

Response to Examiner's letter dated 10<sup>th</sup> November 2020

Questions for Parish Council

- 6. Please provide a response to the points made in the letter dated 30 October 2020 from the City and District Council including the matters set out in Appendix 1 to that letter.**

Please see detailed responses to each of the points raised by St. Albans District Council in their letter dated 30<sup>th</sup> October 2020, and in their attached Appendix 1.

- 7. In the light of changes to the Use Classes Order, what revisions to the Plan would the Parish Council wish to make?**

This item was also raised by SADC in their letter dated 30<sup>th</sup> October 2020. They advised that there is a legal challenge to the law and proposed that no alteration to the Policies in respect of Use Class Orders should be made until the outcome of that challenge.

Notwithstanding the comments from SADC, we have reviewed our Policy C2 Retail Areas. We believe that the overall approach of the policy still stands but the reference to the UCO will have to be amended to cover the new notation. Unfortunately, the strength of Policy 1 a. will be reduced somewhat in that permission to change between the various uses within the new class E cannot be prevented, thus losing the ability to 'retain' shops. But the change from class E to other classes will still 'usually be refused'.

The reference to A5 (Hot Food Takeaways) will need to be updated, but the Policy will still be applicable.

- 8. In the event that the emerging Local Plan is withdrawn, does the Parish Council have a view on the necessity or otherwise to review the Neighbourhood Plan after (if) it is "made"?**

SADC confirmed during their Council Cabinet meeting on 19<sup>th</sup> November 2020 that they will be withdrawing the Emerging Local Plan due to issues raised by the Planning Inspectors. They state that a timescale for the new Local Plan will be submitted to the next Planning Policy Committee meeting in December 2020.

The Parish Council acknowledges that certain policies within their Neighbourhood Plan will need to be reviewed in the light of the withdrawal of the Local Plan. We do feel however that the decision on the modifications, if any, are best made once more

detail on SADC's proposals is available. The Parish Council Neighbourhood Plan working group will review how to proceed after release of the timescale but will need to take advice on the options available.

Once the Neighbourhood Plan is "made" we would expect to review it as more details of the revised emerging Local Plan became available. However, we anticipate that East St Albans Broad Location would remain in any revised emerging Local Plan and therefore much of the Neighbourhood Plan would not be impacted.

SADC also raised the issue of withdrawal of the Local Plan in their letter dated 30<sup>th</sup> October 2020 and we have made a more detailed response on the effect of a withdrawal in our comments to their letter, attached.

**9. Policy D1 – "providing that such development meets...": Meets what?**

Having reviewed the wording of the policy, we would propose removing the words 'meets or' so that it reads 'providing that such development provides facilities that support the village community or its visitors.'

**10. Policy D1: Should impact on heritage assets (other than the Conservation Area) be included as a relevant criterion?**

We note your comment and would be pleased to add a further point:

*'The development does not have a negative impact upon any heritage assets (for example listed and locally listed buildings).'*

Following a review of this question, we believe that Policy E5 Heritage Assets may need a slightly improved opening statement. We would thus propose the opening statement reads as follows:

*'Development, which affects the character or appearance of the **heritage assets noted on the District website**, conservation area or listed buildings and their setting or identified valued significant views and buildings will be judged against the following criteria:'*

**11. Policy D2 Paragraph 3 (also in Policy D3): Would 'social homes' be included within the definition of affordable housing (National Planning Policy Framework Glossary) or is this a reference to some other form of accommodation?**

Having reviewed the NPPF Glossary together with the wording of Policy D2 paragraph 3, we agree that the term 'affordable housing' would be better suited than 'social and affordable'. This would also tie in with the terminology of Policy D3. We would therefore propose making the necessary change to the wording of Policy D2.

- 12. Policy D6 – Hertfordshire Health and Wellbeing Guidance and Public Health England’s Spatial Planning for Health: Are there particular recommendations (what are they?) with which designs should comply - or is the paragraph just acknowledging that ‘ensuring health and wellbeing’ is a topic recommended in these documents?**

This wording was proposed to the team by Hertfordshire County Council in their submission to the Regulation 14 consultation. Within their submission, they stated:

*‘For further information on building health and wellbeing into spatial planning, Public Health recommends referring to the Hertfordshire Health and Wellbeing Planning Guidance and Public Health England’s Spatial Planning for Health evidence resource. These set out our expectation of developers in terms of the delivery of healthy development and communities and focusses on the principle of ‘designing in’ health and wellbeing as an essential part of the planning process. In doing so, this recognises the wider determinants of health as a diverse range of social, economic and environmental factors which influence people’s mental and physical health.’*

An aspect of sustainable development is to build developments where health and wellbeing is part of the design, the paragraph is designed to draw developers’ attention to those documents to assist them in meeting the residents’ expectations.

- 13. Policy C5: For the guidance of applicants, where are the ‘purposes’ of Heartwood Forest set out/to be found?**

Heartwood Forest is owned by the Woodland Trust. The purposes of the Woodland Trust can be found on their website [www.woodlandtrust.org.uk](http://www.woodlandtrust.org.uk) and in respect of Heartwood Forest on <https://heartwood.woodlandtrust.org.uk/>

- 14. Local Green Spaces and Non-Designated Green Spaces: Has the identification of these spaces been discussed with/notified to the landowners? Have any objections been recorded?**

Please find attached as Appendix 2 a schedule of all the Local Green Spaces and Non-designated Green Spaces together with their ownership.

Most of the identified spaces are owned by one of the councils who have been consulted on the plan. There are some Non-Designated Green Spaces that are not owned by a council and no specific notification had been given to those owners. This is now being addressed by the Parish Council.

- 15. Should Oaklands be identified as a heritage asset?**

We do not believe that Oaklands needs to be defined as a heritage asset within this Neighbourhood Plan as all the parts of the building, gardens and views which are

noted as important by the submission to this Regulation 16 consultation made by Hertfordshire Gardens Trust (SNP1) fall outside the boundary of the parish.

Additionally, there is no reference to listed buildings or other heritage asset at Oaklands on the District Council website.

**16. Policy E1: Should the policy be altered to make it clearer and more effective (representation of Herts Middx Wildlife Trust)?**

We note the suggestion from Herts & Middx Wildlife Trust (SNP2) and fully support their proposal. We would therefore propose that the opening paragraph of Policy E1 should read as follows:

*'Positive improvements to green infrastructure and a measurable net gain in biodiversity, by reference to the Defra biodiversity metric, should be achieved as the result of all development proposals above householder applications. Net gain calculations must show a minimum 10% improvement in biodiversity units from the baseline score. Mitigation and compensation measures can be located either on or offsite.'*

**17. Please comment on the representation of Mrs Cohen (SNP26)?**

A response was made to Mrs Cohen on 30 September 2020, by Councillor John Hale, the text of the response is set out below:

“I am responding to the email you sent to Sandridge Parish Council dated 24 September 2020, my apologies for the delay in responding to that email and your message from some weeks previous. I also recall discussing this issue briefly with you in 2019 at the Sandridge consultation event.

“Due to the volume of work involved, it was not practical to respond to all the responses we received to the consultation in 2019, however, all comments received during that consultation were carefully considered by the Neighbourhood Planning steering group and some changes were made to the final draft. In respect of your comment about the existing right of way, it was noted by the steering group that the bridleway has been established on the current course for many years and is a public right of way as recorded by Hertfordshire County Council. The Neighbourhood Plan does not propose any change to the course or designation of that bridleway, which would anyway be a matter for the landowner and the county council.

“As regards the proposed new right of way, with a few limited exceptions, the Sandridge Neighbourhood Plan does not propose any alterations to the proposals contained in the Rights of Way Improvement Plan (RoWIP), which is a county council document. Again, the implementation of any of the proposals in the RoWIP would be up to the county council in conjunction with the landowner (The Woodland Trust) and following consultation with residents. From your email, I understand that

the Woodland Trust would not support any change in the status of the path from permissive.

“The Neighbourhood Plan reflects the contents of the RoWIP, but does not amend that plan, which would be up to the county council.

“I trust that answers your questions, if I can be of more assistance please let me know. As you may know your county councillor is Cllr. Annie Brewster and you may also want to contact her about this matter, if you have not already done so.”

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