

INDEPENDENT EXAMINATION OF THE HARPENDEN NEIGHBOURHOOD PLAN

EXAMINER: Andrew Freeman BSc (Hons) DipTP DipEM FRTPI

Carl Cheevers
Town Clerk
Harpenden Town Council

cc: Wendy Frost
St Albans City and District Council

Examination Ref: 01/AF/HNP

18 July 2018

Dear Mr Cheevers

HARPENDEN NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Harpenden Neighbourhood Plan (the Plan) for examination, I would like to clarify some initial procedural matters. I also have a number of preliminary questions for Harpenden Town Council.

1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement and the Regulation 16 representations, to enable me to undertake the examination.

Subject to my detailed assessment of the Plan, I have not at this initial stage identified any very significant and obvious flaws in it that might lead me to advise that the examination should not proceed.

2. Site Visit

I intend to undertake a site visit to the neighbourhood plan area during the week commencing Monday 30th July 2018. This will assist in my assessment of the draft Plan, including the issues identified in the representations.

The site visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

4. Further Clarification

I have a number of initial questions seeking further clarification from the Town Council, which I have set out in the Annex to this letter. I would be grateful if you can seek to provide a written response within two weeks of receipt of this letter.

5. Examination Timetable

As you will be aware, the intention is to examine the NP (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the draft Plan. However, as I have raised a number of questions I must provide the opportunity to reply. Consequently, the examination timetable will be extended. Please be assured that I will seek to mitigate any delay as far as is practicable. The IPE team will seek to keep you updated on the anticipated delivery date of the draft report.

If you have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure a copy of this letter and any subsequent responses, are placed on the websites of both the Local Planning Authority and the Town Council.

Thank you in advance for your assistance.

Your sincerely

Andrew Freeman

Examiner

ANNEX

From my initial reading of the Harpenden Neighbourhood Plan and the supporting evidence I have a number of questions for the Town Council. I have requested the submission of responses within two weeks of receipt of this letter but an earlier response would be helpful.

I would welcome the Town Council's response to the following points:

1. Other than the request for clarification dated 7 March 2018, did St Albans City and District Council have any representations to make at the Regulation 16 stage?
2. Please provide a statement to demonstrate that the Plan is compatible with the Human Rights Convention.
3. In the light of comments from the Environment Agency (HTNP3), should Policy ESD8 be varied to refer to river *corridors*?
4. In the representations on behalf of Legal & General Capital (HTNP4), amendments are suggested to Policies ESD1, ESD15, ESD19 and T2. Are these amendments considered to be appropriate?
5. Rumball Sedgwich have suggested a large number of deletions and amendments (HTNP8). What is the response to the various suggestions?
6. Should the Plan be amended to embrace the comments of Thames Water (HTNP9) in respect of Policy S111 (additional text) and Policy ESD19 (revised water efficiency requirement)?
7. Do the comments of Hertfordshire County Council Property Development (HTNP10) regarding land to the rear of Harpenden Fire Station suggest that the Plan needs to be amended?
8. Colney Heath Parish Council (HTNP11) indicates that a "fair share" of housing provision would not be made under the Neighbourhood Plan. In addition, there are comments in relation to Policies SS2 and T2. What is the response to the comments of the Town Council?
9. Under the representations submitted on behalf of Crest Strategic Projects, Bloor Homes and Mr Wimms (HTNP12), there are suggestions with regard to the allocation of broad locations / sites, expansion of Policy SS2, the treatment of design briefs and flexibility within Policy H5. What is the response to the points made?
10. The representations on behalf of CEG (HTNP13) suggest amendments to Policies ESD1, ESD15 and T2. Are the suggested amendments appropriate?
11. What is the response to the various points raised by Hertfordshire County Council (HTNP14)? Policy SS2: Where an applicant is required to demonstrate sufficient / appropriate open space / recreational space / public open space, what standard is envisaged?
12. Policy SS2: What happens where there would be a deficiency of convenience shopping?
13. Policy SS2: What other routes are to be taken as key routes?
14. Policy ER5 – "90% of shopfronts": Is this a reference to the number of shopfronts or to their length?

15. Policy ER8 – “Major retail and employment proposals”: Does this mean proposals that fall within the definition of major development in the Glossary?
16. Policy ESD1 – assessment of views, key views of townscape, views of landmark and gateway buildings: How are the views that need to be assessed going to be identified? Is this at the discretion of the applicant?
17. Policy ESD1: What is the water efficiency standard?
18. Policy ESD2 – Is it structures, parks and gardens of some particular significance (what?) that need to be assessed?
19. Policy ESD2: Where are details of locally listed buildings, structures, parks or gardens and alternative undesignated heritage assets outside of the Conservation Area to be found?
20. Policy ESD9: How is it intended that applicants will identify attractive green spaces and important townscape features, such as landmark and gateway buildings?
21. Para 6.21: Should any of the provisions in the paragraph be incorporated within Policy ESD13?
22. Policy ESD16: What constitutes “relevant Historic England Guidance”?
23. Policy H7 – 10% of homes to be built to wheelchair adaptable standards: How has this percentage provision been chosen?
24. Policy H9: Is there any standard of provision for private outdoor space?
25. Policy SI1: What is meant by “accessible school places”?
26. Policy SI2: Is it the intention that any replacement community facilities should be within the designated neighbourhood area.
27. Policy SI3 – latest design guidance set by the relevant regulatory authority: What is this and where is it to be found?
28. Policy SI3: What is to happen if the assessment under a) and b) shows that no facilities are to be made available?
29. Policy SI7 – on-site provision where preferred by the health authorities: What is the planning justification for this requirement?
30. Policy SI11: Should the policy include a provision seeking to secure the implementation of any necessary upgrade works?
31. Policy T1: What is meant by “areas of established traffic congestion”? How are they to be identified?
32. Policy T5: Is the support of local people necessarily a valid requirement in the determination of proposals?
33. Glossary – Green Belt: Is it correct to describe the Green Belt as a landscape designation?