

**Bishop's Stortford Town Council  
Neighbourhood Plan for  
Silverleys and Meads Wards**

**The Report by the Independent Examiner**

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# **Contents**

<b>Summary</b>	<b>5</b>
<b>Introduction</b>	<b>7</b>
<b>Appointment of Independent Examiner</b>	<b>7</b>
<b>The Scope of the Examination</b>	<b>8</b>
<b>The Preparation of the Plan</b>	<b>9</b>
<b>Public Consultation</b>	<b>10</b>
<b>The Development Plan</b>	<b>12</b>
<b>The Basic Conditions Test</b>	<b>12</b>
<b>Compatibility with European Union Obligations</b>	<b>12</b>
<b>The Neighbourhood Plan as a Whole</b>	<b>13</b>
<b>Vision and Objectives</b>	<b>16</b>
<b>The Neighbourhood Plan Policies</b>	<b>16</b>
<b>Summary and Referendum</b>	<b>36</b>



## Summary

The preparation of a neighbourhood plan for a large part of a town, including much of the town centre is a major undertaking. It is evident that the SMNDP has involved an enormous amount of work for the Neighbourhood Plan Team and the Town Council. The work demonstrates a high level of professionalism and has carefully followed the Neighbourhood Planning Regulations and the associated legislation. It is also clear from the Consultation Statement and its Appendices that very great efforts have been made to involve the whole community in the preparation of the plan, and that the comments received at each stage have been seriously considered and have led to significant modifications as the plan has progressed.

The context for the Plan has not been easy as the existing Local Plan is out of date, the emerging District Plan will not be adopted for some time and the planning status of the major residential development envisaged has been changing while the Plan has been prepared. It is evident that the Plan may not have as much influence on the form and character of this development as was envisaged when its preparation started. Nonetheless, it plans positively to accommodate the new development in a way that will complement the existing character of Bishop's Stortford and provide for sustainable development which will be of benefit to both existing and future residents.

I have completed my examination of the Silverleys and Meads Wards Neighbourhood Development Plan. In my examination I have found it necessary to suggest some modifications to meet the basic conditions, and subject to these modifications I am satisfied that the plan:

- has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;

- is in general conformity with the strategic policies of the development plan for the area;
- does not breach and is compatible with European Union obligations and the European Convention on Human Rights.

**I am therefore pleased to recommend that the Silverleys and Meads Neighbourhood Development Plan as modified by my recommendations should proceed to a referendum.**

I am also required to consider whether or not the Referendum Area should extend beyond the Silverleys and Meads Wards Neighbourhood Plan Area. I have given careful consideration to the case for recommending an extension to the referendum area to include the whole of the town because the plan includes policies for most of the town centre which serves the whole town. **I have concluded on balance that there is no clear need to extend the referendum area and that the referendum should relate to the neighbourhood plan area.**

## **Introduction**

1. The Localism Act 2011 has provided local communities with the opportunity to have a stronger say in their future by preparing neighbourhood plans which contain policies relating to the development and use of land.
2. The Neighbourhood Plan for the Silverleys and Meads Wards of Bishop's Stortford 2014-2031 (which I shall refer to as the SMNDP) has been prepared by Bishop's Stortford Town Council. It covers the northern and western part of the town taking in about half the area of the parish as a whole, including about a quarter of the existing built up area and a large part of the town centre. If, following a recommendation from this examination, the plan proceeds to a local referendum and receives the support of over 50% of those voting, it can be made and form part of the statutory development plan. As such it will be an important consideration in the determination of planning applications, as these must be determined in accordance with development plan policies unless material considerations indicate otherwise.

## **Appointment of the Independent Examiner**

3. I have been appointed by East Herts District Council (EHDC), with the consent of Bishop's Stortford Town Council to carry out the independent examination of the SMNDP. I have been appointed through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).
4. I confirm that I am independent of the Town Council and the Local Planning Authority and have no interest in any land which is affected by the Neighbourhood Plan for the Silverleys and Meads Wards.
5. I am a Chartered Town Planner with over 30 years' experience in local government, working in a wide range of planning related roles, including 15 years as a chief officer. Since 2006 I have been an independent planning and regeneration consultant. I therefore have the appropriate qualifications and experience to carry out this examination.

## **The Scope of the Examination**

6. The nature of the independent examination is set out in Sections 8-10 of Schedule 4B to the Town and Country Planning Act 1990.
7. I must:
  - a) decide whether the plan complies with the provisions of Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. These requirements relate primarily, but not exclusively, to the process of preparing the plan and I shall deal with these first.
  - b) decide whether the Neighbourhood Development Plan meets the basic conditions contained in Schedule 4B paragraph 8(2) of the Town and Country Planning Act 1990. This element of the examination relates to the contents of the plan.
  - c) make a recommendation as to whether the plan should be submitted to a referendum, with or without modifications, and whether the area for the referendum should extend beyond the plan area.
8. The 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 plan;
  - b) the making of the plan contributes to sustainable development;
  - c) the making of the 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);
  - d) the making of the plan does not breach, and is otherwise compatible with, EU obligations.
9. Paragraph 9 of Schedule 4B indicates that as a general rule the examination should be carried out on the basis of written representations unless a hearing is necessary to allow adequate consideration of an issue or to allow a person



a fair chance to put a case. I am satisfied from the very substantial documentation that has been submitted to me that there are no issues arising from consultation on which I require clarification. I have therefore decided that the examination can be carried out satisfactorily on the basis of written representations and that a hearing is not necessary.

10. The main documents which I have referred to in the examination are:
- Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Wards 2014-2031 Examination Copy.
  - Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Wards 2014-2031 Examination Copy Appendices 1-5.
  - Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Wards 2014-2031 Evidence Base Summary.
  - Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Wards 2014-2031 Basic Conditions Statement.
  - Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Wards 2014-2031 Consultation Statement Consultation Summary and Appendices 1-5.

All of these documents have been supplied to me by EHDC in accordance with Regulation 17 of the Neighbourhood Planning (General) Regulations 2012. The Council has also provided web links to a very wide range of documents which have in some way influenced the SMNDP and I have had regard to the National Planning Policy Framework (NPPF) and the Planning Practice Guidance of the Department of Communities and Local Government.

11. I made an unaccompanied visit to Bishop's Stortford to familiarise myself with the plan area and its surroundings on 21 November 2014.

### **The Preparation of the Plan**

12. Bishop's Stortford Town Council is a qualifying body and is authorised to act for the purposes of the SMNDP as the plan area lies entirely within its boundary.
13. On 9 July 2012 Bishop's Stortford Town Council wrote to EHDC to apply for the designation of the Silverleys and Meads Wards as a neighbourhood area and on 4<sup>th</sup> December 2012 the designation was agreed following publicity by

EHDC in accordance with Regulation 6 of the Neighbourhood Planning Regulations. The designation has subsequently been publicised on the EHDC website in accordance with Regulation 7.

14. As required under Section 38B (1) (a) of the Planning and Compulsory Purchase Act 2004 the Plan clearly states the period to which it relates, which is 2014-2031 and coincides with the timescale of the emerging East Herts District Plan.
15. The Plan must not include any provision about development that is excluded development as defined in Section 61K, which is inserted into the 1990 Town and Country Planning Act. Excluded development includes “county matters” such as mineral extraction and waste disposal and major infrastructure projects. I am satisfied that the submitted plan contains no such provision and does not relate to more than one neighbourhood area.

## **Public Consultation**

16. The preparation of the SMNDP has involved a very extensive and wide ranging process of public consultation and involvement which is reported in detail in the Consultation Statement which comprises a Summary and four Appendices. From the outset the process has been open and inclusive. The preparation of the Plan has been co-ordinated by a neighbourhood plan team made up of three town councillors and representatives of community associations, Bishop’s Stortford Civic Federation, the Chamber of Commerce, Retail Association and the developers of the areas for new housing<sup>1</sup>. There was also an open advertisement inviting anyone to volunteer to be a member of the team as a result of which three un-affiliated members were appointed. The involvement of developers in neighbourhood plan preparation is good practice and offers the potential for a genuine partnership between developers and the local community. It is unfortunate, though understandable, that this came to an end following the submission of detailed planning applications on areas previously identified for major residential development.

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<sup>1</sup> Countryside Properties and Bishops Stortford North Consortium.

17. There were four, partly overlapping, phases of consultation:
- 1) An initial public engagement phase during which initial ideas were developed and publicised. This culminated in an Open Day in July 2013 where this work was presented and responses invited. This phase is fully reported in Appendix 2.
  - 2) In parallel with this 5 focus group workshops relating to Transport, Community, Housing and Design and Environment and Green Spaces were set up and a very wide range of statutory and local organisations were invited to participate. A further workshop relating to the town centre was subsequently held.
  - 3) A further stage of public engagement took place between September and December 2013 and aimed to engage specific sections of the public including businesses, commuters, young people and mother and toddler groups. During each of these phases early drafts of evolving policies were presented and people were invited to comment on them.
  - 4) Formal Regulation 14 Consultation took place between February 1 and March 25 2014. It was preceded by intensive publicity, including the use of social media, posters and banners as well as correspondence and the website. A summary of the plan was distributed to all houses and two open days were held. 158 statutory bodies and local organisations listed in Appendix 3 of the Consultation Statement were consulted and written responses were received from 13. The open days were attended by about 270 people and approximately 280 written comments were received. All the responses are fully documented in Appendix 4 of the Consultation Statement together with the action taken and the reason for it.
18. In accordance with Regulation 16, EHDC publicised the submitted plan and invited representations between 12 June and 24 July 2014. 13 responses were received and have been sent to me with the other documents required under Regulation 17. Although I have not referred directly to all of them, I have taken all of these representations into account in my examination.
19. I am satisfied that the preparation of the SMNDP has involved extensive and inclusive consultation which more than meets the requirements of Regulation 14. I am also satisfied that the Consultation Statement including Appendices

1-4 fully meets the requirements of Regulation 15(2).

## **The Development Plan**

20. The statutory development plan is made up of the Saved Policies of the East Herts Local Plan Second Review 2007, together with the Saved Policies Hertfordshire Minerals Local Plan Review 2002-2016 and the Hertfordshire County Waste Local Plan 2010. The SMNDP must be in general conformity with the strategic policies of these plans.
21. The time horizon for the East Herts Local Plan was 2011 and it is thus now clearly out of date. Where there is any conflict with the National Planning Policy Framework of 2012 (NPPF) the latter will take precedence. East Herts District Council is preparing the new East Herts District Plan 2014-2031. Consultation on preferred options for this plan took place in the first half of 2014, but the plan has not yet been submitted. Compliance with the strategic policies of this plan is not necessary until it becomes part of the development plan, but it is clearly prudent for the Neighbourhood Plan to have regard to its emerging policies if it is to avoid becoming out of date very quickly.

## **The Basic Conditions Test**

22. I shall consider the compatibility of the Neighbourhood Plan with basic conditions a), b) and c) in relation to each of its policies but will first consider whether it meets European Union obligations.

## **European Union Obligations**

23. A strategic environmental assessment screening, dated January 2014 was undertaken by Bishop's Stortford Town Council and concluded that, subject to the views of the Consultation Bodies as defined in the Environmental Assessment of Plans and Programmes Regulations 2004 a strategic environmental assessment is not necessary as the plan is unlikely to have significant environmental effects. EHDC consulted the Consultation Bodies and, as the responsible authority, confirmed on 21<sup>st</sup> May 2014 that an environmental assessment would not be necessary.

24. The screening assessment also established that no Natura 2000 designated areas lie within or close to the plan area and that a Habitats Regulation Assessment would not be required.
25. I am also satisfied that nothing in the plan is in conflict with the European Convention on Human Rights.
26. I therefore conclude that the plan is compatible with and does not breach European Union obligations.

### **The Neighbourhood Plan Development Plan as a whole**

27. Before considering the specific policies of the SMNDP, I shall consider the relationship of the Plan to the existing development plan, the emerging East Herts District Plan and the proposals for major development within the SMNDP area. This is a matter which is referred to extensively in the responses of the Bishop's Stortford North Consortium (BSN) to both the Regulation 14 consultation on the submission version of the plan and the Regulation 16 consultation carried out by the local planning authority following submission. Similar points regarding the relationship of the Plan to the development plan are made by Silver Spoon, the owners of the Mill Site in the town centre. It is important to address this issue at the outset as these representations question the concept of the Plan itself.
28. The BSN responses refer to the SMNDP as "The wrong plan at the wrong time". The basis of this objection is that the Plan is being examined in the absence of an up to date local plan as the East Hertfordshire District Local Plan Second Review is out of date and the emerging District Plan has not yet been adopted. It is suggested that the SMNDP would soon become out of date as it would be superseded by the emerging local plan and that policies in the SMNDP would not be subject to the more rigorous test of soundness which is applied to local plan policies.
29. The basic condition to be satisfied by the SMNDP is that it should be "in general conformity with the strategic policies of the development plan". A neighbourhood plan is not required to be in total conformity with everything in

the development plan and the neighbourhood plan policies “take precedence over existing non-strategic policies in the Local Plan for that neighbourhood where they are in conflict.” Local authorities are encouraged to “avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation.” The SMNDP will therefore only become out of date when the East Herts District Plan is adopted to the extent that it is not in general conformity with the strategic policies of that plan.

30. It is evident that many of the strategic policies of the East Hertfordshire District Local Plan Second Review are out of date and, as the emerging East Herts District Plan has not yet been adopted, the policies in the National Planning Policy Framework, in particular the presumption in favour of sustainable development, take precedence. However, the policies in the SMNDP are for the most part non-strategic and the absence of up to date strategic Local Plan policies does not invalidate the concept of the plan.
31. In the absence of a 5 year supply of housing land East Herts District Council took the strategic decision at the end of 2008 that a large area of land lying within the SMNDP area should be released for large scale residential development. This decision was taken in advance of the preparation and adoption of the East Herts District Plan, but the principle of the development of this land had been accepted in the East Hertfordshire District Local Plan Second Review. The land was identified in that plan partly as an Area of Special Restraint and partly a Special Countryside Area. In both cases the land was to be brought forward for development if the allocations in the plan proved inadequate to meet the need for new housing development.
32. Since the decision to bring these areas of land forward, two outline planning applications have been submitted. The first of these (ref 3/13/0075) was an outline application for the development of 2,200 dwellings and associated uses, including two local centres, a primary school, open space and associated infrastructure. The Council resolved to grant planning permission for this development subject to the completion of a Section 106 agreement. That permission has not yet been issued. A second outline application (3/13/0804/OP) related to the same area but included full details of the

Western Neighbourhood which is to form the first phase of development. A decision to approve this application, again subject to the completion of a Section 106 Agreement was taken on 30 April 2014. This permission has also not yet been issued.

33. It is true that, if full planning permission is granted before the neighbourhood plan is made, development could go ahead without consideration against the policies of the SMNDP. To that extent these decisions could be seen as reducing the effectiveness of the SMNDP in controlling the form of development in the plan area. However if the SMNDP is made it will then be a relevant material consideration in the determination of any new applications, be they for reserved matters relating to the outline permissions or for new outline or full applications. There is at this time no certainty that the development will proceed on the basis of the existing applications. In an ideal world from a planning viewpoint decisions on planning applications would always be taken in the context of an up to date, in force, plan. However, in practice the development process continues while plans are being prepared and, while this may limit the extent to which the plan controls development, it does not negate the reason for preparing it.
34. The consortium suggests that the preparation of the Neighbourhood Plan “should now be abandoned and, ....resources directed towards preparing a plan for the whole of Bishop’s Stortford”. That is not an issue for me to address as the plan has been submitted for examination and my only remit is to conduct the examination in accordance with the requirements set out in paragraphs 7 and 8 of this report.
35. The representations of the Bishop’s Stortford North partnership go on to express concern that the policies of the SMNDP seek to impose burdens on new development which could threaten the viability of new development. Thus the consortium appears to be saying that, on the one hand, the plan will not be able to influence development because key decisions on applications will be taken before it comes into force, but on the other hand that the controls that the plan seeks to introduce may undermine the viability of development. There is some contradiction in this position. The concerns of the consortium

regarding individual policies are addressed in my consideration of the policies below.

### **Vision and Objectives**

36. Section 2 of the Plan sets out a broad vision and objectives for the plan area. These present an overview of the issues facing the area and set out aspirations for it. These will not form part of the statutory development plan if the Plan is made, as they are not policies for the use of land but broader statements of intent which are designed to help shape the policies. I am, however satisfied that the objectives are consistent with the aims of sustainable development.

### **The Policies of the Neighbourhood Plan for Silverleys and Meads Wards 2013-2031**

37. Section 3 of the Plan contains the policies that are intended to form part of the development plan. Each section is introduced by a helpful policy context and some specific objectives. The rationale for each of the objectives is explained and this leads into the policies themselves. The plan contains a large number of policies and these form the focus of my examination and the modifications I have recommended relate entirely to these. I have considered each of policies against the basic requirements. Where I am satisfied that the policy meets the basic requirements in its present form and no representations have been made which challenge this I have not referred specifically to the policy.
38. I have recommended some modifications to enable the Plan to satisfy the basic conditions. There are also a few inaccuracies or inconsistency of presentation which it would be helpful to address. These do not form part of my report but are attached at Appendix 1.

### **Policy HDP1-Residential Development and Redevelopment**

39. This policy sets out general principles to guide new housing development. These include seeking to ensure that new housing development responds to the latest Strategic Housing Market Assessment. Silver Spoon are



concerned that the policy places an onerous requirement on applicants to prepare an up to date SHMA and that this could delay the delivery of development. However, the policy simply requires development to meet the findings of the latest SHMA and paragraph 49 of the NPPF clearly places the onus on local planning authorities to objectively assess the needs for market and affordable housing.

40. Policy HDP1 also requires new developments beyond the existing built up area to apply the principles of Garden Cities. This approach is consistent with paragraph 52 of the NPPF, but “the principles of Garden Cities” lacks the precision necessary for it to be applied by decision makers. While there is a footnote on page 12 in the supporting text referring to a definition in the glossary this footnote needs to be repeated within policy for clarity and ease of reading.

**Recommendation: in the second paragraph of Policy HDP1, after “Garden Cities (as” insert “defined in the glossary in Appendix 4 and as” to make the policy sufficiently clear to be applied in decision making.**

#### **Policy HDP2 – Setting and character of buildings, streets and places**

41. The policy aims to achieve a high quality of development and sets out criteria which should be met by new development.
42. The first criterion requires schemes to be accompanied by a Building for Life 12 assessment and to achieve a green rating against all applicable criteria. The Bishop’s Stortford North Consortium has objected to the policy on the basis that a Ministerial Statement of 13 March 2014 set out the government’s intention to consolidate all technical standards into the Building Regulations and to issue a new national standard with regard to internal space requirements. It is argued that this would make Policies HDP2, HDP3 and HDP5 inappropriate. To the best of my knowledge, this consolidation has not taken place at the time of writing and there is no firm indication of what the scope of the consolidation will be. However it is clear that there will be some discretion for local planning authorities in its application. It is by no means clear that this will take in the approach of Building for Life 12 which is more a

set of design principles to make new developments work for those who live in them than the application of technical standards. I am therefore not satisfied that the Ministerial Statement of 13 March 2014 is a reason for deleting the reference to Building for Life 12 or the other criteria in this policy.

43. I do, however have some concern about the detailed wording of the policy as it relates to Building for Life 12. The achievement of a Green rating against all the relevant criteria is an ideal that may not be achievable in all cases. All developments need to take account of detailed local circumstances which may make it difficult or unviable to fully meet one or more of the criteria. Also because there is an element of subjectivity in the interpretation of the criteria and the assessment of a scheme against them it may be excessively onerous to insist on all criteria being met. It may well be that the overall benefits of a scheme may still make it sustainable development even if some criteria are not fully met. In such circumstances it would be inconsistent with the presumption in favour of sustainable development to refuse the proposal. Notwithstanding this, Building for Life 12 sets out clearly a nationally approved approach to achieving good design and in most cases compliance with these criteria need not have a significantly adverse effect on viability. In my view it is appropriate to incorporate it in a neighbourhood plan policy.
44. I therefore suggest amendments to HDP2 a) to allow the robust application of the Building for Life 12 code while allowing sufficient flexibility to be consistent with the presumption in favour of sustainable development and thus comply with the basic conditions. These amendments also reflect the concerns of Silver Spoon.
- Recommendation: amend HDP2 a) to read “Schemes which are accompanied by a Building for Life 12 Code Assessment and that score green or amber against all applicable criteria (1, 2, 5, 7, 8, 9, and 11). An amber score will only be acceptable where it is accompanied by a clear justification in terms of local circumstances or viability explaining why a green score cannot be achieved.”** (Retain the footnote to the other criteria).
45. The wording of HDP2 d) implies that innovative design is a requirement. This would be an unreasonable requirement as conventional design may well be

capable of meeting the aim of the policy which is that development demonstrates high quality and empathy with its setting. I believe that the intention is to set out the circumstances where innovative design would be acceptable and I suggest a small amendment to make this clear.

**Recommendation: amend HDP2 d) to read “innovative design of a high quality will be approved in appropriate locations where .....**”

46. Subject to these amendments Policy HDP2 is consistent with the basic conditions.

### **Policy HDP3 – Design Standards**

47. Policy HDP3 does seek to set down more specific design standards; it is possible and in some cases likely that these will be superseded by the proposed consolidation of these matters within the Building Regulations referred to in paragraph 40. However, at this stage such consolidation has not occurred, the standards proposed are widely applied and their inclusion in a neighbourhood plan is consistent with the basic conditions. The wording of the policy does not give clear guidance to a decision maker on how to react to a development proposal as required by paragraph 154 of the NPPF. While this relates specifically to Local Plans it is in my judgement equally applicable to neighbourhood plans. It is not clear from the wording whether it is necessary to meet all or some of criteria a) to e) for planning permission to be granted. If “strongly favoured” applies to proposals meeting all of these criteria, “favoured” could apply to those meeting some.

**Recommendation: Amend Policy HDP3-Design standards after “.....applications for development” delete “that can demonstrate they have addressed these matters will be strongly favoured” and insert “will be required to meet all of the following criteria unless they include a clear justification for not meeting the standard on the basis of specific circumstances or viability.”**

### **Policy HDP4 – Dwelling Mix Strategy**

48. Under parts b) and c) there is a reference to “other specialist types of housing”. This term is not defined and so the intention of this aspect of the policy is not clear. Also part d) of the policy suggests that self-build would be a form of affordable housing. This would not fall within the definition of affordable housing in the NPPF. Part d) of the policy departs slightly from the Local Plan Policy HSG 3 in that it suggests that in relation to small developments provision for affordable housing may be made off site. This is not an absolute requirement and there is sufficient flexibility in this wording for this to be consistent with the basic conditions.

**Recommendations: In HDP4 b) and c) delete “other specialist types of housing”. Re-order HDP4 d) to read “All schemes shall consider alternative types of purchase funding such as the various forms of shared equity for affordable housing and self-build for market housing.**

### **Policy HDP5-Adaptable Housing**

49. The policy requires that 40% of homes aimed at other than first time buyers and 20% of homes aimed at first time buyers are built to Lifetime Homes or an equivalent standard. This is a substantially higher proportion than the 15% specified in Policy HSG6 of the Local Plan, though the Council’s Supplementary Planning Guidance encourages all homes to be built to this standard and the emerging plan refers to this rather than setting a precise figure. There is no clear local reason for requiring a much higher proportion of houses to meet this standard. While general conformity does not require an identical standard I am not satisfied that the higher figure of 40% meets the basic conditions and I therefore recommend a minimum of 20% across all housing types. It is possible that this policy will be affected by the Housing Standards Review.

**Recommendation: reword the second sentence in Policy HDP5 to read “At least 20% of homes shall be built to the ‘Lifetime Homes’ or n equivalent or superior standard.”**

## **Policy HDP7-Community Facilities**

50. The policy is consistent with the basic conditions except that the wording of the section starting “Should be constructed in tandem with the development...” is not clear. This section relates to proposals for uses of buildings or land for public or community use and thus suggests that the development should be constructed in tandem with itself. This is clearly not the intention. It would also be unduly onerous and unsustainable for all facilities to be available from the start of occupation as in some cases their management and use are unlikely to be viable until a significant proportion of the development is complete.

**Recommendation: in HDP7 Modify the section starting “Should be constructed in tandem with the development.....” to read “Where new facilities are being constructed in association with new residential development they should be completed to ensure they are available for the new and existing community before one third of the housing development is complete.”**

## **Policy GIP1-Areas with a general presumption against development and retention of ‘green lungs’.**

51. The comment of the Herts and Middlesex Wildlife Trust in pointing out the need for a balance between recreational use and the protection of biodiversity should be reflected in part a) to contribute to sustainable development. Part b) is consistent with the basic conditions.
52. Ash Grove is undoubtedly a space of particular significance in Bishop’s Stortford because of its position in an elevated position offering views over the town and the opportunities it provides for public access to an attractive and extensive green space. The protection offered as a Local Green Space is comparable to that which it already enjoys as part of the Green Belt. However Planning Practice Guidance suggests that there may be circumstances where Local Green Space designation of an area within the Green Belt would be appropriate and these could include the particular local significance of the

area.<sup>2</sup> I am satisfied that Ash Grove has a significance to Bishop's Stortford that is distinct from the overall function of the Green Belt and am therefore satisfied that its designation as a Local Green Space meets the basic conditions.

53. Part d) of the policy which offers support for the future designation of Farnham Bourne Park as a Local Green Space does not meet the basic conditions. It is not a policy for the use of land but for a possible future policy about the use of land. This land lies partly within the area for which planning permission has been approved subject to the completion of a section 106 agreement (refs 3/13/0075 and 3/13/0804/OP). Planning Practice Guidance suggests that it will rarely be appropriate for areas with planning permission to be designated as Local Green Spaces.<sup>3</sup> At the same time I note that the representations of the Bishop's Stortford North Consortium, while referring to the outline planning application, suggest that the Local Green Space designation could in fact cover a larger area. I also note that most, but not all of the area which is suggested for designation and lies within the area of the outline planning applications is identified in the indicative plan in the Design and Access Statement as a green space. It is clear to me that, while there is a consensus that much of the area between Farnham Road and Farnham Bourne Brook should be green space to serve the residents of Bishop's Stortford North, it would be premature to define an area as a Local Green Space, or a possible future Local Green Space at this stage. The reference to this possibility in the supporting text is however entirely appropriate.
54. The protection afforded to Local Green Spaces is similar to that afforded to Green Belts. That does not preclude all development as some types of development are not considered inappropriate in a Green Belt. Development that does not conflict with the purpose of the designation may be acceptable. While not all the uses that may be appropriate in a Green Belt would necessarily be acceptable because of the more restricted area and the emphasis on public access and recreational use in a Local Green Space, the same principle should be applied.

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<sup>2</sup> Planning Practice Guidance ref 37-011-20140306

<sup>3</sup> Planning Practice Guidance Ref 37-008-20140306

55. In Figure 4 it would be helpful to distinguish between Local Green Spaces and other green space assets.
56. To reflect these points several modifications to Policy GIP1 are necessary.

**Recommendations:**

**In Policy GIP1 a) after "...open space uses" insert "while maintaining their biodiversity" in the interests of sustainable development.**

**Amend Policy GIP1 c) to read "Ash Grove-the land between Dane O'Coys Road and Cricketfield Lane-shall be designated as a Local Green Space, where development that is incompatible with the importance of the space as an attractive publicly accessible informal recreation area will not be allowed unless there are very special circumstances where the benefit of the development clearly outweighs any harm.**

**Delete Policy GIP1 d) and e).**

**Reword the first part of GIP1 f) (which will be GIP1 d) to read "In recognition of their value as green space assets within Bishop's Stortford, development which is incompatible with this purpose will not be permitted in the following areas: ..."**

**In Figure 4 either delete the reference to Farnham Bourne Park or show it as an undefined area (perhaps a circle) with a different notation as a possible Local Green Space and show areas C and D in a different notation.**

**Policy GIP2 – Improve areas for leisure**

57. The Policy aims to enhance the recreational potential of Castle Gardens and Sworders Field and is more positively worded than Saved Policy BH16 of the Local Plan which emphasises the importance of preserving the character of historic parks and gardens. A modification to reconcile this difference of emphasis would satisfy the requirement for general conformity with the strategic policies of the Local Plan

**Recommendation: In Policy GIP2 a) add after "...will be supported", "where it is not harmful to the historic character, appearance or setting of the site."**

### **Policy GIP3- Green Space Management**

58. The Policy is consistent with the basic conditions and I do not accept the objection of Silver Spoon to this policy as appropriate management arrangements for open spaces are necessary for development to be sustainable.

### **Policy GIP4-Prevention of Urban Sprawl**

59. Green Belt policy already applies to this area and the proposed policy does not add anything to the purpose or the nature of protection from development that already exists under Policy GBC1 of the Local Plan and the NPPF.

**Recommendation: Delete Policy GIP-4**

### **Policy GIP5-Protect wildlife and increase biodiversity**

60. This policy is largely consistent with the basic conditions. However, I accept the concern that the requirement for replacement tree planting on a three-for-one basis may be somewhat onerous in the specific context of the development of a greenfield site for large scale residential development. The Woodland Trust recommendation referred to simply suggests considering whether replacement on a two-for-one or even a three-for-one basis would be appropriate.<sup>4</sup> In the context of plans for major residential development where substantial woodland areas would be retained, I am not satisfied, in the absence of a clear justification that a requirement for three-for-one replacement would be consistent with the presumption in favour of sustainable development, but the aim to replace trees where possible is consistent with the basic conditions.
61. Silver Spoon has expressed concern that Policy GIP5 b) is unduly prescriptive with regard to the requirement for an appropriate buffer zone between new development and water courses. I accept that this may be the case in an

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<sup>4</sup> <http://www.woodlandtrust.org.uk/campaigning/neighbourhood-planning/good-policy/>



established industrial context and that a minor amendment to reflect this in the interests of sustainable development would be appropriate.

62. With regard to GIP5 d) I accept that there may be difficulties in achieving links between Hoggate's Wood and countryside to the north of the A120, but this remains a legitimate aspiration.

63. **Recommendations: in Policy GIP5 a) delete "on a three-for-one basis as recommended by the Woodland Trust" and insert "on a minimum of a one-for-one basis".**

**In Policy GIP5 b) after "...must also ensure that" insert "wherever possible"**

**In GIP5 d) after "...Foxdells Farm, and" insert "where practical,"**

#### **Policy GIP6- Enhancement of footpaths and bridleways**

64. Many of the matters referred to in this policy are likely to be dealt with through Public Rights of Way and the management and maintenance of footpaths legislation rather than planning policy. However I have considered the wording carefully and there may be circumstances in which planning applications are necessary where these policies would be taken into account.

65. Whether or not any new Public Rights of Way are adopted by Hertfordshire County Council is not a planning consideration.

**Recommendation: in GIP6 e) after "...where this would meet the statutory tests set out in the Community Infrastructure Regulations 2010". Delete "New PROWs should be adopted by Hertfordfordshire County Council and added to the Definitive Map."**

#### **Policy GIP7-Improving/expanding allotments**

66. The policy is consistent with the basic conditions. The concerns of Hertfordshire County Council about the requirements for vehicular access are noted, but if this is considered a requirement it is an appropriate criterion. The highways input would occur through the planning application process.

### **Policy GIP8- Provision of burial space**

67. The policy is consistent with the basic conditions, but is unlikely to be enforceable (see paragraph 86).

**Recommendation: delete Policy GIP8.**

### **Policy GIP9-Flood mitigation**

68. The phrase “There will be a presumption against development...” is used here and in several other places in the SMNDP. It is not a helpful phrase as it sits uncomfortably with the presumption in favour of sustainable development and I suggest that it is not used and replaced on the lines set out in the recommendation below. The word “safe” as applied to flood risk needs to be defined as absolute safety from flooding, particularly in a zone of high flood risk cannot realistically be achieved. The modifications I have recommended below also adequately address the concerns of Silver Spoon regarding the application of the sequential test to established industrial sites.

**Recommendation: reword Policy GIP9 to read “Development will only be permitted in Flood Zones 2 or 3 (illustrated on the Environment Agency map reproduced in Figure 5) where it has been demonstrated that it meets the requirements of the NPPF in relation to the Sequential Test and the Exception Test and a site specific flood risk assessment, or other tests specified in the Local Plan have demonstrated that the risk of flooding has been minimised and that any residual flood risk can be safely managed.”**

### **Policy TP1-Traffic Congestion**

69. The scope of these policies is likely to overlap significantly with policies in the emerging District Plan. However, that plan is not yet in place and the policy is appropriately tailored to the specific circumstances of Bishop’s Stortford and the plan area. I note the concern of Hertfordshire County Council regarding the use of the 5% threshold as a guideline for the need for mitigating works,

but the wording of the policy allows for flexibility in association with the highways authority in the application of this threshold. Similarly while the specific considerations outlined in sections d) and e) of the policy may not be essential it is helpful for a neighbourhood plan to draw attention to local priorities of this sort. The comments of both the Highways Agency and Stansted Mountfitchet Parish Council refer to the impact of the development that will take place in the neighbourhood area on the wider highway network, but this is a matter addressed by the highways authority and the Highways Agency in the event of an application. The policy is well expressed and consistent with the basic conditions.

### **Policy TP3-Theory and practice to be compared**

70. Hertfordshire County Council has expressed concern that this policy is not in accordance with local or national policy and stated that there is a process of monitoring travel outcomes and requiring additional mitigation measures if necessary as part of the travel planning process. Policy TP3 would duplicate that process and introduce more stages to it. It would thus be demanding of resources for both developers and the highways and local planning authority. Neighbourhood plan policies should relate specifically in some way to the plan area, and should not seek to impose more stringent tests on development than is applied more widely unless there is a clear local reason for doing so. Policy TP3 imposes a significant additional burden on developers, but does not have any local justification for this process differing from that applied more widely in Hertfordshire. For this reason it is not compatible with the requirement of paragraph 16 of the NPPF that neighbourhood plans should plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan.

**Recommendation: Delete Policy TP3**

### **Policy TP5-Pedestrian and Cycle Routes**

71. Policy TP5 is a good example of the way in which a neighbourhood plan can identify local priorities for infrastructure to be taken into account in determining

planning applications. The application of these to individual development proposals will need to be considered on a case by case basis and this needs to be reflected in the policy. Subject to the following modifications it meets the basic conditions.

**Recommendations:**

**In Policy TP5 a) after "...planning obligations or otherwise" delete "a" and insert "an appropriate"**

**Reword TP5 f) as follows:**

**"The relationship of the designated elements in g) below to specific development proposals will be determined having regard to the location and nature of the development. Where it is determined that any or all of the designated elements should reasonably be provided, planning permission will not be granted where they are not provided unless it can be demonstrated that it would make the development unviable to do so."**

**Policy TP8-Cycle parking**

72. The County Highways Authority has indicated that the appropriate cross reference for the scale of cycle parking provision is to the East Herts District Council Supplementary Planning Guidance on cycle parking standards. Subject to this modification in the interests of accuracy the policy meets the basic conditions.

**Recommendation: In Policy TP8 after "in accordance with" delete "the Local Plan" and insert "the East Herts District Council Supplementary Planning Guidance on cycle parking standards."**

**Policy TP9-Residential parking**

73. Hertfordshire County Highways department has expressed concern that the policy may encourage increased off street parking which would not be consistent with the Local Transport Plan. The policy is not consistent with the policies set out in the Local Plan. However the Local Plan policy is now superseded by government guidance which discourages the use of maximum

parking standards.<sup>5</sup> The policy sets out very clear principles for the provision of parking and garages and is consistent with the basic conditions.

### **Policy TP10- Parking within and around the Town Centre**

74. The policy contains a balanced approach both seeking to retain existing parking spaces and provide new ones where necessary, but also seeking to reduce the demand for car parking by encouraging modal shift. The policy is consistent with the basic conditions.

### **Policy EP2-New secondary school**

75. The policy as worded goes beyond a policy for the use of land and requires the construction of a new secondary school. For this reason it goes beyond the basic conditions. It is clear that there is a pressing need for a new secondary school to provide accommodation for the additional housing development that is envisaged. However the neighbourhood plan cannot secure this, it can only make provision for the land on which it can be accommodated. It is also not for the neighbourhood plan to specify the facilities that a new secondary school should offer, though a sports hall and playing fields would no doubt be requirements.
76. It was evident from local press coverage at the time of my visit that progress is being made in the selection of a secondary school site outside of the neighbourhood plan process and this clearly makes it difficult to draft an appropriate policy. At the same time, as this is clearly an issue that has not yet been finally resolved and is important for the effective functioning of the neighbourhood, it is an issue that it is appropriate for the SMNDP to address. While, as with other aspects of the plan, events may overtake it in terms of the choice of a site, planning permission will be necessary and the policy could influence the criteria on which this is assessed. The policy should be revised to reflect the need for a site to be identified and define appropriate criteria for its relationship to the neighbourhood and the road network. The comments of the Hertfordshire and Essex High School and Science College relate to the

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<sup>5</sup> Planning Practice Guidance ref 42-007-20140306

wider need in the town for Secondary School Accommodation and need not be addressed within the neighbourhood area.

**Recommendation: reword Policy EP2 to read “A proposal for a new Secondary School, easily accessible to the new residential development planned for Bishop’s Stortford North will be welcomed. The location and access arrangements should minimise vehicular congestion and traffic impact. A travel plan including measures to encourage the use of transport other than private cars will be required. Opportunities to share facilities (sports facilities and meeting space) with the wider community should be utilised.”**

**Policy EP3-New primary schools Policy EP4-Guidance on school provision.**

77. Policy EP3 seeks to ensure that new Primary Schools will be provided to accommodate the growth in population and have the capability of being expanded to two form entry if they are built as one form entry. While this may be considered prudent, it is very prescriptive and as the area and amount of development that are to be served by the schools are known it is quite possible that sustainable development could be achieved without insisting on this degree of flexibility. It is apparent from the representations of the Bishop’s Stortford North consortium that the planning of primary schools for the new development is well advanced, but it is appropriate to define criteria for the new schools in the neighbourhood plan. I have also noted the comments of the Hertfordshire Property and Technology Department of Hertfordshire County Council regarding the statutory requirements for pre-school provision and in the interests of sustainable development these should be reflected in the policy.

**Recommendations: reword Policy EP3 to read: “a) Proposals for new primary schools and pre-school provision within the Neighbourhood Area to serve the new development envisaged and taking account of guidance from Hertfordshire County Council in terms of planning for school places will be welcomed.**

**b) New school sites should be flat, sustainably located and of sufficient**

**size. Schools should be available ahead of residential occupancy and in any case no later than the academic year in which 25% occupancy is anticipated.**

**Delete Policy EP4.**

#### **Policy HP1-Accessible GP practices**

78. The policy addresses the provision of new primary care health facilities to serve new development. It is vaguely worded as the precise mechanism for funding new health facilities is not clear. Any contribution would also be subject to the normal statutory tests for Section 106 Agreements and/ or the Community Infrastructure Levy if it comes into effect in East Hertfordshire. The policy as worded is sufficiently flexibly to accommodate these uncertainties but should also acknowledge its potential effect on the viability of developments in order to accord with the guidance in paragraphs 173 and 205 of the NPPF. See paragraphs 85-87.

**Recommendation: in Policy HP1 add “c) Contributions should take account of East Herts Council policies for community infrastructure contributions and the effect of contributions on the viability of development.”**

#### **Policy SP1-Provision of additional outdoor sporting facilities**

79. The policy effectively links with the local planning authority’s policy for contributions to sporting facilities and provides a local dimension and input to determine the specific form of provision. It is consistent with the basic conditions.

#### **Policy BP5-Provision of communications infrastructure**

80. On the basis of the supporting text the policy aims to support the improvement of digital communications as distinct from transport. In order to make the meaning of the policy clear a minor amendment is suggested.

**Recommendation: in the heading of Policy BP5 insert “electronic” between “of” and “communications”.**

## **BP6 Future Development of the Town Centre**

81. The policy sets out criteria for future development of that part of the town centre that lies within the neighbourhood area. It sets out a positive approach to new development while at the same time recognising the importance of development respecting the character of the Conservation Area. The criteria also emphasise the importance of accessibility for the less mobile. Collectively these criteria will contribute effectively to sustainable development and the policy satisfies the basic conditions.

## **Policy BP7-Prosperity and character of the existing town centre.**

82. A vibrant mix of uses is encouraged by the criteria in this policy seeking to maintain the character of primary retail frontages while recognising the contribution that non retail uses and community services such as the library, post office and others make to the overall character of the centre. The policy is not strictly in accordance with Policy STC2 of the Local Plan but in seeking to maintain the shopping function of primary retail frontages it is in general conformity. It is also consistent with paragraph 23 of the NPPF and the emerging Local Plan.
83. One of the criteria, however seeks to discourage “uses known to lead to an increase in criminal activities, such as money laundering through fixed odds betting terminals often associated with betting shops”. This part of the policy as drafted is not consistent with the presumption in favour of sustainable development as it attempts to use the planning system to discriminate against uses that are in themselves legal on the basis that they may lead to illegal activity. It suggests a guilt by association, by linking any betting shop with criminal activity. Betting shops fall within Use Class A2, Financial and Professional Services, and a change of use from another A2 to a betting shop would not be subject to planning control. It may be appropriate to attempt to resist a concentration of a particular use that would cumulatively be harmful to the character of the centre but not to resist a legal use by assuming it would lead to illegal activity. Planning decisions should be made on the basis of



material planning considerations. Where illegal activity occurs it should be dealt with by the police and courts rather than the planning system.

**Recommendation: In Policy BP7 delete section c).**

84. For the avoidance of doubt the following policies to which I have not referred directly satisfy the basic conditions:

**Policy HDP6-Sheltered and Supported housing**

**Policy HDP8- Promoting renovation**

**Policy HDP9-Archaeology**

**Policy TP2-Improving Air Quality**

**Policy TP4-Walkable Neighbourhoods**

**Policy TP6- Bus services**

**Policy TP7-Transport Interchange**

**Policy TP11-Traffic speeds within new developments**

**Policy EP1-School availability**

**Policy HP2- Services for the elderly, disabled and for mental health**

**Policy SP2-Development or expansion of multi-purpose facilities**

**Policy SP3-Enhancement of specified facilities**

**Policy BP1-Provision of a business incubation centre**

**Policy BP2-Local retailing facilities**

**Policy BP3-Provision of new employment land**

**Policy BP4-Enhancement of existing commercial facilities**

### **Contributions to Infrastructure and Community Facilities**

85. Several policies in the plan refer to securing contributions towards the provision of new facilities in association with new development, but the mechanism for securing these payments is not explicit. It may well be appropriate to secure such contributions through a section 106 agreement but in each case the contribution would have to satisfy the statutory requirements of the Community Infrastructure Levy Regulations 2010 These are that the contributions should be:

- necessary to make the development acceptable in planning terms
- directly related to the development and

- fairly and reasonably related in scale and kind to the development.

The NPPF also requires that planning obligations should take account of market conditions and be sufficiently flexible to prevent development being stalled.

86. In some cases the contributions being sought appear to be in the nature of a tariff where the facilities would be provided by means of contributions spread across several developments. This appears likely to be the case in relation to the policies sought for burial space, primary education facilities and health facilities. Recent amendments to the regulations mean that from April 2015 it will not be possible to collect such payments through section 106 agreements where contributions to specific facilities are spread across more than five developments.<sup>6</sup> Where the Community Infrastructure Levy is in place, and there is a neighbourhood plan 25% of the relevant contributions will be payable to the parish/town council and could be allocated in accordance with the parish/town council's own priorities. It is therefore quite probable that these policies will not be enforceable when the Plan is made. I understand that proposals for the introduction of the CIL in East Herts are at a fairly early stage.

87. In order to clarify the links between the policies, the Local Plan and the CIL Regulations it would be appropriate to introduce an additional policy.

**Recommendation: that a new policy is added to the plan with appropriate supporting text under the heading “Contributions to Community Infrastructure”, between the Housing and Green Infrastructure sections.**

**Policy CI 1 – Community Infrastructure**

**Where policies in this plan require contributions to community infrastructure, they will be made through planning obligations in accordance with Policy IMP1 of the East Herts Local Plan Second Review 2007 or a successor policy in the emerging East Herts District Plan where they comply with the Community Infrastructure Levy Regulations 2010 and any subsequent amendments to them.**

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<sup>6</sup> Planning Practice Guidance Ref ID: 25 099 20140612

In the supporting text it may be appropriate to refer to the possibility of funding infrastructure that cannot be funded through planning obligations through income from the Community Infrastructure Levy if it is introduced.

## Summary and Referendum

88. The preparation of a neighbourhood plan for a large part of a town, including the town centre is a major undertaking. It is evident that the SMNDP has involved an enormous amount of work for the Neighbourhood Plan Team and the Town Council. The work demonstrates a high level of professionalism and has carefully followed the Neighbourhood Planning Regulations and the associated legislation. It is also clear from the Consultation Statement and its appendices that very great efforts have been made to involve the whole community in the preparation of the plan, and that the comments received at each stage have been seriously considered and have led to significant modifications as the plan has progressed.
89. The context for the plan has not been easy as the District Plan is still at a relatively early stage of preparation and the planning status of the major residential development envisaged has been changing while the Plan has been prepared. It is evident that the plan may not have as much influence on the form and character of this development as was envisaged when its preparation started. Nonetheless, it plans positively to accommodate the new development in a way that will complement the existing character of Bishop's Stortford and provide for sustainable development which will be of benefit to both existing and future residents.
90. The preparation of the plan has been in accordance with the legislation and most of the policies in the plan are fully compliant with the basic conditions. I have found it necessary to suggest some modifications to meet the basic conditions, and subject to these modifications I am satisfied that the plan:
- has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;
  - has regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contributes to the achievement of sustainable development;

- is in general conformity with the strategic policies of the development plan for the area;
- does not breach and is compatible with European Union obligations and the European Convention on Human Rights.

**I am therefore pleased to recommend that the Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Wards should proceed to a referendum subject to the modifications that I have recommended.**

91. I am also required to consider whether or not the Referendum Area should extend beyond the Silverleys and Meads Wards which comprise the Neighbourhood Plan Area.
92. This is an issue which has presented me with some difficulty. The Neighbourhood Plan Area is unusual in that it includes a large section of the town and a large part of the town centre. For any neighbourhood plan relating to a part of a larger built up area, the policies of the plan will clearly have some implications for the occupants of neighbouring areas to a greater extent than for plans relating to a whole settlement such as a village or town. However, unless the functional linkages between areas are particularly strong, or unless specific policies have substantial implications for neighbouring areas there would not be a necessity to extend the area for the referendum.
93. The situation regarding the town centre is however rather different. A town centre by its nature has a strong relationship with whole of the town it serves and it could be argued that it is inequitable for the residents of one part of the town to have the ability to set policies for the centre while those in the rest of the town do not. However, if the area for the referendum was extended it would allow residents outside the neighbourhood area to influence the policies affecting residential areas outside the town centre within the neighbourhood area, which could also be seen as inequitable.
94. I have also had regard to the representations that have been made in the various stages of consultation during the preparation of the plan. I have seen no representations which suggest that the area for the referendum should be

extended and the policies relating to the town centre, which make up a small part of the plan as a whole, are largely uncontroversial. The Bishop's Stortford North Consortium in their comments have said that "This is the wrong plan at the wrong time" and that it would have been preferable to prepare a neighbourhood plan for the town as a whole, rather than part of it. However, their comments do not object to the policies for the town centre and they do not argue for an extended referendum area. I also attach weight to the fact that the responsible body for the preparation of the plan is the Bishop's Stortford Town Council which has jurisdiction over the whole town.

95. Planning Practice Guidance indicates that "It may be appropriate to extend the referendum area beyond the neighbourhood area, for example where the scale or nature of the proposals in the draft neighbourhood plan or Order are such that they will have a substantial, direct and demonstrable impact beyond the neighbourhood area".<sup>7</sup> The policies relating to the town centre will clearly have an impact beyond the neighbourhood area, as the town centre is a focal point for a large area which extends beyond the boundary of Bishop's Stortford into its rural hinterland. However, the nature of the policies and the response of residents to them suggests to me that their impact would not be sufficient to require an extension of the referendum area.
96. **I conclude on balance that there is not a clear need to extend the area for the referendum and that the referendum should relate to the neighbourhood plan area.**

Richard High

December 2014

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<sup>7</sup> Reference ID: 41-059-20140306

## APPENDIX 1

### Suggested typographical or presentational amendments

**Policy HDP1** The first paragraph of this policy is numbered a). However the next two paragraphs are un-numbered. For clarity and consistency with the overall style of presentation it is suggested that the second paragraph should be numbered b) and the third c).

**Policy HDP6** For the same reason as above the second part of the policy should be numbered b).

**HDP7** The policy would benefit from numbering of its sub-sections as follows: the first 13 lines should be numbered a), the next 6 lines should be numbered b), the next 11 lines should be numbered c), the next 3 lines should be numbered d) and the final 5 lines currently numbered a) should be numbered e).

**Policy HDP9** a) is not necessary as there is only one section. The policy would read better if the word “support” was deleted at the beginning and “..will be supported” was added after “...improvements are planned”.

**Policy GIP9** refers to the Environment Agency map as Figure 2 when it is in fact Figure 5.

**Policy BP6** the first part is numbered a) but there are no other parts so this is unnecessary. There is also a footnote numbered 32 but with no text to say what it refers to.

### Basic Conditions Statement

In the Basic Conditions Statement I have identified a small number of errors.

**On Page 9** under the heading NPPF Policies the fourth line refers to themes in the Neighbourhood Plan, but these are in fact themes in the NPPF

**On Page 14** in the section relating to Policy HSG3 of the Local Plan there is a reference to policies HDP10 and HDP11. These are the policy numbers in the Draft Plan and the appropriate reference is to Policies HDP5 and HDP6.

**On Page 15** in the sections relating to Policy TR10 and TR11 of the Local Plan there is a reference to policy TP6. This is the policy number in the Draft Plan and the correct reference is to Policy TP5.

**On Page 17** in the section relating to Policy LRC11 of the Local Plan there is a reference to policy HDP12. This is the policy number in the Draft Plan and the correct reference is to Policy HDP7.