



Mr B Knichel

Dear Mr Knichel,

Northaw and Cuffley Neighbourhood Plan (September 2021) Regulation 14 consultation

Thank you for consulting Welwyn Hatfield Borough Council on your draft Neighbourhood Plan Document (Regulation 14). We recognise the significant time and work put in by the Parish and the working group to prepare the Plan.

As you will be aware the Planning Inspector examining the draft Welwyn Hatfield Local Plan has asked the Council to consider options for delivering the Full Objectively Assessed Housing Need (FOAHN) of 15,200 homes or if not meeting it, to provide a full explanation of why this cannot be achieved.

To meet the FOAHN additional sites from those examined by the Inspector will be required to be submitted to the examination and subject to Main Modification consultation. In due course options will be reported to Cabinet Planning and Parking Panel (CPPP) before progressing to Cabinet and a meeting of Full Council.

General Conformity with Strategic Policies

As you will no doubt be aware, neighbourhood plans must meet the 'basic conditions' before they can proceed to referendum, and this is tested by the independent examination. The basic conditions are set out in planning legislation. They deal with matters that include general conformity with strategic local policy.

Strategic policies together with national policies, provide a context for neighbourhood plan policies. The neighbourhood plan can include policies that differ from non-strategic local planning policies or introduce new policies (providing they are in general conformity with strategic local planning policies).

There are strategic policies in the draft Local Plan that the neighbourhood plan will need to be in general conformity with. Housing and Green Belt policy would certainly be strategic, as they set out fundamental principles for the growth and containment of urban areas. Draft Local Plan Policy SP3 Settlement Strategy and Green Belt boundaries is such a policy.

Whilst an emerging local plan would not constitute part of the statutory development plan. It still needs to be considered by neighbourhood planning bodies. To avoid the risk of policies in a neighbourhood plan being superseded by a later local plan, it is necessary for the two plans to work in a complementary way.

Sites

The draft neighbourhood plan identifies two allocations at Cuffley, Policy S1: The Meadway and Policy S2: East of Northaw Road East. The respective policies with Concept Plans add site-specific policies and design guidance to these site allocations.

In his report to the Council following the Stage 9 Hearing Sessions, the Inspector has identified that two sites are yet to be found sound but may be subject to the final strategy. These are:

- HS29 (Cuf12) Land North of Northaw Road East
- HS30 (Cuf7) Wells Farm, Northaw Road East

An additional site (Cuf15 Land to south east of KGV playing fields) was also examined by the Inspector.

Subject to the final strategy to meet the FOAHN additional housing sites in Cuffley, may be submitted to the Examination and subject to Main Modification consultation. There is a risk that the neighbourhood plan will progress and not be in general conformity with strategic policies of the draft Local Plan if it was to progress to its next stage in its current form.

Within the draft Local Plan, the proposed Cuffley allocations (Policy SADM 33) include 'Site Specific Considerations' (Table 17). These considerations will help guide development on the sites and have been discussed at length during the examination of the draft Local Plan. We would advise that these considerations be referenced within the site policy. For example, to avoid duplication, you may wish to refer to the respective draft Local Plan policy and corresponding site considerations, before identifying the supplementary Neighbourhood Plan key features. Alternatively, you may choose to replicate all site specific considerations into the Neighbourhood Plan site policy.

We would highlight that, Policy S1 The Meadway does not refer to the Local Plan site specific consideration requiring mitigation of noise pollution from the railway.

Design

The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. When preparing design policies and guidance the Council would advise the Parish to seek to ensure criteria is not overly prescriptive and does not conflict with the delivery of strategic policies in the Local Plan. Such an approach may result in a wholly unimaginative approach to building design and at worse a 'tick box' mentality.

Policy D1 Residential Design and Amenity refers to development proposals for plot sub-division, infill and back land development as being required to consider design features in the interest of residential amenity and highway safety. The Policy goes on to refer to external lighting and retention of side gates. We would advise reviewing this policy to ensure that criteria are not overly prescriptive and does not include criteria that would fall under permitted development.

As you maybe aware, The National Model Design Code was recently published, in July 2021. The Code sets out the design parameters to help local authorities and communities decide what good quality design looks like in their area. You may find this document helpful, it is available here:

<https://www.gov.uk/government/publications/national-model-design-code#history>

Landscape Character Assessment

Table 6 refers to the Theobalds Estate Landscape Character Area – Area 55. It may be beneficial to show this area on a plan to show the relationship with the neighbourhood plan area. We would also note only this Landscape Character Area is referred to, you may wish to consider the relationship with Northaw Common Parkland, Chestnut Common, Northaw and Great Wood.

Local Green Space Designation.

Guidance on the designation of Local Green Spaces in Neighbourhood Plan can be found in the document [Making Local Green Space Designations in your Neighbourhood Plan](#). It would be helpful to provide links to the evidence used to support the designations. The guidance recommends that this should include what type of green space it is, any existing statutory designation or status, the quality and condition of the space and the value and benefit of the green space to the community. Evidence of the need for green space in the form of a green space audit and assessment may be carried out to support the proposed designations.

The availability of this evidence will assist in demonstrating the proposed Local Green Spaces meet some of the criteria of being ‘demonstrably special’, as set out in the NPPF.

We would also wish to highlight that several of the proposed Local Green Spaces are already the subject of statutory designations. For example, Northaw Great Wood, which is in the Green Belt, is a Site of Special Scientific Interest (SSSI) and is a Local Nature Reserve. It is therefore unclear what benefit there would be from the additional designation as Local Green Space.

Thank you for consulting with the Council. Details of the democratic arrangements for Member consideration of the Inspectors request in relation to the FOAHN will be publicised shortly. I will ask Sue Tiley to confirm this with you when known.

I hope this response is helpful as the Parish Council prepares the Neighbourhood Plan. If you wish to discuss this response, please do not hesitate to contact myself or Sue Tiley (Planning Policy & Implementation Manager)

Yours sincerely

Christopher Dale
Head of Planning