

Pirton Neighbourhood Plan Examination
Questions of clarification from the Examiner to the Parish Council and NHDC

Response from NHDC & Pirton Neighbourhood Plan Steering Group

Having completed my initial review of the Neighbourhood Plan (the Plan), I would be grateful if both Councils could kindly assist me as appropriate in answering the following questions which either relate to matters of fact or are areas in which I seek clarification or further information. Please do not send or direct me to evidence that is not already publicly available.

1. Two representations from the Health and Safety Executive and Herts County Council refer to the Wymondley NP. Please can NHDC confirm that these are sent to me or made in error and whether any representations were received from these organisations in respect of the PNP. I appreciate you may need to check with the organisations before coming back to me.

The Health and Safety Executive and Hertfordshire County Council made representations to both the Pirton and Wymondley Neighbourhood Plans. It would appear that the incorrect representations have been printed and supplied to the examiner. Copies of the correct representations from the HSE and Hertfordshire County Council (Property) are attached for the examiner. The correct representations are available to view on the website.

2. A Strategic Environmental Assessment (SEA) Screening Determination dated April 2016 has been submitted. Please i) confirm which version of the PNP was assessed, ii) whether the statutory consultees (Environment Agency, Historic England and Natural England) were specifically consulted on the Screening Determination, iii) whether any reply was received from either the Environment Agency or Historic England and if so please send me copies of those replies and iv) confirm that publicity for the determination made has been undertaken in accordance with Regulation 11 of the Environmental Assessment of Plans and Programmes Regulations 2004 (EAPPR).

(i) The SEA Screening Determination assessed the Regulation 14 version of the Pirton Neighbourhood Plan, dated March 2016.

(ii) The Environment Agency, Historic England and Natural England were consulted on the Screening Determination, an email was sent to all three statutory consultees on 12 April 2016.

(iii) No response was received from either the Environment Agency or Historic England. All three statutory consultees were consulted at both the Regulation 14 and Regulation 16 stages of the neighbourhood plan preparation. A response was received from the Environment Agency at the Regulation 16 stage which stated that they did not wish to make any representations.

(iv) The Council has yet to complete this.

3. Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation. Only Regulation 32 is applicable to neighbourhood plans and this states “The making of the neighbourhood plan is not likely to have a significant effect on a European site¹ or a European offshore marine site² either alone or in combination with other plans or projects.” Please advise me what assessment has been carried out in respect of this basic condition or provide me with sufficient information to enable me to consider whether this basic condition can be complied with.

The District Council, through its Local Plan work has undertaken a Habitat Regulation Assessment for the District. The HRA identifies that there are no European Sites within North Hertfordshire. A copy of the HRA can be found on the Council’s website:

<https://www.north-herts.gov.uk/files/soc4-habitat-regulation-assessment-screening-reportpdf-1>

4. Please update me on the latest position in relation to any planning applications on the site referred to as PT2 in the PNP. Please also draw my attention to any other applications or appeals for sites in the Parish of relevance to housing numbers or housing supply or send me the latest relevant information in this respect.

As of May 2017 there is planning permission for 78 dwellings on this site (PT2). The links for each of the planning applications are given below each reference number:

Outline planning permission for up to 82 dwellings - Application 15/01618/1:

<http://pa.north-herts.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= NHERT DCAPR 165448>

Reserved matters approval – Application 16/02256/1:

<http://pa.north-herts.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= NHERT DCAPR 169370>

However, permission to discharge the condition relating to construction traffic management for the site known as PT2 has been refused. Details of the applications for the management of construction traffic can be found using the following links:

17/02023/1: Land adjacent to Elm Tree Farm, Hambridge Way, Pirton. Condition 6 – Construction Management Plan and Traffic Management Plan – Holwell only route:

<http://pa.north-herts.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= NHERT DCAPR 172432>

¹ As defined in the Conservation of Habitats and Species Regulations 2012

² As defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007

17/02024/1: Land adjacent to Elm Tree Farm, Hambridge Way, Pirton. Condition 6 – Construction Management Plan and Traffic Management Plan – Pirton and Holwell
http://pa.north-herts.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= NHERT_DCAPR_172433

Comment from Pirton Parish Council about the two applications listed above:
The NHDC Planning Committee considers that the roads around Pirton are not safe for the amount of construction traffic that the building of 78 dwellings will give rise to over a three year period. This confirms the community in its view that development should be limited to 30 dwellings per site.

Further outline applications have been made for the site adjacent to the site known as PT2 in the Pirton Neighbourhood Plan:

Application 17/01543/1: Outline planning application for the erection of up to 99 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Holwell Road. Application refused
http://pa.north-herts.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= NHERT_DCAPR_171951

Application 17/02563/1: Outline planning application for the erection of up to 85 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Holwell Road. Application undetermined at 18 October 2017.
http://pa.north-herts.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= NHERT_DCAPR_172974

Details of all other planning applications resulting in additional dwellings are set out in Appendix 1.

Site PT1 (annotated on the map shown on page 4 of the Pirton Neighbourhood Plan) has had its Scheduled Monument (SM) designation amended so that the SM now covers just over half of the field, leaving a potential for 25 to 30 dwellings. No planning application has been received, but the whole site was the subject of a SHLAA assessment and is within the proposed development boundary for Pirton in the emerging Local Plan as well as the NDP. This site was subject to a topographical survey w/c 5 October.

<https://historicengland.org.uk/listing/the-list/list-entry/1434415>

5. The PNP uses the proposed village development boundary for Pirton from an earlier version of the emerging Local Plan as I understand it. This seems to have been revised in the submission version of the emerging Local Plan. Is this correct and would there be benefit in updating the village development boundary to align with the emerging Local Plan whilst recognising this is subject to examination? If not, why not?

It is correct that the PNP uses the proposed village development boundary for Pirton from an earlier version of the emerging Local Plan. The Qualifying Body would be content to update the village development boundary to align with the emerging Local Plan.

6. In relation to the proposed Local Green Spaces (LGS) subject to Policy PNP 6, it is helpful for the proposed areas to be shown on a map on page 32 of the PNP, but I must admit to finding it quite hard to locate each of the ten proposed spaces on it. Would it be possible to indicate on the map where each proposed LGS is please or to provide more detailed maps of each proposed area so I can be certain to view the correct areas on my site visit.

The Pond and The Knoll have been missed off the map. The District Council will undertake to prepare a map with the Local Green Spaces marked and labelled. In the interim, a hand drawn map will be provided to help the examination. This will also remedy the oversight referred to by Herts County Council in 7.

7. On a related matter, a representation from Herts County Council suggests that the map and the table on pages 32 and 33 respectively do not tie up. Is this correct? If so, please let me know what the differences are and how this should be remedied.

See response to Question 6.

Additional question:

A Heritage Verge is referred to in Policy PNP 4. I cannot find any reference to this anywhere else (apart from a photo in the Character Assessment) and am not familiar with this designation. Could more information be provided as to its nature and extent please?

The Pirton Heritage Road Verge is a local wildlife site designated LWS 11/044, location on the map below. It is a local designation after Herts County Council, Pirton Parish Council and the Herts and Middlesex Wildlife Trust worked together at the instigation of a local resident some years ago. It is noted for its calcareous grassland, which gives rise to a wide range of flora and fauna. As a priority habitat and a Local Wildlife Site (LWS) the area is protected from negative impacts of development by both NPPF and the North Herts Local Plan (current and emerging). The Pirton Heritage Verge is managed by Pirton Parish Council, in conjunction with the Herts & Middlesex Wildlife Trust (H&MWT) and is the subject of strict grass-cutting management, by Herts County Council. The Pirton Heritage Verge is one of only two such Verges in Hertfordshire. Due to the inevitable impact and damage it will have on wildlife, biodiversity, etc., the H&MWT has recommended that heavy construction traffic should not be allowed to use this road.

As an aside, the designation actually extends all the way along Hitchin Road to the junction with the Barton Road (B655).

