

# Harpenden Neighbourhood Plan – Response to Examiner Questions issued 18<sup>th</sup> July 2018

08/08/2018

## Introduction

1. This note is prepared by Nexus Planning under the instruction of Harpenden Town Council and the direction of the Harpenden Neighbourhood Plan Steering Group.
2. The note provides responses to 34 questions issued by the Examiner, Dr Andrew Freeman<sup>1</sup>.
3. Some questions request the Neighbourhood Plan Steering Group's view on specific consultation responses issued at Regulation 16 Consultation Stage, while others appear to be queries that the Examiner has raised following his review of the submission Neighbourhood Plan.
4. In response to the questions, the note does, at points, suggest some minor amendments that would help clarify the intention of the subject Policy/supporting text that the consultee/Examiner has commented on. These are shown in red in text and **Appendix A** to this document includes a text only version of the submitted Neighbourhood Plan with all amendments collated. The amendments are shown in the standard modification format, with deleted words struck-through and additional words shown in bold and underlined.
5. We are aware that a revised NPPF has been released since the submission of the Neighbourhood Plan. While the previous NPPF will continue to be used for the Examination of this Neighbourhood Plan (as it was submitted prior to 24<sup>th</sup> January 2019 in accordance with Paragraph 219 of the revised NPPF), we have sought to update references to the NPPF in the Neighbourhood Plan to reflect the new paragraph numbers. The Paragraphs referenced in the

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<sup>1</sup>Note that in the Examiner's response there are 33 questions, however, there is an unnumbered question after Q.11. We have named that Q.12 and all subsequent questions are one number higher than detailed in the Examiner's response.

Neighbourhood Plan are largely unchanged between versions, so there is no need to make any amendments beyond updating the paragraph numbers.

**Question 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?**

6. No

**Question 2: Please provide a statement to demonstrate that the Plan is compatible with the Human Rights Convention.**

7. The Neighbourhood Plan has regard to and is compatible with the European Convention of Human Rights and by proxy the Human Rights Act (1998). It contains no content or policies that impact on the requirements of Articles 2-14, Protocol 1 or Protocol 13.

**Question 3: In the light of comments from the Environment Agency (HTNP3), should Policy ESD8 be varied to refer to river corridors?**

8. Yes – a modification to include the term ‘river corridors’ in place of ‘rivers’ on the third line would be supported by the Neighbourhood Plan Steering Group:

Developments must seek to maintain and enhance the quality and character of the varied open and green spaces, ~~rivers~~ **river corridors** and the natural environment within the Neighbourhood Plan area. Development should not result in the loss of or significant harm to ecological or landscape value of the varied green spaces, rivers and natural environment.

**Question 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?**

9. We address each comment individually under a relevant heading.

Policy ESD1 – Design Strategy (comments on the opening paragraph)

10. The representation does not set out how it sees that the term ‘visually appealing’ does not conform with Basic Condition a), which does not assist with understanding the reason why the view was put forward. Equally, it suggests that there is a requirement to ‘reflect’ the NPPF approach. This is a rephrasing of the actual requirement, which is to ‘have regard’ to the NPPF. To reflect would be a greater expectation than to have regard. The Harpenden Neighbourhood Plan Steering Group see the wording in question as appropriate in relation to the requirement to have regard to the NPPF, as:

- NPPF Paragraph 17 sets out a planning principle that requires the planning system to 'always seek to secure high quality design' – high quality design is perceived in many ways, but clearly one of those ways is its appearance, meaning this wording has regard to that statement;
- NPPF Paragraph 56 states that 'good design is a key aspect of sustainable development' – the wording in question clearly has regard to that statement;
- NPPF Paragraph 58, which is key to this wording, states that: "Planning policies and decisions should aim to ensure developments... are visually attractive as a result of good architecture and appropriate landscaping". The use of 'visually appealing' clearly has regard (and even reflects) Paragraph 58.

11. While no reason was put forward, this analysis suggests that the wording in question has regard to the NPPF, particularly Paragraph 58. Given the word used in the NPPF is 'attractive', and this is seen to address the same issue, the Neighbourhood Plan Steering Group would be content to replace 'appealing' with 'attractive':

All developments must be visually ~~appealing~~ **attractive**, designed to a high quality, maintain or enhance the character of the area and support Harpenden as a low carbon place to live and work.

#### Policy ESD1 – Design Strategy (comments on criteria v)

12. No evidence is presented to support the claim, however, it is presumed that it relates to Paragraph 118 of the NPPF. The wording proposed by LGC does (to an extent) appear to have more regard to the NPPF, with small adjustments set out in the following text, which the Neighbourhood Plan Steering Group would support as a full replacement of criteria v:

~~V. Protection against the loss of or significant harm to ecological or landscape value without appropriate mitigation that outweighs the loss or harm~~

**V. Protection against the loss of or significant harm to ecological or landscape value or, in the event of loss or significant harm, the provision of appropriate mitigation to address the loss or harm. If the Local Planning Authority deems that appropriate mitigation cannot be achieved, compensatory measures may be acceptable in addition to (not instead of) the maximum achievable mitigation.**

#### Policy ESD15 – Sustainability and Energy Efficiency

13. We would be content with the deletion of this sentence, rather than the implementation of the alternative wording suggested, as the first sentence of ESD15, coupled with the more stringent expectations of ESD16, adequately addresses its intention.

All development must support the objectives of making the Neighbourhood Plan Area a low carbon area, supporting sustainable living, sustainable working and sustainable leisure and

mitigating the impacts of climate change. Developments should be designed to minimise energy consumption including through the use of sustainable materials, high-energy efficiency levels, the incorporation of renewable energy initiatives and the efficient design of the building.

~~Developments should aim to be carbon neutral.~~

#### Policy ESD19 – Water Conservation

14. The comments raised by LGC and have led to further research on this matter. Evidence related to it may be found in a Report titled Water Efficiency in New Homes: Evidence to support adoption of the Building Regulations Optional Requirement, prepared by Save Water South East in March 2018. Figure 1 of that document and the supporting text clearly demonstrates that Harpenden lies within the area with the most significant supply-demand deficit for water in England. The draft Water Resources Management Plan 2020-2080 prepared by Affinity Water (the local supplier) sets out, in Chapter 11, a supply-demand deficit within its area of supply, which is predicted to grow to 2080, and that action is needed to address this deficit. The Harpenden Neighbourhood Plan Steering Group consider that the choice of a figure of 120 in the Policy should be changed to 110, given the area is in water deficit and that action is required to address this. In changing the figure to 110 (rather than the 125 figure suggested by LGC), the Policy would clearly have regard to the Planning Practice Guidance statements highlighted by LGC in its representation, which clearly support a lower figure of 110 in areas such as Harpenden.

All developments must be designed taking into account best practice in water efficiency, such as water efficient fittings and appliances, water harvesting and storage features, and green roofs. All major developments must provide evidence of anticipated internal water use at or below ~~120~~ **110** litres per person per day.

Please note: the supporting text at Paragraph 6.29 also requires an update to refer to Policy ESD19, rather than ESD18.

#### Policy T2 – Proposals Affecting the A1081, B653 and B652

15. We seek to amend this Policy in response to Question 10 of the Examiner, which relates to the representations submitted by CEG. The representations submitted on behalf of CEG incorporate and expand those from LGC, so there is no need to address each separately.

#### **Question 5: Rumball Sedgwick (RS) have suggested a large number of deletions and amendments (HTNP8). What is the response to the various suggestions.**

16. Each relevant aspect of the Rumball Sedgwick Representation is addressed below.

#### Rumball Sedgwick Paragraph 1.2

17. For the record, all comments made by RS at Regulation 14 were considered in detail by the Steering Group. Many of the comments did not compel the Steering Group to make an amendment, but each was considered, as shown on Page 63 of the Stage 3 Engagement Report (appended to Supporting Document C, the Engagement Statement).
18. The view that “The current draft HNP is effectively the same document (albeit with a different date on the cover)” is not accurate or a reasonable comment. Appendix I to the Stage 3 Engagement Report includes the numerous amendments made in response to representations received at the Regulation 14 stage.

#### Rumball Sedgwick Paragraph 1.3

19. It is worth noting that RS appear to suggest that they principally disagree with the need for a Harpenden Neighbourhood Plan, or Neighbourhood Planning in general, preferring Development Plan policies to be prepared by local planning authorities. This is worth bearing in mind when considering many of the representations in the document, which unlike the other representations are mostly not made in a positive or constructive manner, with many instances where RS seeks the deletion of policies with limited justification as to why.

#### Rumball Sedgwick Paragraph 2.1

20. The Neighbourhood Plan (and Town Council) is supportive of improvement to community facilities in Harpenden and has a number of policies encouraging new and improved provision. It should be noted that the extract from Paragraph 19 of the NPPF that RS has placed in this paragraph (“everything it can”) is misplaced, given that Paragraph 19 relates to sustainable economic growth and makes no mention of community facilities (unless RS is tenuously relating this statement to the economic benefit the rationalisation of community facilities may bring).

#### Rumball Sedgwick Paragraph 4.1 (General Comments)

21. We contend the assertion that the Neighbourhood Plan ‘only duplicates’ the NPPF/NPPG (and Building Control Legislation). It has regard to those documents throughout, as required, but adds detail. This statement also misunderstands the relationship between the NPPF/NPPG and a Neighbourhood Plan. A Neighbourhood Plan forms part of the Development Plan, whereas the aforementioned documents do not, rather acting as Other Material Considerations. Legislation is clear that planning applications should be determined in accordance with the Development Plan unless Other Material Considerations indicate otherwise. Therefore, it is important that the Development Plan contains a suite of up-to-date planning policies, not simply relying on the NPPF/NPPG, as the foremost consideration when determining a planning application is in compliance with the Development Plan. Given the absence of an up-to-date Local Plan (the last version was adopted in the mid-1990s) it is crucial that the Neighbourhood

Plan addresses a wide range of issues, including those that may in other Districts be addressed by an up-to-date Local Plan.

22. The reference to Building Regulations is unclear as there is no indication of where the Neighbourhood Plan repeats standard Building Regulations requirements unnecessarily (the water efficiency Policy, for example, responds to an optional requirement set out in Building Regulations).
23. The comment on Environment and Sustainable Design does not make sense in the context of a lack of an up-to-date Local Plan. The notion that a Development Plan document should not contain policies on sustainability standards because these are constantly evolving does not make sense, given this principle could be applied to all Development Plan Policies. With the exception of Building Regulations requirements, which the Neighbourhood Plan does not duplicate, Development Plan documents are the forum with which to enforce sustainability standards in new development. When a new Development Plan Document with updated sustainability standards is adopted, those policies take precedent to any existing policies, including those in a Neighbourhood Plan (as set out in Planning Practice Guidance Paragraph: 084 Reference ID: 41-084-20180222) so the system makes provision for standards being updated.
24. The assertion that the Neighbourhood Plan should not engage in matters where the County Council is the relevant authority is unusual given the Development Plan as a whole is expected to set policies in relation to those matters. Only Development Plan policies related to minerals and waste development are expected to be prepared solely by the upper tier authority (e.g. the County Council). There is no provision for upper tier level Development Plan documents in relation to matters such as highways and education and the Local Plan and Neighbourhood Plans are wholly expected to address these issues. The Neighbourhood Plan does fulfil the Basic Condition requirement to not contain policies in relation to minerals and waste development. There is no such Basic Condition requirement in relation to other matters that relate to upper tier authorities.
25. There is no evidence presented of how the Neighbourhood Plan seeks to impose control over matters which are 'pre granted' by the GPDO and there are no such examples in the Neighbourhood Plan. Again there is no reference made to how the Neighbourhood Plan contravenes a Basic Condition in this regard.
26. It is worth noting, in response to the individual Policy comments below, that a recurring theme appears to be the authors dislike of use of words such as "suitable" and "appropriate" in policies, which are often referred to as being too loose or undefinable. To challenge this approach taken in the submission Harpenden Neighbourhood Plan is not simply to challenge the Neighbourhood Plan, but to challenge the English planning Policy system, which is a democratic system built on the ability of politicians to interpret policies with advice from professional Planning Officers. Plans are encouraged to have policies that allow professional judgement by professional planners, often taking account of a number of site-specific

considerations. What may be appropriate or suitable in one location may not be in another. Therefore, it is important to allow Planning Officers to use their professional judgement, without confining them to inflexible policies. All planning Policy documents, whether Local Plans or Neighbourhood Plans, frequently take this approach. Planning Policy documents should not read like the Permitted Development Order. Unless stated otherwise in this report (i.e. where an amendment is suggested), the Harpenden Neighbourhood Plan Steering Group are confident that the Neighbourhood Plan achieves the correct balance between being clear and precise, without unnecessarily constraining Planning Officers with overly prescriptive policies.

#### Policy SS1 – The Spatial Strategy

27. We see no requirement to amend this Policy based on the representations made. The reference to Green Belt Policy in the NPPF misses that the Policy is adding a distinct local level of detail while having regard to the NPPF. The suggested amendment to the town centre boundary is noted, but currently there is no Planning Permission for the new facility, so it is potentially premature to assume that the facility will be delivered. The Harpenden Neighbourhood Plan Steering Group see no need to amend the draft Policy in light of these comments.

#### Policy SS2 – Infrastructure Zones

28. The Harpenden Neighbourhood Plan Steering Group has confidence that the Local Planning Authority will be able to adequately judge applications that should be considered significant when determining applications based on the definition in the glossary, which is sufficiently clear. The comments in the second part of the representation are not based on any consideration of compliance with Basic Conditions. The Harpenden Neighbourhood Plan Steering Group see no need to amend the Policy in light of these comments (noting that some amendments to this draft Policy are proposed in response to other consultation responses).

#### Policy ER1 “Supporting Harpenden’s Economy

29. We are content with the Policy and its current wording. The Harpenden Neighbourhood Plan Steering Group see no need to amend the Policy in light of these comments.

#### Policy ER2 “Designated Employment Locations”

30. It is difficult to understand the concern expressed here, given that Permitted Development does not require planning permission, and therefore the Development Plan is not applicable. The suggestion that Development Plan policies should not seek to protect employment use simply because Permitted Development exists is, in the opinion of the Steering Group, unsound and, in our experience, not a view shared by other Local Plans or Neighbourhood Plans. RS appears to be making this point on the assumption that both Permitted Development Rights and Article 4 Directions exist in perpetuity, whereas they could conceivably be updated or

revoked during the life of the Neighbourhood Plan. The Neighbourhood Plan Steering Group see no need to amend the Policy in light of these comments.

Policy ER5 "Supporting Harpenden's Economy"

31. As RS notes further into the paragraph, the percentages used are not arbitrary, as he states in the first sentence, but instead are based on evidence compiled by St Albans City and District Council. The view that planning policies should not exist because Permitted Development Rights exists is not logical as the Policy would only relate to development that requires planning permission. The Neighbourhood Plan Steering Group see no need to amend the Policy in light of these comments.

Policy ER6 "Supporting Local Centres"

32. The Harpenden Neighbourhood Plan Steering Group see no need to amend the Policy in light of these comments. In relation to the mention of Permitted Development, it is noted that this exists but the Policy relates to 'proposals', permitted change of use does not require a proposal in a planning sense, given it can be carried out without the need for a planning application.

Policy ER8 "Adaptable, Innovative and Up to Date Retail and Employment Centres"

33. The Harpenden Neighbourhood Plan Steering Group notes the comment and proposes updated wording to this Policy as set out below.

Major retail and employment proposals must demonstrate that:

- sufficient infrastructure is in place to meet an increase in demand arising from the development;
- **how facilities are adaptable to future occupiers, including where relevant the ability to subdivide offices;** and
- **utilise latest technologies wherever possible, with regard to deliveries, lighting, security and noise emissions.**

Policy ESD1 "Design Strategy"

34. There is no reference to how this Policy does not meet the Basic Conditions that Neighbourhood Plan policies must meet. The Harpenden Neighbourhood Plan Steering Group does not agree that expecting major developments to produce a Design Brief is onerous, given that much of this information is already required by authorities in some form (as RS actually states in their first sentence). It is reasonable to expect this information in a single accessible report rather than a disparate collection of documents. This Policy adds a strong level of detail to NPPF/NPPG statements and contributes to the achievement of sustainable development. There is no need to amend the Policy in light of these comments (please note some amendments to Policy ESD1 are proposed in response to other consultation responses).



Policy ESD2 "Local Character and Heritage"

35. As RS states, this Policy is closely related to the NPPF/NPPG. The intention of this Policy is to ensure the expectations of the NPPF/NPPG (and Historic England Guidance) are accurately represented in the Development Plan, given the absence of an up-to-date Local Plan Policy. There is no need to amend the Policy in light of these comments.

Policy ESD5 "New Car Parking Design"

36. A comment is made on the ability of a delivery yard being 'visually attractive', however, the Policy is clear that these features must need to be attractive or well concealed by attractive features. The Harpenden Neighbourhood Plan Steering Group see that this is a useful level of local detail and see no need to amend the Policy in light of the comments made.

Policy ESD8 "Green and Open Spaces and Areas of Ecological and Landscape Value"

37. This Policy has regard to national Policy and guidance and we consider it is a useful addition to the Development Plan. We disagree that this Policy has no additional value and conclude that it meets the Basic Conditions. We see no need to amend the Policy in light of these comments.

Policy ESD9 "Key Views"

38. The request for this wording to be clarified is supported. The Harpenden Neighbourhood Plan Steering Group suggest the amendment set out below.

Development proposals **affecting key views** must include **be supported by** evidence that ~~detail protection or enhancement of~~ **illustrates how the positive aspects of** key views to and from these locations, including attractive green spaces and important townscape features such as landmark and gateway buildings **will be protected**.

Policy ESD10 "Views in New Developments"

39. The Neighbourhood Plan Steering Group disagree that this Policy is 'meaningless'. It would ensure a layout to new developments that maximise integration with the surrounding countryside, to the benefit of residential amenity. There is no evidence to suggest it does not meet the basic conditions and the Harpenden Neighbourhood Plan Steering Group see no need to amend the Policy in light of these comments.

Policy ESD12 "Allotments"

40. The Neighbourhood Plan Steering Group disagree with the view that sufficient protection of allotments in planning policy is already in place. While statutory allotments may be protected in other ways, we do not consider these to be the only relevant material considerations to the

determination of planning applications. Therefore, the Policy is not 'meaningless', it is in accordance with the Basic Conditions and does not need to be amended in light of the comments.

Policy ESD15 "Sustainability and Energy Efficiency"

41. [Note amendments already proposed in response to Legal and General Capital comments at Paragraph 13 of this note] The Harpenden Neighbourhood Plan Steering Group disagree with the idea that this Policy 'goes beyond land use planning'. This Policy is not dissimilar to many adopted Development Plan Policies outside of St Albans District and clearly relates to the use of land. The Harpenden Neighbourhood Plan Steering Group see no need to update the Policy in light of these comments.

Policy ESD16 "Carbon Dioxide Emissions"

42. It appears that RS has misunderstood the hierarchy approach to the Policy, which means that while decentralised energy networks are supported, it is entirely possible to comply with the Policy without using these through proposing measures to meet points 1 and 3 of the hierarchy. The Harpenden Neighbourhood Plan Steering Group considers that this is a sensible Policy that meets the basic conditions and see no need to adjust it in light of the comments made.

Policy ESD18 "Flood Risk"

43. RS mentions that the requirements of this Policy are 'already in place', however, this perceived protection is not formalised in the Development Plan. Having this Policy will ensure that Planning Decisions take account of flood risk proposals. The Harpenden Neighbourhood Plan Steering Group agree that the wording around 'development' could be clarified to avoid confusion with Permitted Development. Subject to that amendment, which is set out below, the Steering Group is satisfied that this Policy meets the Basic Conditions.

~~Developments~~ **Proposals involving sites** over one hectare or all developments in Flood Zone 2 or 3 must be supported by a Flood Risk Assessment.

All ~~development~~ **proposals** involving the loss of permeable surfaces, loss of trees, loss of soft landscaping or loss of any other feature that reduces flood risk is required to use appropriate mitigation measures to prevent an increase in flood risk within the site or elsewhere. This should be proportionate to the scale of the proposal, with small interventions (such as planting or use of impermeable surfaces) acceptable for minor developments in areas of low flood risk.

Policy ESD19 "Water Conservation"

44. The Neighbourhood Plan Steering Group considers that the response to LGC's comments (see paragraph 14 of this note) and the proposed amendments in response to those comments is sufficient to address this representation.

#### Policy H1 "Housing Strategy"

45. This Policy is useful in terms of setting out the overall strategy for housing delivery and there is no evidence to suggest it is not in accordance with the Basic Conditions. The Neighbourhood Plan Steering Group are content with the current wording.

#### Policy H2 "Housing Renewal"

46. The Harpenden Neighbourhood Plan Steering Group note the concern expressed and agree that the intention of the Policy is not to lend support to wholesale redevelopment of current high quality housing simply because the site concerned is of a certain size. Therefore, the following wording is suggested:

The redevelopment of existing residential properties that are robustly demonstrated to be no longer fit for purpose will be supported. The Neighbourhood Plan defines a property as no longer fit for purpose if it ~~meets one or more of the following criteria: unsafe, is in a state of disrepair, **including if it is unsafe, subject to compliance with other Development Plan policies. In addition, properties that make inefficient use of their site and are of a lower density than nearby properties may be suitable for renewal to a density that reflects or is higher than surrounding densities, subject to heritage and other relevant considerations.** unsustainable, or makes inefficient use of its site.~~

#### Policy H3 "Dwelling Size and Type"

47. The Harpenden Neighbourhood Plan Steering Group considers that the expectation the Policy places on major planning applications is entirely reasonable given the scale of the proposals. The Policy simply requires a short statement setting out how the proposed mix has been calculated. The Steering Group does not agree that there is a concern in relation to the possibility of no up-to-date needs assessment, given SADC are expected by the NPPF to have up-to-date evidence of need. However, if the Examiner preferred a qualifying statement to be added to the Policy or supporting text this would be accepted.

#### Policy H4 "Residential Density"

48. A key ambition of the Neighbourhood Plan is to protect the Green Belt and to deliver affordable housing and therefore the Steering Group disagrees that the Neighbourhood Plan should leave the matter of density to negotiation with no Policy requirement. The Neighbourhood Plan wishes to see higher density development in the built up area of Harpenden but the Policy includes some caveats as higher density development should not be provided to the detriment of relevant planning factors including heritage, biodiversity, trees or flood risk. There is no evidence that suggests a need to amend this Policy.

Policy H5 "Higher Density Development"

49. The Steering Group note the comments made, but do not identify a need to amend the Policy, which it believes accords with the Basic Conditions and is a useful Policy for guiding development in Harpenden.
50. The Steering Group agree to an amendment from "stories" to "storeys", which is included in the text updates.

Policy H6 "Affordable Housing"

51. There is a clear and evidenced need for affordable housing locally and no current up-to-date Policy addressing this need. The Steering Group considers that the inclusion of the term "subject to viability" negates the concerns of RS and ensures the Policy shows regard to the NPPF and is consistent with the Basic Conditions.

Policy H7 "Lifetime Homes"

52. There is a clear justification for this Policy, which sets a reasonable and evidence-based Policy expectation. The Steering Group identify no need to update it in light of the comments made.

Policy H8 "Specialist Accommodation"

53. The Steering Group is content with the Policy as worded as it places an expectation on the applicant to demonstrate their application accords with the Policy. For example, specialist accommodation does vary and, depending on the type of resident, what constitutes 'within walking distance' of the town centre may also vary. The Steering Group is content to defer to SADCs Design Officers in relation to what constitutes a safe and stimulating design.

Policy H10 "Housing Site Allocations"

54. There was no opportunity for the Neighbourhood Plan to soundly allocate greenfield land due to this land lying within the Green Belt and, under the 2012 NPPF (which applies to Neighbourhood Plans submitted up to January 2019), there is no scope for Neighbourhood Plans to release land from the Green Belt. Given there is no clear timeframe for when a new SADC Local Plan will be adopted, the Neighbourhood Plan considered that it would not be robust to allocate Green Belt sites. At no point does the Neighbourhood Plan seek to reduce the figure of need for the area or prevent future Green Belt release and development of greenfield sites currently in the Green Belt. In fact, the Neighbourhood Plan includes policies that specifically pre-empt this eventuality. While the Steering Group share the frustration of the author, it considers that this was the approach that aligned with the Basic Conditions most

clearly, noting in particular that there is no national Policy or guidance that requires Neighbourhood Plans to meet development needs in full.

55. It is worth noting that the Neighbourhood Plan is seeking to support as much development as can be achieved in the urban areas following an extensive site assessment process. The Steering Group disagrees that the plan is "creating more policies for the sake of it" and would highlight the current lack of up-to-date planning policies guiding development in the area as motivation for seeking an extensive number of policies. The Steering Group also disagrees that the point of Neighbourhood Plans is only to allocate sites for housing growth, which it sees as one of a number of important purposes of a Neighbourhood Plan.

#### Policy SI7 "Accessible GP Practices"

56. The comment is not justified. In the absence of evidence to show otherwise, this is considered to be an acceptable Policy expectation and the Steering Group identifies no need to amend the Policy.

#### Policy SI9 "Harpenden Public Halls"

57. The site is in the town centre and therefore an active ground floor use is considered appropriate. It is also strongly supported by consultation responses. The Steering Group did seek to discuss this Policy with SADC during the site assessment process, but did not receive a specific response. Likewise, no formal consultation response on this matter has been included. The Steering Group understands that SADC already has a budget to develop new facilities and therefore the value of redeveloping this site does not affect the viability of other projects. The Steering Group considers this Policy to be consistent with other policies in the Plan, an appropriate town centre use (noting the NPPF) and in accordance with the Basic Conditions.

#### Policy SI11 "Utilities Infrastructure"

58. The Steering Group asserts that it is reasonable to require developers of major proposals to ensure that sufficient infrastructure is in place for their development, especially when this could be to the detriment of existing residents. The expectation on applicants that cannot provide this evidence is clear. There is no need to amend this Policy.

#### Policy T1 "Transport Assessments"

59. The Steering Group considers it to be reasonable to expect major development applications to be supported by a Transport Assessment. This is a reasonable threshold that many Development Plan Policies outside of the area set.

#### Policy T2 "Proposals Affecting the A1081, B653 and B652"

60. There is no current Development Plan Policy that relates to this expectation. Therefore, the Steering Group disagree that this Policy is unnecessary and do not seek to make amendments in light of this comment (although please note that amendments are proposed in response to other consultation responses).

#### Policy T3 "Travel Plans"

61. As above, there is no Development Plan Policy relating to Travel Plans and the Steering Group considers that the introduction of one is justifiable and meets the Basic Conditions.

#### Policy T10 "Parking in Harpenden Town Centre"

62. The Steering Group is content with the use of the term 'appropriate' in this Policy as it supports the professional judgement of Planning Officers at SADC. We see no need to amend the Policy in light of the comments made.

#### Policy T11 "Residential Parking Standards"

63. The standards are still being applied by SADC and are, in the view of the Steering Group, sufficiently robust and flexible to be included in the Neighbourhood Plan. The Steering Group are not aware of the "other changes in Government Policy" referred to as there are no national parking standards produced by the Government. This Policy anticipates any revision by SADC and is therefore sufficiently flexible to change.

#### Rumball Sedgwick Concluding Comments

64. RS states that the Basic Conditions are not met, in particular due to a number of NPPG Paragraphs. Those NPPG extracts have been reviewed and the Steering Group assert that the Neighbourhood Plan shows regard to each of them, as follows:

Paragraph: 004 Reference ID: 41-004-20170728

65. The Basic Conditions Statement sets out how the Neighbourhood Plan is in general conformity with the few remaining Local Plan strategic policies, noting where there is subtle variation. This is considered in all cases to be as a result of the existing strategic policies being over 20 years old and is considered by the NPPF to be out of date. The remaining two paragraphs make clear that Neighbourhood Plans should have policies that relate to the use of land. All of the proposed policies relate to land use.

Paragraph: 005 Reference ID: 41-005-20140306

66. The Neighbourhood Plan is conscious of viability and the need to be deliverable. For this exact reason a threshold approach to draft policies is used, with the scale of Policy expectation increasing reasonably for major developments and more so for significant developments.

Harpenden is a highly desirable place to implement development and therefore the Steering Group suggests these are entirely reasonable expectations and would not serve to block development, but will help to manage and integrate development. The expectations on non-major developments are modest throughout. The Plan at no point seeks to challenge the viability system set out in the NPPF and actually reinforces this in key policies (such as H6, Affordable Housing).

Paragraph: 041 Reference ID: 41-041-20140306

67. The team preparing the Neighbourhood Plan has taken great care to prepare policies that are clear and unambiguous while being precise. For example, they encourage thresholds relevant to different scales of development and introduce precise hierarchies that must be followed. It is worth noting that the authority that would interpret the Neighbourhood Plan in decision making (St Albans City and District Council) has not raised any concerns with the quality of Policy wording.

Paragraph: 065 Reference ID: 41-065-20140306

68. A Basic Conditions Statement is submitted in support of the Neighbourhood Plan, which sets out conformity with the Basic Conditions.
69. The following comments relate to the bullet points at 5.2:
  - "Is not positively framed" – the Steering Group disagree with this and it is unfortunate no examples are provided. The Neighbourhood Plan sets out support for a range of different types of development. There is no single reference to circumstances under which certain types of development would be refused or that applications must not include certain proposals. The document is deliberately prepared in positive language and seeks to positively shape development, rather than set out what is not acceptable.
  - "Is not concise, being replete with unnecessary, poorly drafted, imprecise and ambiguous Policy statements" – the Steering Group generally disagrees with this statement, with the only exceptions being where amendments are proposed in this document in response to specific comments. The Steering Group has taken great care to prepare policies that are precise and unambiguous, such as through encouraging thresholds relevant to different scales of development and introducing precise hierarchies that must be followed. It is worth noting that the authority that would interpret the Neighbourhood Plan in decision making (St Albans City and District Council) has not raised any concerns with the wording.
  - "Seeks to impose significant and uncoded burdens upon new investment" – Please see response to Paragraph: 005 Reference ID: 41-005-20140306.
  - "Fails to provide any locally specific Policy" – this is untrue and it is not possible to understand why RS has made this statement. This Neighbourhood Plan includes a vast number of

Harpenden-specific policies, including designating Local Green Spaces, Employment Sites, Housing Sites, Infrastructure Zones, Key Views and Local Centres. In addition, many of the more general development management policies actually make specific references to certain features, for example particular roads. The Steering Group does appreciate that in the absence of an up-to-date Local Plan the Neighbourhood Plan has needed to prepare some more general policies that may usually be included in a Local Plan, which is not in contravention of any Basic Condition.

- "Will fail to deliver sustainable development, including the level of housing and other development such as community infrastructure necessary to meet the area's needs" – There is no basic condition requirement for Neighbourhood Plans to 'deliver' growth. Unlike Local Plans, they do not have to allocate any sites to meet need (although they have the option to) and Local Planning Authorities are responsible to ensure sufficient housing is actually being delivered. On the more general sustainable development point, the Steering Group disagree and considers that the Plan carefully and successfully balances the three aspects of sustainable development, economic, social and environmental. The Basic Conditions Statement includes further justification in this regard.

**Question 6. Should the Plan be amended to embrace the comments of Thames Water (HTNP9) in respect of Policy SI11 (additional text) and Policy ESD19 (revised water efficiency requirement)?**

70. The Thames Water comments are each addressed below.

Policy SI11 "Utilities Infrastructure"

71. Subject to any alternative view from SADC, the Steering Group would be content to the inclusion of the suggested supporting text (copied without amendment):

In relation to wastewater infrastructure the Local Planning Authority will seek to ensure that there is adequate wastewater infrastructure to serve all new developments. Developers are encouraged to contact Thames Water as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary wastewater infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.

Policy ESD19 "Water Conservation"

72. Amendments are already proposed in relation to this Policy to state 110 litres per day following receipt of the response from Legal and General Capital (see Paragraph 14). Should the Examiner consider to be a reasonable requirement, the Steering Group would support the



removal of the threshold of major development proposals in relation to the expectation, in line with response from Thames Water. We have updated the text to reflect this.

All developments must be designed taking into account best practice in water efficiency, such as water efficient fittings and appliances, water harvesting and storage features, and green roofs. All ~~major developments~~ **applications involving a net gain of one or more dwellings** must provide evidence of anticipated internal water use at or below ~~420~~ **110** litres per person per day.

**Question 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?**

73. No, the site assessment exercise determined that HTNP10 was not suitable for development, due to its performance against a range of suitability criteria. This is shown in the Site Selection Supporting Document. The Steering Group see no need to amend the assessment in light of the comments made. It is worth noting that although the site was given an indicative capacity of four in the 2009, this did not mean it was supported for allocation, with the site being assessed as not currently developable due to sensitivities in relation to its suitability.

**Question 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?**

“Fair share” of housing

74. While the NPPF states that Neighbourhood Plans should not undermine the delivery of needed growth in their area, there is no Basic Condition requirement for Neighbourhood Plans to allocate sites to meet need for certain types of development, with the Local Plan ultimately taking this responsibility unless the Neighbourhood Plan meets need in full. In fact, a large number of Neighbourhood Plans have allocated no sites for development, so the Harpenden Neighbourhood Plan, in seeking to maximise urban land, should be commended for seeking to allocate land for sites within the limits that were imposed on it (noting that at the time of submission the NPPF did not support the release of Green Belt land, which it limited to Local Plans). The Neighbourhood Plan Steering Group is aware of inevitable housing delivery on land currently in the Green Belt through the St Albans Local Plan. The recently completed draft of that document includes two major site allocations (North West Harpenden and North East Harpenden), which would result in over 1,000 additional homes around Harpenden. Therefore, the Steering Group do not identify any failure to comply with basic conditions in this regard.

Policy SS2

75. The Policy relates to new development within the boundary of the Harpenden Neighbourhood Plan (Harpenden Town and Harpenden Rural Parishes). Therefore, there is no risk of it affecting development outside of the boundaries of the Neighbourhood Plan Area. It simply seeks to

ensure that new significant development proposals that affect those roads propose appropriate mitigation. This could be in the form of promoting use of sustainable transport or providing localised highways improvements. Ultimately, it will be for the Planning Authority to determine what constitutes appropriate mitigation with the support of statutory consultees. The Steering Group identifies no need to change the Policy.

#### Policy T2

76. Amendments are proposed to this Policy in response to the representation from CEG (see paragraph 85 of this report). The Steering Group consider that those amendments adequately address the concerns of Colney Heath Parish Council.

**Question 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?**

#### 2.0 – Representations to the Reg 16 Submission Neighbourhood Plan – Introductory Text

77. Harpenden Neighbourhood Plan Steering Group is aware that the current adopted Development Plan is significantly out of date. However, it is necessary to show regard to it as it is the current Development Plan and the NPPF requires policies to be in general conformity with its strategic policies. The Neighbourhood Plan Steering Group considers that the draft Neighbourhood Plan also has a good deal of regard for the emerging Local Plan and is more closely aligned with that document. It is also written in such a way that is reactive to the future adoption of the emerging Local Plan.

#### 2.0 – Representations to the Reg 16 Submission Neighbourhood Plan – Policy SS1 (The Spatial Strategy) and SS2 (Infrastructure Zones)

78. The Neighbourhood Plan Steering Group notes the disappointment that the Neighbourhood Plan does not seek to allocate Green Belt land for development. But the Steering Group is of the considered view that there was a clear rationale for this approach in the context of the NPPF (at the time of submission) and that seeking to do so could potentially have been regarded as a un-robust approach in the event that the emerging Local Plan, which would need to release the land from the Green Belt, was delayed or abandoned as with the previous abandonment. The Steering Group also reiterates that there is no basic condition requirement for Neighbourhood Plans to meet development needs in full (or at all) through allocations, provided they do not seek to block the Local Plan from doing so.
79. Please note that at the time of submission the draft revised NPPF was not adopted. Therefore, at that moment in time there was no mechanism for Neighbourhood Plans to release Green

Belt land. Given the severe lack of development management policies covering the area and the emerging allocation of Broad Locations in the emerging St Albans Local Plan, which has an ambitious timeframe, the Steering Group considered it more useful to proceed with submitting a Neighbourhood Plan, rather than wait until the 2018 NPPF comes into force for plan making purposes in January 2019. The Neighbourhood Plan sets a clear framework for the design of sites and once adopted it will be used when considering the masterplan for the site in question in the event it is allocated.

## 2.0 – Representations to the Reg 16 Submission Neighbourhood Plan – Policy ESD1 (Design Strategy)

80. The Steering Group appreciates the response in relation to the responsibility and phasing of the Design Brief and as a result would support the amendments to the paragraph set out below.

For major developments in the Neighbourhood Plan Area, a Design Brief must be **prepared and submitted in support of the planning application**. ~~produced for the whole site, setting out the principles for development prior to the submission of a planning application.~~ The Design Brief should demonstrate consideration of the following **matters** (where applicable) in addition to the requirements of the other policies of this **the Development Plan Neighbourhood Plan**:

## 2.0 – Representations to the Reg 16 Submission Neighbourhood Plan – Policy H5 (Higher Density Development)

81. The Steering Group identify no need to amend the Policy in light of the concerns expressed, as there is an allowance for 'exceptional circumstances'. To this end it is considered to be sufficiently flexible and meets the Basic Conditions. However, we suggest that an additional line of text could be added to 7.13 to cover the situation these comments describe:

Harpenden is predominantly a low-rise town with only a small number of properties over three storeys in height and most areas limited to two storeys in height. Exceptional circumstances will exist where it can be robustly demonstrated that no harm will arise to the character of the surrounding area or amenity of neighbouring occupiers **or, in the event harm would be evident, that the public benefit of the development clearly outweighs the level of harm.**

**Question 10. The representations on behalf of CEG (HTNP13) suggest amendments to Policies ESD1, ESD15 and T2. Are the suggested amendments appropriate?**

## Policy ESD1 – Design Strategy - Introduction

82. The Steering Group has previously addressed concerns in relation to the term visually appealing in response to Legal and General Capital (see Paragraph 11). As noted there, it considers that it does meet the Basic Conditions, but would support amended words to state "visually attractive" instead, as this exactly repeats the wording in the NPPF.

All developments must be visually appealing **attractive**, designed to a high quality; maintain or enhance the character of the area and support Harpenden as a low carbon place to live and work.

#### Policy ESD11 – Design Strategy – Criteria v

83. The Steering Group consider this comment as similar to the comment made by Legal and General Capital, which we suggested amended wording in response to (see Paragraph 12). No further amendments are proposed.

~~V. Protection against the loss of or significant harm to ecological or landscape value without appropriate mitigation that outweighs the loss or harm~~

**V. Protection against the loss of or significant harm to ecological or landscape value or, in the event of loss or significant harm, the provision of appropriate mitigation to address the loss or harm. If the Local Planning Authority deems that appropriate mitigation cannot be achieved, compensatory measures may be acceptable in addition to (not instead of) the maximum achievable mitigation.**

#### Policy ESD15 – Sustainability and Energy Efficiency

84. The Steering Group has proposed the deletion of the subject sentence in response to Legal and General Capital (see Paragraph 12) and does not consider that any further change in approach is required in response to the comment from CEG.

All development must support the objectives of making the Neighbourhood Plan Area a low carbon area, supporting sustainable living, sustainable working and sustainable leisure and mitigating the impacts of climate change. Developments should be designed to minimise energy consumption including through the use of sustainable materials, high-energy efficiency levels, the incorporation of renewable energy initiatives and the efficient design of the building.  
~~Developments should aim to be carbon neutral.~~

#### Policy T2 "Proposals Affecting the A1081, B653 and B652"

85. The Neighbourhood Plan Steering Groups appreciates the requests put forward by CEG and is willing to accept the amendments suggested, with minor alterations to reduce repetition and to ensure a key intention of this Policy, which was to ensure new/alterd junctions are designed with the need to minimise interruptions to traffic flow, is incorporated. For this reason, it is suggested that the Policy is rewritten as set out below.

~~Proposals that provide for direct access or indirect access (such as via a side street) onto to the A1081, B653 (Lower Luton Road), B652 (Station Road) or Redbourn Road that would cause a significant increase in traffic on those roads will be required to make provision for, and contribute to, appropriate highways improvement measures to ease traffic congestion on those roads. Applicants must demonstrate that measures are incorporated that will ensure the proposals do not~~

~~cause additional congestion on those roads or, in the case of the A1081 and its nearby streets, increase parking stress.~~

**Proposals that may result in a material increase in traffic on the A1081, B653 (Lower Luton Road), B652 (Station Road) or Redbourn Road (as demonstrated by a Transport Assessment) will be required to make provision for, and contribute to, appropriate highways improvement measures to ease traffic congestion on those roads, including in relation to traffic flow and on-street parking pressure. Where creation or alteration of a junction on one of these roads is proposed, evidence must be provided that demonstrates how the proposed junction would minimise disruption to traffic flow.**

**Question 11. What is the response to the various points raised by Hertfordshire County Council (HTNP14)?**

Highways comments – Paragraph 5.12 (which supports Policy ER6)

86. The Steering Group note the comments made and suggest the following amendments could make the Policy more compliant with the approach set out by Hertfordshire County Council.

New convenience shop proposals in local centres must demonstrate adequate servicing arrangements and **be supported by a limited amount** of on-site parking. Appropriate proposals to improve servicing ~~and increase parking~~ at convenience shops in Local Centres will be supported.

Highways comments – Policy T2 “Proposals Affecting the A1081, B653 and B652”

87. The Steering Group notes and agrees with the point made by Hertfordshire County Council in relation to this Policy. However, it is considered that Policy T3 adequately addresses these points raised by HCC and that the points do not necessarily relate to the specific purpose of Policy T2, which is about highway traffic. It is considered that there is no need to update the Policy in light of the comments received (noting the Policy has been substantially rewritten in response to other consultation responses).

Highways comments – Policy T8 “Bus Stop Layouts”

88. The Steering Group recognises the expertise HCC has in relation to this matter and would support an amendment to the Policy to delete reference to laybys and reference guidance prepared by HCC, as set out below.

In order to improve traffic flow and reduce congestion, proposals for significant residential development must provide appropriate road layout changes to ensure bus stops on main routes where appropriate, **are proposed in a way that seeks** ~~provide off the main highway (in a layby)~~ to ensure traffic flow is not impeded, **in accordance with guidance from Hertfordshire County Council.**

#### Policy T10 – Parking in Harpenden Town Centre

89. The Steering Group do not see a need to amend the Policy in light of the comments made. The Neighbourhood Plan provides much support for a transition towards alternative transport methods, but it cannot overlook the fact that the lack of parking in the town centre is a major concern for local people and results in issues such as congestion and idling, which have a negative impact on the local environment. A significant modal shift away from cars will take a considerable amount of time to come to fruition, and could depend on the success of emerging transport options such as electric and autonomous vehicles. Preparation of a strategy would take a significant amount of time and there is no guarantee that its delivery would increase capacity. Whereas, it is clear that adding a second tier onto surface car parks would increase capacity significantly. This Policy has significant community backing and the Steering Group considers it to be realistic and appropriate.

#### Landscape comments

90. We note the disappointment of the Department that their detailed suggestions were not included. However, these matters were not raised as priorities of local people during the consultation processes and there is no Basic Condition requirement to include those points (which are discussed in the Engagement Statement). The County Council may seek St Albans City and District Council's support for the inclusion of these policies in its emerging Local Plan.

#### Minerals and Waste comments

91. These comments are noted, but no change to the policies is proposed.

#### Transport comments – Policy SS2 – Infrastructure Zones

92. The Steering Group note the comments but considers that the Plan adequately addresses these points elsewhere and therefore no update is proposed.

#### Transport comments – Objective ERO4

93. This is not a Policy and therefore it is able to be broader in its nature. The Steering Group does not propose any amendments.

#### Transport comments – Paragraph 5.12

94. This is already addressed in response to the Highways comments.

#### Transport comments – Objective TMO1

95. The deletion of the word 'community' is proposed to address this concern.

TMO1: Create an environment that promotes walking, cycling and ~~community~~ public transport as first choice modes for all residents and ensure that the services supporting these modes are in place, from high quality safe routes to reliable and sustainable transport services.

Transport comments – Policy SI10 “Visitor Accommodation including Hotels”

96. The addition of the following wording in support of HCCs comment would be supported.

Proposals for new visitor accommodation, including hotels, are encouraged in appropriate locations that are in close proximity to Town and Local Centres. **In addition, Applicants must ensure that the hotel is accessible to the Town/Local Centre it is in close proximity to by foot, cycle (with sufficient parking provided) and preferably public transport.**

Transport comments – Objective TMO5

97. Sufficient rail capacity does not necessarily relate to land use planning and is of a strategic scale that does not naturally fit within a Neighbourhood Plan.

Transport comments – Policy T3

98. The Policy is written in a way that has regard to the NPPF. The Steering Group does not see a need to amend the Policy wording.

Transport comments – Policy T4

99. The relevant Local Planning Authority would agree the implementation of a Travel Plan, as the determining authority for planning applications (in this case it could be St Albans City and District Council or Hertfordshire County Council depending on the applicant). The suggestion appears to be too prescriptive.

Transport comments – Policy T5

100. The ‘supported by local people’ wording has been suggested for removal elsewhere in this document.

Transport Comments – Policy T9

101. The Steering Group notes the comment, but identifies no need to update the Policy in order to comply with Basic Conditions.

Transport Comments – Policy T10

102. This comment is addressed in response to the Highways Comments.

**Question 12. Policy SS2: Where an applicant is required to demonstrate sufficient / appropriate open space / recreational space / public open space, what standard is envisaged?**

103. The Neighbourhood Plan Steering Group appreciates that the availability of open/recreational space varies spatially and will change over time. Therefore, this aspect of the Policy has been prepared to be flexible to available evidence, noting that St Albans District Council will be the determining authority for applications and any party, including Harpenden Town Council. The intention is that, in the event there is a clear deficiency in a certain area, the applicant would address that deficiency in their proposals. The Steering Group see this as acceptable given this requirement only applies to significant proposals.

**Question 13. Policy SS2: What happens where there would be a deficiency of convenience shopping?**

104. The applicant would need to ensure their proposals address that deficiency. The Neighbourhood Plan Steering Group see this as acceptable given this requirement only applies to significant proposals and there would be a demonstrable demand for a convenience shop, which would imply that the unit would be marketable.

**Question 14. Policy SS2: What other routes are to be taken as key routes?**

105. Noting the question, we see that this wording is unclear. We would support the amendment set out below, which we hope would clarify matters.

Demonstrate how impact on ~~key routes such as~~ Southdown Road, Grove Road, Wheathampstead Road and Piggotshill Lane will be mitigated

**Question 15. Policy ER5 – “90% of shopfronts”: Is this a reference to the number of shopfronts or to their length?**

106. To clarify this point, the Steering Group would support the addition of this wording as set out below.

In the Secondary Shopping Areas, as identified at Figure 5.2, at least 50% of shopfronts (by length) should remain in Use Class A1 and 90% **(by length)** of shopfronts should remain in A-Class use.



**Question 16. Policy ER8 – “Major retail and employment proposals”: Does this mean proposals that fall within the definition of major development in the Glossary?**

107. Yes, that also happen to be in employment use. We will support a reword to the Policy as set out below (collated with amendments suggested in response to RS, see paragraph 33).

~~Major retail and employment proposals~~ **Applicants of major development proposals including either retail or employment use must submit evidence which demonstrates that:**

- sufficient infrastructure is in place to meet an increase in demand arising from the development;

**- how facilities are adaptable to future occupiers, including where relevant the ability to subdivide offices;** and

- utilise latest technologies wherever possible, **with regard to deliveries, lighting, security and noise emissions.**

**Question 17. 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?**

108. The Steering Group recognises that this wording would benefit from further clarification. Therefore we suggest the inclusion of the wording below, which could comprise a footnote if preferred.

A proportionate assessment of views to and from the proposed development and key views of townscape, including how views of landmark and gateway buildings, and important landscape features will be retained or enhanced. Visual impact should be minimised through the design of the site layout, buildings and landscape **(note: the Council may, at its discretion, request consideration of views not addressed in the document during determination of the planning application. For this reason pre-application engagement on this matter is advised).**

**Question 18. Policy ESD1: What is the water efficiency standard?**

109. The text below is proposed to clarify exactly what the standard is.

How the water efficiency standard for housing, **as set out in Policy ESD19,** has been applied.

**Question 19. Policy ESD2 – Is it structures, parks and gardens of some particular significance (what?) that need to be assessed?**

110. The policy treats these features equally to buildings. Part ii relates to statutory listed structures, parks and gardens, while part iv relates to undesignated structures, parks and

gardens, such as those determined by St Albans City and District Council to warrant local listing.

**Question 20. 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?**

111. The intention is that undesignated heritage assets would be identified by St Albans City and District Council or Harpenden Town Council. Updated text to clarify this is suggested below.

Where development affects an undesignated heritage asset **identified in a planning guidance document prepared by St Albans City and District Council or Harpenden Town Council**, such as a locally listed building, structure, park or garden or an alternative undesignated heritage asset outside of the Conservation Area, a proportionate assessment of impact should be provided by the applicant, in order to assist an assessment of the benefits of the scheme against its heritage impact. Proposals that would result in a negative impact to an undesignated heritage asset without an adequate public benefit would not be supported.

**Question 21. Policy ESD9: How is it intended that applicants will identify attractive green spaces and important townscape features, such as landmark and gateway buildings?**

112. The Steering Group suggests that in undertaking the analysis required by this Policy, the applicant would be able to identify what should be considered attractive green spaces and important townscape features. The Policy is putting the onus of the Applicant to achieve this, rather than to be prescriptive and therefore inflexible to change. However, if the Examiner preferred the Neighbourhood Plan to specify these features then some updated text could be provided.

**Question 22. Para 6.21: Should any of the provisions in the paragraph be incorporated within Policy ESD13?**

113. The Steering Group agrees that aspects of 6.21 could be included in the Policy, as set out below.

**ESD13 – Biodiversity**

The protection and enhancement of urban and rural biodiversity will be supported. **Sites should be rigorously assessed for species present on-site and proposals should not cause harm to the habitats of protected species without appropriate mitigation.**

Efforts to enhance biodiversity, such as through the creation of new habitats, the enhancement of existing sites and the development and implementation of ecological management plans will be

supported, particularly where these can be conveniently and viably provided as an alternative to a feature that has less biodiversity value. Green roofs and walls will be encouraged where appropriate.

Design and landscaping of proposed developments should be formed in the context of biodiversity conservation. Major developments should incorporate design features which support local wildlife such as incorporating swift bricks and swift or bat boxes in developments.

6.21 The Neighbourhood Plan seeks to encourage development that has the least possible negative impact on biodiversity. ~~Sites should be rigorously assessed for species present on-site and design features that enhance biodiversity should be prioritised, particularly where these can be conveniently and cheaply provided as an alternative to a feature that has less biodiversity value.~~

**Question 23. Policy ESD16: What constitutes “relevant Historic England Guidance”?**

114. The Steering Group proposes the addition of the reference below to clarify this matter.

Carbon neutral developments would be welcome and the requirements of ESD15 do not apply to designated heritage assets should the applicant robustly demonstrate that meeting the requirements would have a negative impact on the heritage asset in accordance with relevant Historic England Guidance (‘Energy Efficiency and Historic Buildings - Application of Part L of the Building Regulations to historic and traditionally constructed buildings’ or a successor document).

**Question 24. Policy H7 – 10% of homes to be built to wheelchair adaptable standards: How has this percentage provision been chosen?**

115. The figure is based on available best practice guidance, including Lifetime Homes and the London Plan. Through requiring homes to be adaptable, rather than adapted, it is future-proofing housing stock to a potential growth in wheelchair users, while not affecting the marketability of existing dwellings. It is worth noting Building Regulations Approved Document M, which suggests the introduction of standards in relation to wheelchair accessibility.

**Question 25. Policy H9: Is there any standard of provision for private outdoor space?**

116. The Policy has not set a minimum standard, but the inclusion of the word appropriate allows a degree of interpretation from professional Planning Officers, taking into account site specific considerations. Should the Examiner consider it to be a more robust approach, the Policy could include a minimum standard such as 5sqm. However, this is not suggested at this moment in time.

**Question 26. Policy SI1: What is meant by “accessible school places”?**

117. The Steering Group proposes the updated wording below to clarify the intention of the Policy. This does not simply relate to transport accessibility, the Policy reflects the recent history in Harpenden whereby schools (first primary, subsequently secondary) have been oversubscribed with local children unable to get into schools within a close distance of their home. For primary, this is particularly relevant as it does not assist with community building at a neighbourhood level.

Proposals to address any shortfall of ~~accessible~~ school places within Harpenden **that are accessible to local people** through temporary or permanent expansion of existing schools will be supported. Where expansion is not feasible or appropriate, we would support appropriate proposals for:

- a) New secondary schools where required to support additional and existing residents to send their children to school within the Neighbourhood Plan Area;
- b) New primary schools where required to support additional and existing residents to send their children to school within the Neighbourhood Plan Area; and
- c) Pre-school and/or early years' places to support additional and existing residents to send their children to school within the Neighbourhood Plan Area.

Proposals for new schools must demonstrate that the chosen site is sustainably located in the context of its expected pupil intake, in order to minimise any traffic impact. Proposals must incorporate travel plans that encourage a reduction in the use of private cars for school journeys.

**Question 27. Policy SI2: Is it the intention that any replacement community facilities should be within the designated neighbourhood area.**

118. Yes. The Policy could be updated as shown below to reflect this.

Development proposals that would lead to the loss of buildings or facilities used, or last used, for community uses<sup>1</sup>, will not be granted planning permission unless the use is suitably re-provided elsewhere **in the Neighbourhood Plan Area** or it can be clearly demonstrated that the building or facility is no longer required.

<sup>1</sup> Including dental practices, doctors surgeries, medical centres, faith buildings, public halls, nurseries, schools, indoor and outdoor sports facilities, Public Houses, Post Offices, hospitals, town halls/parish offices, children's and family centres, public open spaces, allotments/community orchards

**Question 28. Policy SI3 – latest design guidance set by the relevant regulatory authority: What is this and where is it to be found?**

119. On review, the Steering Group does not consider this wording to add any value to the Policy and suggests its deletion to the Examiner.

Subject to compliance with other policies in this Neighbourhood Plan, the enhancement of existing and development of new community uses, including faith buildings, community halls and school dual use facilities is supported ~~providing that they comply with the latest design guidance set by the relevant regulatory authority.~~

**Question 29. Policy SI3: What is to happen if the assessment under a) and b) shows that no facilities are to be made available?**

120. The intention is that this is not acceptable and therefore the Steering Group propose to add the following wording to the Policy:

Any planning application proposal involving the creation of a new school must:

- a) Set out how, and to what extent, the facilities will be made available for sports and arts community use; and
- b) Set out how, and to what extent, the facilities will be made available to providers of adult health and wellbeing activities.

**Proposals that make no facilities available for community use will not be supported unless it is clearly proven that doing so could result in harm to the function of the school.**

**Question 30. Policy SI7 – on-site provision where preferred by the health authorities: What is the planning justification for this requirement?**

121. Health authorities on occasion prefer the expansion of existing facilities rather than new facilities. Therefore, the Policy did not want to set an expectation not preferred by the health authorities. The amendment proposed below may express this point with more clarity.

New major residential developments should make appropriate funding towards GP provision where pressure on services is increased. Applicants should engage with the relevant health authorities at the earliest possible stage to agree the increase in capacity required to facilitate the proposed development. Developers of significant residential developments, should include on-site provision ~~if preferred by the health authorities~~ **unless relevant health authorities express a preference for contribution to another facility within the Neighbourhood Plan area.**

**Question 31. Should the Policy include a provision seeking to secure the implementation of any necessary upgrade works?**

122. The Steering Group appreciate this suggestion and propose the additional wording shown below.

Major development proposals should be supported by robust evidence of capacity within the existing utilities network (for water, sewage, electricity, gas and broadband) to accommodate the proposed development without a negative impact on existing residents and users. This should be in the form of confirmation from the relevant authority. Where providers are unable to provide such confirmation, applicants must provide impact studies of the extent, cost and timescale for any required upgrade works **and a commitment to work with relevant parties to secure those upgrade works.**

**Question 32. What is meant by “areas of established traffic congestion”? How are they to be identified?**

123. The Policy expects Transport Assessments to ascertain this, through the use of surveys to gather data on traffic flows and parking demand. We see that this is useful so do not propose an amendment, however, the Examiner may conclude that the first sentence of the Policy adequately covers the requirement set by this Policy.

**Question 33. Is the support of local people necessarily a valid requirement in the determination of proposals?**

124. No, we suggest that wording is removed as ‘liaison with’ addresses a reasonable amount of community engagement, which is key to major transport improvement programmes.

On main routes and alongside new development, new road layouts that reduce congestion thus also reduce pollution levels will be supported, provided it is demonstrated that proposals are developed in accordance with the relevant aspect of the Hertfordshire Design Guide and in liaison with ~~and supported by~~ local people. Road layouts should also take into account the needs of cyclists.

**Question 34. Glossary – Green Belt: Is it correct to describe the Green Belt as a landscape designation?**

125. No, this is a typo, it should say land use:

The Green Belt is a ~~landscape~~ **land use** designation intended to prevent the unrestricted sprawl of settlements. In the case of the Green Belt around Harpenden, it was initially laid to prevent the sprawl of London by restricting the growth of settlements within the buffer (including Harpenden). The National Planning Policy Framework gives the Green Belt the utmost protection from development.

# APPENDIX A - Harpenden Neighbourhood Plan – Proposed modifications following Examiner Clarification Requests

08 August 2018

## FOREWORD

This Neighbourhood Plan is prepared by local residents for local residents, so to have your support is critical.

We exist in challenging times. There is a pressing need for new housing nationally but the infrastructure required to mitigate its impact on existing residents is hard to come by. The Green Belt, which has been protected closely since its creation, is now under intense pressure in the context of the need for new housing. When those homes – or indeed other types of development – are built, they are often seen by local people to be in the wrong place, unaffordable, poorly designed and not supported by appropriate infrastructure.

There are examples recently of where local residents in Harpenden have campaigned against a development only to see it be granted planning permission, sometimes through an appeal to the Planning Inspectorate overturning a refusal by St Albans City and District Council.

There are no signs of this cycle coming to an end soon, with St Albans City and District Council deemed to have not cooperated with other local planning authorities during the preparation of its Local Plan, it has had to start that process again and is now looking at a much higher government advised housing target of around 15,500 new homes in the District to 2036. Until it adopts a new Local Plan that allocates sites to meet that need – currently estimated for 2019 – we are at risk of “speculative” planning applications from developers taking advantage of the lack of a strategy, some of which may seek to deliver a very large number of homes.

This Neighbourhood Plan cannot provide the strategy alone, but the policies contained in the document will be vital to ensure new development in our area is appropriate to the needs of our community. In this Neighbourhood Plan, we are seeking to ensure that important employment land is protected and not lost to housing, the design of new buildings is both sustainable and attractive, shopping areas are vibrant and functional, travel is easier and more environmentally friendly and that housing is targeted as much as possible to urban and brownfield land rather than our precious Green Belt. In time, the Neighbourhood Plan will work with a Local Plan to provide a comprehensive Development Plan for the area.

There has never been a more important time to have a powerful strategy for the development of Harpenden, which this Neighbourhood Plan is seeking to provide.

## 1. INTRODUCTION

**Why has this Neighbourhood Plan been created?**

- 1.1 This Neighbourhood Plan has been created to ensure residents of Harpenden have some control over what developments take place in our area over the next 15 years. We recognise the importance of Neighbourhood Planning and the need to have an up-to-date planning policy framework. The policies in the Neighbourhood Plan seek to ensure that new development over the next 15 years is of benefit to Harpenden and its surroundings.
- 1.2 As the Neighbourhood Plan is a formal planning policy document, some of it, especially later on, is written in technical language. We cannot avoid that, and apologise if it makes it harder to read in places. Certain terms used in the text are defined in the Glossary at the back of this report. These are either statutory planning terms, such as 'Use Classes', or important terms defined in this Plan, such as 'significant developments'.

### **What is a Neighbourhood Plan?**

- 1.3 A Neighbourhood Plan is a statutory planning policy document, against which applications for planning permission within its boundaries must be considered. A Neighbourhood Plan sets out a framework for development at a local scale, allowing local people to determine what type of development they would like to see in their neighbourhood and identify locations where growth should be accommodated.
- 1.4 Neighbourhood Plans form part of the Development Plan against which applications for planning permission are judged, sitting alongside Development Plan Documents prepared by St Albans City and District Council. The current Development Plan is composed of the saved policies of the 1994 St Albans District Local Plan Review and Minerals and Waste Local Plans prepared by Hertfordshire County Council. In order to pass examination, the Harpenden Neighbourhood Plan must be in general conformity with the saved strategic policies of the District Local Plan Review. It must also have regard to national planning policy and guidance, uphold the principles of sustainable development and conform to a number of EU Directives. The policies in this Neighbourhood Plan are based on robust evidence.
- 1.5 The Harpenden Neighbourhood Plan is prepared in accordance with the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012. The Harpenden Neighbourhood Plan Area, encompassing Harpenden Town and Rural Parishes, was formally designated by St Albans City and District Council on 17th March 2016. The Neighbourhood Plan has a start date of 2018 and will run for 15 years to 2033.
- 1.6 A Neighbourhood Plan can include policies that guide development on a range of matters and may also identify certain sites for new development. Although a Neighbourhood Plan's strength lies in its planning policies, it can also operate as an informal community strategy, setting out the ambitions of a town over its next 15 years through its Vision and Objectives.
- 1.7 Neighbourhood Planning was introduced by the Localism Act, which came into force in 2011. Since its introduction over 200 Neighbourhood Plans have been adopted. The Government has regularly strengthened the role of Neighbourhood Plans since 2011 and, as a result, Neighbourhood Plans have become a key component of the planning policy framework.



### **What area does this Neighbourhood Plan cover?**

1.8 This Neighbourhood Plan covers Harpenden Town Parish and Harpenden Rural Parish (see Figure 1.2). It comprises approximately 22 square kilometres (8.5 square miles) and is home to around 30,000 people (at the time of the 2011 Census), almost all of whom reside in Harpenden Town Parish.

### **Who has created the Harpenden Neighbourhood Plan?**

1.9 The preparation of the Harpenden Neighbourhood Plan is coordinated by Harpenden Town Council and is overseen by a Steering Group made up of representatives from Harpenden Town Council, Harpenden Rural Parish Council and the local community. Five Themed Working Groups composed of community representatives initially developed the Vision, Objectives and Policies of the Neighbourhood Plan. In addition, the Neighbourhood Plan has benefited from Harpenden Town Council staff support and professional support from Nexus Planning.

### **How has the community been engaged?**

1.10 In addition to being developed by community representatives, the Neighbourhood Plan has gone through an extensive community engagement process. The Steering Group has conducted three major rounds of engagement:

1. Engagement 1: Key Issues (March-April 2017 for six weeks) – this round of engagement was conducted at the outset of the process and asked local people what they liked and disliked about Harpenden through testing a range of key issues. A paper survey was distributed to each household in the Neighbourhood Plan Area, which was also made available online. Three engagement events were held, where local residents were given an opportunity to discuss the Neighbourhood Plan with the Steering Group and staff. Around 150 people attended these events. In total, 2,162 individual responses were collected to the Survey. The results of the Engagement exercise informed the draft Vision and Objectives, which were then presented at Engagement 2.
2. Engagement 2: Vision and Objectives (June – July 2017 for six weeks) – this round of engagement tested the Vision and Objectives and some initial Policy Ideas for the Neighbourhood Plan, which were prepared by Themed Working Groups. As with Engagement 1, a paper survey was distributed to each household in the Neighbourhood Plan Area, which was also made available online. Four engagement events were held, where local people were given an opportunity to discuss the Neighbourhood Plan with the Steering Group and staff. Around 300 people attended these events. In total, 1,305 individual responses were received. The responses showed general support for the Vision and Objectives of the Neighbourhood Plan, with each proposal receiving at least 67% support and most receiving over 80% support. The results of the Engagement exercise informed the draft Neighbourhood Plan presented today.

3. Engagement 3: Regulation 14 Draft Neighbourhood Plan (25 October 2017 – 6 December 2017) – A full draft of the Harpenden Neighbourhood Plan was released along with a number of supporting documents. The six week formal engagement was carried out in accordance with the Neighbourhood Planning Regulations (2012). Residents were asked for their views on the Plan as a whole, with a particular focus on policies. In total six public events were held, which were well attended with around 330 people in total (250 at drop-in events and 80 at presentations). 158 responses to the detailed survey were received plus a number of representations received via email. Most policies received between 70-90% support. The least supported policy received 61% support. The Neighbourhood Plan has been adjusted in line with the Engagement 3 responses.

1.11 The surveys, event display boards and detailed Engagement Reports (published following each round of engagement) are attached at Supporting Document C.

1.12 In addition, Steering Group Meeting notes are included at Supporting Document D. These include details of how feedback at engagement has shaped the Neighbourhood Plan.

#### **What happens next?**

1.13 Figure 1.2 shows the work done to date on the Neighbourhood Plan and the work left to do. The diagram highlights future opportunities for community engagement, including this current formal Statutory Consultation (Regulation 14), which is supported by engagement events and a survey. The response to this Statutory Consultation will most likely result in some minor modifications to the Neighbourhood Plan before it is submitted to St Albans City and District Council, which will check its content before submitting it for Examination. Finally the Neighbourhood Plan will go to a referendum of local residents. Ultimately, it is success at the referendum that makes this a statutory planning policy document, sending a strong message from the people of Harpenden of what type of development we expect to see in our town

#### **How to read this Neighbourhood Plan**

1.14 This Neighbourhood Plan is broken down into a number of chapters related around Key Themes, which are:

- Employment & Retail
- Environment and Sustainable Design
- Housing
- Social Infrastructure and Community Facilities
- Transport and Movement

1.15 These chapters include Vision, Objectives and Policies for each key theme as well as supporting diagrams. In addition to the diagrams within each chapter, this Neighbourhood Plan is supported by a Proposals Map (Supporting Document B), which includes all land designations relevant to the policies of the Neighbourhood Plan, such as designated sites for housing or employment.

1.16 Prior to the themed chapters is a section setting out the overall Vision and Spatial Strategy.

## **2. A Portrait of Harpenden**

### **Local Context**

2.1 The Harpenden Neighbourhood Plan area is within Hertfordshire and St Albans District. It is a town built around a small historic core, with much of its growth within the 20th Century. Harpenden Rural is primarily farmland, interspersed by the occasional farmhouse, or cluster of homes.

2.2 Harpenden is in close proximity to a number of towns, including St Albans, Hitchin, Luton, Welwyn Garden City, Hatfield and Hemel Hempstead. It also retains close links with London.

2.3 The town is well-connected, with regular and fast Thameslink trains to a number of central London stations as well as Luton Airport Parkway. It has close road links to the M1 and the A1(M). The A1081 runs through the centre of Harpenden and connects it to St Albans (south) and Luton (north). Luton Airport is around 7 miles from Harpenden and is connected via the Lower Luton Road (B653), which runs through Batford to the east of Harpenden.

2.4 There is a mixture of housing styles in Harpenden, although most housing is low-rise, 20th Century and detached or semi-detached.

2.5 Despite its growth over the 20th Century and emergence as a medium sized town, Harpenden retains a strong sense of community, which is cherished by residents. This is evident in the town centre's retail offer in the fact that residents feel safe in its tight knit community. Its rural connections enhance Harpenden's character, with Harpenden Common bisecting the town through to its centre and forming a clear link with the countryside.

2.6 Most undeveloped land in the Neighbourhood Plan Area is within the Metropolitan Green Belt.

2.7 The town is notable for its wide range of community assets, including a number of high quality sports and leisure facilities and primary and secondary schools, many of which serve a wider catchment than just the Neighbourhood Plan Area.

2.8 The features of Harpenden have led to it becoming a highly desirable place to live, often for people working in London and nearby towns. This is reflected in high property prices. Despite this, it is not solely a commuter town and benefits from some key employment locations, most notably Rothamsted Research as well as Southdown Industrial Estate, Coldharbour Lane, Batford Mill and some small offices in the town centre.

### **Historical Development of Harpenden**

2.9 Harpenden has existed as a settlement in some form for a considerable amount of time, with historic evidence of the area containing a small satellite settlement to Verulamium, a major Roman city at the site of present day St Albans. However, Harpenden remained a village until the late nineteenth century, at which point it rapidly expanded to become a town.

2.10 Many of the Listed Buildings in the Neighbourhood Plan Area predate the era of rapid development. Most notable of these is Rothamsted Manor (Grade I Listed), which was mostly constructed in the 16th and 17th Centuries. Other Listed Buildings in the area include a number of historic farmhouses (Cross, Faulkners End, Harpendenbury) and a number of buildings in the centres of Harpenden and Kinsbourne Green as well as occasional buildings elsewhere in the Neighbourhood Plan Area.

2.11 Outside the centres of Harpenden, Kinsbourne Green and the historic farmhouses, most development in the Neighbourhood Plan Area is from the 1890s onwards, from which point Harpenden started to establish its role as an affluent satellite town of London. Most housing in the town was built between that period and the 1950s, generally comprising large, ornately detailed housing in a style relevant to the period, including Victorian, Edwardian, 1930s and post-war styles. The Harpenden Conservation Area encompasses a large area including much of the more historic residential areas of Harpenden (mostly pre-war). It is one of the largest Conservation Areas in the country.

### **Town Profile**

2.12 The preparation of this Neighbourhood Plan was supported at the outset by a Baseline Report, prepared by Nexus Planning which analysed demographic data, evidence studies and other sources of information to build a profile of the Neighbourhood Plan Area. Some of the noteworthy 'headlines' of the Baseline Report (Supporting Document E), which is available on the Harpenden Town Council Website, include:

- The Neighbourhood Plan Area population grew rapidly from around 7,000 residents in 1921 to around 27,500 residents in 1981. Since then, population growth has slowed to a figure of just below 30,000 in 2011 (at the time of the most recent Census). The proportion of the population in Harpenden Rural is low, with 405 residents in 2011.
- The Harpenden population is generally well-educated and affluent, with low levels of deprivation across the town.
- In terms of age, the population is relatively balanced, however, the proportion of the population in the 18-29 age group is low compared to national figures. In addition, the proportion of residents over the age of 60 grew significantly from 2001 to 2011.

- The number of residents working in managerial or professional roles is much higher than the national average. A small number of residents work in low-skill roles.
- A significant number of Harpenden residents work in a range of nearby towns or commute to London. Few residents work in Harpenden, with the exception of those working from home (around 7% of the population). Therefore, the majority of people working in Harpenden do not reside in the town.
- The most common method of travel to work in Harpenden is by car, with around 7,300 residents commuting using this method.
- The second most significant method is train (around 3,700). Other methods such as on foot, cycling and bus are less frequently used.
- Housing stock in the Neighbourhood Plan Area is mostly detached and semi-detached housing, with fewer terraces and flatted developments.
- Harpenden town centre is the primary retail and services centre in the Neighbourhood Plan Area. In addition, a reasonably large local centre exists in Southdown and smaller clusters are located in Batford, North Harpenden and Kinsbourne Green.

#### **Local Planning Issues**

2.13 The following planning-related issues are important to local people in Harpenden, as evidenced by discussions during engagement and local media:

- The redevelopment plans for the Harpenden Sports Centre, Swimming Pool and potential relocation of cultural facilities from the Harpenden Public Halls;
- A proposed new secondary school in East Harpenden;
- The future of NHS Services at the Harpenden Memorial Hospital (also known as The Red House);
- The potential allocation of land at “North West Harpenden” by St Albans City and District Council for circa 500 homes;
- The failure of the St Albans City and District Council’s Strategic Local Plan (SLP) to proceed to Examination, the implications for this on North West Harpenden and other policies in that Plan and the supporting Detailed Local Plan (DLP); and
- The proposed new St Albans Local Plan, which is expected to include a housing target of 14,400 new dwellings between 2018 and 2036, up from the proposed target of 8,720 new dwellings between 2011 and 2031 in the SLP. This could result in a need to look at other potential housing sites,.

Planning Policy Context

**Current Planning Policy Framework**

3.1 The Harpenden Neighbourhood Plan has regard to the current planning policy context at St Albans City and District Council, which it will sit alongside as a Development Plan Document. The current adopted Local Plan governing the area is the saved policies of the 1994 District Local Plan Review. While the 1994 District Local Plan Review contains some policies of relevance to the determination of planning applications, it does not cover all issues relevant to development in the Harpenden Neighbourhood Plan area. In addition, the saved policies respond to a 1994 context, which may not be of relevance to the key issues of today.

3.2 St Albans City and District Council was recently in the advanced stages of preparing a new Development Plan, which was to comprise of a Strategic Local Plan (SLP) and a Detailed Local Plan (DLP). The DLP would follow and complement the strategic policies set in the SLP. The initial approach to preparing the Harpenden Neighbourhood Plan was to seek to “fit” within that framework, adding local context to policies within those plans and filling any gaps as necessary. On 28th November 2016, the Inspector appointed to examine the SLP deemed that St Albans City and District Council had not fulfilled its legal Duty to Cooperate with neighbouring planning authorities in the preparation of the SLP. St Albans City and District Council commenced legal proceedings to challenge that decision, but was ultimately unsuccessful, with a High Court Judgement upholding the decision issued on 13th July 2017. At Planning Policy Committee on 12th September 2017 members resolved to prepare a new single Local Plan with a revised “base date” (i.e. start date for monitoring) of 2018, running to 2036. The new Local Plan is to be prepared in line with new national housing need assessment standards and is expected to seek to allocate a substantially higher amount of housing than the SLP, totalling around 14,500 homes at circa 800 per annum compared to 9,000 at 450 per annum in the SLP. The new Local Plan is targeted for adoption in 2019, however, this is a positive estimation and in reality it could take longer due to a range of influencing factors.

### **Response of the Harpenden Neighbourhood Plan**

3.3 In response to the change in policy context, the Harpenden Neighbourhood Plan has adapted its approach. It seeks to incorporate issues addressed in the SLP and the DLP where relevant to the Neighbourhood Plan Area, relating content to the local context. This strengthens the policy framework for Harpenden and seeks to ensure that the impact of the decision not to allow the SLP to proceed to Examination is lessened.

3.4 There are, however, limitations as to what may be achieved through the Harpenden Neighbourhood Plan at the time of submission. These limitations include:

- Release of land from the Green Belt. This can only be done through a review of the Green Belt boundaries by a local planning authority (i.e. St Albans City and District Council) in its Local Plan, as established by Paragraph 83 of the NPPF at the time of submission of the Neighbourhood Plan (2012 version). Therefore, this Neighbourhood Plan does not seek to allocate any sites in the Green Belt for new strategic housing, employment or other growth.
- Identification of targets for growth. Targets for growth in the SLP were based upon a suite of evidence base documents prepared for St Albans City and District Council, including housing market assessments and employment land need assessments. As the SLP did not proceed to

examination, the evidence used and the resulting targets were not tested for their accuracy. St Albans City and District Council is now considering new targets in its revised Local Plan. The Harpenden Neighbourhood Plan does not have the duty to prepare its own assessments of need for housing, employment land or other types of development and therefore seeks to provide an appropriate amount of growth, while seeking to protect the Green Belt and the character of Harpenden.

3.5 The Neighbourhood Plan identifies some growth opportunities on urban sites not in the Green Belt. It also establishes policies that will shape all development in the area, including in the Green Belt. This means any new development in the Green Belt approved at a higher level will be subject to the policies we agree as a community, helping to reduce impact. It does not mean that as a community we are supporting growth in the Green Belt.

## **Overall Vision and the Spatial Strategy**

### **Overall Vision**

*Harpenden has a strong sense of community that is treasured by local residents. The Neighbourhood Plan will provide the foundations for Harpenden to grow sustainably for the benefit of those that live and work here.*

*The town centre and our other important local centres will continue to meet local residents' needs, ensuring that local shopkeepers and other business owners can continue to trade in a prospering environment.*

*Harpenden is home to many important local businesses, as well as being considered a commuter town. The Neighbourhood Plan will promote Harpenden as an attractive place for businesses to locate and for people to work. Improvements to facilities in the town will be promoted, including provisions for small businesses and our growing number of home workers.*

*Harpenden has a vibrant voluntary sector that provides invaluable services across the local community. We have an active community that benefits from a number of popular sporting, recreation and community groups that contribute positively to the health and wellbeing of local people.*

*Where new housing is to be provided within Harpenden, the Neighbourhood Plan seeks to ensure the right mix of sizes in the right location, including developments that prioritise housing for residents through their life from first time buyers to older residents seeking to downsize. New developments that conserve and enhance the existing historic environment, including listed buildings and the Harpenden Conservation Area, will be supported and will continue the tradition of the high quality architecture seen throughout Harpenden and the Harpenden Rural Parish.*

*We will encourage the development of a sustainable transport network that will support the growth of the town. Investment in local schools, GP surgeries and other social infrastructure will accommodate new development to retain the quality of provision.*

*The natural environment is a key part of Harpenden and important green spaces and biodiversity within the town and across Harpenden Rural Parish will be protected. New development will incorporate highly sustainable design features.*

4.1 The Overall Vision captures the unique character of Harpenden while providing a future-facing and aspirational vision for the development of Harpenden over the next 15 years.

### **The Spatial Strategy**

4.2 The following policies outline the strategic approach to all development in the Harpenden Neighbourhood Plan Area. Almost all residents in the Neighbourhood Plan Area reside in Harpenden, which had a population of around 30,000 at the time of the 2011 Census. Land outside Harpenden is designated as part of the Green Belt and therefore has a small population with most land used for agriculture or recreation.

#### **SS1 – The Spatial Strategy**

**1. The Built up Area of Harpenden is the priority for new development in the Harpenden Neighbourhood Plan Area. The Built up Area Boundary of Harpenden is shown in Figure 4.1. In the event that St Albans City and District Council releases land in the Green Belt adjacent to the current Built up Area Boundary of Harpenden for residential development in a future Local Plan, that land is considered by this Policy to be within the Built up Area Boundary of Harpenden. Planning applications for new development proposals outside the Built up Area Boundary must either:**

- **Be an exception to inappropriate development in the Green Belt; or**
- **In the case of what would normally be deemed inappropriate development in the Green Belt, must demonstrate:**
  - **Very special circumstances for development in the Green Belt; and**
  - **Why the proposal cannot be located within the Built up Area Boundary of Harpenden.**

**2. Development proposals in Harpenden Town Centre, as shown on Figure 4.1 must have regard to the special characteristics of the town centre, in accordance with the policies of this Neighbourhood Plan.**

4.3 The Built up Area Boundary has been chosen to directly align with the Green Belt boundary around Harpenden. The Neighbourhood Plan supports the utmost protection of the Green Belt from inappropriate development and Policy SS1 seeks to ensure development is prioritised within Harpenden and outside the Green Belt. In addition, protecting the Green Belt by locating development within urban areas brings a number of advantages, including reducing the need to travel by car. This Policy is realistic to the likelihood of SADC releasing land from the Green Belt adjacent to Harpenden for housing delivery.



4.4 The requirements set out in Policy SS1 are consistent with the requirements of the National Planning Policy Framework. The National Planning Policy Framework defines exceptions to inappropriate development in the Green Belt (Paragraph [145 of the 2018 NPPF89](#)) and sets the need for development proposals considered inappropriate in the Green Belt to demonstrate very special circumstances (Paragraph [87143 of the 2018 NPPF](#)). Policy SS1 adds an additional requirement to demonstrate why a proposal for inappropriate development cannot be located within the Built up Area Boundary of Harpenden. In order to meet this criteria, development proposals must demonstrate that there are no suitable alternative sites within the Built up Area Boundary the can be used.

4.5 An issue that is frequently raised during community engagement is infrastructure, and in particular many residents want the Neighbourhood Plan to ensure enough infrastructure is provided alongside new development to mitigate impact on existing residents. In response, we have identified five Infrastructure Zones in Harpenden, which community consultation and our evidence base has shown have specific infrastructure requirements should any future development take place. Inclusion of Infrastructure Zones in the Neighbourhood Plan does not provide endorsement for new development proposals outside the Built Up Area Boundary of Harpenden, but it does provide some protection should these be approved.

#### **SS2 – Infrastructure Zones**

**The five Infrastructure Zones are shown in Figure 4.2. In order to mitigate the impact of new development, certain proposals in each zone must meet the following criteria as well as satisfying the policies of this Neighbourhood Plan.**

<p><b>Significant development proposals in the North West must:</b></p> <ul style="list-style-type: none"> <li>• <b>Demonstrate how impact of new development on the A1081 and local roads will be mitigated;</b></li> <li>• <b>Demonstrate provision for appropriate education facilities in close proximity to new development to meet the need for school places arising from the proposed development*;</b></li> </ul>	<p><b>Significant development proposals in the North East must:</b></p> <ul style="list-style-type: none"> <li>• <b>Demonstrate how impact of new development on the Lower Luton Road and Station Road will be mitigated;</b></li> <li>• <b>Incorporate a proportionate amount of public open space, preferably sports and recreational space*;</b></li> <li>• <b>Demonstrate provision for appropriate education facilities in close proximity to new development to meet the need for school places arising from the proposed development*;</b></li> </ul>
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<ul style="list-style-type: none"> <li>•Demonstrate sufficient convenience shopping within a close proximity to new development*; and</li> <li>•Demonstrate sufficient recreational space within a close proximity to new development*.</li> </ul>	<ul style="list-style-type: none"> <li>•Demonstrate sufficient convenience shopping within a close proximity to new development*; and</li> <li>•Demonstrate sufficient recreational space within a close proximity to new development*.</li> </ul>	
<p>Significant development proposals in the South West must:</p> <ul style="list-style-type: none"> <li>•Demonstrate how impact of new development on the A1081 and Redbourn Road will be mitigated;</li> <li>•Demonstrate how Harpenden Common will not be negatively impacted by new development, including key views in to and from the Common;</li> <li>•Demonstrate adequate convenience shopping provision in close proximity to new development*;</li> <li>•Demonstrate provision for appropriate education facilities in close proximity to new development to meet the need for school places arising from the proposed development*; and</li> <li>•Demonstrate sufficient recreational space within a close proximity to new development*.</li> </ul>	<p>Significant development proposals in the South East must:</p> <ul style="list-style-type: none"> <li>•Demonstrate how impact on <del>key routes such as</del> Southdown Road, Grove Road, Wheathampstead Road and Piggotshill Lane will be mitigated;</li> <li>•Demonstrate provision for appropriate education facilities in close proximity to new development to meet the need for school places arising from the proposed development*;</li> <li>•Demonstrate sufficient recreational space within a close proximity to new development*; and</li> <li>•Demonstrate how pressure on parking will not significantly increase as a result of the proposed development.</li> </ul>	
<p>Major development proposals in Harpenden Town Centre must:</p> <ul style="list-style-type: none"> <li>•Demonstrate how road congestion will be mitigated or reduced as a result of the proposed development;</li> <li>•Demonstrate how the proposed development will protect the character and appearance of the historic town centre; and</li> </ul>		

•Demonstrate how pressure on parking will not significantly increase as a result of the proposed development.

4.6 The Infrastructure Zones cover the entire Neighbourhood Plan Area, but relate primarily to any future greenfield development adjacent to the Built Up Area Boundary of Harpenden, or major redevelopment within the town centre. The Neighbourhood Plan is aware that there will be considerable growth in St Albans District over the Neighbourhood Plan Period, including in Harpenden. St Albans City and District Council is preparing a new Local Plan, which is expected to identify a number of large housing sites for release from the Green Belt in order to meet the requirements set by central government. Policy SS2 seeks to be pragmatic and ensure that any development outside of the Built up Area Boundary addresses infrastructure deficiencies in each part of Harpenden.

4.7 The boundaries of the four Infrastructure Zones other than the Town Centre have been chosen based on physical boundaries within the Neighbourhood Plan Area. The east-west boundary is established by the railway line. The north-south boundary is more complex, following field boundaries in the west and then heading along the settlement boundary. To the east, this boundary follows Station Road until it reaches the Lower Luton Road, at which point it heads south. The town centre boundary is in line with the boundary detailed further in to this Neighbourhood Plan.

4.8 The themed policies of this Neighbourhood Plan add detail to the requirements of Policy SS2.

### **Key Themes**

4.9 To support the delivery of the Overall Vision, the content of this Neighbourhood Plan is guided by five Key Themes, which form the following chapters of the Neighbourhood Plan. The themes are detailed below with some brief information on the content of each chapter.

#### **1. Employment and Retail**

This chapter outlines the approach to employment and retail growth in Harpenden.

It considers how best to protect important employment and retail uses in the Neighbourhood Plan Area and sets out policies for the management of that growth.

#### **2. Environment and Sustainable Design**

This chapter sets out how the Neighbourhood Plan will protect important environmental assets. It also sets design expectations for all forms of development, including residential and other uses, ensuring design is considerate of the environment and local character.

### **3. Housing**

This chapter details the type, tenure and size of housing expected to be delivered in Harpenden. It also identifies some sites for residential development, which are within the built up area of Harpenden.

### **4. Social Infrastructure and Community Facilities**

This chapter sets out how important community assets will be protected and enhanced. It also outlines a framework for the provision of new social infrastructure to be provided as the town grows.

### **5. Transport and Movement**

This chapter puts forward measures to reduce congestion and increase sustainable travel in Harpenden. It also details expectations of new development, including the amount of parking to be provided.

## **5. EMPLOYMENT AND RETAIL**

### **Introduction**

5.1 This Chapter sets out the approach to developing existing and new retail and employment uses. Harpenden Town Centre functions as a destination for residents of surrounding villages as well as Harpenden and incorporates a wide ranging retail offer. Within the Neighbourhood Plan area, Harpenden Town Centre is supported by a cluster of shops in Southdown and smaller parades of shops in North Harpenden, Kinsbourne Green and Batford. Despite its image as a commuter town, Harpenden has a number of important employment locations, which this Neighbourhood Plan seeks to protect and enhance, and a significant number of home workers, whom the Neighbourhood Plan seeks to support.

### **Community Feedback**

#### **Engagement 1 - Issues**

5.2 At this stage, residents were asked to share their views on a number of statements about employment and retail. Respondents overwhelmingly supported the protection of existing shopping areas (88%) and many supported the need for a greater range of shops. A number of people commented about particular types of shops that they perceive to be needed, in oversupply, or important to retain. While a small number of people supported an increase in industrial or business space, some shared concern around the loss of employment land to residential due to 'market forces'.

#### **Engagement 2 – Vision, Objectives and Policy Ideas**

5.3 86% of respondents agreed with the Vision and all seven objectives presented at engagement received over 70% support. This draft Neighbourhood Plan reflects those objectives presented at engagement.

### **Engagement 3 – Regulation 14 Draft Neighbourhood Plan**

5.4 All proposed policies presented in the draft were well supported, with each gaining at least 80% approval. Following specific feedback received, Policy ER3 (Rothamsted Research) has been updated to prescribe more clearly what type of development at that site would be supported.

### **Employment and Retail Vision**

*That Harpenden has accessible, thriving and flexible retail areas, with a vibrant, attractive Town Centre that encourages people to spend time there, by offering a diverse range of quality retail and other Town Centre uses. To create a sustainable economy that protects existing, and supports new employment use where appropriate, making Harpenden an attractive and accessible place for both employers and employees to work.*

### **Employment and Retail Objectives**

*ERO1: Support a high quality offer through improvements to existing employment and retail areas including new and redevelopment opportunities.*

*ERO2: Maintain retail and employment centres that are adaptable and able to keep pace with technological development and other innovations.*

*ERO3: Provide a community 'village' atmosphere for the Town Centre where residents, visitors and those employed in local businesses can relax and socialise, at all times taking in to account the viability of the surrounding retail units.*

*ERO4: Promote easy access to and increase footfall to the Town Centre, Southdown and Batford.*

*ERO5: Manage an attractive eating, drinking and entertainment scene that transitions through the day into a thriving evening economy (including the pubs and restaurants).*

*ERO6: Support the principle of residents having easy access to small local convenience shops.*

*ERO7: Protect existing employment and retail sites, encourage full usage and support new employment developments.*

*ERO8: Support small and medium enterprises including business start-ups and homeworking, through encouraging flexible working practices, shared offices and workshops.*

## **Employment and Retail Facilities Policies**

### **ER1 - Supporting Harpenden's Economy**

**In order to support the Harpenden economy, the following proposals will be supported in suitable locations:**

- 1. Appropriate improvement, enhancement and redevelopment of existing employment and retail sites for such uses.**
- 2. Provision of smaller commercial units suitable for use by local businesses.**
- 3. Appropriate facilities for the use of flexible workers**

5.5 The Neighbourhood Plan is committed to supporting the improvement of Harpenden's employment and retail sites. Many employment locations designated in this Neighbourhood Plan are historic areas, which are increasingly occupied by companies requiring the provision of modern technology. It is important to allow these sites to be redeveloped appropriately to meet the needs of those companies, without negatively impacting local character or amenity. Retail units benefit from regular adaptation and modernisation to allow retailers to remain viable. The Neighbourhood Plan is supportive of local small and medium sized enterprises and seeks to ensure local people starting up companies are able to find local premises. The Neighbourhood Plan also recognises the significant proportion of the population that works at or primarily from home and encourages development that would support these residents.

### **ER2 – Designated Employment Locations**

**The locations set out in Table 5.1 and shown at Figure 5.1 are designated as protected employment locations. At these locations, change of use to a non-B Class use will not be supported unless it can be demonstrated that the premises are no longer suitable for business use or there is clear evidence that there is no prospect of a new commercial occupier being found.**

**DEL 1 – Rothamsted Research**

**DEL 2 – Southdown Industrial Estate**

**DEL 3 – Coldharbour Lane**

**DEL 4 – Batford Mill Industrial Estate**

[Table 5.1]

5.6 The employment locations set out in Table 5.1 provide almost all employment (B Class) floorspace in the Neighbourhood Plan Area, with the exception of small offices in Harpenden Town Centre. Their continued protection will ensure that Harpenden retains a small but productive amount of employment floorspace. All four of these employment areas are protected in the current adopted Development Plan at St Albans City and District Council, the 1994 District Local Plan Review. In addition, Southdown Industrial Estate and Coldharbour Lane are protected with Article 4 Directions preventing the loss of employment land to residential use without planning permission. The Neighbourhood Plan would support the introduction of further Article 4 Directions protecting employment locations in the Batford Mill Industrial Estate and Harpenden Town Centre.

### **ER3 – Rothamsted Research**

**This Neighbourhood Plan supports appropriate redevelopment or expansion of Rothamsted Research to meet Rothamsted’s long-term agro-tech research needs and to accommodate firms carrying out complementary knowledge-based research and development activities.**

5.7 Rothamsted Research is a world leader in its field and a key local business. Its success as an agricultural research centre is sufficient to be regarded by the Hertfordshire Local Enterprise Partnership as part of the Hertfordshire “Green Triangle”, alongside BRE in Bricket Wood and the University of Hertfordshire in Hatfield.

### **ER4 – Designated Retail Areas**

**Table 5.2 identifies the designated retail areas within the Harpenden Neighbourhood Plan Area, which are identified at Figure 5.2.**

**DRA1 – Harpenden Town Centre – Large Retail Area**

**DRA2 – Southdown Local Centre – Large Local Centre**

**DRA3 – North Harpenden Local Centre – Small parade of shops**

**DRA4 – Kinsbourne Green Local Centre – Small parade of shops**

**DRA5 – Batford Local Centre – Small parade of shops**

### **ER5 – Supporting Harpenden Town Centre Economy**

**In Harpenden Town Centre, as identified at Figure 5.2, proposals will be supported that:**

• **Provide an appropriate mix and balance of retail units, as follows:**

- **In the Primary Shopping Areas, as identified at Figure 5.2, at least 60% of shopfronts (by length) should remain in Use Class A1 and 90% of shopfronts should remain in A-Class uses.**

- **In the Secondary Shopping Areas, as identified at Figure 5.2, at least 50% of shopfronts (by length) should remain in Use Class A1 and 90% of shopfronts (by length) should remain in A-Class use.**

**Proposals that would place the overall percentage of units below these figures will not be supported unless in exceptional circumstances where the community benefit of doing so outweighs the loss of an important retail unit;**

- **Provide important social infrastructure including community facilities, particularly where there is no negative impact to retail uses;**
- **Provide ground floor active frontages. It will not be acceptable to have new ground floor residential uses on Primary or Secondary frontages in Harpenden Town Centre;**
- **Support the regeneration of Arden Grove, Station Approach and Harding Parade, developing an attractive gateway into Harpenden;**
- **Promote the enhancement of the public realm in Harding Parade, Thompsons Close and North High Street; and**
- **Proposals that would result in the loss of employment floorspace in the town centre will not be supported unless in exceptional circumstances where the community benefit of doing so outweighs the loss of an employment site.**

5.8 Harpenden Town Centre is an important and vibrant town centre serving the entire Harpenden Neighbourhood Plan Area and a network of surrounding villages. The Neighbourhood Plan seeks to protect the role and function of Harpenden town centre by ensuring ground floor space is used for shop frontages, major social infrastructure and community facilities

5.9 The targets for shopfront length in 'uses' is derived from the 2016 St Albans City and District Council Authority's Monitoring Report, which established that 61% of Primary Shopping Frontages are in A1 Use and 94% are in A Class Use, and 55% of Secondary Shopping Frontages are in A1 Use and 93% are in A Class Use. The Neighbourhood Plan recognises the role that retail uses play in ensuring a vibrant and viable town centre and therefore seek to protect the retention of those uses.

5.10 The following addresses appear as Primary Shopping Frontages at Figure 5.2, in accordance with current designations:

- 1-3 Church Green/2b-10 Leyton Road;
- 1-31 High Street;
- 18-50 High Street;
- The Leys;



- 1-11 Leyton Road/ 12-18 Church Green Row; and
- 2-16 High Street & 1-3 Leyton Green Road.

5.11 The following addresses appear as Secondary Shopping Frontages at Figure 5.2, in accordance with current designations:

- 4-6 Church Green & 52-104 High Street;
- 33-61 High Street;
- 12-14 Leyton Road;
- 2a-34 Station Road; and
- 1-17 Station Road.

#### **ER6 – Supporting Local Centres**

**In local centres, appropriate and proportionate proposals for local retail facilities and service development will be supported. Proposals involving the loss of a convenience shop without re-provision in the same local centre will not be supported.**

5.12 New convenience shop proposals in local centres must demonstrate adequate servicing arrangements and be supported by a limited amount of on-site parking. Appropriate proposals to improve servicing ~~and increase parking~~ at convenience shops in Local Centres will be supported.

5.13 Southdown Local Centre provides an important range of shops and services and the three small Local Centres each contain a convenience store for use by local residents. This network of local centres provides accessible day-to-day shopping opportunities to local residents, preventing the need to travel to Harpenden Town Centre by car. This is particularly valuable to local residents with reduced mobility. The retention of a convenience shopping offer in these small centres is therefore important to the future of the Harpenden Neighbourhood Plan Area.

#### **ER7 - Employment Uses above Shops**

**In Harpenden Town Centre and Southdown Local Centre, employment uses above shops will be encouraged, provided any alteration to the premises does not impact on the viability of the commercial use below, does not reduce the existing commercial floor space for that business below and is consistent with the other policies of the Neighbourhood Plan.**

5.14 The Neighbourhood Plan supports the development of more office use in Harpenden Town Centre and Southdown Local Centre where there is no negative impact on retail and social infrastructure uses. The utilisation of upper floors allows the densification of these accessible locations without harming the vitality of the centres. Furthermore, the densification of these locations to meet need for employment use supports the protection of the Green Belt from new development.

## ER8 – Adaptable, Innovative and Up to Date Retail and Employment Centres

~~Major retail and employment proposals~~ Applicants of major development proposals including either retail or employment use must submit evidence which demonstrates that:

- Sufficient infrastructure is in place to meet an increase in demand arising from the development;
- How facilities are adaptable to future occupiers, including where relevant the ability to subdivide offices; and
- ~~and must utilise~~ Utilise latest technologies wherever possible, with regard to deliveries, lighting, security and plant (low energy consumption and less noise).

5.15 While the Neighbourhood Plan supports the development of retail and employment locations, it seeks to ensure that this does not negatively affect existing occupiers or nearby residents. Therefore, it is important that infrastructure can accommodate any growth in employment or retail facilities. The flexibility of retail and employment centres to adapt to new technology is important and the Neighbourhood Plan seeks to ensure new developments are technologically advanced enough to remain in use and to remain successful for a considerable period of time.

## 6. ENVIRONMENTAL AND SUSTAINABLE DESIGN

### Introduction

6.1 This Chapter relates to the natural and built environment of the Harpenden Neighbourhood Plan Area. It transcends the other Chapters of this Plan and ensures that new development in the Neighbourhood Plan Area protects the health of residents and the natural environment, including biodiversity, watercourses and trees from potential harm arising from pollution, carbon emissions and flood risk. It also seeks to ensure new development complements established character in the Neighbourhood Plan Area, particularly heritage assets and key views, harmoniously bringing together the built and natural environments.

6.2 Harpenden is a town that embraces its natural environment, most notably in the presence of The Common, which provides protected and undeveloped green space directly to the heart of the Town. In addition, the town includes Batford Springs, a Nature Reserve, and is known for its abundance of trees and generous gardens. The agricultural land of the Neighbourhood Plan Area provides biodiversity and also has landscape value, with some parts of the Neighbourhood Plan Area identified as within an existing Landscape Conservation Area by SADC (1994 District Local Plan). In addition, the Neighbourhood Plan Area abuts an area of Outstanding Landscape Value within Central Bedfordshire.

6.3 The Harpenden Neighbourhood Plan Area includes a significant number of Listed Buildings. The most protected of these is Rothamsted Manor (Grade I Listed). In addition, a number of farmhouses are Grade II\* Listed and there are clusters of Listed Buildings (including Grade II\* Listed Buildings) in Harpenden Town Centre and Kinsbourne Green. The Harpenden Conservation Area is one of the largest in the country and covers much of Harpenden, including the entire town centre.

## **Community Feedback**

### **Engagement 1 – Issues**

6.4 Residents showed a clear level of support for a number of statements regarding sustainability, including the need for new development to be modern and sustainable (75% support). However, many residents also felt that new housing design should reflect Harpenden’s historic character and be appropriate to its location in the town. There was strong support for shared green space as part of new residential developments, but there was little appetite for more public green space, given the prevalence in the town. The most popular issues raised included a need to provide enough parking for new housing (covered in the Transport Chapter), to retain the “village feel” of Harpenden and to protect green spaces.

### **Engagement 2 – Vision, Objectives and Policy Ideas**

6.5 The proposed Vision received 88% support and the objectives were also well received, particularly those that sought to protect green spaces and key views in Harpenden. Objectives relating to low-carbon and sustainable development received at least 74% support, showing a clear view in favour of pursuing these matters.

In terms of comments, respondents were keen to show support for the protection of green spaces. Some people felt that the appearance of renewable energy features was important to consider and that it was important not to lose the character of Harpenden as a result of inappropriate developments.

### **Engagement 3 – Regulation 14 Draft Neighbourhood Plan**

6.6 The proposed policies were broadly supported, with between 72 and 93% agreement. Some amendments are made in response to statutory responses and a new policy, relating to Local Green Spaces, is added following feedback received.

### **Environment and Sustainable Design Vision**

*Maintain and enhance the character of Harpenden, its neighbourhoods, communities and green spaces. Develop Harpenden as a sustainable and low carbon town.*

### **Environment and Sustainable Design Objectives**

*EDO1: Maintain and enhance the quality and character of all the varied green spaces including but not limited to Harpenden Common, Batford Springs, Rothamsted Park, Kinsbourne Green Common and Lydekker Park.*

*EDO2: Protect Harpenden's key views and outlooks ensuring the visual impact of development is minimised.*

*EDO3: Improve and develop public access to green spaces, to rivers and to the natural environment, including developing and enhancing green chains and corridors.*

*EDO4: Encourage and enhance biodiversity.*

*EDO5: Require developments to promote sustainable living, be of sustainable and energy efficient design including incorporating green technologies.*

*EDO6: Conserve and enhance local character and heritage.*

*EDO7: Require development to reduce flood risk through sustainable solutions.*

*EDO8: Require development to design streets as communities giving prime consideration to the needs of pedestrians and cyclists and to encourage initiatives to adapt streets which will prioritise pedestrians and cyclists.*

*EDO9: Encourage and support renewable energy generation and storage projects and initiatives that develop Harpenden's environs as a low carbon area.*

## **Environment and Sustainable Design Policies**

### **ESD1 – Design Strategy**

All developments must be visually **appealing attractive**, designed to a high quality, maintain or enhance the character of the area and support Harpenden as a low carbon place to live and work.

For major developments in the Neighbourhood Plan Area, a Design Brief must be **prepared and submitted in support of the planning application. produced for the whole site, setting out the principles for development prior to the submission of a planning application.** The Design Brief should demonstrate consideration of the following **matters** (where applicable) in addition to the requirements of the other policies of **this Neighbourhood Plan** **the Development Plan:**

- i. **Promotion of sustainable development, sustainable use of resources, green technologies and high levels of energy efficiency in order to minimise the impact on the environment of delivering the development and of the residents or users of the developments thereafter;**
- ii. **How the development will promote sustainable living for housing developments and sustainable use for non-residential developments;**
- iii. **Facilities made available for pedestrians and cyclists;**

- iv. Location, type and management of open space, leisure and recreation facilities;
- v. ~~Protection against the loss of or significant harm to ecological or landscape value without appropriate mitigation that outweighs the loss or harm~~ Protection against the loss of or significant harm to ecological or landscape value or, in the event of loss or significant harm, the provision of appropriate mitigation to address the loss or harm. If the local planning authority deems that appropriate mitigation cannot be achieved, compensatory measures may be acceptable in addition to (not instead of) the maximum achievable mitigation;
- vi. A proportionate assessment of views to and from the proposed development and key views of townscape, including how views of landmark and gateway buildings, and important landscape features will be retained or enhanced. Visual impact should be minimised through the design of the site layout, buildings and landscape (note: the Council may, at its discretion, request consideration of views not addressed in the document during determination of the planning application. For this reason pre-application engagement on this matter is advised);
- vii. Materials palette (if it is not possible to indicate exact materials then a broad type should be specified);
- viii. How the development is sensitive to and makes a positive contribution to the local character of the area;
- ix. How permeability of land surface has been maintained and / or enhanced in the development and how the development is using sustainable solutions to reduce flood risk;
- x. How the water efficiency standard for housing, as set out in Policy ESD19, has been applied;
- xi. How best practice measures have been used to avoid pollution to air, water and soil; and;
- xii. Environmental performance. An environmental performance and sustainability statement (demonstrating how environmental issues have been fully considered in the location, site layout, general design, building design and construction and future use of the development) is required. This should be related to advice provided by the Hertfordshire Building Futures Design Toolkit.

**Developments must be implemented in accordance with the principles set out in the Design Brief. Applicants are encouraged to engage with Harpenden Town Council / Rural Parish Council (whichever is applicable) to discuss the contents of the Design Brief.**

6.7 Design Briefs enable local planning authorities to better understand the contribution of major development to local character and the development of a sustainable town. Policy ESD1 connects with a number of the other policies in this chapter and is largely related to the communication of the design rather than the requirements of design, which are mostly detailed in the remaining policies of this chapter.

#### **ESD2 – Local Character and Heritage**

- i. **The height, scale and design of all developments must be considerate of and make a positive contribution to local character and heritage, maintaining or enhancing positive elements and seeking to address negative elements.**

Proposed developments involving or in the setting of statutory listed buildings, structure, park or garden or the Harpenden Conservation Area (major developments only) must provide a Heritage Statement that assesses and outlines the significance of those heritage assets affected. Where a development would result in substantial harm to a heritage asset, the public benefits of the proposals must outweigh the level of harm. Where a development would result in less than substantial harm, this must be balanced against the public benefits. In the case of development in the Conservation Area, Statements must demonstrate how the character of the Identity Area it sits within, as set out in the Harpenden Conservation Area Statement, is retained.

- ii. Necessary repairs to listed buildings should preserve as much historic fabric as possible using proven techniques (normally traditional and natural methods and materials, carried out sensitively). Reinstatement of traditional and natural materials, where doing so will not cause undue harm, will be encouraged.
  
- iii. Where development affects an undesignated heritage asset identified in a planning guidance document prepared by St Albans City and District Council or Harpenden Town Council, such as a locally listed building, structure, park or garden or an alternative undesignated heritage asset outside of the Conservation Area, a proportionate assessment of impact should be provided by the applicant, in order to assist an assessment of the benefits of the scheme against its heritage impact. Proposals that would result in a negative impact to an undesignated heritage asset without an adequate public benefit would not be supported.
  
- iv. The sensitive retrofitting of energy efficiency measures and the appropriate use of micro-renewables in all historic buildings (whether designated or not) will be encouraged, while safeguarding the special characteristics of these heritage assets for the future.

6.8 The Harpenden Neighbourhood Plan Area includes a vast range of designated and undesignated heritage assets and the protection and enhancement of those assets and their settings through carefully prepared planning applications is important to the Neighbourhood Plan. Harpenden's character is of a low-rise town with building designs that are modest and considerate to heritage assets. While the Neighbourhood Plan does not seek to be prescriptive on design, it is important that new developments seek to approach design formulation from a heritage-led perspective.

6.9 The approach set out in Policy ESD2 about Heritage Statements is consistent with the National Planning Policy Framework. Proposed developments should not cause any harm to heritage assets and where a proposed development could be redesigned in such a way that retains its public benefits and reduces harm to heritage assets the Town Council will push for this approach.

6.10 Harpenden Town Council intends to prepare Supplementary Planning Guidance setting out Areas of Local Character outside of the Conservation Area, which will guide applicants towards meeting the requirements of Policy ESD2.

### **ESD3 – Shopfronts**

**Proposals to create new or alter existing shopfronts will be welcomed where the design contributes to the attractiveness of the shopping area. Traditional timber shopfronts with large unobstructed windows are favoured. Any advertisements in or on shopfronts should be modest, particularly in the Conservation Area or where the proposal will affect a Listed Building.**

6.11 Harpenden Town Council intends to prepare Supplementary Planning Guidance that will add detail to Policy ESD3.

6.12 Shopfronts make an important contribution to character in Local Centres and particularly in Harpenden Town Centre. While the Neighbourhood Plan does not seek to be too prescriptive on the design of shopfronts, Policy ESD3 and future guidance seeks to set some acceptable parameters for shop front design.

### **ESD4 – Streets as Social Spaces that are Pleasant to Be In**

**Improvements to the public realm should be designed to encourage the activities intended to take place within it. Streets should be designed to accommodate a range of users, create visual interest and amenity, and encourage social interaction.**

**New residential streets (not including main routes in new residential developments) must be designed in a way that encourages and prioritises pedestrians and cyclists rather than vehicle traffic. These streets should be suitable for a range of social activities, such as children’s play, with 20mph generally being the maximum speed limit. Oppressive or divisive boundary markers will not be permitted.**

### **ESD5 – New Car Parking Design**

**Parking, garages and servicing/ delivery yards for new development must be visually attractive or concealed by attractive design features. Cars must not dominate public areas and pedestrian and vehicular conflict must be minimised.**

6.13 A key ambition of the Harpenden Neighbourhood Plan is to create an environment where residents choose to use sustainable and healthy forms of travel over the use of private vehicles. Policy ESD4 links with those policies in the Transport and Movement Chapter that seek to encourage a modal shift away from using private motor vehicles.

6.14 Policy ESD5 seeks to ensure that new developments are not visually dominated by car parking. This can be achieved through a number of design features including careful siting and orientation of buildings and open spaces as well as planting of trees, hedgerows and other vegetation.

### **ESD6 – Refuse and Recycling**

**All proposals involving the creation of new residential units or non-residential floorspace must ensure sufficient bin capacity for waste and recycling is provided. Applicants must engage with St Albans City and District Council to confirm this. Storage must be incorporated, which should obscure views of bins from the public realm. Bins should be stored in a location where collection can take place conveniently without causing unacceptable disruption to road users and, where possible, should be secure.**

6.15 It is important for the cleanliness and appearance of Harpenden to ensure that all developments incorporate a sufficient capacity for waste in consultation with St Albans City and District Council and provide space for the concealed storage of waste. For non-residential and flatted developments we expect secure waste stores that are convenient to occupiers and collectors. For developments involving new homes, each individual home should have its own bin store with sufficient capacity for all bins provided by St Albans City and District Council.

#### **ESD7 – Local Green Spaces**

**The following sites are designated as Local Green Spaces:**

- 1. Lydekker Park**
- 2. Oakley Road Green Space**
- 3. Parva Close Green Space**
- 4. The Nickey Line (urban area)**
- 5. Lea Valley Walk**
- 6. Roundwood Lane Green Space**
- 7. Wood End Play Area**
- 8. Westfield Recreation Ground**
- 9. Southdown Green**
- 10. Fovant Close Community Orchard**
- 11. Alzey Gardens Green Space**
- 12. Porters Hill Green Space**
- 13. Tallents Crescent Green Space**
- 14. Gilpin Green**
- 15. Welbeck Rise Green Space**
- 16. Grove Road Green Space**

**On these Local Green Space there should be no permanent development unless the Applicant can demonstrate very special circumstances to justify a development.**



6.16 Supporting Document I details the selection process for the Local Green Spaces listed in ESD7 ~~for~~, resulting in the designation of each Local Green Space in accordance with Paragraph 77-100 of the National Planning Policy Framework (2018). The Local Green Spaces are identified at Figure 6.1 and each are shown in more detail in Supporting Document I.

#### **ESD8 – Green and Open Spaces and Areas of Ecological and Landscape Value**

Developments must seek to maintain and enhance the quality and character of the varied open and green spaces, ~~rivers~~ river corridors and the natural environment within the Neighbourhood Plan area. Development should not result in the loss of or significant harm to ecological or landscape value of the varied green spaces, rivers and natural environment.

Significant developments must include proportionate new public open spaces, including green spaces (linked where feasible).

#### **ESD9 – Key Views**

The Harpenden Neighbourhood Plan area includes the following Key Views, which are shown in Figure 6.1:

1. The Common
2. The High Street
3. Batford Springs
4. Kinsbourne Green Common

Development proposals affecting key views must be supported by include evidence that detail protection or enhancement of key illustrates how the positive aspects of views to and from these locations, including attractive green spaces and important townscape features, such as landmark and gateway buildings will be protected.

#### **ESD10 – Views in New Developments**

Views along streets and/or open spaces to the surrounding countryside must be created within new developments where there are opportunities to do so. Development should not have a harmful visual impact on the townscape or landscape.

#### **ESD11 – Access to the Natural Environment**

Proposals should retain and enhance public rights of way. Major development proposals on sites currently outside of the Built up Area Boundary of Harpenden (including Green Belt land released in a future St Albans Local Plan) should create new public rights of way and cycle paths. These should

**act as green links, improving accessibility and connectivity between the town and green spaces including open countryside and should connect to the existing network of public rights of way, including footpaths, cycle lanes and bridleways.**

**The integrity and value of green corridors such as watercourses and disused railway lines should be maintained and opportunities to strengthen such green links are not to be unacceptably compromised.**

**Proposals for new definitive rights of way which improve the opportunities for sustainable transport or which give greater access to the countryside for all users will be supported particularly where they are identified in the Hertfordshire County Council's Rights of Way Improvement Plan.**

6.17 The key views have been chosen as they include important natural and built features:

- Harpenden Common is a key open space in Harpenden, forming a green wedge that bisects the southern part of Harpenden up to the town centre. It is vital that views both in to and from the Common are protected, given the rural character it brings to the town and the concentration of heritage assets at its boundary;
- The linear High Street of Harpenden forms the majority of its historic core and long-distance views are present along it. A number of Harpenden's precious heritage assets as well as small green spaces that offshoot from the Common can be seen along it;
- Batford Springs is a nature reserve with biodiversity value. There are many views in to Batford Springs and views from within the site are usually restricted by greenery, giving a rural feel to the area; and
- Kinsbourne Green Common is a key parcel of land in Harpenden Rural Parish. Much like Harpenden Common, it provides a visual openness to nearby properties and is regularly used for recreation. The protection of views to and from the Common is therefore very important.

6.18 In order to demonstrate protection of the above views, applicants will need to provide some evidence proportionate to the scale and likely impact of the proposal, which must accurately detail the anticipated impact of the proposed development on the key view.

6.19 The principle of supporting key views also applies to Policy ESD9 in the case of new development. This requirement shares a connection with Policy ESD10, which supports the provision of green links alongside new development in support of a connectivity between Harpenden and its surrounding countryside, for the enjoyment of residents and visitors, whether walking, cycling or horse riding.

#### **ESD12 – Allotments**

**Allotment sites that are registered as statutory allotments will be protected, and enhanced where possible as defined in the Town Council's statutory duty. Requests to develop additional allotments will be supported should there be demand for them.**

6.20 Allotments fulfil an important role in recreation, food production, socialisation and biodiversity. The protection of valued and well-used allotments is important for the sustainability of Harpenden. In addition, the creation of new allotments, particularly alongside new development, would be welcomed provided demand is anticipated.

#### **ESD13 – Biodiversity**

The protection and enhancement of urban and rural biodiversity will be supported. Sites should be rigorously assessed for species present on-site and proposals should not cause harm to the habitats of protected species without appropriate mitigation.

Efforts to enhance biodiversity, such as through the creation of new habitats, the enhancement of existing sites and the development and implementation of ecological management plans will be supported, particularly where these can be conveniently and viably provided as an alternative to a feature that has less biodiversity value. Green roofs and walls will be encouraged where appropriate.

Design and landscaping of proposed developments should be formed in the context of biodiversity conservation. Major developments should incorporate design features which support local wildlife such as incorporating swift bricks and swift or bat boxes in developments.

6.21 The Neighbourhood Plan seeks to encourage development that has the least possible negative impact on biodiversity. ~~Sites should be rigorously assessed for species present on-site and design features that enhance biodiversity should be prioritised, particularly where these can be conveniently and cheaply provided as an alternative to a feature that has less biodiversity value.~~

#### **ESD14 – Trees and Hedges**

Development proposals should be designed to retain ancient, veteran and mature trees (particularly in ancient woodland) or trees or hedgerows of ecological, arboricultural or amenity value and should be accompanied by a tree survey that establishes the health and longevity of any affected trees. Development proposals must not result in unacceptable loss of – or damage to – existing trees or woodlands or hedges or significant landscaping during or because of development.

Where trees must be lost as a result of development, these must be replaced at a ratio of at least 2:1 within the site, with a preference for native trees and for fruit and nut trees. The responsible planting of additional trees that reduce or absorb air pollution from traffic will be supported throughout the Neighbourhood Plan Area.

6.22 Tree Preservation Order trees and trees in the Conservation Area are already closely protected in planning law. It is important that all valuable trees and hedgerows in the Neighbourhood Plan area are protected and only replaced with robust justification, supported by a tree survey that clearly details the significance of the valuable tree.

6.23 It is important that there is no net loss of trees in the Neighbourhood Plan Area, with any loss counterbalanced with at least an equal number of appropriate replacement trees. Preferably these should be native or fruit/nut trees due to the biodiversity value brought by these trees.

#### **ESD15 – Sustainability and Energy Efficiency**

All development must support the objectives of making the Neighbourhood Plan Area a low carbon area, supporting sustainable living, sustainable working and sustainable leisure and mitigating the impacts of climate change. Developments should be designed to minimise energy consumption including through the use of sustainable materials, high-energy efficiency levels, the incorporation of renewable energy initiatives and the efficient design of the building. ~~Developments should aim to be carbon neutral.~~

Major developments are required to support sustainable living and utilise best practice in the use of sustainable resources, green technologies and sustainable transport infrastructure such as renewable energy and storage, decentralized heating systems, heat from waste systems, rainwater harvesting and electric car charging points.

#### **ESD16 – Carbon Dioxide Emissions**

Major developments must demonstrate an improvement to the baseline Target Emission Rate for carbon dioxide emissions as set out in Building Regulations.

To reduce carbon dioxide emissions from developments, energy use should be reduced by sustainable use of energy in accordance with the following energy hierarchy:

1. Reduce energy usage. This can be achieved through adopting sustainable design principles that reduce the amount of energy needed;
2. Supply energy efficiently. This can be achieved for example by using decentralised energy systems/combined heat and power; and
3. To use renewable energy.

Carbon neutral developments would be welcome and the requirements of ESD15 do not apply to designated heritage assets should the applicant robustly demonstrate that meeting the requirements would have a negative impact on the heritage asset in accordance with relevant Historic England Guidance ([Energy Efficiency and Historic Buildings - Application of Part L of the Building Regulations to historic and traditionally constructed buildings or a successor document](#)).

### **ESD17 - Community Energy Initiatives**

**Community energy initiatives will be encouraged. In particular, the Neighbourhood Plan supports renewable energy schemes that demonstrate evidence of community consultation at early stages in the development, especially when this leads to a tangible benefit to the community. This could, for example, be in the form of allowing community investment in the scheme or developer investment in other low carbon initiatives in Harpenden. However, any community energy initiatives must not have a negative impact on the amenity of local residents or the appearance and character of the surrounding area.**

6.24 Planning Policy fulfils an important role in bringing about a move towards a reduction in energy consumption, reduced emissions, cleaner energy and a low carbon future. The expectations of new developments in this area must be proportionate and therefore a threshold of major developments is chosen for Target Emission Rate reductions to prevent small projects from becoming unviable. However, all proposals are expected to choose environmentally friendly features wherever possible, as set out in ESD14.

6.25 In 2007, the World Wildlife Fund identified St Albans District as having the second largest ecological footprint in the UK. This position may have changed somewhat since, however, efforts to reduce carbon dioxide emissions through sustainable design are important to redress the impact of this area on the environment. Therefore, Policy ESD15 expects an improvement on the baseline Target Emission Rate as set out in Building Regulations.

6.26 Community energy initiatives are an effective way to reduce carbon dioxide emissions across a number of properties and therefore the Neighbourhood Plan supports these schemes when they are sensitive and attract community support.

### **ESD18– Flood Risk**

**Proposals must incorporate a sustainable and integrated approach to the management of flood risk, surface water (including run off) and foul drainage. These proposals should be robust to the expected impacts of climate change.**

**Developments-Proposals involving sites over one hectare or all developments in Flood Zone 2 or 3 must be supported by a Flood Risk Assessment.**

**All development proposals involving the loss of permeable surfaces, loss of trees, loss of soft landscaping or loss of any other feature that reduces flood risk is required to use appropriate mitigation measures to prevent an increase in flood risk within the site or elsewhere. This should be proportionate to the scale of the proposal, with small interventions (such as planting or use of impermeable surfaces) acceptable for minor developments in areas of low flood risk.**

**Sustainable Drainage Systems (SuDS) should be used proportionately to mitigate any predicted increase in flood risk. These may include:**

- i. Planting, particularly trees;
- ii. Introduction of permeable driveways, parking or other 'hardstanding' areas;
- iii. Rainwater water harvesting and storage features (including butts);
- iv. Green roofs;
- v. Attenuation tanks;
- vi. Soakaways;
- vii. Attenuation ponds.

**SuDS must be designed as an integral part of the green infrastructure and street network. The system should effectively mitigate any adverse effects from surface water run-off and flooding on people, property and the ecological value of the local environment. A surface water sewer should be seen as a last resort and no surface water will be permitted to enter the public foul sewage network.**

**Major developments must provide a SuDS Strategy and drawings showing all SuDS features. This must be supported with calculations showing how surface water flood risk will not increase.**

6.27 Without appropriate mitigation, new development can increase flood risk within its site or in surrounding areas. Harpenden has few areas within Flood Zone 2 or 3, however, pockets of this land exist in Batford. Development proposals in these areas should provide detailed flood risk assessments and are highly unlikely to be acceptable except in exceptional circumstances, given the wide availability of Flood Zone 1 land.

6.28 SuDS are important across the Neighbourhood Plan Area to reduce surface water flood risk arising from new development. SuDS range from inexpensive and simple interventions such as use of gravel and planting to more complex engineered solutions such as attenuation tanks. It is realistic for all developments that have the potential to increase flood risk to mitigate that risk to an acceptable level through the use of SuDS. For major developments, it is important that a SuDS Strategy is provided with appropriate drawings.

#### **ESD19 – Water Conservation**

**All developments must be designed taking into account best practice in water efficiency, such as water efficient fittings and appliances, water harvesting and storage features, and green roofs. All ~~major developments~~ applications involving a net gain of one or more dwellings must provide evidence of anticipated internal water use at or below 120-110 litres per person per day.**

6.29 Policy ESD18 is consistent with Building Regulations. Evidence may be provided in the form of simple calculations that can be easily understood from a non-technical perspective.

#### **ESD20– Pollution**

**Appropriate best practice measures should be incorporated into developments to avoid pollution to air, water and soil both during construction and in the operation of the completed development.**

**Developments should not increase air pollution levels in the area and actions should be taken to mitigate this such as planting, appropriate siting of air outlets, and designing to ensure any air pollution can dissipate.**

**Developments should be designed to minimise light pollution for example by appropriate siting of lights, appropriate light fittings, and management of external lighting.**

6.30 The Harpenden Neighbourhood Plan is not in an Air Quality Management Area, but community consultation suggested that there are some pockets of poor air quality, particularly within the vicinity of Harpenden's more congested highways. Measures to reduce or protect against poor air quality within the Neighbourhood Plan Area will be encouraged for the health of residents.

## **7. HOUSING**

### **Introduction**

7.1 Housing is a key issue locally. We anticipate that the newly emerging St Albans Local Plan will seek to provide a significant amount of new housing in the Harpenden Neighbourhood Plan Area, including through the release of strategic sites from the Green Belt for significant housing developments. This Neighbourhood Plan recognises the need for housing, particularly housing that is genuinely affordable and suitable starter homes for those who grew up in Harpenden and suitable homes for older people to downsize into without having to leave the area. However, it is important that housing is in the right place and is supported by the correct improvements to local infrastructure to mitigate impact on existing residents.

7.2 The Neighbourhood Plan does not have the power to release Green Belt land and does not allocate strategic sites. These will come forward in the new St Albans Local Plan. However, there are a number of small to medium sized urban sites that are allocated in this chapter, which together will reduce some pressure on greenfield land and the Green Belt. A key ambition is to try to increase delivery within the Built up Area of Harpenden as much as possible to protect the Green Belt.

7.3 While the Neighbourhood Plan cannot control the amount of housing required in Harpenden over the next 15 years, it can have a say on the type, size, design and affordability of housing, ensuring it meets the needs of the whole community.

### **Community Feedback**

#### **Engagement 1 – Issues**

7.4 Generally, residents felt it was more important to protect green spaces than to provide housing, which is something this Neighbourhood Plan is seeking to enable by allocating urban housing sites, reducing the burden on a future St Albans Local Plan. In addition, residents felt that new housing was not necessary to ensure shops and facilities remain viable. In terms of the location of housing, many respondents did not feel housing needed to be within walking distance of Harpenden Town Centre. There was support for prioritising housing for first time buyers, young families and older people. In addition, there was some support for affordable housing, particularly intermediate forms but also a slight support for more socially rented housing. Respondents saw a need for one and two bedroom flats and two to three bedroom family homes, but were generally against or neutral to the idea of 4+ bedroom larger family homes.

### **Engagement 2 – Vision, Objectives and Policy Ideas**

7.5 77% of respondents agreed with the Vision and all five objectives presented at engagement 2 received over 70% support. . The individual comments received highlighted some similar themes to Engagement 1, including that affordable housing should be prioritised ahead of luxury housing. In addition, there was a clear concern about the need to provide infrastructure alongside new housing developments, particularly to ease highways congestion.

### Engagement 3 – Regulation 14 Draft Neighbourhood Plan

7.6

#### **Housing Vision**

*Those that grow up in Harpenden should have the capability to live here should they wish to. We wish to have a mixed housing offer that is well located and designed and that has the ability to meet the aspirations of different ages and demographic groups and the flexibility to integrate and accommodate people throughout their lifetime.*

#### **Housing Objectives**

*HO1: Provide a mix of housing that meets current gaps in housing market specifically 1 to 2 bed flats/bungalows and 2 to 3 bedroom family homes.*

*HO2: Encourage starter homes and intermediate housing including support for key workers.*

*HO3: Support the ability for older people to downsize should they wish to.*



*HO4: Support the redevelopment of housing stock that is coming to the end of its lifespan.*

## **Housing Policies**

### **H1 – Housing Strategy**

**New residential development should be delivered on sites allocated in the Neighbourhood Plan (and subsequently a future St Albans Local Plan) and infill and brownfield development.**

7.7 The Harpenden Neighbourhood Plan recognises the need for housing in its area, appreciating that while there is a shortfall in delivery across St Albans District, new housing will be developed regardless of whether there is local support or not, in line with a number of recent Planning Appeal decisions locally and nationally. The Neighbourhood Plan does not support delivery over and above the latest assessment of housing need except where a proposal includes a targeted type of housing (such as for First Time Buyers), which benefits from considerable local support. It also seeks to ensure that Harpenden takes no more than its “fair share” of housing in comparison to other parts of St Albans District.

7.8 The Neighbourhood Plan also recognises the role of the Green Belt and supports the prioritisation of its protection. Therefore, the Neighbourhood Plan proposes that the ability of the current Built up Area of Harpenden to provide appropriate new housing is maximised to minimise the amount of new housing delivered on land that is currently in the Green Belt. In accordance with this approach, a number of housing site allocations are proposed in the Built up Area of Harpenden.

7.9 We ask developers to advertise locally in support of the ambition to provide housing to meet local needs, while recognising there is no ability to enforce this through policy.

### **H2 – Housing Renewal**

**The redevelopment of existing residential properties that are robustly demonstrated to be no longer fit for purpose will be supported. The Neighbourhood Plan defines a property as no longer fit for purpose if it ~~meets one or more of the following criteria: unsafe, is in a state of~~ disrepair, including if it is unsafe, subject to compliance with other Development Plan policies. In addition, properties that make inefficient use of their site and are of a lower density than nearby properties may be suitable for renewal to a density that reflects or is higher than surrounding densities, subject to heritage and other relevant considerations. ~~unsustainable, or makes inefficient use of its site.~~**

**Redevelopment must be of a high quality design that is acceptable in terms of scale and massing with neighbouring properties and conform to all other relevant policies in the Neighbourhood Plan.**

7.10 Harpenden benefits from a generally high quality stock of housing. However, there are some isolated examples of housing that would benefit from replacement. Where an applicant can demonstrate a proposal meets one or more of the fit for purpose criteria included in Policy H2, this Neighbourhood Plan will support appropriate replacement, taking in to account other policies in this Plan.

### **H3 – Dwelling Size and Type**

**Major residential developments are required to submit a Dwellings Mix Strategy as part of the Design and Access Statement with any planning application. The strategy must clearly demonstrate how the proposed development addresses the objectively identified need for different sized and types of housing as set out in the latest assessment of housing need carried out by St Albans City and District Council. Proposals that are not considered to meet an identified size/type need will not be supported.**

7.11 It is important that new housing in Harpenden meets local needs. Need is regularly assessed by St Albans City and District Council, currently in Strategic Housing Market Assessments, which consistently show there is a need for smaller one and two bedroom flats and two to three bedroom family houses. There is also a clear local support for smaller functional dwellings rather than larger and luxury family houses and flats. Policy H3 is intended to be flexible, allowing some sites to deliver, for example, ten one-bedroom flats for over 55s or housing for first time buyers, while other sites may prioritise family housing. Sites of more than 100 homes, however, should seek to be closely aligned to the latest assessment of need and provide a range of housing types, in order to prevent any further imbalances of need.

### **H4 – Residential Density**

**New major residential development must be at an appropriate density subject to local character and in accordance with the desire to protect the Green Belt insofar as possible. A minimum net density of 40 dwellings per hectare should be met unless an applicant can demonstrate doing so would have a negative impact on local character, a designated heritage asset, biodiversity, trees or flood risk.**

7.12 A key principle of the Harpenden Neighbourhood Plan is to seek to protect the Green Belt. Therefore, it is important that sites are used efficiently while not adversely impacting local character.

In particular, the Neighbourhood Plan considers appropriate higher density development to be acceptable in Harpenden Town Centre, provided the Conservation Area and key views from the Common are not negatively impacted (i.e. buildings should not breach established ridge heights unless in exceptional circumstances). A minimum density of 40 dwellings per hectare elsewhere is considered to be an appropriate medium-density, which reflects local circumstances while increasing the prevailing density somewhat to account for the ambition to protect the Green Belt in the context of a pressing need for housing.

### **H5 – Higher Density Residential Development**

**Subject to compliance with other policies in this Plan, residential or mixed-use residential proposals that look to build upwards as a way of increasing density will be supported as long as it meets the following criteria:**

- a) Situated in an appropriate accessible location, such as Harpenden Town Centre or Southdown Local Centre**
- b) No taller than three storeys stories in height unless in exceptional circumstances.**

7.13 Harpenden is predominantly a low-rise town with only a small number of properties over three storeys in height and most areas limited to two storeys in height. Exceptional circumstances will exist where it can be robustly demonstrated that no harm will arise to the character of the surrounding area or amenity of neighbouring occupiers or, in the event harm would be evident, that the public benefit of the development clearly outweighs the level of harm.

#### **H6 – Affordable Housing**

**Proposals for major housing developments are expected to provide 40% of affordable housing subject to viability until such time as a new St Albans Local Plan is adopted with a revised target for affordable housing.**

**On all such schemes, affordable housing will be provided on-site as part of the residential development and will be fully integrated within it, other than in exceptional circumstances. Affordable housing should be provided as both socially rented and intermediate housing in line with the latest assessment of needs undertaken by St Albans City and District Council or a future St Albans Local Plan target.**

7.14 The target amount of affordable housing is derived using data produced by St Albans City and District Council, including its assessment of the number of people on its housing register. There is a clear need for affordable housing in the District, which justifies the 40% target rate. Where 40% affordable housing is proven to be unviable, the Neighbourhood Plan supports St Albans City and District Council to ensure a maximum viable amount of affordable housing is delivered.

#### **H7 – Lifetime Homes**

**New housing should be capable of meeting the changing needs of residents over their lifetimes. It should be accessible to those with limited mobility and capable of adaptation for residents who are wheelchair users.**

**On major housing developments, at least 10% of homes shall be built to be ‘Wheelchair Adaptable’ as defined by Building Regulations M(2) or whatever standard supersedes it.**

7.15 It is important that a reasonable amount of housing stock is provided to meet the needs to those with disabilities and for an ageing population. Ensuring 10% of units can be easily adapted for wheelchair users will reduce the need for those residents to make excessive alterations to properties that are not fit for wheelchair use.

#### **H8 – Specialist Accommodation**

**Proposals for specialist accommodation and residential care will be supported where they are:**

- a) Within easy access to a choice of sustainable travel options.**
- b) Within walking distance, on a safe route to the town centre or local centre shops and services.**
- c) Well integrated with existing communities.**
- d) Of a safe and stimulating design.**

7.16 Specialist housing should be well integrated with Harpenden rather than detached from the town. It is important that residents are able to conveniently access the range of shops and services in the Town Centre or its Local Centres. In the case of residential care, it is important that accommodation is accessible to staff and visitors.

#### **H9 – Private Outdoor Space for Residential Development**

**Appropriate private outdoor space must be provided for all new dwellings. In exceptional circumstances in the case of flats, it may be acceptable to provide this as shared amenity space.**

#### **H10 – Housing Site Allocations**

**Proposals for residential development will be supported on the sites set out in Table 7.1 below, provided the proposed development is in accordance with the special conditions set out in Table 7.1 and the other policies of this Neighbourhood Plan and the Development Plan. The sites in Table 7.1 are identified at Figure 7.1. Indicative numbers of dwellings are subject to design considerations.**

7.17 The housing site allocations in Table 7.1 seek to make a meaningful contribution to meet housing need in Harpenden during the interim period prior to a new St Albans Local Plan.

Site Ref	Site Name	Site area (hectares)	Minimum number of dwellings	Special conditions
HA1	Harpenden Memorial Hospital	1.62 (0.84*)	34	Retention of healthcare use on remainder of site in accordance with Policy SI8
HA2	Former Westfield Allotments	0.57	23	100% affordable housing
HA3	Pan Autos, Grove Road	0.33	14	
HA4	Jewsons, Grove Road	0.34	14	
HA5	Garages at Noke Shot	0.19	7	
HA6	Land at 63 High Street	0.21	5	
HA7	Victoria, Alexandra, Littleport and Collingham Houses, Marlborough Park	0.33	5	Requirement to re-provide the same amount of employment floorspace as currently provided on site.
HA8	Land and Garages at Longfield Road	0.12	4	

<b>TOTAL</b>	<b>106</b>	
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\*Approximated residential area (excluding land to be retained as healthcare)

\*\* Reduced target due to site specific considerations

\*\*\*See Paragraph 7.18

7.18 The minimum number of dwellings for each site set out in Table 7.1 is based on the application of the minimum density target of 40 dwellings per hectare in Policy H4 of this Neighbourhood Plan. This is with the exception of sites HA6, HA7 and HA8, which have reduced minimum figures due to site-specific considerations. HA6 and HA8 have reduced minimum figures due to uncertainty of the amount of each site that could be developed, which is brought about by the irregular site layouts. HA7 has a reduced minimum figure due to the requirement to at least retain the amount of employment floorspace on site.

7.19 The actual number of dwellings that would be suitable on each site may be higher than the minimum numbers set out in Table 7.1 subject to detailed design proposals. Applicants are expected to make good use of sites, providing an appropriate number of dwellings in the context of local character and the ambition to protect the Green Belt. In particular, HA3 and HA4 may be suitable for a greater number of dwellings given the accessible location of these sites and the possibility of combining the two sites into one proposed development.

## 8. SOCIAL INFRASTRUCTURE AND COMMUNITY FACILITIES

### Introduction

8.1 Harpenden benefits from a wide network of social infrastructure and community facilities. Our town hosts 16 nurseries, 11 primary schools, three secondary schools, three doctors surgeries, one specialist hospital (the Memorial Hospital) and a large number of faith, sports, arts and other cultural facilities and organisations. We recognise the role this network of social infrastructure performs locally and the need to continually improve and enlarge our social infrastructure alongside population growth.

### Community Feedback

#### Engagement 1 (Key Issues)

8.2 Residents were asked for their views on a number of key issues. Residents overwhelmingly felt that it was important to protect and retain community facilities (86%) and that it was important to ensure infrastructure is improved alongside new development, in order to mitigate any impact (85%). There was support for the range of schools in Harpenden but a desire for better healthcare, sports and leisure and arts and cultural facilities. However, a reasonable number of respondents remained neutral on this matter. A large number of people stated a need for more school places in Harpenden. In addition, there were comments supporting better healthcare access and better use of the Harpenden Memorial Hospital.

#### Engagement 2 (Vision and Objectives)

8.3 90% of respondents agreed with the proposed Vision for social infrastructure and community facilities. The objectives were also firmly supported, with only two receiving less than 80% support and the lowest receiving 69% support. Therefore, the objectives have been largely retained as presented in this draft Neighbourhood Plan.

8.4 Individual comments received revolved around the proposal of a hotel (this objective received 69% support), some respondents commented that hotels had been lost recently and other people questioned the need for a hotel. In addition, a number of people mentioned that school places should be for local residents only.

#### Engagement 3 (Regulation 14 Draft Neighbourhood Plan)

8.5 Each proposed policy received over 70% support at engagement 3. Following engagement 3, some minor updates to policies were made and two additional policies were added. Policy SI9 regards the future redevelopment of Harpenden Public Halls (which was alternatively referenced in the residential section in the Regulation 14 draft) and the Policy SI11 concerns the provision of utilities infrastructure.

## **Social Infrastructure and Community Facilities Vision**

*Maintain and enhance a vibrant cultural and community life through excellent school and health care provision, high quality sports, leisure and community facilities and accessible social infrastructure.*

## **Social Infrastructure and Community Facilities Objectives**

*SIO1: An accessible place, at a good school, for every local child whose parents want to see them educated in the town.*

*SIO2: Ensure that the health and wellbeing needs of the population of Harpenden and surrounding villages are met and plan for the future provision of services to accommodate an expanding and aging population.*

*SIO3: Ensure development includes appropriate provision of utilities infrastructure and contributes to the quality of services infrastructure throughout the Neighbourhood Plan area.*

*SIO4: Enhance the provision of sports, leisure and cultural facilities and play areas to meet the needs of all age groups, including recreation in the open countryside.*

*SIO5: Support the aspirations of Harpenden's sports clubs to deliver excellent facilities.*

*SIO6: Support the provision and enhancement of facilities for voluntary and community organisations, faith groups and schools, that are easily available for community use.*

*SIO7: Support the development of additional overnight accommodation in appropriate locations, including hotels, to address the needs of visitors to the town.*

## **Social Infrastructure and Community Facilities Policies**

### **S11**

**Proposals to address any shortfall of ~~accessible~~ school places within Harpenden that are accessible to local people through temporary or permanent expansion of existing schools will be supported. Where expansion is not feasible or appropriate, we would support appropriate proposals for:**



- a) New secondary schools to ~~serve~~support additional and existing residents to send their children to school within the Neighbourhood Plan Area;
- b) New primary schools to ~~serve~~support additional and existing residents to send their children to school within the Neighbourhood Plan Area;
- c) Pre-school and/or early years' places to support additional and existing residents to send their children to school within the Neighbourhood Plan Area.

Proposals for new schools must demonstrate that the chosen site is sustainably located in the context of its expected pupil intake, in order to minimise any traffic impact. Proposals must incorporate travel plans that encourage a reduction in the use of private cars for school journeys.

8.6 Harpenden has a large number of primary and secondary schools. The latest forecasting from Hertfordshire County Council states that there is adequate primary school provision in Harpenden to 2020 and an emerging deficiency in Secondary School places. To address this deficiency, there are plans in place to deliver a fourth secondary school in Harpenden. Should that planning application be determined following the adoption of this Neighbourhood Plan, the proposals will need to be in accordance with its policies.

8.7 Appropriate enlargement of existing school facilities is the most desirable way to accommodate an increase in demand. However, this Neighbourhood Plan recognises that major strategic sites are likely to benefit from on-site primary school provision where a sufficient amount of housing is provided to sustain a primary school.

### **S12 – Protection of Community Uses**

**Development proposals that would lead to the loss of buildings or facilities used, or last used, for community uses<sup>1</sup>, will not be granted planning permission unless the use is suitably re-provided elsewhere in the Neighbourhood Plan Area or it can be clearly demonstrated that the building or facility is no longer required.**

**1 Including dental practices, doctors surgeries, medical centres, faith buildings, public halls, nurseries, schools, indoor and outdoor sports facilities, Public Houses, Post Offices, hospitals, town halls/parish offices, children's and family centres, public open spaces, allotments/community orchards**

The protection of community uses is vital to ensure a range of accessible services and support is available to local residents. While the loss of community uses may be financially advantageous, it is important to protect a network of facilities that supports the network of voluntary organisations in Harpenden. Therefore, this Neighbourhood Plan seeks to ensure valued community uses are retained.

### **S13 – Venues for Community Use**

**Subject to compliance with other policies in this Neighbourhood Plan, the enhancement of existing and development of new community uses, including faith buildings, community halls and school dual use facilities is supported ~~providing that they comply with the latest design guidance set by the relevant regulatory authority.~~**

**Any planning application proposal involving the creation of a new school must:**

- a) Set out how, and to what extent, the facilities will be made available for sports and arts community use; and**
- b) Set out how, and to what extent, the facilities will be made available to providers of adult health and wellbeing activities.**

**Proposals that make no facilities available for community use will not be supported unless it is clearly proven that doing so could result in harm to the function of the school.**

8.9 Many of Harpenden's existing schools make facilities available to the community outside of school hours. This approach increases the volume of community facilities and ensures that school facilities are well used at all times. Harpenden has a vibrant network of voluntary groups and the continued success of these groups is reliant on the availability of a range of functional venues. The improvement and enlargement of community venues is important to support the growth of the voluntary sector.

#### **SI4 – Provision of Sports and Leisure Facilities**

**Proposals that enhance or provide new community sports and leisure facilities are supported, in particular where they are:**

- a) Inclusive and suitable for residents with disabilities**
- b) Accessible to users by public transport, walking and cycling**
- c) Accompanied by an adequately-sized car park having regard to the likely modes of transport to and from the venue as well as nearby parking availability**
- d) Including a mix of facilities that have been determined in consultation with the local planning authority, Town Council, local sports clubs and other stakeholders.**

**In particular, appropriate proposals that would provide a permanent venues local sports clubs without a permanent venue, such as Harpenden Hockey Club and the Harpenden Colts Football Club, would be supported.**

#### **SI5 – Provision of Arts and Cultural Facilities**

**Proposals that enhance or provide new arts and cultural facilities will be welcomed in particular where they are:**

- a) Inclusive and suitable for residents with disabilities**
- b) Accessible to users by public transport, walking and cycling**
- c) Accompanied by an adequately-sized car park having regard to the likely modes of transport to and from the venue as well as nearby parking availability**

- d) Including a mix of facilities that reflect a range of cultural pastimes that have been determined in consultation with the local planning authority, Town Council and other stakeholders.**

8.10 Sports and leisure and arts and cultural facilities in Harpenden need to be accessible to all potential users. Therefore, it is important to seek to provide facilities in convenient locations, with ample car parking. This is likely to be in or within close proximity of Harpenden Town Centre. It is also important to ensure the design of new facilities and venues prioritises accessibility, for disabled and elderly residents.

#### **SI6 – New Sports Centre and Cultural Venue**

**The Neighbourhood Plan supports the development of a new Sports Centre and Cultural Venue at the current site of Harpenden Swimming Pool and Sports Centre. The new venues should improve upon the current offer provided by the Swimming Pool, Sports Centre and Public Halls.**

8.11 St Albans City and District Council is in the process of formulating proposals for a new sports and cultural complex at the site of the current Swimming Pool and Sports Centre in Rothamsted Park. This would allow for the disposal of the Public Halls. The Neighbourhood Plan supports the redevelopment of the site in principle and expects new facilities to include the treasured elements of the current facilities, including a theatre, studios, a swimming pool and various other sports facilities.

#### **SI7 – Accessible GP Practices**

**New major residential developments should make appropriate funding towards GP provision where pressure on services is increased. Applicants should engage with the relevant health authorities at the earliest possible stage to agree the increase in capacity required to facilitate the proposed development. Developers of significant residential developments, should include on-site provision if preferred by the health authorities unless relevant health authorities express a preference for contribution to another facility within the neighbourhood plan area.**

8.12 It is important that population growth in Harpenden does not negatively impact local residents ability to access GP services. Therefore, applicants of major residential developments must liaise with the Herts Valley Clinical Commissioning Group or other relevant healthcare providers at the earliest possible opportunity to ensure capacity is available for that development. Where there is a lack of capacity, contributions towards improving facilities should be made through Section 106 Agreements or, once adopted, CIL contributions. Developers of significant residential developments should consider on-site provision if preferred by the health authorities. Significant residential developments may merit on site provision, particularly when located in areas that are a considerable distance from existing healthcare facilities.

#### **SI8 – Harpenden Memorial Hospital**

**Proposals to redevelop the Harpenden Memorial Hospital are supported, provided that they retain a healthcare use, preferably a Health and Wellbeing hub, of equivalent floorspace to the existing healthcare use at the site, which:**

- 1. enables residents to access a wide range of health services and support in one place**
- 2. includes an increased GP provision**
- 3. provides specialist care for the elderly and those with physical and learning disabilities.**

8.13 The Harpenden Memorial Hospital is a key part of the social infrastructure network, having played a historic role in Harpenden for a number of years. The Herts Valley Clinical Commissioning Group is seeking to provide a local care hub in Harpenden, as set out in its 2016/17 Operational Plan. The Harpenden Memorial Hospital is preferred location for this use. Policy SI8 seeks to ensure that any plans that come forward at the Harpenden Memorial Hospital support a broad range of local residents.

#### **SI9 – Harpenden Public Halls**

**Appropriate proposals for the redevelopment of Harpenden Public Halls into a residential use would be supported subject to the following criteria:**

- **That development would not commence until the completion of a new Cultural Venue that accommodates the current functions of the Public Halls;**
- **That special consideration is given to the Grade II\* Listed status of the building and that in the event of substantial harm to the significance of the Listed Building, such as through demolition, demonstrable public benefits outweigh its demolition; and**
- **That the design of a new development takes account of the prominent position as a gateway site. An element of ground floor active use befitting the gateway location would be preferred.**

8.14 The Harpenden Public Halls were assessed as part of the site assessment process. However, it was considered that the site could not be allocated due to uncertainty of a development proposal coming forward for the site and the detail of such a proposal. The Harpenden Public Halls is an important cultural venue and it should not be lost unless a new theatre and community venue is provided elsewhere in Harpenden. We anticipate this will happen in the near future due to the proposals for a new facility at the current leisure complex site in Rothamsted Park. The Harpenden Public Halls forms part of a Grade II\* Listed building and therefore any redevelopment proposals must be considered acceptable in line with the test established in the NPPF, namely that the harm to the heritage asset is outweighed by the public benefits of the scheme. The Public Halls are located in the town centre and therefore the Neighbourhood Plan would prefer a ground floor active frontage appropriate to the location. This could include flexible workspace for home-workers or a destination retail use such as a restaurant. It may also comprise an appropriate community use.

#### **SI10 – Visitor Accommodation including Hotels**

**Proposals for new visitor accommodation, including hotels, are encouraged in appropriate locations that are in close proximity to Town and Local Centres. In addition, Applicants must ensure that the hotel is accessible to the Town/Local Centre it is in close proximity to by foot, cycle (with sufficient parking provided) and preferably public transport.**

8.15 In recent years, Harpenden has lost hotels to other uses, most recently Harpenden House Hotel. Hotels are vital for businesses, notably those with a wide reach such as Rothamsted Research, as well as residents for overspill accommodation. In addition, hotels support the growth of a visitor economy. Should a hotel be considered viable at a site within close proximity to the town and local centres, Policy SI9 provides support subject to compliance with other policies in this Plan.

### **SI11 – Utilities Infrastructure**

**Major development proposals should be supported by robust evidence of capacity within the existing utilities network (for water, sewage, electricity, gas and broadband) to accommodate the proposed development without a negative impact on existing residents and users. This should be in the form of confirmation from the relevant authority. Where providers are unable to provide such confirmation, applicants must provide impact studies of the extent, cost and timescale for any required upgrade works and a commitment to work with relevant parties to secure those upgrade works.**

8.16 Utilities infrastructure is crucial to the quality of life of new and existing residents. It is an issue that was regularly mentioned during engagement exercises. SI11 puts a reasonable expectation on developers to engage with the relevant authorities at the outset of a planning application, ensuring that capacity is not adversely impacted.

8.17 In relation to wastewater infrastructure the Local Planning Authority will seek to ensure that there is adequate wastewater infrastructure to serve all new developments. Developers are encouraged to contact Thames Water as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary wastewater infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.

## **9. TRANSPORT AND MOVEMENT**

### **Introduction**

9.1 This Chapter sets out a number of policies in relation to transport and movement within the Harpenden Neighbourhood Plan Area. Located just east of the M1, near Luton Airport and within close proximity of a number of medium-large town and cities, including Hemel Hempstead, St Albans, Welwyn Garden City, Stevenage and Luton, congestion is frequently experienced in the area. In particular, Main Roads through Harpenden such as the A1081 (which runs from St Albans to Luton via Harpenden Town Centre), the B653 (which runs from Luton to the A1(M) near Welwyn Garden City/Hatfield),

B652 (Station Road), which runs from Harpenden Town Centre to the B653 and Redbourn Lane (which connects with the M1 via Redbourn) experience congestion regularly.

9.2 Many of Harpenden's residents in employment travel a significant distance to work. At the time of the 2011 Census, the average travel to work distance was 13.5 miles. The most common travel to work range for residents is 19-30 miles (3,295 persons in 2011), which includes the Central Activities Zone of London, including the City of London and the West End. Accordingly, a significant number of local residents (around 29% in 2011) take advantage of the regular Thameslink services to London, stopping at St Albans or heading further north to Luton or Bedford. However, drivers (59% in 2011) still outnumber the number of residents commuting by train.

9.3 In recent years, a number of small improvements to the sustainable transport network have been made and there is now an opportunity locally to reduce vehicle usage by encouraging local people to walk, cycle or catch a bus around town. An example of a local improvement is the new community bus scheme, the Harpenden Hopper, which is a volunteer led service, running a hail-and-ride circular route.

9.4 Parking is another key issue in Harpenden, particularly in the town centre, where residents feel car parks are often congested. There is concern about commuters parking on streets within walking distance of the station.

## **Community Feedback**

### **Engagement 1 – Issues**

9.5 Residents overwhelmingly agreed (95%) that new development should consider the impact on existing roads. In addition, 72% of respondents agreed that more town centre car parking is needed, with general support for improvements to walking and cycle infrastructure, including providing access to schools. Around half of respondents supported measures for traffic calming in favour of pedestrians and a similar number supported improvements to the public transport network. A significant number of people remained neutral on both of those matters. The only statement that received more negative than positive responses was the idea of a new Transport Hub in Harpenden Town Centre.

### **Engagement 2 – Vision, Objectives and Policy Ideas**

9.6 At Engagement 2, there was a broad level of support for the proposed Vision and Objectives. 82% of residents agreed with the Vision and all but one Objective received over 75% support. The wording of that Objective, which received 67% support, related to a cycle hub in Harpenden Town Centre. As with Engagement 1, residents generally commented on issues of parking and congestion. In addition, some residents felt that the Neighbourhood Plan needs to be realistic in that private vehicles are still needed and that people would continue to use them. A significant amount of people supported the introduction of a multi-storey car park at the Station and better provision for people with impaired mobility.

## Engagement 3 – Regulation 14 Draft Neighbourhood Plan

9.7 Each policy received at least 70% support. Some amendments to policies were made in response to the feedback received, including from the Highways Authorities and other transport stakeholders.

### **Transport and Movement Vision**

*That Harpenden residents are able to walk and cycle around safely and comfortably, and travel is managed via predominantly environmentally friendly, interchangeable methods, with the appropriate quantity and quality of cycle storage and parking provision, in an atmosphere of sustainable growth and significantly reduced pollution.*

### **Transport and Movement Objectives**

*TMO1: Create an environment that promotes walking, cycling and ~~community~~ public transport as first choice modes for all residents and ensure that the services supporting these modes are in place, from high quality safe routes to reliable and sustainable transport services.*

*TMO2: Integrate modes of transport, for example through strategically located cycle storage.*

*TMO3: Create car free travel plans for getting to and from all Harpenden schools from all areas of Harpenden and surrounding villages.*

*TMO4: Reduce road traffic pollution and improve air quality.*

*TMO5: Ensure new developments include proportionate to scale transport infrastructure including sufficiently wide roads and pavements, cycle lanes, cycle parking, bus laybys, and other transport infrastructure with sufficient public transport and parking provision.*

*TMO6: Ensure new developments increase the density of walking and cycling routes and provide new crossings where appropriate.*

*TMO7: Ensure car parking within the town and transport to the town supports the viability of the town centre.*

### **Transport and Movement Policies**

#### **T1 – Transport Assessments**

Major development proposals or other proposals that would cause a significant amount of transport movement will be supported by a Transport Assessment, which must demonstrate predicted levels of traffic generated from the proposed development and the impacts of this additional traffic on roads and junctions within the Harpenden Neighbourhood Plan Area. Transport assessments must identify areas of established traffic congestion. Where severe negative impacts on the network are identified developers will be expected to fund proportionate improvements to mitigate this impact in order to make the planning application acceptable.

#### **T2 – Proposals Affecting the A1081, B653 and B652**

~~Proposals that may result in a material increase in traffic on the A1081, B653 (Lower Luton Road), B652 (Station Road) or Redbourn Road (as demonstrated by a Transport Assessment) will be required to make provision for, and contribute to, appropriate highways improvement measures to ease traffic congestion on those roads, including in relation to traffic flow and on-street parking pressure. Where creation or alteration of a junction on one of these roads is proposed, evidence must be provided that demonstrates how the proposed junction would minimise disruption to traffic flow. Proposals that provide for direct access or indirect access (such as via a side street) onto to the A1081, B653 (Lower Luton Road), B652 (Station Road) or Redbourn Road that would cause a significant increase in traffic on those roads will be required to make provision for, and contribute to, appropriate highways improvement measures to ease traffic congestion on those roads. Applicants must demonstrate that measures are incorporated that will ensure the proposals do not cause additional congestion on those roads or, in the case of the A1081 and its nearby streets, increase parking stress.~~

9.8 In order to mitigate the impact of new major development on the transport network, it is important in the first instance to assess the anticipated impact of that development. The threshold of major developments is in accordance with Paragraph [11132](#) of the National Planning Policy Framework [\(2018\)](#), which expects developments that generate significant amounts of transport movement to measure the impact of that development on the network. In the context of Harpenden, which has a significant existing pressure on the highways network, a major development threshold is considered most appropriate. In terms of the scope of transport assessments, applicants should refer to national guidance on transport assessments, currently contained in National Planning Practice Guidance (Paragraph: 015 Reference ID: 42-015-20140306).

9.9 The A1081, B653 and B652 are important local roads that frequently experience congestion. This is noted in the Harpenden Urban Transport Plan (2011), which notes in particular that congestion exists during the AM and PM peaks on these roads. The A1081 and B653 are connected by the B652, which means that congestion on each road may be conditional on the other routes. The particular issues experienced on these roads warrants the additional requirements set out in Policy T2.

#### **T3 – Travel Plans**

New development proposals that are likely to generate a significant amount of traffic must provide and agree a Travel Plan setting out how opportunities for encouraging, facilitating and supporting use of and improvement to sustainable travel modes have been maximised and will be delivered with the aim of reducing pollution levels. This should be proportionate to the likely impact detailed in a Transport Assessment.



#### **T4 – School Travel Plans**

**Proposals to improve the safe delivery of pupils to all Harpenden schools on foot, by bicycle, school bus or car will be supported. All school-related planning applications that are likely to impact the transport network, whether new schools or redevelopment, are required to prepare and agree a detailed School Travel Plan in support of this.**

9.10 Travel Plans are key documents that help to address the potential negative highways impacts through appropriate mitigation measures of new developments on roadways as identified in a Transport Assessment. Travel Plans should also be prepared to include content suggested by national planning guidance, which is also currently contained within National Planning Practice Guidance (Paragraph: 011 Reference ID: 42-011-20140306). Schools generate a significant amount of traffic compared to other uses and local residents are keen to support sustainable travel to and from school that does not impede the transport network. The 2011 Harpenden Urban Transport Plan notes that congestion increases during the morning and evening school run periods. Ensuring schools in Harpenden develop and update a Travel Plan is a key way of managing this impact.

#### **T5 – Road Layouts**

**On main routes and alongside new development, new road layouts that reduce congestion thus also reduce pollution levels will be supported, provided it is demonstrated that proposals are developed in accordance with the relevant aspect of the Hertfordshire Design Guide and in liaison with ~~and supported by~~ local people. Road layouts should also take into account the needs of cyclists.**

9.11 The Neighbourhood Plan encourages proposals that would support clean air in and around Harpenden, particularly in areas noted for congestion. However, it also recognises that buy-in to these schemes is vital to ensure the success of new layouts. In addition, proposals must consider wider impacts on other domains of sustainability, such as economic and social matters. It is important that the transport system is optimised in a sustainable manner, including reducing poor air quality in the Neighbourhood Plan Area. As the Highways Authority, it is important that new developments take into account the guidance issued by Hertfordshire County Council on road layouts as detailed in its Design Guide.

#### **T6 – Improvements to the Sustainable Transport Network**

**Appropriate provision of new and improved walking or cycling routes, improvements to the public transport network, the introduction of electric car charging points and the introduction of appropriate facilities for cyclists (including storage and changing facilities) are supported.**

#### **T7 – Integrated Pedestrian Network**

**All new housing developments must provide safe pedestrian access to link up with existing or proposed footpaths, ensuring that residents can walk safely to bus stops, schools, work and other facilities.**

#### **T8 – Bus Stop Layouts**

In order to improve traffic flow and reduce congestion, proposals for significant residential development must provide appropriate road layout changes to ensure bus stops on main routes ~~, where appropriate,~~ are provided off the main highway (in a layby) to ensure traffic flow is not impeded, in accordance with guidance from Hertfordshire County Council.

#### **T9 – Sustainable Transport Routes**

Appropriate provision of new and improved walking or cycling routes, improvements to the public transport network, the introduction of electric car charging points and the introduction of appropriate facilities for cyclists (including storage and changing facilities) are supported.

**New and improved cycle routes, pathways and bridleways within the Neighbourhood Plan Area, including those connected to nearby settlements, will be supported. In particular, improvements to the Harpenden to St Albans Cycle Route through the provision of a cycle only lane from Beesonend Lane past West Common would be supported.**

9.12 A key ambition of the Neighbourhood Plan is to support a modal shift away from private motor vehicles and towards more sustainable modes of transport. This approach is intended to be through positive encouragement of measures that make sustainable transport options more accessible rather than seeking to make driving less accessible. Reducing the number of vehicle trips will ease congestion and support better air quality in the Neighbourhood Plan Area.

~~9.13 Currently most bus stops in the Neighbourhood Plan Area require buses to stop on the main highway, which can exacerbate problems on routes that experience regular congestion. While it would be difficult to retrospectively address this in historic and densely developed parts of Harpenden without potentially damaging local character, there are opportunities to ensure new and improved bus stops at the outskirts of Harpenden do not impede traffic flow.≡~~

9.14 St Albans City and District Council has provided a shared surface cycle and pedestrian route along the edge of the A1081. However, this route is limited in width and many cyclists use the road instead. A separate cycle route could provide a popular route in a similar style to the Nickey Line, which runs from Hemel Hempstead to Harpenden via Redbourn.

#### **T10 – Parking in Harpenden Town Centre**

**Appropriate proposals to increase car parking and cycle storage capacity within Harpenden Town Centre are supported. In particular proposals for a multi-level car park at the Station and an increase in parking provision alongside the proposed redevelopment of Harpenden Sports Centre and Swimming Pool. Where appropriate in the context of local character and heritage, the Neighbourhood Plan supports proposals that seek to introduce a second tier to surface car parks, subject to appropriate traffic modelling that determines no severe impact to local highways.**

### **T11– Residential Parking Standards**

**Proposals for all new homes to be built in Harpenden should provide an appropriate level of off-street parking for cars and bicycles, having regard to site-specific circumstances & maximum parking standards set out in the 2002 St Albans City and District Council Revised Parking Policies and Standards (or the most up to date parking standards). Should an amount of parking be proposed that exceeds or significantly falls below the maximum standards, this must be robustly justified with evidence of anticipated demand. Where parking includes a garage, the minimum dimensions should be 6m long by 3m wide and have an appropriate height to allow most vehicles to be parked.**

9.15 It is important that sustainable transport options make a strong contribution to improving the free flow of traffic.. Therefore, the Neighbourhood Plan seeks to ensure new and improved bus stops provided alongside strategic residential development are located in laybys off the highway, allowing the continuous flow of traffic. Policy T10 is included for a similar reason, in order to encourage more people to cycle through improving safety while preventing any road congestion caused by cyclists using the A1081. In this sense, Policies T9 and T10, are to the benefit of all road users.

9.16 Parking is a key local issue in Harpenden as evidenced by the feedback received by local people, many of whom support the idea of a new multi-storey car park serving Harpenden station. It is important that an increase in parking capacity in Harpenden Town Centre is managed and does not negatively impact ambitions to promote a modal shift away from car use and damage local character. However, it is clear that local people see a need for an increase in parking capacity and therefore the Neighbourhood Plan supports appropriate proposals to add a parking level above surface car parks to meet this need.

9.17 In terms of residential parking standards, this Neighbourhood Plan recognises the role of the St Albans Parking Standards and continues to support their implementation. However, the time period since the adoption of those standards is significant and therefore Policy T12 will allow departures from those standards in certain situations provided it is clearly and robustly justified with evidence.

### **Policy T12 – Access for All**

**Proposals incorporating practical measures to assist residents and visitors with limited mobility will be supported. This includes careful placing of disabled car parking spaces, safer crossings giving ample time to cross and wider pathways. Proposals that would make access difficult for people with limited mobility will not be supported.**

**Affordable Housing:** Affordable housing includes social rented, affordable rented and intermediate housing, provided to specified eligible households whose needs are not met by the market. Most affordable housing will be provided through a registered social landlord at rates substantially lower than the prevailing market rates. It does not include lower cost market housing.

**Brownfield:** Previously developed land which is or was occupied by a permanent structure.

**Change of Use:** The process of changing the use of a property from one Use Class to another, with or without the need for planning permission (see definition of Use Class).

**Conservation Area:** An area designated by the District Council under Section 69 of the Planning (Listed Building and Conservation Areas Act 1990) as an area of Special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. There are additional controls over demolition, minor developments and the felling of trees. The emphasis will be on careful control, positive management of change and enhancement, to enable the area to remain alive and prosperous, but at the same time to ensure that any new development accords with the area's special architectural or historic interest. Designation as a Conservation Area puts an onus on prospective developers to produce a very high standard of design which respects or enhances the particular qualities of the area in question.

**Convenience and Comparison Shops:** Convenience Shops include supermarkets and convenience stores and primarily provide everyday household goods, such as food items and other essentials. Comparison shops relate to all other types of shop, such as electronics, clothing, furniture and service-orientated shops such as hairdressers.

**Development Plan:** The Development Plan is the collective term to refer to all statutory planning policy documents affecting a particular area. The Harpenden Neighbourhood Plan will become part of the Development Plan once adopted, sitting alongside the adopted St Albans City and District Council Development Plan.

**Flood zones:**

- Zone 1 (low probability) comprises land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%).
- Zone 2 (medium probability) comprises land assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1%- 0.1%).
- Zone 3a (high probability) comprises land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%).
- Zone 3b (the functional floodplain) comprises land where water has to flow or be stored in times of flood.

**Green Belt:** The Green Belt is a landscape-land use designation intended to prevent the unrestricted sprawl of settlements. In the case of the Green Belt around Harpenden, it was initially laid to prevent the sprawl of London by restricting the growth of settlements within the buffer (including Harpenden). The National Planning Policy Framework gives the Green Belt the utmost protection from development.

**Greenfield:** Land that has not previously been developed or has returned to a natural state.

**Green Infrastructure:** A network of multi-functional green space, both urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

**Green Infrastructure:** A network of multi-functional green space, both urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

**Intermediate Housing:** Intermediate housing is a sub-type of affordable housing. Intermediate housing is available for either rent or sale at a discounted rate when compared to the open market. Intermediate housing includes shared equity housing, such as shared ownership or Help to Buy schemes. It does not include housing provided by a Registered Social Landlord (social housing) and homes marketed as “low cost” will not automatically qualify as intermediate housing.

**Listed Buildings:** A Listed Building is a building, object or structure that has been judged to be of national importance in terms of architectural or historic interest and included on a special register, called the List of Buildings of Special Architectural or Historic Interest. There are three gradings of Listed Buildings, Grade I (most important), II\* and II. Works to a Listed Building that may affect their character require Listed Building Consent.

**Locally Listed Buildings:** Locally Listed Buildings are buildings identified by local planning authorities to have particular heritage importance. These are not protected in the same way as Listed Buildings, but a local planning authority may take in to account a locally listed building designation when making a decision on a planning application.

**Major development:** Major development is defined in the Development Management Procedure Order (2015) as development for either:

- The winning and working of minerals or the use of land for mineral-working deposits;
- Waste development;
- New housing, where the proposal includes ten or more units;
- Non-residential floorspace totalling 1,000 square metres or more; or
- Any development on a site over one hectare.

**Permitted Development:** Permitted Development is a term used to describe any form of development, including change of use as well as construction, that does not require planning permission and therefore is not subject to the policies of the Development Plan. Permitted Development rights are outlined in the Town and Country Planning (General Permitted Development) (England) Order 2015. Certain Permitted Development rights may be reduced or revoked in certain areas, known as Article 2(3) land (including Conservation Areas). Listed Building Consent is still required for Permitted Development works to a Listed Building. Certain types of Permitted Development require Prior Approval from the local planning authority, a process by which the impact of a proposal in line with certain criteria set out in the Order is examined.

**Primary and Secondary Shopping Frontages:** Primary and Secondary Shopping Frontages are located in retail centres. Primary Shopping Frontages are likely to include a high proportion of retail uses, which may include food, drinks, clothing and household goods. Secondary Shopping Frontages provide greater opportunities for a diversity of uses such as restaurants, cinemas and businesses.

**Public Realm:** The network of publicly accessible streets and open spaces, including those between buildings.

**Significant development:** For the purposes of this plan, significant development represents development proposals that would have a significant impact on local infrastructure, the environment or local residents. All large-scale major developments (200+ dwellings, 10,000sqm non-residential floorspace or two hectare-plus site area) will automatically be considered significant. However, in sensitive locations or with certain high impact proposals, a lesser amount of development may be considered significant.

**Specialist accommodation:** Specialist accommodation is housing designed to meet the needs of particular groups, such as older people, people with disabilities or vulnerable people. It can refer to purpose-built or adapted accommodation. Specialist housing includes supported accommodation, which is accommodation with an element of care.

**Sustainable Development:** Development that balances social, economic and environmental needs.

**TPO (Tree Preservation Order):** A mechanism for securing the preservation of single or groups of trees of acknowledged amenity value. A tree subject to a tree preservation order may not normally be topped, lopped or felled without the consent of the local planning authority.

**Use Classes:** Use Classes are established in the Town and Country Planning (Use Classes) Order 1987. Use Classes are used to distinguish between different land uses. Planning Permission is not required for a change of occupier of a premises provided the new use is within the same Use Class. Change of Use from one Use Class to another usually requires planning permission, however, certain changes of use are Permitted Development, and are therefore allowed without the need for planning permission. The Use Classes are:

- A Class – Retail Uses:
  - A1 Shops – including ordinary shops and most service-related retail (such as travel agencies, hairdressers, undertakers, dry cleaners, hire shops and showrooms);
  - A2 Financial and professional services – retail banks, building societies, professional services (other than health and medical services), estate and employment agencies;
  - A3 Restaurants and cafes – food and drink (primarily non-alcoholic) outlets selling for consumption on the premises;
  - A4 Drinking establishments – public houses and bars (not nightclubs) including those with a food offer;
  - A5 Hot food takeaways – sale of hot food for consumption off the premises.
- B Class – employment uses:
  - B1 Business – Offices (specifically B1a) (not including those covered by A2), research and development and light industry (where appropriate near residential uses);
  - B2 General industrial – industrial uses not covered in B1, including heavy industry but excluding incinerators, chemical treatment, landfill or hazardous waste sites;
  - B8 Storage and distribution – including open air and warehouse storage and logistics/distribution.

- C Class – residential uses:
  - C1 Hotels – including bed and breakfasts and guesthouses but excluding hostels;
  - C2 Residential institutions – residential care homes, hospitals, nursing homes, boarding schools/colleges and residential training centres. Secure residential institutions are C2a and include prisons, young offenders institutes and detention centres;
  - C3 Dwellinghouses – residential accommodation for single people, families and cohabiters (up to six) living as a single household. This category includes homes of up to six people living with a degree of care (such as those with learning disabilities);
  - C4 Homes in multiple occupation – shared residential units (3-6 people) for six unrelated individuals, who share basic amenities (includes much private student housing).
- D Class – institutional uses:
  - D1 Non-residential institutions – including clinics, health centres, crèches, nurseries, schools, art galleries, libraries, halls, places of worship and non-residential training centres;
  - D2 Assembly and leisure – cinemas, music/concert halls, bingo, swimming paths, gyms, sports centres (excluding motor sports).

Certain individual uses are excluded from the Use Classes set out above. These uses are collectively referred to as sui generis. It is not possible to change from a sui generis use to a different sui generis use or a A-D Class Use without planning permission. Often sui generis uses are sensitive uses; examples include betting shops, payday loan shops, theatres, petrol stations, nightclubs, launderettes and casinos.

**Additional comments from Nexus:**

- **We will review the Green Belt boundary on the proposals map as somebody raised this as inaccurate in one particular location by Rothamsted Park;**
- **We will add the Conservation Area to the proposals map;**
- **We can prepare a policy to identify Local Green Spaces if agreed by the Steering Group?**
- **We can agree at the Steering Group meeting appropriate allocation numbers for housing sites as a number of concerns have been detailed (particularly with reference to Jewsons and Pan Autos;**
- **We will include a list of policies at the start of the NP;**