neighbourhood plan process. Given the nature of Harpenden, it is considered that there are sites on the edge of Harpenden in the range of 30 to c75 homes which could accommodate new homes in a sensitive manner and could be delivered early in the plan period, making a meaningful contribution to land supply and delivering needed affordable and market housing.

2.34 The Site Assessment Summary Paper, published as a supporting document, explains that the draft HNP originally considered Green Belt sites due to an ambition to potentially align with the (then draft) SADC Detailed Local Plan (DLP), considering potential small development sites to release from the Green Belt in that document. However, following the failure of the DLP to proceed to examination, it was determined that this approach was no longer viable due to the likely time delay between the NP being adopted, which would result in a lag between sites being identified and released for allocation, during which circumstances may change. It explains that the approach was discussed with SADC and locality, with both understanding the approach. In total, 29 sites were removed from the site assessment process, assessments were not finalised for these sites and there is no further reference to Green Belt sites in the Site Assessment Summary Paper.

2.35 While it is acknowledged that Neighbourhood Plans are currently unable to amend the Green Belt boundaries and any amendments will need to wait for the next review of the Local Plan, consideration should be given to include an assessment of sites in the Green Belt. The HNP should also seek to set out preferred Green Belt sites, subject to SADC's ongoing review of the Green Belt boundaries. These do not necessarily need to be included in policies but could form an appendix. This would avoid the HNP not expressing a view of the matter and would enable the Town Council's views to be a material consideration in future decisions.

2.36 SADC are currently unable to demonstrate a 5 year housing land supply and therefore it is considered highly likely that there will be a need to release Green Belt land in the most suitable locations, in order to meet the housing needs of SADC, including land within Harpenden. The HNP has the opportunity to be proactive in its assessment of identifying suitable sites, of which Townsend Lane is

demonstrated to be in terms of lack of harm to the Green Belt. The revised NPPF also places great emphasis on local planning authorities' abilities to meet their respective 5 year housing land supply (paragraph 74).

3. Land at Townsend Lane

The suitability of the site

Site context

3.1 The Trust is the sole owner of the 1.654-hectare site. All land required to access the site is within the control of the landowner or is in the public highway. As such it can be confirmed that the site is immediately available for development.

3.2 Placing new homes on the site would not extend the settlement westwards beyond its existing extremity so will not impact upon the objective or purposes of the Green Belt in this location with respect to sprawl or coalescence (see the supporting document). Furthermore, given the financial support for Rothamsted Research by the Trust and the on-going need to raise monies to support and further the research and development at the institute, exceptional circumstances exist that justify the site's removal from the Green Belt and allocation for residential development now.

3.3 The supporting document (Appendix 2 "Land at Townsend Lane, Harpenden"), demonstrates that given the particular characteristics of the site and surrounds, development at Townsend Lane will not cause harm to the objectives or purposes of the Green Belt in this location. It is surrounded by existing built development on three sides, and would not affect the openness of the Green Belt. The additional technical documents (appendices 3-15) demonstrate that the site is free from constraints and is readily available for delivery.

3.4 Placing new homes on the site would not extend the settlement westwards beyond its existing extremity so will not impact upon the objective or purposes of the Green Belt in this location with respect to sprawl or coalescence (see the supporting document).

Rothamsted Research

3.5 Furthermore, given the financial support for Rothamsted Research by the Trust and the on-going need to raise monies to support and further the research and development at the institute, exceptional circumstances exist that justify the site's removal from the Green Belt and allocation for residential development now.

3.6 The Lawes Agricultural Trust and Hill Residential have already undertaken extensive technical study work that demonstrates the site's suitability for new homes. The review below demonstrates that there are no site-specific constraints that would prevent development of the site. The technical studies are enclosed within appendices 3-15.

3.7 Development of the land off Townsend Lane, Harpenden will not only help contribute to the local housing need but also enable the Trust and Rothamsted to fund vital improvements to its estate in order to attract and retain research students in a globally competitive environment.

Technical Considerations

Topography

3.8 The site, whilst looking relatively flat, gently rises north-east to south-west towards a ridgeline. The inward sloping profile of the site helps to visually contain the site from the countryside to the south-west; something which can be enhanced by the set back of new buildings from the southern boundary.

3.9 The topography of the wider area is characterised by valleys of the River Lea and River Ver east and west of a pronounced ridgeline that curves north-west. The site, at 130m AOD, is located on the inner edge of the upper plateau, which is slightly domed before falling away east and west to the river valleys. A horseshoe ridgeline wraps around the north, west and southern edges of the site.

Flood Risk

3.10 The site lies within flood zone 1 (by reference to the Environment Agency's online flood mapping tool) and is free from any flooding constraint. Through careful design, landscape proposals and selection of materials, development on this site will not be put at risk of flooding. Measures will also be incorporated into the proposals to ensure that the development does not lead to an increased flood risk downstream and incorporates sustainable drainage systems (SuDS) where ground conditions allow.

3.11 According to the Environment Agency website the site lies within Groundwater Source Protection Zone 3, and it is within a Surface Water Safeguard Zone and in a Surface Water Nitrate Vulnerable Zone. Mitigation measures will be put in place to ensure ground or surface water is not contaminated during or post construction. As a result, this is not considered to be a constraint to development and can be managed through the detailed design process.

Ground Investigation

3.12 A site investigation undertaken by Geo-Environmental Investigations Ltd in October 2015 established that the site is suitable for residential development without requiring any remedial action.

Utilities and services

3.13 The site has urban development to its west, north and east and is comparatively small in scale. There are no known or anticipated constraints with respect to services and utilities.

Sustainability

3.14 In addition to the inherent sustainability of the site due to its location, Hill are committed to ensuring that the development would be energy efficient, incorporating energy saving technologies where feasible and as appropriate.

Landscape and visual considerations

3.15 A visual analysis of how the site interacts with the adjoining townscape and landscape has been undertaken and is submitted alongside this document. It concludes that the site is well contained due to natural topography and vegetation cover, and visibility of the site is very limited.

3.16 Views of the site from the urban area are limited to the immediate locality. The development would be visible from a small number of surrounding residential properties, being viewed within the existing semi-urban context. The site is visible from Claygate Avenue as it rises towards the ridgeline to the south-west. However, its rise and its containment by hedging mean the land does not appear to be part of the wider countryside. Indeed, views to the countryside beyond are not available from this location. Views from Townsend Lane are screened by the hedgerow on the site's boundary. Views to the site are therefore mostly from upper floor windows of the surrounding properties in Townsend Lane and in Hartwell Gardens.

3.17 From the countryside the site is also visually contained with very limited intervisibility with the surrounding landscape. A combination of the ridgeline, abundant hedgerow trees, copses and woodlands limit views of the site to the immediate area. Importantly, the site is perceived within a semi-urban environment, sitting within the settlement edge. Development of this site will therefore not result in the sprawl of Harpenden beyond the exiting limits of the town or contribute to its coalescence with Redbourn, the nearest settlement to this part of Harpenden.

3.18 The proposals will retain the key vegetation structure on the site, which will be supplemented by additional planting. The site layout and design will also be sympathetic to and in-keeping with the surrounding context. The low-key settlement edge will also be maintained. The Landscape and Visual Appraisal (LVA) concludes that the proposals will not materially alter the experiential value of existing local views; and where the site is visible it is viewed as an area strongly associated with the existing built development. The plateau and ridgeline to the south west form a natural boundary to development, and the site sits on the eastern valley slope, maintaining the existing settlement pattern.

4. Conclusion

4.1 The representation identified above highlights the continued support of Hill for the HNP, with the request for additional provision and support for the allocation of small sites in the Green Belt where exceptional circumstances cases are evident. The Regulation 14 draft HNP previously acknowledged the potential for very special circumstances case to be made, but that has been omitted from this Regulation 16 Draft HNP. Hill strongly believe that this reference should be reinstated within the submission draft HNP.

4.2 In line with paragraph 135 of the draft NPPF, the HNP includes a sentence within the draft policy SS1- spatial strategy to acknowledge the future allocation of land adjacent to the current built-up area boundary of Harpenden, in the event that SADC releases land in the Green Belt for residential development in the future Local Plan. This addition is strongly supported by Hill. Given the site's position with existing development on three sides, its removal from the Green Belt will not undermine or harm the purposes of the Green Belt in this location, in line with both paragraph 135 of the revised NPPF and draft policy SS1 of the HNP.

4.3 In terms of the delivery of Land at Townsend Lane, it should be considered by the HNP and SADC that the site is immediately available for development and new homes could be delivered within the first five years of the plan period. As part of feedback from a pre-application, SADC confirmed that if considered suitable for housing through the Neighbourhood Plan process, it could carry weight in the development management decision-making process. Support in the HNP would bring forward early delivery of much needed new homes in Harpenden.

4.4 It should be acknowledged that SADC are currently unable to demonstrate a 5 year housing land supply and therefore it is considered highly likely that there will be a need to release Green Belt land in the most suitable locations, in order to meet the housing needs of SADC, including land within Harpenden. The HNP has the opportunity to be proactive in its assessment of identifying suitable sites, of which Townsend Lane is demonstrated to be in terms of lack of harm to the Green Belt.

4.5 Additionally, and importantly, the release of the land for new homes will support the on-going research and investment at the Rothamsted Research and therefore help secure its long-term future as an important employer in the district. Exceptional circumstances exist that justify the identification of the land from the Green Belt now and its allocation for around 50 new homes. The site should be identified as suitable for new homes in the HNP, to support future Green Belt boundary changes in the Local Plan, so that vital support for the Rothamsted Research is not unnecessarily delayed.

*NB: Appendices and figures can be viewed at http://stalbans-consult.limehouse.co.uk/portal/planning_policy/htnp/htnp?tab=list