

Northaw and Cuffley Neighbourhood Development Plan

Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt, matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a clear and concise vision for the neighbourhood area. The relationship between the vision and objectives of the Plan and its policies is very clear. It is underpinned by the excellent Design Code.

The presentation of the Plan is very good. The difference between the policies and the supporting text is very clear. The Plan makes good use of various maps which are produced to a high quality.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now in a position to raise issues for clarification both with the Parish Council and with the Borough Council.

The comments made on the points in this Note will be used to assist in the preparation of the examination report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

Questions for the Parish Council

I set out specific policy clarification points below in the order in which they appear in the submitted Plan:

Proposed Housing Allocations

I can see that the Plan has been designed to reflect the allocations in the neighbourhood area in the emerging Local Plan and provide further local detail.

However, has the Parish Council considered the ongoing applicability of this approach given the current delays in the Local Plan process?

Policy D2

This is a good policy linked to the excellent Design Code. In the round it is a good local interpretation of Section 12 of the NPPF.

Policy D3

The policy is commendably comprehensive. In this context I am minded to recommend a modification so that it can be applied proportionately to the nature of the development proposal concerned. As submitted some elements of the policy would not directly relate to several development proposals.

Does the Parish Council have any comments on this proposition?

Policy D4

I looked at the proposed Local Green Spaces (LGSs) carefully during the visit. In addition, I have taken account of the LGS Assessment in the Basic Conditions Statement.

Has any parallel assessment been made of the additional local benefit of the proposed LGS designations (where applicable) beyond the general application of Green Belt policies as set out in Planning Practice Guidance ID: 37-010-20140306?

Policy E1

As I read the second part of the policy, the first sentence is largely a statement of fact and the second sentence is the policy. Is this interpretation correct?

The fourth part of the policy will be addressed by the County Council under the highways acts rather than by the Borough Council under the planning acts. As such, I am minded to recommend the deletion of the policy and its repositioning into the supporting text.

Does the Parish Council have any comments on this proposition?

Policy E2

I saw the significance of the Sopers Road Industrial Estate during the visit.

Is the first bullet point of Part 1 of the policy necessary?

Will the size of the plot concerned dictate the scale of the building?

Policy T1

The policy reads as a series of community actions. In most cases the works anticipated would be highways matters to be organised and delivered by the County Council.

Please can the Parish Council clarify its thinking on this matter.

Policy T2

Is the intention of the first part of the policy to require developers to provide or assist in the provision of the network shown in Figure 6.2?

If this is the case, is the second part of the policy supporting text rather than policy?

Policy W1

The identified facilities in the policy are very appropriate and obvious.

However, as submitted, the policy reads more as a statement of intent rather than as a land use policy. Is it intending to say that proposals which would involve the loss or conversion of the facilities to non-community uses will not be supported?

If this is the case, should the policy recognise that the delivery of the various facilities may change in the Plan period and/or that their commercial viability or use may alter?

Policy W3

The proposals in the policy are well-considered.

However, is it appropriate for the Plan to be promoting development in the Green Belt without assessing whether the built element of that development would preserve the openness of the Green Belt and would not conflict with the purposes of including land within the Green Belt?

What status (if any) did the Parish Council intend to give to the illustrative plan (Figure 7.4)?

In any event, would the proposed new pavilion be an addition to the existing buildings on the Playing Fields?

Policy 11

As I read the policy it has a hybrid format and is part policy and part community action.

Could it effectively function as a community action and identify priority projects in the neighbourhood area?

Questions for the Borough Council

What is the current position on the emerging Local Plan in general, and its likely adoption date in particular?

What is the proposed timetable for the determination of the reserved matters application on the proposed Policy S2 housing allocation in the Plan (2022/1774/REM)?

Representations

Does the Parish Council wish to comment on any of the representations made to the Plan?

In particular, does it wish to comment on the representations made by:

- Stonebond Properties;
- Hertfordshire County Council;
- Taylor Wimpey;
- Welwyn Hatfield Borough Council; and
- The various comments from local residents about the indicative proposals for the King George V Playing Fields.

Protocol for responses

I would be grateful for responses and the information requested by 14 November 2022. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

In the event that certain responses are available before others, I would be happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from the Borough Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Northaw and Cuffley Neighbourhood Development Plan.

18 October 2022