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# **Report on the Harpenden Neighbourhood Plan 2018 - 2033**

**An Examination undertaken for St Albans City and District Council with the support of the Harpenden Town and Rural Parishes on the January 2018 submission version of the Plan.**

Independent Examiner: Andrew S Freeman BSc (Hons) DipTP DipEM FRTPI

Date of Report: 6 September 2018

Intelligent Plans and Examinations (IPE) Ltd, Regency Offices, 37 Gay Street, Bath BA1 2NT

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## **Main Findings** - Executive Summary

From my examination of the Harpenden Neighbourhood Plan (the Plan) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – Harpenden Town Council with the consent of Harpenden Rural Parish Council (also a qualifying body);
- The Plan has been prepared for an area properly designated – see the map on page 7 of the Plan;
- The Plan specifies the period to which it is to take effect – 2018-2033; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

## **1. Introduction and Background**

### *Harpenden Neighbourhood Plan 2018 - 2033*

- 1.1 The Harpenden Neighbourhood Plan Area incorporates Harpenden Town Parish and Harpenden Rural Parish. The Plan has been prepared by Harpenden Town Council (a parish council and qualifying body) with the consent of Harpenden Rural Parish Council (also a parish council and qualifying body).
- 1.2 The irregularly-shaped Plan area is centred on the town of Harpenden. The area is about 22 sq km in extent with a population of nearly 30,000 (2011). Beyond the area to the northwest lie Luton and Dunstable. Hemel Hempstead is situated to the southwest whilst St Albans is located to the southeast. The area is bisected by the A1081 and a main-line railway, both of which run in a roughly north-south direction. Towards the south of the area, the B487 links Harpenden Common with Redbourn and Hemel Hempstead beyond. From Harpenden (Batford), the B653 provides a link to Luton to the northwest and Wheathampstead to the east. Much of the designated area is built up. Most of the undeveloped land is part of the Metropolitan Green Belt.

- 1.3 As indicated below, work on the Plan commenced following designation of the area in March 2016. There followed various stages of engagement including the development and refinement of a vision, objectives and policies. The submitted Plan represents more than two years of detailed work by those involved. In addition to the Overall Vision, Spatial Strategy and Infrastructure Zones policy, there are some 60 policies in five policy areas.

#### *The Independent Examiner*

- 1.4 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Harpenden Neighbourhood Plan by St Albans City and District Council with the agreement of Harpenden Town Council.
- 1.5 I am a chartered town planner and former government Planning Inspector with over forty years of experience. I have worked in both the public and the private sectors. I am an independent examiner and do not have an interest in any of the land that may be affected by the draft Plan.

#### *The Scope of the Examination*

- 1.6 As the independent examiner, I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
  - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
  - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.7 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ("the 1990 Act"). The examiner must consider:
- whether the Plan meets the Basic Conditions;
  - whether the Plan complies with provisions under Section 38A and Section 38B of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act"). These are:
    - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;

- it sets out policies in relation to the development and use of land;
  - it specifies the period during which it has effect;
  - it does not include provisions and policies for “excluded development”;
  - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
  - whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum; and
- such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) (“the 2012 Regulations”).

1.8 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

*The Basic Conditions*

1.9 The “Basic Conditions” are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with and not breach European Union (EU) obligations; and
- meet prescribed conditions and comply with prescribed matters.

1.10 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the neighbourhood plan should not be likely to have a significant effect on a European Site (as defined in the Conservation of Habitats and Species Regulations 2017) or a European Offshore Marine Site (as defined in the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007) either alone or in combination with other plans or projects.

## 2. Approach to the Examination

### *Planning Policy Context*

- 2.1 The Development Plan for this part of the St Albans City and District Council, not including documents relating to excluded minerals and waste development, comprises the saved policies (2007) of the District Local Plan Review 1994. Work is underway on the St Albans and District Local Plan 2020 – 2036, which is intended to undergo consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 in September 2018. While there is no requirement for the Plan to be in general conformity with the strategic policies of the emerging Local Plan it is important to minimise any conflict between the two documents<sup>1</sup>.
- 2.2 Relevant planning policy for England is set out principally in the National Planning Policy Framework (NPPF). Related Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published during this examination on 24 July 2018, replacing the previous 2012 NPPF. The transitional arrangements for local plans and neighbourhood plans are set out in paragraph 214 of the 2018 NPPF, which provides 'The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019'. A footnote clarifies that for neighbourhood plans, 'submission' in this context means where a qualifying body submits a plan to the local planning authority under Regulation 15 of the 2012 Regulations. The Harpenden Neighbourhood Plan was submitted to the Council in February 2018. Thus, it is the policies in the previous NPPF that are applied to this examination and all references in this report are to the March 2012 NPPF and its accompanying PPG<sup>2</sup>.

### *Submitted Documents*

- 2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft Harpenden Neighbourhood Plan 2018 - 2033, January 2018;
  - a map of the Plan, which identifies the area to which the proposed neighbourhood development plan relates;
  - the Consultation Statement (Engagement Statement), February 2018;

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<sup>1</sup> PPG Reference ID: 41-009-20160211.

<sup>2</sup> View at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

- the Basic Conditions Statement, February 2018 (included within the Legal Compliance Statement);
- all the representations that have been made in accordance with the Regulation 16 consultation;
- the Strategic Environmental Assessment Screening Report (January 2018) prepared by the Council; and
- the responses prepared by Nexus Planning on behalf of the qualifying body dated 8 August 2018 in response to the questions set out in my letter of 18 July 2018<sup>3</sup>.

### *Site Visit*

2.4 I made an unaccompanied site visit to the Neighbourhood Plan Area on 1 August 2018 to familiarise myself with it and visit relevant sites and areas referenced in the Plan and evidential documents.

### *Written Representations with or without Public Hearing*

2.5 This examination has been dealt with by written representations. There were no requests for an appearance amongst the Regulation 16 representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum.

### *Modifications*

2.6 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

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<sup>3</sup> View at: <http://www.stalbans.gov.uk/planning/Planningpolicy/npad.aspx>

### **3. Procedural Compliance and Human Rights**

#### *Qualifying Body and Neighbourhood Plan Area*

- 3.1 The Harpenden Neighbourhood Plan has been prepared and submitted for examination by Harpenden Town Council (a qualifying body) with the consent of Harpenden Rural Parish Council (also a qualifying body). The area was designated on 17 March 2016.
- 3.2 It is the only neighbourhood plan for the Harpenden Town and Harpenden Rural Parish Area and does not relate to land outside the designated Neighbourhood Plan Area.

#### *Plan Period*

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2018 to 2033.

#### *Neighbourhood Plan Preparation and Consultation*

- 3.4 Details of plan preparation and consultation are set out in the Town Council's Engagement Statement (Consultation Statement), February 2018. Application for designation as a neighbourhood area was made under the Localism Act 2011 and the 2012 Regulations towards the end of 2015. Following statutory publicity, the Neighbourhood Plan Area was approved by St Albans City and District Council on 17 March 2016.
- 3.5 In preparing the Plan, there have been three main stages of engagement. The first stage involved discussion of Harpenden's key issues and included a leaflet drop, questionnaires and a drop-in session. The second stage of engagement, with similar methods of involvement, concerned the drafting of a vision, objectives and policy intentions. The third key stage of engagement was represented by formal pre-submission consultation under Regulation 14. With regard to the Regulation 14 consultation, the Engagement Statement indicates that 158 responses were received via the on-line and hardcopy questionnaires. In addition, 31 responses were made by consultation bodies, other bodies and some residents. Responses are recorded in the Engagement Statement including instances where the Plan has been amended. At the Regulation 16 consultation stage, 12 responses were received. The majority of the responses were from statutory consultees. In addition, there were five responses from agents representing owners of land in the area.
- 3.6 I confirm that the legal requirements have been met by the consultation process. In addition, there has been regard to the advice in PPG on plan preparation.

### *Development and Use of Land*

3.7 The Plan sets out policies in relation to the development and use of land in accordance with Section 38A of the 2004 Act.

### *Excluded Development*

3.8 The Plan does not include provisions and policies for “excluded development”.

### *Human Rights*

3.9 Harpenden Town Council is satisfied that the Plan has regard to and is compatible with the European Convention on Human Rights (and by proxy the Human Rights Act 1998). From my independent assessment, I see no reason to disagree.

## **4. Compliance with the Basic Conditions**

### *EU Obligations*

4.1 The Neighbourhood Plan was screened for Strategic Environmental Assessment (SEA) by St Albans City and District Council which found that it was unnecessary to undertake SEA. The screening report also addressed the need for assessment under the Habitats Directive. It was determined that assessment was not required given that the area is not in close proximity to a European designated nature site. Natural England agreed with this conclusion in an email dated 22 November 2017. From my independent assessment of this matter, I have no reason to disagree.

### *Main Issues*

4.2 Having regard for the Harpenden Neighbourhood Plan, the consultation responses and other evidence, and the site visit, I consider that there are six main issues relating to the Basic Conditions for this examination. These concern:

- Overall Vision and Spatial Strategy;
- Employment and Retail;
- Environment and Sustainable Design;
- Housing;
- Social Infrastructure and Community Facilities; and
- Transport and Movement.

### *Introduction to the Discussion*

- 4.3 As noted in paragraph 1.3 above, there are 60 policies in the Plan. This section of my report sets out modifications that are necessary in order to meet the Basic Conditions. Some of the proposed modifications are factual corrections. Others are necessary in order to have closer regard to national policies and advice. In particular, policies should be clear and unambiguous; also, supported by appropriate evidence<sup>4</sup>. It should be noted that where policies are not subject to specific commentary in this section, I am satisfied that all such policies meet the Basic Conditions without modification.

### *Overall Vision and Spatial Strategy*

- 4.4 There are two policies in the section of the Plan that deals with the Overall Vision and Spatial Strategy. The first is Policy SS1 – The Spatial Strategy. The second is Policy SS2 – Infrastructure Zones. Amongst other things, Policy SS1 indicates that development proposals in Harpenden Town Centre must have regard to its special characteristics. However, there is an inaccurate reference to the figure that defines the extent of the town centre. This would be corrected under proposed modification **PM1**.
- 4.5 Policy SS2 includes requirements that will apply to significant development proposals in the South East Infrastructure Zone. For example, impacts on “key routes such as Southdown Road...” will need to be mitigated. However, there is no definitive indication of what constitutes a key route. Clarity would be added under proposed modification **PM2**.

### *Employment and Retail*

- 4.6 The Employment and Retail section of the Plan contains a suite of eight related policies. One such policy is Policy ER5 – Supporting Harpenden Town Centre Economy. Within the policy there are two references to the requirement for 90% of shopfronts to remain in A-Class uses. However, it is not clear whether this is 90% by number or by the length of the frontage. Clarity would be added under proposed modification **PM19**.
- 4.7 Policy ER6 deals with Supporting Local Centres. The explanatory text indicates that increased parking at convenience shops in local centres will be supported. This provision is out of step with the thrust of the Transport and Movement Objectives in the Plan and to the aims of local centres. Rather than increased parking, the text should refer to a limited amount of on-site parking, as in proposed modification **PM3**.

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<sup>4</sup> PPG Reference ID: 41-041-20140306.

4.8 Policy ER8 in this section of the Plan has the title “Adaptable, Innovative and Up to Date Retail and Employment Centres”. It calls for the utilisation of latest technologies. However, this expression lacks clarity. Reference should be made to adaptability to future occupiers; also, the aspects of technology that should be utilised. Clarification of the term “major retail and employment proposals” is also needed. Appropriate changes are set out in proposed modification **PM4**.

#### *Environment and Sustainable Design*

- 4.9 The next section of the Plan contains 20 policies on the environment and sustainable design. The first of these (Policy ESD1) sets out 12 considerations that, in the case of major developments, are to be addressed in a design brief. However, there are a number of uncertainties:
- What is meant in the call for developments to be “visually appealing”?
  - Who would produce the design brief and how would it be approved?
  - What is the “water efficiency standard”?
- 4.10 In addition, in relation to ecology and landscape matters, greater regard to the provisions of the NPPF (Section 11) is needed. The necessary changes are set out in proposed modification **PM5**.
- 4.11 In Policy ESD2 (Local Character and Heritage), there is reference to undesignated heritage assets of various types. However, there is no indication as to where details are to be found. This matter would be clarified through proposed modification **PM6**.
- 4.12 Policy ESD8 concerns Green and Open Spaces and Areas of Ecological and Landscape Value. Amongst other things, the policy states that development should not result in the loss of or significant harm to rivers. However, the evidence from the Environment Agency<sup>5</sup> indicates that the reference should be to river corridors. This appropriate evidence would be recognised through proposed modification **PM7**.
- 4.13 Policy ESD9 (Key Views) calls for evidence detailing the protection or enhancement that would be afforded to key views. In this regard, the requirement is unclear. Clarification would be added under proposed modification **PM8**.

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<sup>5</sup> Regulation 16 representation of the Environment Agency (HTNP 3).

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- 4.14 In respect of Biodiversity (Policy ESD13), Paragraph 6.21 contains the following requirements: "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". These are essentially policy requirements and should be included within the policy itself. Proposed modification **PM9** refers.
- 4.15 Policy ESD15 addresses the matter of sustainability and energy efficiency. All developments must support the objective of making the Neighbourhood Plan Area a low carbon area and aim to be carbon neutral. In addition, Policy ESD16 deals with the matter of carbon dioxide emissions.
- 4.16 As indicated in Government guidance<sup>6</sup>, local standards on a building's sustainability will need to be based on robust and credible evidence and pay careful attention to viability. In this regard, and given that appropriate requirements are set out in Policy ESD16, the reference to carbon neutrality should be omitted from Policy ESD15 as set out in proposed modification **PM10**.
- 4.17 Policy ESD16 recognises that a different approach on carbon dioxide emissions is needed in the case of heritage assets. Reference is made to guidance by Historic England. However, this reference is vague and uncertain. It is necessary to clarify the point as in proposed modification **PM11**.
- 4.18 With regard to Policy ESD19 – Water Conservation, representations have been made regarding the level of internal water use permissible in major developments<sup>7</sup>. In the Plan, this is set at a limit of 120 litres per person per day. On water conservation grounds, I can see that there is a case for a reduced standard (110 litres per person per day). However, I have seen no consideration of the impact on viability and housing supply of such a requirement, as referred to in Government guidance<sup>8</sup>. As such, I propose to leave the requirement unchanged.

### *Housing*

- 4.19 The section of the Neighbourhood Plan that deals with housing is accompanied by a suite of 10 housing policies. Of these, Policy H2 is concerned with Housing Renewal. A reading of the policy could be taken as support for wholesale replacement of the existing stock. This is not the

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<sup>6</sup> PPG Reference ID: 6-009-20150327.

<sup>7</sup> Regulation 16 representation of Thames Water (HTNP 9). See also See "Response to Examiner Questions", 08/08/2018, prepared by Nexus Planning.

<sup>8</sup> PPG Reference ID: 56-015-20150327.

Town Council's intention<sup>9</sup>. An amendment to the text, as under proposed modification **PM12**, is needed to rectify the matter.

- 4.20 With regard to Policy H5 – Higher Density Development, proposals are expected to be no taller than three stories in height unless in exceptional circumstances. The following text, Paragraph 7.13, indicates where exceptional circumstances will exist; but there is no reference to circumstances where harm would be outweighed by public benefit. This would be added under proposed modification **PM20**.

#### *Social Infrastructure and Community Facilities*

- 4.21 Section 8 of the Neighbourhood Plan contains 11 policies on the topic of Social Infrastructure and Community Facilities. To meet the Basic Conditions, five of these policies require modification. Policy SI1 (School Development) uses the expression "accessible school places". However, the meaning of this term is unclear. Appropriate clarification would be provided under proposed modification **PM13**.
- 4.22 Policy SI2 on Protection of Community Uses addresses circumstances where re-provision of facilities or buildings would be required. However, as presently worded, the policy does not state that the re-provision would have to be within the designated neighbourhood area. This would be corrected under proposed modification **PM14**.
- 4.23 Policy SI3 (Venues for Community Use) refers to "design guidance set by the relevant regulatory authority". However, this requirement is not sufficiently clear and should be deleted. Proposed modification **PM15** refers.
- 4.24 Policy SI3 contains another anomaly. Applications concerning the creation of new schools must be accompanied by details of how, and to what extent, certain facilities will be made available; but the policy provides no sanctions in the event that no facilities would be forthcoming. Proposed modification **PM16** would ensure that proposals would not be supported in such circumstances.
- 4.25 Policy SI7 (Accessible GP Practices) requires developers to include "on-site provision if preferred by the health authorities". I appreciate that health authorities may have important views on such matters. Nevertheless, decisions have to be made on planning grounds. Amendment of the policy needs to be made as under proposed modification **PM17**.
- 4.26 Policy SI11 addresses the matter of Utilities Infrastructure with the principal aim of ensuring that capacity is not adversely impacted. Key

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<sup>9</sup> See "Response to Examiner Questions", 08/08/2018, prepared by Nexus Planning. Intelligent Plans and Examinations (IPE) Ltd, Regency Offices, 37 Gay Street, Bath BA1 2NT  
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provisions are contained within the policy. However, as set out in the evidence of Thames Water<sup>10</sup>, there are other matters that should be addressed by applicants particularly in relation to water infrastructure. These would be addressed under proposed modification **PM18**.

### *Transport and Movement*

- 4.27 The final policy section of the Plan is concerned with Transport and Movement. There are 11 related policies (there is no Policy 7). Of these, three are in need of modification. In addition, the Transport and Movement Objectives require amendment.
- 4.28 Amongst other things, Transport and Movement Objective 1 (TMO1) promotes community public transport. However, *all* forms of public transport should be encouraged, not just community transport such as the Hopper Bus. "Community" would be deleted under proposed modification **PM21**.
- 4.29 Policy T2 (Proposals Affecting the A1081, B653 and B652), as currently worded, requires a demonstration that additional congestion or increased parking stress can be avoided. However, Paragraph 32 of the NPPF states that, "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". In proposed modification **PM22**, I am recommending a revised form of wording for the policy that would ensure appropriate regard for this national policy.
- 4.30 Under Policy T5 (Road Layouts), new road layouts will be supported in circumstances that include support by local people. The views of local people will no doubt be an important consideration. Nevertheless, decisions have to be made on sound planning grounds. As set out in proposed modification **PM23**, reference to the required support of local people should be deleted.
- 4.31 Policy T8 (Bus Stop Layouts) addresses the provision of bus stops where significant residential development is to take place. The policy requires provision off the main highway, in a layby. However, the evidence of the highway authority<sup>11</sup> indicates that other factors may be relevant. Proposed modification **PM24** recognises the appropriateness of greater flexibility.

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<sup>10</sup> Regulation 16 representation of Thames Water (HTNP 9).

<sup>11</sup> Regulation 16 representations of Hertfordshire County Council (HTNP 14).

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## *Other Matters*

4.32 The above section of my report deals with modifications that are necessary in order to meet the Basic Conditions. Other minor changes (that do not affect the Basic Conditions), including those identified in the "Response to Examiner Questions",<sup>12</sup> could be made by the Town Council of its own volition.

## **5. Conclusions**

### *Summary*

5.1 The Harpenden Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Neighbourhood Plan and the evidence documents submitted with it.

5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

### *The Referendum and its Area*

5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The Harpenden Neighbourhood Plan as modified has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

### *Overview*

5.4 It is evident that a considerable amount of time and effort has been devoted to the development and production of this Plan and I congratulate those who have been involved. The Plan should prove to be a useful tool for future planning and change in Harpenden over the coming years.

*Andrew S Freeman*

EXAMINER

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<sup>12</sup> "Response to Examiner Questions", 08/08/2018, prepared by Nexus Planning.  
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## Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 19	In the final paragraph of Policy SS1, substitute "Figure 4.2" for "Figure 4.1".
PM2	Page 21	In Policy SS2, under the heading "Significant development proposals in the South East" (first bullet point), delete "key routes such as".
PM3	Page 31	In the first sentence of Paragraph 5.12, insert "be supported by a limited amount of" before "on site parking". In the second sentence, delete "and increase parking".
PM4	Page 31	<p>Substitute the following for the text of Policy ER8:</p> <p>"Applicants of major development proposals including either retail or employment use must submit evidence which demonstrates:</p> <ul style="list-style-type: none"> <li>- that sufficient infrastructure is in place to meet an increase in demand arising from the development;</li> <li>- how facilities are adaptable to future occupiers, including where relevant the ability to subdivide offices; and</li> <li>- the utilisation of latest technologies wherever possible, with regard to deliveries, lighting, security and noise emissions." </li></ul>
PM5	Pages 33 and 34	<p>In Policy ESD1, substitute "visually attractive" for "visually appealing".</p> <p>In the first sentence of the second paragraph, substitute the following for the words after "must be": "prepared and submitted in support of the planning application."</p> <p>For requirement v, substitute the following: "Protection against the loss of or significant harm to ecological or landscape value or, in the event of loss or</p>

		<p>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.”</p> <p>Substitute the following for requirement x: “How the water efficiency standard for housing, as set out in Policy ESD19, has been applied.”</p>
PM6	Page 35	In Policy ESD2 iv, after the first reference to “undesignated heritage asset”, add the words “identified in a planning guidance document prepared by St Albans City and District Council...”
PM7	Page 38	In Policy ESD8, in the two references to “rivers”, substitute “river corridors”.
PM8	Page 40	<p>Substitute the following for the second paragraph of Policy ESD9:</p> <p>“Development proposals affecting key views must be supported by evidence that 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.”</p>
PM9	Page 42	<p>Substitute the following for the first paragraph of Policy ESD13:</p> <p>“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.</p> <p>“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</p>

		<p>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.”</p> <p>Delete the second sentence of Paragraph 6.21.</p>
PM10	Page 43	In Policy ESD15, delete the sentence “Development should aim to be carbon neutral.”
PM11	Page 43	Add the following at the end of Policy ESD16: “(‘Energy Efficiency and Historic Buildings - Application of Part L of the Building Regulations to historic and traditionally constructed buildings’ or a successor document).”
PM12	Page 48	<p>Substitute the follow for the first paragraph of Policy H2:</p> <p>“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 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.”</p>
PM13	Page 57	In the first sentence of Policy SI1, delete the word “accessible”. After “Harpenden”, insert “that are accessible to local people”.
PM14	Page 57	In Policy SI2, after the words “re-provided elsewhere” insert “in the Neighbourhood Plan Area”.
PM15	Page 57	In Policy SI3, delete the words “providing that they comply with the latest design guidance set by the relevant regulatory authority”.
PM16	Page 58	Add the following at the end of Policy SI3: “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.”
PM17	Page 59	At the end of Policy SI7, and in place of “preferred by the health authorities”, insert “unless relevant health authorities express a preference for contribution to another facility within the Neighbourhood Plan Area.”
PM18	Page 61	<p>Add, at the end of Policy SI11: “and a commitment to work with relevant parties to secure those upgrade works.”</p> <p>Add a new paragraph after Paragraph 8.16:</p> <p>“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.”</p>
PM19	Page 30	In Policy ER5, after both references to 90%, add “(by length)”.
PM20	Page 49	At the end of Paragraph 7.13, add: “or, in the event harm would be evident, that the public benefit of the development clearly outweighs the level of harm.”
PM21	Page 63	In the reference to public transport in TMO1, delete “community”.
PM22	Page 64	For the text of Policy T2, substitute the following: “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.”
PM23	Page 65	In Policy T5, towards the end of the first sentence, delete the words “and supported by”.
PM24	Page 66	Substitute the following for the text of Policy T8: “In order to improve traffic flow and reduce congestion, proposals for significant residential development must provide appropriate road layout changes incorporating bus stops on main routes, where appropriate, that do not impede traffic flow, having regard to guidance from Hertfordshire County Council.”