
North Hertfordshire District Council

Examination of the North Hertfordshire Local Plan 2011 - 2031

Schedule of Matters and Issues for the Examination

Inspector: Simon Berkeley BA MA MRTPI

Programme Officer: Louise St John Howe
PO Services, PO Box 10965, Sudbury, Suffolk CO10 3BF
louise@poservices.co.uk
07789 486419

Where respondents answering the following questions identify a deficiency in the Local Plan they should make clear how it should be changed.

Matter 1 – Legal requirements

Duty to cooperate

- 1.1 Overall, has the Local Plan ('the Plan') been prepared in accordance with the 'duty to cooperate' imposed by Section 33A of the Planning & Compulsory Purchase Act 2004 (as amended)?
- 1.2 What are the strategic, cross-boundary issues of relevance to the Plan?
- 1.3 What actions have been taken in relation to the 'duty to cooperate'?
- 1.4 What have been the outcomes of the actions taken in relation to the 'duty to cooperate'?
- 1.5 How does the Plan address those outcomes?

In answering the above questions, I ask that the Council includes specific reference to identifying Housing and Functional Economic Market Areas, meeting housing needs, the Green Belt review, and the delivery of necessary infrastructure (including school places)

Other legal requirements

- 1.6 Has the Plan been prepared in accordance with the Council's Statement of Community Involvement and met the minimum consultation requirements in the Regulations?
- 1.7 Has the Plan's formulation been based on a sound process of sustainability appraisal and testing of reasonable alternatives, and is the sustainability appraisal adequate?
- 1.8 Has the Habitats Regulations Assessment been undertaken in accordance with the Regulations? Has Natural England confirmed that the information set out in the HRA is sufficient and that the conclusions drawn are supported?

Matter 2 – Sustainable development: the settlement hierarchy (Policy SP2)

Issues

- 2.1 Policy SP2 sets out the Plan's settlement hierarchy. This comprises four tiers – Towns, Category A Villages, Category B Villages and Category C Settlements.
 - a) Is each settlement placed within the most appropriate tier?
 - b) What factors have been taken into account when deciding which tier each settlement should be placed in?
 - c) Is the hierarchy supported by the Sustainability Appraisal?
- 2.2 Through Policy SP2, the "majority of the District's development" is directed to the Towns. "General development" is allowed within the defined boundaries of Category A Villages. "Infilling development which does not extend the built core of the village" is allowed in Category B Villages. "Only limited affordable housing and facilities for local community needs" are allowed in Category C Settlements.
 - a) Should Policy SP2 be more specific about the amount of different types of development that is anticipated in each tier of the hierarchy, or even in each settlement?

- b) Should Policy SP2 be more specific about the distribution of the “majority of the District’s development” between the Towns?
- c) What is the “general development” that will be allowed in Category A Villages – should the policy be more explicit, for effectiveness?
- d) Paragraph 89 of the National Planning Policy Framework says that limited infilling in villages in the Green Belt is not inappropriate development. Is the approach to development in Category C settlements more stringent than this? If so, what is the justification for this?

I ask that the Council produces a table listing each settlement, noting its place in the hierarchy, and setting out the amount of new development – housing, employment, retail etc – anticipated. For each entry the table should clearly show the source of development – whether through a strategic or local allocation in the Plan or anticipated through windfall or other source. This will greatly assist me – and most likely others – in the examination hearings.

Matter 3 – The housing strategy: the objectively assessed need for housing and the housing requirement (Policy SP8)

Issues

The objectively assessed need for housing

- 3.1 Figure 3 of the Plan identifies most of the District as being within the Stevenage Housing Market Area (HMA) and part of it as being within the Luton HMA. This is based on the conclusions of *Housing Market Areas in Bedfordshire and Surrounding Areas – Report of Findings* (December 2015) by Opinion Research Services [HOU2]. Is this a robust evidential basis?
- 3.2 Paragraph 2.39 of the Plan says that the objectively assessed need for housing (‘the OAN’) in the District over the plan period (2011 to 2031) is 13,800 homes.
 - a) I understand that this stems from the conclusions of *Updating the Overall Housing Need Based on 2014-based Projections for Stevenage and North Herts* (August 2016) by Opinion Research Services [HOU3]. Is that correct?
 - b) Does the 13,800 figure include housing need arising in the part of the District that falls within the Luton HMA?
 - c) Does Stevenage accept that its OAN is 7,600 homes, as HOU3 indicates, and has its Local Plan been based on that OAN figure?
- 3.3 What methodological approach has been used to establish the OAN, and does it follow the advice set out in the Planning Practice Guidance (under the heading ‘Methodology: assessing housing need’)? In particular:
 - a) I understand that the OAN is based on applying a 10 year migration trend (2005 to 2015) to the ONS 2014-based sub-national population projections and the Government’s 2014-based household projections. Is that correct? If so, why? Why is this more appropriate than the ‘starting point’ estimate provided by the Government’s household projections?
 - b) An uplift has been added to the OAN to take account of concealed families and homeless households. Precisely what level of uplift is used? How has this figure been arrived at and is it justified?
 - c) An uplift of 10% has been added to reflect market signals. I understand that this relates to house prices – in short, that it is to improve affordability. Is that correct? How has this 10% figure been arrived at and is it justified?
 - d) Have employment trends been taken into account? If so, how, and what conclusions are drawn in this regard?
 - e) Does the OAN provide enough new homes to cater for those taking up the new jobs expected over the plan period?

f) Overall, has the OAN figure been arrived at on the basis of a robust methodology?

The housing requirement set out in Policy SP8

3.4 Policy SP8 says that between 2011 and 2031 the Council will release sufficient land to deliver at least 14,000 new homes for North Hertfordshire's own needs, and will provide additional land within the Luton HMA for a further 1,950 homes as a contribution towards the unmet needs for housing arising in Luton. This amounts to a housing requirement of 15,950.

- a) Are these intended to be net figures?
- b) Will the housing requirement ensure that the need for affordable housing will be met?

Matter 4 – The housing strategy: the supply of land for housing (Policy SP8)

Issues

The overall supply of land for housing

4.1 Policy SP8 says that new homes will be delivered through the following sources:

Completions, permissions and allowances – 4,340

Strategic housing sites – 7,700

Local housing allocations – 4,860

This totals 16,900 new dwellings. What is the justification for planning a supply of around 6% above the Plan requirement?

4.2 4,340 dwellings are expected from completions, permissions and 'other allowances'. Paragraph 4.89 of the Plan says that these allowances include windfall delivery as well as 'broad locations'.

- a) How many homes have been completed since 2011?
- b) How many other homes have been granted planning permission since 2011, but have yet to be completed?
- c) What level of contribution is anticipated from windfall sites? What is the justification for including windfall delivery in the overall supply?
- d) What are the 'broad locations' referred to? What is the justification for their inclusion in the supply?

The five year housing land supply

4.3 Overall, is there a supply of specific deliverable sites sufficient to provide five years worth of housing, with an appropriate buffer (moved forward from later in the plan period) to ensure choice and competition in the market for land? In particular:

- a) What is the five year requirement?
 - b) Within the five year requirement, is there a need to take account of any backlog (under-delivery from earlier plan periods), or is this accounted for in the OAN?
 - c) Within the five year requirement, is there a need to take account of any shortfall (under-delivery in the plan period ie from 2011)?
 - d) Any shortfall should be dealt with either in the first five years of the Plan – this is the Sedgefield method – or over the whole plan period – this is the Liverpool method. If there is a shortfall to be accounted for, does the Council propose to use the Liverpool or Sedgefield method, and what is the justification for the approach proposed?
 - e) Has there been a record of persistent under delivery of housing, such that a buffer of 20% should be added (for consistency with paragraph 47 of the Framework)?
 - f) Has any allowance been made for windfall sites in the five year supply? If so, in the light of paragraph 48 of the National Planning Policy Framework, what is the compelling evidence to justify this?
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- g) What (other) assumptions have been used to inform the five year supply calculation (such as any discount based on historic lapse rates, annual yields etc.) and are they justified?

The Council has now produced an update to the five year requirement and supply calculation. This has been published and is available in the examination library and on the examination webpage. Discussion at the hearings will be held on the basis of this update.

- 4.4 Paragraph 4.99 of the Plan says that “housing supply will be measured against targets to deliver an average of 500 homes per year [from 2011 to 2021] ... for the period beyond 2021, a target of 1,100 homes per year will apply”. Is it intended that the five year requirement should be calculated on this basis? What is the justification for this approach?

Matter 5 – The housing strategy: the spatial distribution of new housing (Policies SP2 and SP8)

Issues

- 5.1 Policy SP2 aims to focus the majority of the District’s development within or adjoining the Towns, and also allows ‘general development’ within Category A Villages and infilling development in Category B Villages. However, neither Policy SP2 nor Policy SP8 quantifies the spatial distribution of new housing.
- What is the overall distribution of new housing proposed through the Plan? Should it be clearer in this regard? Would the inclusion of a Key Diagram or some kind of illustration assist?
 - What level of new housing is directed towards each of the Towns and the Category A and B Villages?
 - How has this distribution been arrived at and what is the justification for it?
 - Is the distribution consistent with the settlement hierarchy set out in Policy SP2?
 - Is the distribution of housing supported by the Sustainability Appraisal, and will it lead to the most sustainable pattern of housing growth?
 - Has the Green Belt, and any other constraints, influenced the distribution of housing and, if so, how?
- 5.2 No housing allocations are proposed in the Category B Villages or Category C Settlements. What is the reason for this, and is this approach justified?
- 5.3 Overall, is the spatial distribution of housing justified?

Matter 6 – Deliverability (the housing trajectory, infrastructure and viability)

Issues

- 6.1 Is the housing trajectory shown in Figure 6 of Section 5 of the Plan based on a realistic assessment of the likely timing of housing delivery? What evidence is there to support the completions shown for each year, and what assumptions have been made?

In answering these questions, I ask the Council to produce a revision to the housing trajectory chart illustrating the various components within each ‘bar’ – Strategic Housing Sites, Local Housing Sites, windfall sites etc.

- 6.2 Is the level and distribution of housing and other development based on a sound assessment of infrastructure requirements and their deliverability, including expected sources of funding? In particular:

- a) Does the Infrastructure Delivery Schedule at Appendix 1 of the Infrastructure Delivery Plan [TI1] represent a comprehensive list of the infrastructure needed to facilitate the successful delivery of the housing and other development planned?
- b) What reassurances are there that these elements can and will be delivered when and where they are needed?
- c) Where, when and how will the infrastructure required as a result of the housing and other development planned for be delivered?
- d) Does the Plan do all it should to help ensure the delivery of the necessary infrastructure?

In answering these questions, I ask the Council to produce a chart (a gantt chart or similar) showing the level of anticipated housing delivery from each allocated site on a year by year basis, along with the delivery of the infrastructure needed to support the new homes. It may help to group sites on a settlement by settlement basis. This should tie-in with the revised housing trajectory I have requested above and should illustrate the timing of housing delivery and the delivery of the infrastructure needed to support it. A column indicating the likely costs, funding sources and mechanisms to secure funding would also be of considerable assistance.

- 6.3 Is the economic and housing development set out in Policies SP3 (employment), SP4 (retail floorspace), SP8 (housing), and are the proposed land allocations for these uses, financially viable? In particular:
- a) are the viability assessments in the Local Plan Viability Assessment - Update (August 2016) [TI2] sufficiently robust and are they based on reasonable assumptions?
 - b) do the viability assessments adequately reflect the nature and circumstances of the proposed allocations?
 - c) has the cost of the full range of expected requirements on new development been taken into account, including those arising through policies in the Plan (for example, in relation to affordable housing and the site-specific policy requirements)?
 - d) does the evidence demonstrate that such costs would not threaten the delivery of the development planned for and the sites proposed?

Matter 7 – Countryside and Green Belt: the Green Belt review and the approach to safeguarded land (Policy SP5)

Issues

The questions concerning Green Belt are aimed at the strategic level. Later questions address the issue of exceptional circumstances and other issues in relation to specific sites.

- 7.1 Paragraph 83 of the National Planning Policy Framework is clear that Green Belt boundaries should only be altered in exceptional circumstances. In broad terms:
- a) Do the exceptional circumstances necessary exist to warrant the proposed alterations to Green Belt boundaries, in terms of both removing land from and adding land to the Green Belt?
 - b) What relationship, if any, is there between the exceptional circumstances leading to the alterations proposed to the Green Belt and the proposed spatial strategy/distribution of new housing?
 - c) What is the capacity of existing urban areas to meet the need for housing and employment uses?
 - d) Is there any non-Green Belt rural land which could meet all or part of the District's housing and employment needs in a sustainable manner (having regard to any other significant constraints)?
 - e) What is the justification for excluding Category A Villages from the Green Belt?
 - f) What is the justification for excluding Blackmore End from the Green Belt?

In answering the above, I ask the Council to explain:

- (i) *The acuteness of the objectively assessed need for housing and the need for employment land*

- (ii) *The inherent constraints on supply/availability of land for sustainable development (housing and employment development)*
- (iii) *The consequent difficulties in achieving sustainable housing and employment development without impinging on the Green Belt*
- (iv) *The nature and extent of the harm to the Green Belt (or those parts of it that would be lost)*
- (v) *The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent*

[Points (iv) and (v) should be dealt with in general terms – I ask this question on a site specific basis under other matters]

- 7.2 Is the Green Belt review based on a robust assessment methodology? In particular:
- a) Does it reflect the fundamental aim of Green Belts, being to prevent urban sprawl by keeping land permanently open?
 - b) Does it reflect the essential characteristics of Green Belts, being their openness and their permanence?
 - c) Does it reflect the five purposes that Green Belts serve, set out in paragraph 80 of the National Planning Policy Framework?
 - d) has account been taken of the need to promote sustainable patterns of development?
- I ask that the Council's response to this question addresses all of the points mentioned in paragraph 84 of the National Planning Policy Framework.*
- 7.3 Have the altered Green Belt boundaries been considered having regard to their intended permanence in the long term? Are they capable of enduring beyond the plan period?
This question is aimed at the strategic level. Later questions address the issue of long term permanence in relation to specific sites.
- 7.4 The Plan identifies one area of safeguarded land, to the West of the A1(M) at Stevenage.
- a) What has been the Council's overall approach to safeguarded land?
 - b) Is it necessary to identify safeguarded land more widely in order to meet longer term development needs stretching well beyond the plan period? Without the identification of further safeguarded land, what reassurance is there that longer-term development needs can be met without further review of the Green Belt?
 - c) What is the justification for safeguarding the area identified to the west of the A1(M)?

Matter 8 – The housing strategy: affordable housing (Policies SP8 and HS2), housing mix (Policy HS3) and supported, sheltered and older persons housing (Policies SP8, HS4 and HS6)

Issues

Affordable housing (Policies SP8 and HS2) and housing mix

- 8.1 What is the objectively assessed need for affordable housing in the District?
- 8.2 Policy SP8 aims to provide 33% of all homes over the plan period as affordable housing. If successful, will this ensure that the objectively assessed need for affordable housing in the District is met?
- 8.3 Policy HS2 sets out targets concerning the level of affordable homes to be provided on housing sites, varying according to the gross number of dwellings involved. Will the application of Policy HS2 ensure that the need for affordable housing and/or the aim of Policy SP8 is met?

- 8.4 Aside from through the delivery of market housing, are there other sources of/mechanisms for affordable housing delivery? If so:
- What are they?
 - What level of affordable housing is anticipated to come from these sources over the plan period? What evidence is there to suggest that this is a realistic expectation?
- 8.5 Policy HS2 requires that affordable housing provision on housing sites is “*maximised having regard to the targets in [the] policy*”.
- What is meant by ‘maximised’?
 - Is this an effective approach?
 - If the intention is that the targets must be met unless it is demonstrated that it is not viable to do so, then would it be better for the policy to say so?
- 8.6 Policy HS2 also requires that affordable housing provision is delivered on-site. However, paragraph 8.11 indicates that off-site provision or financial contributions may be acceptable if “*exceptional circumstances exist to justify [it]*”.
- Is this ‘exceptional circumstances’ test more stringent than the approach set out in paragraph 50 of the National Planning Policy Framework? If so, what is the justification for it?
 - If such a test is to apply, should it be contained within the policy rather than the supporting paragraphs?
- 8.7 Drawing together Policies SP8 f) and HS2 b. and HS3:
- what is the justification for the size, type and tenure of market and affordable housing sought?
 - what is the justification for the target of providing 100 plots for self-build development?
 - Should the Plan do more to provide Starter Homes?
- 8.8 Overall, is the approach to affordable housing and housing mix sound?

Supported, sheltered and older persons housing (Policies SP8, HS4 and HS6) and accessible and adaptable housing (Policy HS5)

- 8.9 Does the Plan adequately address the needs for all types of housing (excluding affordable housing) and the needs of different groups in the community (as set out in paragraphs 50 and 159 of the National Planning Policy Framework)?
- 8.10 What approach does the Plan take to addressing the needs of older people? In particular:
- What are the identified needs for housing for older people, particularly residential institutions (Use Class C2)?
 - In relation to the preceding question, does the Council rely on the figures set out in the Strategic Housing Market Assessment Update Volume Two (August 2016) [HOU5]? If so, how does the Plan reflect this?
 - How does the Plan seek to address identified needs?
 - Does the Plan do enough to ensure that the needs of older people are met?
 - Is the approach taken to annexes in Policy HS6 justified and effective?
- 8.11 Does Policy HS5, and the Plan in general, make sufficient provision for inclusive design and accessible environments in accordance with paragraphs 57, 58, 61 and 69 of the National Planning Policy Framework?
- 8.12 Is there a clearly evidenced need for the optional technical standards required to be met in Policy HS5? Has the impact on viability been considered?
- 8.13 Overall, is the approach to supported, sheltered and older persons housing and accessible and adaptable housing sound?
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Matter 9 – The basis for the housing allocations and the settlement boundaries

Issues

- 9.1 Have all sites put forward for allocation been considered through the SA? Is the SA based on appropriate criteria and is it a robust and sound base of evidence?
- 9.2 What process or methodology has been used to select sites for allocation? In particular:
- Has information from the SHLAA formed the starting point, then the outputs from the SA and the Green Belt review considered, along with an assessment of suitability, availability and achievability?
I ask that the Council clearly and precisely explains the site selection process/methodology, including all of the criteria considered. A flow chart may assist.
 - Have all sites put forward for allocation been considered through the process/methodology? Has the testing of reasonable alternatives been robust?
 - Have sites been discounted from possible allocation for any reason (for example, through the use of site size thresholds)? If so, are all of the reasons for excluding sites justified?
 - Aside from any reasons for excluding sites, has greater weight/importance been given to any site selection criteria over others and if so what is the justification for this 'weighting'?
 - Have all constraints been taken into account?
 - Have alternative uses been considered?
- 9.3 Overall, has the SA of sites and the selection process been appropriate and robust?
- 9.4 In general terms, do the proposed allocations reflect the outcomes of the sustainability appraisal and testing of reasonable alternatives through the site selection methodology? Is there a clear audit trail in this respect?
- 9.5 What methodology has been applied to the identification of the settlement boundaries around the Towns and Category A Villages? Is the methodology appropriate and adequately robust?

Matter 10 – The housing allocations and the settlement boundaries: the Towns

Baldock, Hitchin, Letchworth, Royston, Stevenage (Great Ashby) and Luton (Cockernhoe)

Issues

Baldock

At the hearings, I will consider each site in reference number order

- 10.1 Are all of the proposed housing allocations deliverable? In particular, are they:
- confirmed by all of the landowners involved as being available for the use proposed?
 - supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
 - deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?
- 10.2 Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?
- 10.3 Are all of the proposed allocations the most appropriate option given the reasonable alternatives?

- 10.4 Sites BA1, BA2, BA3 and BA4 comprise of land in the Green Belt. For each:
- a) Do exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?
 - b) What is the nature and extent of the harm to the Green Belt of removing the site from it?
 - c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?
 - d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?
 - e) Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?
 - f) Are the proposed Green Belt boundaries consistent with the Plan's strategy for meeting identified requirements for sustainable development?
 - g) Has the Green Belt boundary around the site been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?
- 10.5 Is the proposed settlement boundary:
- a) consistent with the methodology for identifying the settlement boundaries?
 - b) appropriate and justified?

Hitchin

At the hearings, I will consider each site in reference number order

- 10.6 Are all of the proposed housing allocations deliverable? In particular, are they:
- a) confirmed by all of the landowners involved as being available for the use proposed?
 - b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
 - c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?
- 10.7 Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?
- 10.8 Are all of the proposed allocations the most appropriate option given the reasonable alternatives?
- 10.9 Sites HT1, HT2, HT3, HT5 and HT6 comprise of land in the Green Belt. For each:
- a) Do exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?
 - b) What is the nature and extent of the harm to the Green Belt of removing the site from it?
 - c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?
 - d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?
 - e) Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?
 - f) Are the proposed Green Belt boundaries consistent with the Plan's strategy for meeting identified requirements for sustainable development?

- g) Has the Green Belt boundary around the site been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?

10.10 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Letchworth

At the hearings, I will consider each site in reference number order

10.11 Are all of the proposed housing allocations deliverable? In particular, are they:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

10.12 Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?

10.13 Are all of the proposed allocations the most appropriate option given the reasonable alternatives?

10.14 Sites LG1 and LG3 comprise of land in the Green Belt. For each:

- a) Do exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?
- b) What is the nature and extent of the harm to the Green Belt of removing the site from it?
- c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?
- d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?
- e) Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?
- f) Are the proposed Green Belt boundaries consistent with the Plan's strategy for meeting identified requirements for sustainable development?
- g) Has the Green Belt boundary around the site been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?

10.15 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Royston

At the hearings, I will consider each site in reference number order

10.16 Are all of the proposed housing allocations deliverable? In particular, are they:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?

- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

10.17 Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?

10.18 Are all of the proposed allocations the most appropriate option given the reasonable alternatives?

10.19 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Stevenage (Great Ashby)

At the hearings, I will consider each site in reference number order

10.20 Are all of the proposed housing allocations deliverable? In particular, are they:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

10.21 Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?

10.22 Are all of the proposed allocations the most appropriate option given the reasonable alternatives?

10.23 Sites GA1 and GA2 comprise of land in the Green Belt. For each:

- a) Do exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?
- b) What is the nature and extent of the harm to the Green Belt of removing the site from it?
- c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?
- d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?
- e) Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?
- f) Are the proposed Green Belt boundaries consistent with the Plan's strategy for meeting identified requirements for sustainable development?
- g) Has the Green Belt boundary around the site been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?

10.24 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Luton (Cockernhoe)

At the hearings, I will consider each site in reference number order

- 10.25 Are all of the proposed housing allocations deliverable? In particular, are they:
- confirmed by all of the landowners involved as being available for the use proposed?
 - supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
 - deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?
- 10.26 Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?
- 10.27 Are all of the proposed allocations the most appropriate option given the reasonable alternatives?
- 10.28 Sites EL1, EL2 and EL3 comprise of land in the Green Belt. For each:
- Do exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?
 - What is the nature and extent of the harm to the Green Belt of removing the site from it?
 - To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?
 - If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?
 - Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?
 - Are the proposed Green Belt boundaries consistent with the Plan's strategy for meeting identified requirements for sustainable development?
 - Has the Green Belt boundary around the site been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?
- 10.29 Is the proposed settlement boundary:
- consistent with the methodology for identifying the settlement boundaries?
 - appropriate and justified?

Matter 11 – The housing allocations and the settlement boundaries: the Category A Villages

Ashwell, Barkway, Barley, Breachwood Green (King's Walden Parish), Codicote, Graveley (including North of Stevenage), Hexton, Ickleford, Kimpton, Knebworth, Little Wymondley, Lower Stondon, Oaklands, Offley, Pirton, Preston, Reed, Sandon, St Ippolyts, Therfield, Weston and Whitwell (St Paul's Walden Parish)

Issues

Ashwell

- 11.1 Is the proposed housing allocation deliverable? In particular, is it:
- confirmed by all of the landowners involved as being available for the use proposed?

- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

11.2 Is the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?

11.3 Is the proposed allocation the most appropriate option given the reasonable alternatives?

11.4 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Barkway

At the hearings, I will consider each site in reference number order

11.5 Are all of the proposed housing allocations deliverable? In particular, are they:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

11.6 Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?

11.7 Are all of the proposed allocations the most appropriate option given the reasonable alternatives?

11.8 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Barley

11.9 Though a Category A Village, no housing allocations are proposed for Barley. Why? What is the approach taken here and what is the justification for it?

11.10 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Breachwood Green

11.11 Is the proposed housing allocation deliverable? In particular, is it:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

11.12 Is the proposed housing allocation justified and appropriate in terms of the likely impacts of the development?

11.13 Is the proposed allocation the most appropriate option given the reasonable alternatives?

11.14 Site KW1 comprises of land in the Green Belt.

- a) Do exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?
- b) What is the nature and extent of the harm to the Green Belt of removing the site from it?
- c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?
- d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?
- e) Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?
- f) Are the proposed Green Belt boundaries consistent with the Plan's strategy for meeting identified requirements for sustainable development?
- g) Has the Green Belt boundary around the site been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?

11.15 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Codicote

At the hearings, I will consider each site in reference number order

11.16 Are all of the proposed housing allocations deliverable? In particular, are they:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

11.17 Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?

11.18 Are all of the proposed allocations the most appropriate option given the reasonable alternatives?

11.19 Sites CD1, CD2, CD3 and CD5 comprise of land in the Green Belt. For each:

- a) Do exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?
- b) What is the nature and extent of the harm to the Green Belt of removing the site from it?
- c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?
- d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?
- e) Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?

- f) Are the proposed Green Belt boundaries consistent with the Plan's strategy for meeting identified requirements for sustainable development?
- g) Has the Green Belt boundary around the site been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?

11.20 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Graveley (including North of Stevenage)

At the hearings, I will consider site NS1 then site GR1

11.21 Are all of the proposed housing allocations deliverable? In particular, are they:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

11.22 Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?

11.23 Are all of the proposed allocations the most appropriate option given the reasonable alternatives?

11.24 Sites NS1 and GR1 both comprise of land in the Green Belt. For each:

- a) Do exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?
- b) What is the nature and extent of the harm to the Green Belt of removing the site from it?
- c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?
- d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?
- e) Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?
- f) Are the proposed Green Belt boundaries consistent with the Plan's strategy for meeting identified requirements for sustainable development?
- g) Has the Green Belt boundary around the site been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?

11.25 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Hexton

11.26 Though a Category A Village, no housing allocations are proposed for Hexton. Why? What is the approach taken here and what is the justification for it?

11.27 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Ickleford

At the hearings, I will consider each site in reference number order

- 11.28 Are all of the proposed housing allocations deliverable? In particular, are they:
- a) confirmed by all of the landowners involved as being available for the use proposed?
 - b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
 - c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?
- 11.29 Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?
- 11.30 Are all of the proposed allocations the most appropriate option given the reasonable alternatives?
- 11.31 Sites IC1, IC2 and IC3 comprise of land in the Green Belt. For each:
- a) Do exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?
 - b) What is the nature and extent of the harm to the Green Belt of removing the site from it?
 - c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?
 - d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?
 - e) Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?
 - f) Are the proposed Green Belt boundaries consistent with the Plan's strategy for meeting identified requirements for sustainable development?
 - g) Has the Green Belt boundary around the site been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?
- 11.32 Is the proposed settlement boundary:
- a) consistent with the methodology for identifying the settlement boundaries?
 - b) appropriate and justified?

Kimpton

- 11.33 Is the proposed housing allocation deliverable? In particular, is it:
- a) confirmed by all of the landowners involved as being available for the use proposed?
 - b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
 - c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?
- 11.34 Is the proposed housing allocation justified and appropriate in terms of the likely impacts of the development?
- 11.35 Is the proposed allocation the most appropriate option given the reasonable alternatives?
-

11.36 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Knebworth

At the hearings, I will consider each site in reference number order

11.37 Are all of the proposed housing allocations deliverable? In particular, are they:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

11.38 Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?

11.39 Are all of the proposed allocations the most appropriate option given the reasonable alternatives?

11.40 Sites KB1, KB2 and KB4 comprise of land in the Green Belt. For each:

- a) Do exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?
- b) What is the nature and extent of the harm to the Green Belt of removing the site from it?
- c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?
- d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?
- e) Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?
- f) Are the proposed Green Belt boundaries consistent with the Plan's strategy for meeting identified requirements for sustainable development?
- g) Has the Green Belt boundary around the site been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?

11.41 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Little Wymondley

11.42 Is the proposed housing allocation deliverable? In particular, is it:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

11.43 Is the proposed housing allocation justified and appropriate in terms of the likely impacts of the development?

11.44 Is the proposed allocation the most appropriate option given the reasonable alternatives?

11.45 Site WY1 comprises of land in the Green Belt.

- a) Do exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?
- b) What is the nature and extent of the harm to the Green Belt of removing the site from it?
- c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?
- d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?
- e) Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?
- f) Are the proposed Green Belt boundaries consistent with the Plan's strategy for meeting identified requirements for sustainable development?
- g) Has the Green Belt boundary around the site been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?

11.46 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Lower Stondon

11.47 Is the proposed housing allocation deliverable? In particular, is it:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

11.48 Is the proposed housing allocation justified and appropriate in terms of the likely impacts of the development?

11.49 Is the proposed allocation the most appropriate option given the reasonable alternatives?

11.50 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Oaklands

11.51 Oaklands is identified as a Category A Village in Policy SP2. However, I am unclear as to the approach taken by the Plan to it. *I ask that the Council explains this.*

Offley

11.52 Though a Category A Village, no housing allocations are proposed for Offley. Why? What is the approach taken here and what is the justification for it?

11.53 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Pirton

11.54 Though a Category A Village, no housing allocations are proposed for Pirton. Why? What is the approach taken here and what is the justification for it?

11.55 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Preston

11.56 Is the proposed housing allocation deliverable? In particular, is it:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

11.57 Is the proposed housing allocation justified and appropriate in terms of the likely impacts of the development?

11.58 Is the proposed allocation the most appropriate option given the reasonable alternatives?

11.59 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Reed

11.60 Is the proposed housing allocation deliverable? In particular, is it:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

11.61 Is the proposed housing allocation justified and appropriate in terms of the likely impacts of the development?

11.62 Is the proposed allocation the most appropriate option given the reasonable alternatives?

11.63 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Sandon

11.64 Though a Category A Village, no housing allocations are proposed for Sandon. Why? What is the approach taken here and what is the justification for it?

11.65 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

St Ippolyts

At the hearings, I will consider each site in reference number order

11.66 Are the proposed housing allocations deliverable? In particular, are they:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

11.67 Are the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?

11.68 Are the proposed allocations the most appropriate option given the reasonable alternatives?

11.69 Sites S11 and S12 both comprise of land in the Green Belt. For each:

- a) Do exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?
- b) What is the nature and extent of the harm to the Green Belt of removing the site from it?
- c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?
- d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?
- e) Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?
- f) Are the proposed Green Belt boundaries consistent with the Plan's strategy for meeting identified requirements for sustainable development?
- g) Has the Green Belt boundary around the site been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?

11.70 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Therfield

11.71 Is the proposed housing allocation deliverable? In particular, is it:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?

- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

11.72 Is the proposed housing allocation justified and appropriate in terms of the likely impacts of the development?

11.73 Is the proposed allocation the most appropriate option given the reasonable alternatives?

11.74 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Weston

11.75 Is the proposed housing allocation deliverable? In particular, is it:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

11.76 Is the proposed housing allocation justified and appropriate in terms of the likely impacts of the development?

11.77 Is the proposed allocation the most appropriate option given the reasonable alternatives?

11.78 Site WE1 comprises of land in the Green Belt.

- a) Do exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?
- b) What is the nature and extent of the harm to the Green Belt of removing the site from it?
- c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?
- d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?
- e) Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?
- f) Are the proposed Green Belt boundaries consistent with the Plan's strategy for meeting identified requirements for sustainable development?
- g) Has the Green Belt boundary around the site been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?

11.79 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Whitwell (St Paul's Parish)

11.80 Is the proposed housing allocation deliverable? In particular, is it:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?

- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

11.81 Is the proposed housing allocation justified and appropriate in terms of the likely impacts of the development?

11.82 Is the proposed allocation the most appropriate option given the reasonable alternatives?

11.83 Is the proposed settlement boundary:

- a) consistent with the methodology for identifying the settlement boundaries?
- b) appropriate and justified?

Matter 12 – The housing strategy: provision for gypsies, travellers and travelling showpeople (Policies SP8 and HS7)

Issues

- 12.1 Is the Gypsy, Traveller and Showperson Accommodation Assessment Update (July 2014) [HOU10] a robust assessment of the accommodation needs of travellers in the District? From my reading, it covers the period 2013 to 2031 – is that correct? Does this timeframe have any implications for the soundness of the Plan?
- 12.2 The definition of ‘Gypsies and Travellers’ used in the national Planning Policy for Traveller Sites now omits from this definition people who have ceased to travel permanently. The Gypsy, Traveller and Showperson Accommodation Assessment Update (July 2014) appears to be based on an earlier definition which includes people who have ceased to travel permanently.
- a) Is that correct?
 - b) What are the implications of this?
 - c) What are the needs of gypsies, travellers and travelling showpeople based on the definition used in current Government policy?
 - d) If the answer to the preceding question is not known, is it necessary to update the evidence to ensure that the Plan is consistent with national policy and properly justified?
- 12.3 In light of the previous questions, will the seven permanent pitches allocated at Pulmore Water ensure that the need for gypsy, traveller and travelling showpeople accommodation is met?
- 12.4 Is the allocation of the seven permanent pitches at Pulmore Water soundly based? What site selection process has been followed, and why has this site been chosen?
- 12.5 Have all sites put forward for allocation been considered through the SA? Is the SA based on appropriate criteria and is it a robust and sound base of evidence?
- 12.6 What process or methodology has been used to select land for allocation? In particular:
- a) Have all sites put forward for allocation been considered through the process/methodology? Has the testing of reasonable alternatives been robust?
 - b) Have sites been discounted from possible allocation for any reason (for example, through the use of site size thresholds)? If so, are all of the reasons for excluding sites justified?
 - c) Aside from any reasons for excluding sites, has greater weight/importance been given to any site selection criteria over others and if so what is the justification for this ‘weighting’?
 - d) Have all constraints been taken into account?
 - e) Have alternative uses been considered?
- I ask that the Council clearly and precisely explains the site selection process/methodology, including all of the criteria considered. A flow chart may assist.*
-

- 12.7 Overall, has the SA of sites and the selection process been appropriate and robust?
- 12.8 Are the criteria set out in Policy HS7 consistent with national policy and guidance?

Matter 13 – Economic development (B Class Uses) (Policies SP3, ETC1 and ETC2)

Issues

Employment uses (B Use Classes): requirements and land (Policy SP3)

- 13.1 Based on the Functional Economic Market Area Study (July 2015) [E3], paragraph 4.29 of the Plan identifies the District as lying within a wider FEMA which includes Stevenage and part of Central Bedfordshire.
- Is the evidence leading to the identification of the FEMA robust?
 - How has the identification of the FEMA influenced the Plan's approach to employment development?
- 13.2 Policy SP3 says that an adequate supply and range of employment land will be brought forward in Hitchin, Letchworth, Baldock and Royston to meet the requirements of the local economy over the plan period to 2031.
- What are the requirements of the local economy over the plan period?
 - How many new jobs in B Class uses are anticipated and how many are catered for through the supply of employment land?
 - Precisely what evidence is relied on in relation to economic/job growth?
 - What methodology is used to establish job growth in the plan period? What are the key assumptions made, and is the evidence robust?
 - What are the key assumptions made about the consequent land requirements? Are the key assumptions reasonable and adequately reliable?
 - Will the new land proposed for employment (B Class) uses through the Plan provide the amount of land needed?
- 13.3 Policy SP3c. *"supports additional employment provision through new designations"* at named sites. As I understand it, these are all of the proposed allocations, save for those at Hitchin.
- Is that correct?
 - Are these part of the supply necessary to meet needs?
 - Why are they described as "additional"? What is the position here?
- 13.4 As I understand it, the Plan provides some employment land to address a shortfall in Stevenage.
- Is that correct?
 - If so, what amount of employment land is aimed at meeting the shortfall in Stevenage?
 - Are specific sites explicitly earmarked for this purpose?
 - What evidence underpins all of this?
- 13.5 Is the distribution of employment sites brought about by the allocation of land in the Plan appropriate and justified? What is the relationship between this distribution and the settlement hierarchy?
- 13.6 The Policies Map identifies Business Areas, Employment Areas and Employment Sites.
- Is there a policy that specifically allocates the new Employment Sites set out in Policy SP3 and those listed in Section Four of the Plan?
 - Are the Employment Areas the existing employment areas that Policy SP3 seeks to safeguard? If so, should the Plan be clearer?

- c) What are the Business Areas? Is it Policy ETC1a. that leads to their geographic representation on the Policies Map? Should the Plan be clearer about this (for example, by referring to “*Business Areas identified on the Policies Map*” within Policy ETC1)?

13.7 Policy SP3 designates existing employment areas. Do these remain an active part of the employment land supply? Is safeguarding them an appropriate approach?

Employment uses (B Use Classes): development management policies (Policies ETC1 and ETC2)

13.8 Is the approach to appropriate uses in Employment Areas in Policy ETC1 justified and effective?

13.9 Is the approach to employment development outside Employment Areas in Policy ETC2 justified and effective?

Employment uses (B Use Classes): allocated sites

13.10 The Plan allocates land for employment uses in Baldock (BA10), Letchworth (LG12) and Royston (RY9).

- a) Have all sites put forward for allocation been considered through the SA? Is the SA based on appropriate criteria and is it a robust and sound base of evidence?
- b) What process or methodology has been used to select sites for allocation?
- c) Have all sites put forward for allocation been considered through the process/methodology? Has the testing of reasonable alternatives been robust?
- d) Has greater weight/importance been given to any site selection criteria over others and if so what is the justification for this ‘weighting’?
- e) Have all constraints been taken into account?
- f) Have alternative uses been considered?

13.11 Some of the employment sites proposed comprise land in the Green Belt. For each:

- a) Do exceptional circumstances exist to warrant the allocation of the site for employment in the Green Belt? If so, what are they?
- b) What is the nature and extent of the harm to the Green Belt of removing the site from it?
- c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?
- d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site’s allocation?
- e) Will the Green Belt boundary proposed need to be altered at the end of the plan period, or is it capable of enduring beyond then?
- f) Are the proposed Green Belt boundaries consistent with the Plan’s strategy for meeting identified requirements for sustainable development?
- g) Has the Green Belt boundary around the site been defined clearly, using physical features that are readily recognisable and likely to be permanent? Does it avoid including land which it is unnecessary to keep permanently open?

13.12 Are all of the proposed employment allocations deliverable? In particular, are they:

- a) confirmed by all of the landowners involved as being available for the use proposed?
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?
- d) justified and appropriate in terms of the likely impacts of the development?
- e) the most appropriate option given the reasonable alternatives?

13.13 Overall, has the SA of employment sites and the selection process been appropriate and robust?

13.14 In general terms, do the proposed allocations reflect the outcomes of the sustainability appraisal and testing of reasonable alternatives through the site selection methodology? Is there a clear audit trail in this respect?

Matter 14 – Town and Local Centres (Policies SP4, ETC3, ETC4, ETC5, ETC6, ETC7 and ETC8)

Issues

Town and Local Centres: the retail hierarchy, retail capacities and shopping areas and frontages

14.1 What is the justification for the retail hierarchy set out in Policy SP4? Is the evidence underpinning it adequately robust?

14.2 The North Hertfordshire Retail Study Update 2016 (June 2016) [E1] projects the District's capacity for comparison and convenience retail floorspace.

- a) Does the provision set out in Policy SP4 reflect this evidence?
- b) Is the evidence underpinning the retail capacities identified adequately robust?
- c) Precisely how does the Plan address the retail capacities identified?
- d) What type of retail use is anticipated on each of the allocated sites proposed? Should the Plan be clearer about this?
- e) Should Policy SP4 be more specific about the distribution of retail floorspace across the centres in the retail hierarchy? Should it earmark specific levels of floorspace for each centre?

14.3 Are the proposed town centre boundaries, and the primary and secondary shopping frontages defined on the Policies Map appropriate and justified? How has their precise delineation been arrived at?

14.4 Paragraph 4.48 of the Plan refers to 'broad locations'. What and where are these? What role do they play in relation to the retail capacities identified?

Town and Local Centres: development management policies (Policies ETC3, ETC4, ETC5, ETC6, ETC7 and ETC8)

14.5 Is the approach taken to retail, leisure and other main town centre development in Policy ETC3 sound? In particular,

- a) What is the justification for the thresholds for the provision of an impact assessment?
- b) Should the thresholds be within the policy itself?

14.6 Is the approach taken to Primary Shopping Frontages in Policy ETC4, and to Secondary Shopping Frontages in Policy ETC5, justified, effective and consistent with national policy?

14.7 Is the approach taken to Local Centres in Policy ETC6 justified, effective and consistent with national policy?

14.8 Is the approach taken to scattered local shops and services in towns and villages in Policy ETC7 justified, effective and consistent with national policy?

14.9 Is the approach taken to tourism in Policy ETC8 justified, effective and consistent with national policy?

Town and Local Centres: allocated sites

- 14.10 The Plan allocates land for main town centre uses (as part of a mix of uses) in Hitchin (HT11 and HT12), Letchworth (LG19, LG20 and LG21) and Royston (RY12).
- Have all sites put forward for allocation been considered through the SA? Is the SA based on appropriate criteria and is it a robust and sound base of evidence?
 - What process or methodology has been used to select sites for allocation?
 - Have all sites put forward for allocation been considered through the process/methodology? Has the testing of reasonable alternatives been robust?
 - Has greater weight/importance been given to any site selection criteria over others and if so what is the justification for this 'weighting'?
 - Have all constraints been taken into account?
 - Have alternative uses been considered?

Matter 15 – Countryside and Green Belt: the policy approach to the Green Belt, Rural Areas beyond the Green Belt and Urban Open Land (Policies SP5, CGB1, CGB2, CGB3, CGB4 and CGB5)

Issues

- 15.1 Policy SP5 says that *"We will only permit development proposals in the Green Belt where they would not result in inappropriate development"*. Paragraph 87 of the National Planning Policy Framework introduces the concept of 'very special circumstances'. Paragraph 88 makes it clear that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm (for example, to the openness of the Green Belt) is clearly outweighed by other considerations. Should this be more clearly reflected in Policy SP5?
- 15.2 Policy SP5 says that *"We will operate a general policy of restraint in Rural Areas beyond the Green Belt"*.
- What policy is this referring to?
 - What does this mean? Is this strand of Policy SP5 sufficiently clear so as to be effective?
- 15.3 Is Policy CGB1 justified and consistent with national policy?
- 15.4 Is Policy CGB2 justified? Is it effective? In particular:
- Is allowing community facilities and services or affordable housing in Category C Settlements intended to be an exception to policy (Policy SP2)?
 - Is it intended that this policy will apply to exception sites in the Green Belt? If so, will it be necessary to demonstrate that 'very special circumstances' exist before the development can be allowed?
 - Criterion e. refers to the public benefit outweighing any harm. But for 'very special circumstances' to exist, harm to the Green Belt by reason of inappropriateness and any other harm must be clearly outweighed by other considerations. Noting this, and that market housing is allowed for the purpose of cross-subsidy, is the policy consistent with national policy in this regard? If not, what is the justification for the approach taken?
- 15.5 Is Policy CGB3 justified and effective? In particular:
- What is the justification for the approach taken to support new homes for rural workers, particularly the specific periods of time referred to in criterion b.?
 - Should the policy include provisions for temporary dwellings for rural workers?
- 15.6 Is Policy CGB4 consistent with national policy? In particular:

- a) In criterion a., is the term ‘major extension’ consistent with the term ‘disproportionate additions over and above the size of the original building’?
- b) Does criterion a. seek to prevent the ‘major reconstruction’ of buildings? If so, is this consistent with national policy, which allows the replacement of buildings in the Green Belt, provided the new building is in the same use and not materially larger than the one it replaces?
- c) Noting that criterion a. applies to Rural Areas beyond the Green Belt – ie in the countryside – is it more stringent than national policy in relation to development in the countryside that is not Green Belt? If so, what is the justification for this?
- d) Is criterion b. consistent with national policy in respect of the Green Belt and countryside?

15.7 Policy CGB5 introduces Urban Open Land. This is not a designation recognised in national policy.

- a) What is the justification for this approach?
- b) What is the purpose/function of Urban Open Land?
- c) What methodology has been used to identify the Urban Open Land shown on the Policies Map?
- d) Have all parcels of land considered for this designation been subject to sustainability appraisal?
- e) Have these areas been considered for development? Is this reflected in the sustainability appraisal?
- f) For each parcel of Urban Open Land, what is the justification for its designation?

Matter 16 – Transport and infrastructure (Policies SP6, SP7, T1 and T2)

Issues

16.1 Is Policy SP6 justified, effective and consistent with national policy?

16.2 Policy SP6 says that “*We will comply with the provisions of the Local Transport Plan and other supporting documents as considered necessary*”. What does that mean?

16.3 Is Policy SP7 consistent with the relevant statutory provisions and national policy, and justified? In particular:

- a) Is it consistent with the limitations on the use of planning obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended)?
- b) Criterion f. says that “*We will take a stringent approach where developers consider that viability issues impact the delivery of key infrastructure and/or mitigation measures*”. What does this mean? Is the stringency referred to justified?

16.4 Is Policy T1 justified, effective and consistent with national policy?

16.5 Is Policy T2 justified, effective and consistent with national policy? In particular:

- a) What is the justification for each of the parking standards set out in Appendix 4 of the Plan?
- b) Given that the parking standards in Appendix 4 relate only to residential developments, should Policy T2 address parking in relation to other developments?
- c) In relation to criterion c., is it enough that applicants clearly identify how they provide for parking demand? Should it be necessary to demonstrate that parking will be safe and of a design/layout that will function satisfactorily?

Matter 17 – Design (including air quality) (Policies SP9, D1, D2, D3 and D4)

Issues

17.1 Is Policy SP9 justified, effective and consistent with national policy? In particular:

- a) Does it, in effect, give development plan status to the Design SPD?
- b) Is it right to say, as the policy appears to, that the Design SPD sets out policy requirements?

17.2 Are Policies D2 and D3 justified and effective?

17.3 Is Policy D4 justified and effective?

Matter 18 – Healthy communities (Policies SP10 and HC1)

Issues

18.1 Is Policy SP10 justified, effective and consistent with national policy?

18.2 Is Policy HC1 justified, effective and consistent with national policy?

Matter 19 – The natural environment (Policies SP11, SP12, NE1, NE2, NE3, NE4, NE5, NE6, NE7, NE8, NE9, NE10, NE11 and NE12)

Issues

19.1 Is Policy SP11 justified, effective and consistent with national policy? Is it appropriate to embed the Water Framework Directive within the policy?

19.2 Is Policy NE1 justified, effective and consistent with national policy? In particular:

- a) In criterion a. what are the “*guidelines identified for built development and landscape management*” referred to?
- b) Does the policy, in effect, give development plan status to those guidelines? If so, is that an appropriate approach?

19.3 Is Policy NE2 justified, effective and consistent with national policy?

19.4 Is Policy NE3 justified, effective and consistent with national policy? In particular:

- a) Does the policy, in effect, give development plan status to the Chilterns AONB Management Plan? If so, is that an appropriate approach?
- b) Does the policy, in effect, give development plan status to the Chilterns Building Design Guide and technical notes? If so, is that an appropriate approach?

19.5 Is Policy NE4 justified, effective and consistent with national policy?

19.6 Is Policy NE5 justified, effective and consistent with national policy? In particular:

- a) should what constitutes ‘relevant development proposals’ be included in the policy itself?
- b) What is the justification for the thresholds of ‘relevant development proposals’ set out in paragraph 11.21? Are these thresholds appropriate?

19.7 Is Policy NE6 justified, effective and consistent with national policy? In particular, does it make distinctions between the hierarchy of international, national and locally designated sites so that protection is commensurate with their status, as paragraph 113 of the National Planning Policy Framework indicates?

19.8 Is Policy NE7 justified, effective and consistent with national policy?

19.9 Is Policy NE8 justified, effective and consistent with national policy? In particular:

- a) Is the aim of criteria a. to secure the most sustainable drainage solution that is technically feasible and/or viable?

- b) Will permission only be granted where developers have consulted with the Lead Local Flood Authority at the earliest opportunity? If so, is that reasonable?

19.10 Is Policy NE9 justified, effective and consistent with national policy? In particular:

- a) What is the justification for a minimum 9 metre wide undeveloped buffer zone from all designated main rivers?
- b) What is the justification for a minimum 5 metre wide undeveloped buffer zone for ordinary watercourses? What are 'ordinary watercourses'?

19.11 Is Policy NE10 justified, effective and consistent with national policy?

19.12 Is Policy NE11 justified, effective and consistent with national policy? In particular:

- a) Does the policy relate to development affected by contaminated land?
- b) In criterion b., is it the contamination that should be remediated?

19.13 Is Policy NE12 justified, effective and consistent with national policy?

19.14 Policy NE12 supports renewable and low-carbon energy projects, including wind energy developments. However, a Written Ministerial Statement was published on 18 June 2015. This makes it clear that planning permission should only be granted for wind energy developments if:

- a) the site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and
- b) following consultation, it can be demonstrated that the planning impacts identified by affected communities have been fully addressed and therefore the proposal has their backing.

The PPG has been updated to reflect this.

At present, it appears that Policy NE12 is not consistent with the most recent expression of Government planning policy for onshore wind development. How does the Council intend to rectify this issue?

Matter 20 – The historic environment (Policies SP13, HE1, HE2, HE3 and HE4)

Issues

20.1 Are Policies SP13 and HE1 justified, effective and consistent with national policy? In particular:

- a) Paragraph 132 of the National Planning Policy Framework says "*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.*" Are the policies consistent with this approach?
- b) Do the policies properly reflect the two-tier approach set out in paragraphs 132, 133 and 134 of the National Planning Policy Framework relating to 'substantial harm' and 'less than substantial harm'?
- c) Does Policy SP13 make an appropriate distinction between designated and non-designated heritage assets, and is it consistent with paragraph 135 of the National Planning Policy Framework in this regard?

20.2 Is Policy HE2 justified, effective and consistent with national policy?

20.3 Is Policy HE3 justified, effective and consistent with national policy?

20.4 Is Policy HE4 justified, effective and consistent with national policy?