

Wheathampstead Parish Council
(by email)

Dear Wheathampstead Parish Council

RE: Regulation 14 Wheathampstead Neighbourhood Plan Consultation

Thank you for consulting SADC on your draft Neighbourhood Plan. We congratulate the parish on the progress they have made in preparing this plan. The Neighbourhood Plan is for the most part written in a lucid style and is broadly consistent with local plan policy and the NPPF. The comments now made are raised in the interest of assisting the Parish Council resolving outstanding issues ahead of the Regulation 16 Consultation.

Summary

The Neighbourhood Plan appears to have been prepared to be in general conformity with the saved policies of the adopted St Albans City and District Local Plan Review (1994) and the National Planning Policy Framework (2019). The council therefore does not wish to raise a specific objection.

Councillors have been made aware of the consultation and officers within Spatial Planning, Development Management and Conservation Teams have been given the opportunity to review and comment on the draft Neighbourhood Plan.

For ease of reference, the comments raised have been brought together and ordered into four categories;

1. Strategic Objectives (SO)
2. Policies (W)
3. Paragraphs
4. Others

We hope these comments will assist you in moving forward and we will happy to continue to work with you further on the development of your Plan.

Yours Faithfully,

Daley Wilson
Spatial Planning Officer

1. Objectives

Objective	Comments
SO3	<ul style="list-style-type: none"> - NPPF states local distinctiveness but that shouldn't preclude good modern design. Does it tie in to W8 E? Paragraph 6.10 again suggests only 'rural' designs ok which is different to W9. - This is really two separate points. Signage should be separated out.
SO4	<ul style="list-style-type: none"> - This should be preserve or enhance. Concerned regarding included for the benefit of retailers as this may be used for arguments which put economic considerations above conservation when the weight to be applied is already set out in the NPPF etc.

2. Policies

Policy	Comments
W1	<ul style="list-style-type: none"> - Use of 'or' - for example it appears development will be supported in Green Belt so long as it preserves or enhances the character or appearance of the area only. (B) - Is this criteria in addition to standard green belt criteria or instead? Location of development should not only be approved solely on the criteria that it preserves or enhances the character and appearance of the area. (iii) - Should include the clarifier that is consistent with their significance or similar. For example: 'where relevant, the development brings redundant or vacant historic buildings back into beneficial re-use, which is consistent with the conservation of their significance; or'
W2	<ul style="list-style-type: none"> - There is no threshold – is this intended to apply even to relatively small sites of eg 10 homes? - Does 'Local Connection' need to be defined? How would W2 D be 'policed'? Via S106?
W3	(A) - What is the definition of 'cultural attributes'?
W4	(A) - Would this paragraph be best split into two Paragraphs?
W5	- Does the 'Rive Lea Corridor' need to be defined?
W7	- This would be a high test and in direct conflict with the intent of the policy as described in para 5.28. Potentially this could be changed to 'demonstrably detrimental' or similar?

	<ul style="list-style-type: none"> - Does ‘significantly detrimental impact’ need to be defined?
W8	<ul style="list-style-type: none"> - Why does the policy state at E. <p>(E) - Development is expected to preserve or enhance the character and appearance of the Conservation area or Character Area in which it is located.</p> <p>(F) ii - This is a repeat of policy W7. The comments above apply.</p> <p>(F)iii - Are you stating that character areas should be considered non-heritage assets? This would have NPPF application implications and would need to match the definition of a heritage assets in the NPPF glossary which we do not think all of the characters would meet.</p> <p>This part of the policy is poorly worded. It could read instead: Development which affects heritage assets (including non-designated (set out in Appendix D and E) heritage assets) – either directly or indirectly, should respect the significance and context of the asset. Proposals should demonstrate how they will preserve or enhance any affected heritage assets.</p> <p>There will be a presumption against the demolition of any structure listed in Appendix E. (this should be a separate criteria) – this needs to have a set of defensible reasons for this presumption which can be used in an assessment.</p> <ul style="list-style-type: none"> - Should be ‘preserve or enhance’
W9	<ul style="list-style-type: none"> - There should be a colon before the list so it reads as such. We would suggest the list is re-worded to remove the ‘it’ at the beginning of each point as it is asking for demonstration, for example point one – how the development is guided by... <p>(iii) - Is very stringent and is poorly worded. We think from the wording of the policy it is asking to make material choices contextualised. A better set of wording might be: How the development incorporates/responds to the local distinctiveness of its immediate surroundings, including the use of traditional building materials which are used in nearby existing buildings?</p> <p>(vi) - What does ‘visual intrusion’ mean?</p> <ul style="list-style-type: none"> - Why has this policy changed from A- E and gone to roman numerals?
W11	<ul style="list-style-type: none"> - ‘Design Statement: Signage in the Parish of Wheathampstead produced in 2010 by Wheathampstead and District Preservation Society’ is not an adopted planning document
W12	<p>(A) - Amend ‘Should’ within the first sentence to ‘take opportunities to’ instead. Very onerous otherwise.</p>

W19 C	(C) - Amend to 'as part of any pre-submission...for all development proposals...'.Not all developments have to carry out community consultation, for example householders.
W21	- If want to say this, needs to say 'supported in principle' not simply 'supported'. This would prevent development which would otherwise be unacceptable.
W22	- Query is this what is intended - it refers to 'existing employment sites' and doesn't define particular areas, therefore appearing to apply to any existing site with an employment use.
W24	- What is the intention of this policy? This could be too flexible and for example could result in the area solely consisting of A5 takeaways which we imagine is not the intention.
W25	- How would this be implemented? Temporary permission if not already retail?

3. Paragraphs

Paragraph	Comments
2.2.	- The third sentence should refer to it first as Hertfordshire Archive and Local Studies (HALS).
2.11	- The Wheathampstead Conservation Area has 44 listed buildings and structures, including the grade I listed St Helens Church. According to Historic England there 64 designated heritage assets within 1km of the village centre, including the scheduled monument – so 63 listed buildings. Where these figures have come from?
3.2	- Housing and Development: The phrase 'historic nature' is really vague, potentially switching to historic character would be better language in line with the NPPF and acts. - Heritage: This needs to be re-worded for clarity. As per above, the phrase 'historic nature' is really vague, potentially switching to historic character would be better language in line with the NPPF and acts. - As far as we are aware there is no heritage centre as of yet, this is pertinent to the comments below regarding the heritage centre section W21.
5.6	- Expansion of woodland on the Symondshyde Ridge may have implications on the Scheduled Monument – Devils Dyke. Maybe this could be clarified in the text as the erosion of the scheduled monument should not be encouraged.
5.8	- This would have quite substantial listed building setting and conservation implications. We think the aim is admirable but it should

	include discussion with the LPA for these reasons and potentially, as the manor house is grade I listed, Historic England.
5.28	<ul style="list-style-type: none"> - The phrase needs a better definition, instead of retain or improve these as it is then contradicted by the wording of the actual policy. - Either as a whole or each view should state what makes it special so it can be assessed whether or not development would preserve etc. The text included in Appendix C are not particularly sufficient. The photos included need to be more visible, larger and better co-ordinated with the map as they will need to be used as an evidence base and to state what these views are in 2020.
6.5	<ul style="list-style-type: none"> - There are 120 listed buildings and structures within the parish. The majority lie outside of the Wheathampstead conservation area. - The second sentence is poorly worded. We would suggest instead: Listed buildings are buildings or structures which are considered to be of national 'special architectural or historic interest'. Listed buildings are designated nationally and are protected under the Planning (Listed Building and Conservation Areas) Act 1990. - The last sentence should read: It is important that development preserves or enhances the setting of listed buildings and the character and appearance of the conservation area where appropriate.
6.7	<ul style="list-style-type: none"> - There will be a strong presumption against the loss of the buildings and monuments appearing on the list and developments which result in this will be refused.
6.10	<ul style="list-style-type: none"> - Sympathetic to the built heritage - As discussed above the majority of listed buildings in the parish are not located in the Wheathampstead CA. We would suggest that it needs to be re-worded to say: <i>'New developments within, or located in the setting of, designated heritage assets, should be compatible with existing architectural styles and materials ensuring that new build sits comfortably alongside existing developments. Some of these styles are illustrated in Figure 6.3.'</i> - Use of typical local materials - The parish is quite large and character of local buildings varies throughout. What is considered local for Wheathampstead is not necessarily common for Gustard Wood etc. We think removing the specific materials mentioned. The examples in 6.3 only show those within the village centre of Wheathampstead. We would suggest that it needs to be re-worded to say: <i>'Materials used in construction should reflect the existing built environment. The historic houses and cottages of the parish are built predominantly from local materials. The use of local building materials</i>

	<i>has given a distinctive character to many of the buildings across the parish. Figure 6.3 shows examples of the use of local materials located within the Wheathampstead village core.'</i>
6.15	- This should be used to discuss heritage assets, rather than singling out Conservation Areas – this would be important for listed buildings and potentially archaeology too – if considering ground source heat pumps.
7.16	- This should read 'These should be off-road and minimise visual impact on the Conservation Area – off road parking if poorly considered can have a harmful impact on the conservation area'

4. Other

Subject	Comment
12 Non-policy actions and spending priorities	- Character and Conservation – No evidence provided of need for an Article 4, which would be a lengthy process which the parish could not implement as it would need to be district led. SADC to consider this would need specific cases and examples of risk and erosion provided. None have been so this is not supported.
Glossary	- The definition of a conservation area is wrong and should be in line with the 1990 act.