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of the Executive

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Date: 21 June 2017

cc. All other recipients of the
Executive agenda

Dear Councillor

EXECUTIVE - 27 JUNE 2017: SUPPLEMENTARY AGENDA NO 1

5. Leisure Facilities Strategy Part 1: Proposed future direction of travel for Council managed leisure facilities and Part 2: Proposal to develop leisure and sports provision in Bishop's Stortford (Pages 3 - 4)

Note – Revised Essential Reference Paper ‘A’ (attached) replaces pages 101 – 103 in the original agenda.

13. Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley Wards – Examiner's Report and Referendum (Pages 5 - 236)

Note - The Leader has agreed to accept this item onto the agenda as an urgent matter in order to avoid delays in the neighbourhood planning process.

Please bring these papers with you to the meeting next Tuesday.

Yours faithfully

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Democratic Services
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MEETING : EXECUTIVE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : TUESDAY 27 JUNE 2017
TIME : 7.00 PM

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Leisure Strategy Part 2 – Proposal to develop leisure and sports provision in Bishop's Stortford

<p>Contribution to the Council's Corporate Priorities/ Objectives:</p>	<p>Priority 1 – Improve the health and wellbeing of our communities</p> <p>Priority 2 – Enhance the quality of people's lives</p>
<p>Consultation:</p>	<p>Herts and Essex School have undertaken consultation with local sports clubs who have expressed an interest to access the proposed sports hub.</p>
<p>Legal:</p>	<p>Should funding be agreed all agreements would need to mitigate financial risks identified below.</p>
<p>Financial:</p>	<p>The amount of funding requested by Herts and Essex School is £2.7m.</p> <p>Funding for the project would need to be either from reserves or PWLB borrowing.</p> <p>The annual loss of interest for this sum would be in the region of £63k. The annual amount for £1m is approximately £23k.</p> <p>The annual cost of borrowing (based on interest rates for 20yrs at 2.74%) would be in the region of: £209k. This includes repayment of the loan and interest over 20yrs. The annual cost for £1m is £77k.</p> <p>On the basis that the Herts and Essex proposal seeks to provide East Herts Council approx. 50% of the surplus income from the sports hall estimated at £8000 per annum. The Council would require a growth in it's revenue budgets to cover the cost of this project.</p> <p>Should the Council decide to pre-fund from Section 106 monies that are due to be received in line with housing development, the Council will be liable for this costs until payments are received. The section 106 agreement signed by the Council and developers in April 2015 states that the sports investment funding would be</p>

	<p>available in the region of £3m for Bishop’s Stortford North. The request for £2.7 will consume a large portion of section 106 outside the Bishop’s Stortford North area leaving very little for development in BSN.</p> <p>In addition, the funding from section 106 will be received in accordance with development and occupation of dwellings, it is estimated that the full £3m for sports investment may not be received until 2025, however the timescales could be longer. The number of dwellings actually developed could potentially be below the 2200 dwellings stated, this could result in a reduced payment to the Council and therefore the Council could bear the cost of the project or a portion of the project.</p> <p>Should funding be approved the investment mix will be determined by the Head of Strategic Finance and Property in conjunction with the Executive member for finance and support services.</p>
Human Resource:	N/A
Risk Management:	Managing expectations of the School, clubs and residents of a growing population.
Health and wellbeing – issues and impacts:	Under the National Health Service Act 2006, each local authority has a duty to ‘take such steps as it considers appropriate for improving the health of the people in its area’. Further subsections set out the wide-ranging steps which may be taken to fulfil this duty, including providing information and advice, and making available the services of any person or any facilities.

EAST HERTS COUNCIL

EXECUTIVE – 27 JUNE 2017

REPORT BY THE LEADER OF THE COUNCIL

BISHOP'S STORTFORD NEIGHBOURHOOD PLAN FOR ALL SAINTS, CENTRAL, SOUTH AND PART OF THORLEY WARDS – EXAMINER'S REPORT AND REFERENDUM

WARD(S) AFFECTED: BISHOP'S STORTFORD ALL SAINTS, CENTRAL, SOUTH AND PART OF THORLEY

Purpose/Summary of Report

- To agree the recommendations as made by the independent examiner of the Neighbourhood Plan and to agree to proceed to Referendum.

<u>RECOMMENDATIONS FOR EXECUTIVE: that:</u>	
(A)	the recommendations and modifications made by the Independent Examiner of the Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley, as detailed at Essential Reference Paper 'C' to this report, be received and considered;
(B)	the Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley, be modified in accordance with the Examiner's recommendations as detailed in Essential Reference Paper 'C', with additional modifications recommended by Officers, as detailed at Essential Reference Paper 'D'; and
(C)	the Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley, as modified, should proceed to a referendum.

1.0 Background

- 1.1 Neighbourhood Planning was introduced by the Government under the Localism Act in 2011. The Town and Country Planning England Neighbourhood Planning (General) Regulations 2012¹ came into force on the 6 April 2012 and prescribe both the process, and role of the local planning authority in supporting neighbourhood planning. In East Herts, Parish or Town Councils are qualifying bodies able to produce a Neighbourhood Plan.
- 1.2 Bishop's Stortford Town Council, in collaboration with Thorley Parish Council, started work on a Neighbourhood Plan for All Saints, Central, Southern and part of Thorley wards in 2013, with the Neighbourhood Area being designated in July 2014. This Neighbourhood Plan is the second for Bishop's Stortford following a successful referendum on 19th March 2015 and subsequent adoption of the Neighbourhood Plan for Silverleys and Meads Wards.
- 1.3 The Town Council undertook a six week Pre-Submission Consultation between March and April 2016 under Regulation 14 of the 2012 Regulations. The Neighbourhood Plan was submitted to East Herts Council in July 2016 and consultation on the proposed submission plan was undertaken during November and December 2016 under Regulation 16. Comments raised during this consultation are summarised in **Essential Reference Paper 'B'**.
- 1.4 In order to comply with relevant regulations, a neighbourhood plan must be reviewed by an Independent Neighbourhood Planning Examiner. East Herts Council and Bishop's Stortford Town Council appointed an Independent Examiner (IE) through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS). A neighbourhood plan can either be considered at a public hearing or through independent examination of written representations. In this case it was determined that a public hearing of the neighbourhood plan was not necessary.

¹ The Neighbourhood Planning (General) (Amendment) Regulations 2015 amended the 2012 Regulations which made provision for neighbourhood planning as provided in the Localism Act 2011. Further amendments are included in The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016.

1.5 The IE assessed the plan against a set of criteria (further details below) and considered whether or not to recommend that it proceed to Referendum, and whether the Referendum area should go beyond the neighbourhood area. East Herts Council received the final report from the IE on 9th June 2017. The IE recommended that the plan proceed to Referendum subject to some modifications to the plan and concluded that the Referendum area should not go beyond the neighbourhood area.

2.0 Report

Independent Examination

2.1 The IE praised the constructive approach taken to dealing with the uncertain strategic context of the proposed allocations of the District Plan, and the existence of a made plan for the remainder of the town. The IE also praised the comprehensiveness of the documentation submitted in support of the plan, which assisted greatly in detailing how the plan had been prepared in consultation with the community and stakeholders.

2.2 The IE has recommended a number of modifications in order to ensure the plan meets the basic conditions (detailed below), to provide clear wording to enable a consistent application of policies, and to ensure that policies do not seek a greater degree of control than is available through the planning system. The plan meets the basic conditions if:

- The plan has regard to national planning policies and advice contained in guidance issued by the Secretary of State;
- The making of the plan contributes to the achievement of sustainable development;
- The making of the plan is in general conformity with the strategic policies of the local plan;
- Is compatible with adjoining Neighbourhood Plans; and
- The making of the plan does not breach, and is otherwise compatible with, European Union obligations.

2.3 The IE's report can be viewed at **Essential Reference Paper 'C'**.

2.4 Officers have reviewed the Independent Examiner's Report and are happy that the recommendations set out will ensure that the neighbourhood plan meets the basic conditions and should

proceed to the referendum. In addition, Officers recommend several minor amendments to ensure that the Neighbourhood Plan is up to date and to ensure that cross references within the Neighbourhood Plan that relate to the IE recommendations are consistent. For example, references to 150 homes to the east of Manor Links were corrected in one location in the IE report but were not identified in other locations in the Plan. In addition, figure 2 showing the Key Diagram for Bishop's Stortford has been updated to reflect the emerging District Plan.

Referendum Area

- 2.5 As part of the examination of the Neighbourhood Plan, the IE must also make recommendations on whether the referendum area should be extended outside of the neighbourhood area.
- 2.6 The IE decided that it was not necessary to extend the referendum area. Though the IE explained that there were clear links to the existing made plan for the remainder of the town, and that some of the policies in this plan may have implications outside the neighbourhood area, such as the Goods Yard site, strategic decisions affecting this site would be taken through the emerging District Plan.
- 2.7 Furthermore, the IE took into account the representations in regard to this matter. There were no comments that suggested the referendum area should be extended. For these reasons, the IE has recommended the referendum area does not require extending.

Proceeding to Referendum

- 2.8 East Herts Council is under a duty to hold a referendum if it is satisfied that it meets the basic conditions prescribed by legislation. Failure to undertake a referendum could result in a judicial review of the Authority's decision.
- 2.9 It is recommended that the modifications proposed by the IE be accepted, and that the proposed Neighbourhood Plan for All Saints, Central, South and part of Thorley Wards should proceed to a referendum. An updated version of the Neighbourhood Plan which incorporates the IE and Officer modifications can be viewed at **Essential Reference Paper 'D'**.

The Referendum

2.10 In order for the Neighbourhood Plan to be ‘made’ (i.e. adopted) and used as a material consideration when assessing planning applications, residents within the All Saints, Central, South wards and part of Thorley ward (within the Neighbourhood Area) must vote on the following question:

“Do you want East Hertfordshire District Council to use the Neighbourhood Plan for Bishop’s Stortford All Saints, Central, South and part of Thorley Wards to help it decide planning applications in the neighbourhood area?”

2.11 This question is set out at paragraph 1 of Schedule 1 within the Neighbourhood Planning (Referendum) Regulations 2012.

2.12 All those on the electoral register (at the date of the vote) within the referendum area are entitled to vote. In order for the plan to become part of the statutory development plan for the area, there must be a ‘Yes’ majority (over 50 per cent who vote). There is no minimum turnout for the referendum. If there is a majority “No” vote or a “tied” vote then the Neighbourhood Plan will not come into force.

2.13 Notice in the prescribed manner must be given 28 days before the date on which the referendum will be held. The following information and documents will be made available:

- An information statement containing information on the referendum;
- Specified documents including the draft neighbourhood development plan;
- The Independent Examiner’s report;
- A summary of the representations submitted to the independent examiner;
- A statement setting out that the LPA is satisfied the development plan meets the basic conditions;
- A statement that sets out general information as to town and country planning (including neighbourhood planning) and the referendum.

2.14 A date for the referendum poll has not yet been set; Officers are currently working on this. As soon as a date has been agreed, Bishop's Stortford Town Council and other interested stakeholders (including local Members) will be advised.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

[The Neighbourhood Planning \(General\) and Development Management Procedure \(Amendment\) Regulations 2016](#)

[The Neighbourhood Planning \(General\) \(Amendment\) Regulations 2015](#)

[The Neighbourhood Planning \(General\) Regulations 2012](#)

[The Neighbourhood Planning \(Referendum\) Regulations 2012](#)

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	Priority 1 – Improve the health and wellbeing of our communities Priority 2 – Enhance the quality of people's lives Priority 3 – Enable a flourishing local economy
Consultation:	The report relates to a neighbourhood plan which has undergone two rounds of public consultation and formal inspection by an independent Examiner.
Legal:	N/A.
Financial:	N/A
Human Resource:	None.
Risk Management:	Regulation 24A of The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 requires the Council to respond to each recommendation in the Independent Examiner's Report within 5 weeks.
Health and wellbeing – issues and impacts:	The link between planning and health has long been established. The built and natural environments are major determinants of health and wellbeing. The Neighbourhood Plan is seeking to ensure the most sustainable outcomes for its residents, thus improving health and wellbeing opportunities.

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Essential Reference Paper 'B' - Response to Regulation 16 Consultation on the
Bishop's Stortford Neighbourhood Plan All Saints, Central, South and Part of Thorley 2016-2032

Name	Organisation	Summary of Comments
Andrew Martin	Planning on behalf of Countryside Properties (CP) re Bishop Stortford South	<p>Policy HDP1: Restricts development of BS South until transport and parking provisions have been made at Goods Yard Site. This fails to have regard to national policy and advice and would not contribute to achieving sustainable development</p> <ul style="list-style-type: none"> • Para. 32 NPPF directs that development should only be refused where cumulative transport impacts are 'severe'. There is no evidence to suggest development of BS South would lead to severe traffic impacts therefore this requirement is inconsistent with national policy • Emerging District Plan does not seek to phase development or restrict early delivery of BS South but relies on this site to supplement housing land supply • Delay in delivery of Goods Yard site would could weaken EHDC housing land supply and delay delivery of a key strategic site <p>Suggested change: Paragraph b) to read: <i>"Development of Bishop's Stortford South will not be supported unless accompanied by the transport mitigation measures set out in Policy BSS4"</i></p> <p>Policy HDP3: Object to inclusion of Nationally Described Space Standards (NDSS), it does not have regard to national policy and guidance</p> <ul style="list-style-type: none"> • Emerging Plan does not contain policies with NDSS standards therefore HDP3 is not in conformity with the strategic plan • NPPG Para. 56-020 'three tests' to implement NDSS "Need, Vitality and Timing" have not been considered or consulted on in the emerging plan therefore there is no evidence base available to introduce NDSS requirements.

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Name	Organisation	Summary of Comments
		<p>Suggested change:</p> <p>Policy HDP3 be amended to read as follows: <i>“a) encourage the use of the Nationally Described Space Standards on internal space as set out in the DCLG Technical Housing Standards, or any guidance which explicitly supersedes it”</i></p> <p>Policy HDP4 is badly worded. Question how or why a developer would be expected to re-allocate house types after submission. Housing market is determined by demand.</p> <p>Suggested change: Amend Para. d) to read: <i>“d) Schemes of any size must consider the unfulfilled demand for bungalows, particularly for sites close to similar dwellings, for example the East Manor Links site. In this regard, the housing mix and proportion of bungalows proposed on suitable sites should seek to address the most up-to-date housing needs set out in the latest Strategic Housing Market Assessment (SHMA).”</i></p> <p>BS South is located opposite the existing Southern Country Park therefore it would be more appropriate to facilitate enhancements rather than provide a new meadow. Noted that EHDC's open space and biodiversity standards and suitable management plans will have to be met.</p> <p>Suggested change: Amend Para. e) to read: <i>“e) Major new development should include wildflower meadow areas as part of the green spaces provided on-site or facilitate off-site enhancements to existing green space to support new wildflower planting. These must be accompanied with a suitable management plan and funding to ensure long-term benefits for wildlife.”</i></p> <p>Policy GIP6: Para. b) 0.24 ha exceeds the requirement of 0.21ha per 1000 population in adopted local plan. No evidence to suggest a higher figure is required.</p>

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Name	Organisation	Summary of Comments
		<p>Suggested change: Amend Para. b) to read: <i>“b) For developments in excess of 500 dwellings (or groups of adjacent developments which together amount to more than 500 dwellings) it will be expected that land either on or immediately adjacent to the development site is provided and is prepared by the developers (including facilities, fencing, land preparation, soil improvement if required) and transferred to the allotment authority (currently the Town Council) at no cost. The provision of space for new allotments will be at the rate of 0.21 ha per 1,000 population. Vehicular access will be required and the site must be chosen accordingly.”</i></p> <p>Policy TP1: Object to 5% increased congestion test. This is contrary to NPPF para. 32. Part h) refers to 10% test of 'motor vehicle movements' rather than congestion or average journey times. The test of 'severe' is a matter for the applicant's Transport Assessment, which is then assessed by Highways during the application process.</p> <p>Suggested change: Amend Para. b) to read: <i>“In the event that the Transport Assessment shows a significant increase in congestion or average journey times, mitigation measures should be identified and implemented to improve the transport network. However, development should only be refused on transport grounds where the residual cumulative impacts of development should only be refused on transport grounds where the residual cumulative impacts of development would be 'severe'.”</i></p> <p>Policy TP1 parts a), f) and g) refer to key routes to be assessed for 'significant' development proposals. This matter is for the Highway Authority to determine.</p> <p>Suggested change: Amend Para. f) and g) to read:</p>

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Name	Organisation	Summary of Comments
		<p><i>“f) The restrictions and traffic carrying capacity of present highways into/out of town (Rye Street, Hadham Road, Stansted Road, Great Hadham Road/Windhill, London Road, Thorley Street, Haymeads Lane, Dunmow Road, Hallingbury Road, and on the Causeway and Hockerill Street) should be recognised, modelled, and tested appropriately, subject to agreement with the Highway Authority.”</i></p> <p><i>“g) Where appropriate, due to the location or impact of a development, and subject to agreement with the Highway Authority, the following routes should also be considered as though they were specified in paragraph f): Beldams Lane, Linkside Road, Haymeads Lane, Pig Lane, South Street Station Road, Dane Street and other roads in the vicinity of the development.</i></p> <p>Policy TP8: Appears to use standards from adopted Local Plan. EHDC have since revised 'Vehicle Parking Standards' July 2015, which should be used for planning applications.</p> <p>Suggested change: Amend Paragraph a) to read:</p> <p><i>“a) Proposals for new developments will have adequate off-street car and cycle parking provision to meet current and reasonable assessed future needs. Vehicle parking will be expected at a level of:</i></p> <ul style="list-style-type: none"> <i>• 1.50 spaces per one-bed dwelling;</i> <i>• 2.00 spaces per two-bed dwelling;</i> <i>• 2.50 spaces per three-bed dwelling; and</i> <i>• 3.00 spaces per four or more bed dwelling</i> <p><i>In Zone 2 car parking at 25% to 100% of the above standard should be considered acceptable, in Zone 3 this is 50% to 100% and in Zone 4 this is 75% to 100%”</i></p> <p><i>Delete paragraph f) in its entirety.</i></p> <p>Para. 4.9.1.8: EHDC's Green Belt Technical Review do not reflect balanced findings of Report. Para. 184 of NPPF NPs</p>

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Name	Organisation	Summary of Comments
		<p>should not promote less development than the development plan and be aligned with strategic needs of the wider area.</p> <p>Suggested change: Amend paragraph 4.9.1.8 to read: <i>“In September 2015 the District Council published a Green Belt Technical Review (prepared by Peter Brett Associates) that found the suitability of the site for release for potential development to be ‘low’. However, this conclusion should be considered in the context of the wider findings set out in the review. For example, the review found that the suitability of the District Council’s four other major growth locations (i.e. north of Harlow, north of Ware. East of Ware and east of Welwyn) for release for potential development to be ‘very low’. The review also recognises that ‘the bypass beyond [Bishops Stortford South] provides a well-defined alternative Green Belt boundary which could , coupled with strategic planting limit and contain growth’</i></p> <p><i>Furthermore, officers confirmed at the 10th September District Planning Executive Panel meeting that the Green Belt Review’s conclusions are recommendations only and need to be considered ‘on balance alongside all other technical evidence presented through the Plan-making process.’ Officers also noted that the Review ‘makes clear recommendations where development could be acceptable even in parcels which have low suitability as an area of search, if properly planned, in a manner which respects the landscape and creates reinforces boundaries’.</i></p> <p>Para. 4.9.1.9: Is overtly anti-development towards BS South and does not comply with expectations at Para. 184 of NPPF nor paras. 41-044” of the NPPG which expects neighbourhood plans to “...plan positively to support local development...”</p> <p>Suggested change: Amend paragraph 4.9.1.9 to read: <i>“The District Council is currently reviewing the extent of the Green Belt in East Herts and is considering altering Green Belt boundaries in a number of locations, including Bishop’s Stortford South. This is in</i></p>

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Name	Organisation	Summary of Comments
		<p><i>accordance with the provisions set out in paragraph 83 of the NPPF. However the Neighbourhood Plan has no influence over this decision. It can deal only with the consequences should it occur."</i></p> <p>Retention of all view of the open countryside to the east and south from the centre of BS South site. As set out in comments re Policy BSS5, it is unrealistic to maintain all views of the open countryside from the proposed development site. Seeking to maintain Key views would be more achievable and not constrain sustainable development.</p> <p>Suggested change: Amend paragraph c) to read: <i>"c) Design and layout should ensure that key views of the open countryside to the east and south are maintained from focal locations (for example major community facilities) near the centre of the development."</i></p> <p>Policy BSS4: Restricts vehicular access to BS South other than from the existing roundabouts from east and west. The Neighbourhood Plan does not present any evidence in support of this and the matter of access should be discussed with the Highway Authority, EHDC and the applicant. Nor does the policy does have regard to national policy and advice</p> <p>Suggested change: Amend paragraph c) to read: <i>"c) The principal vehicular access points to the site will be discussed and agreed with the Local Highway Authority and East Herts District Council. Pedestrians and cyclists should have access to the development from Whittington Way."</i></p> <p>Access Roads: Policy BSS4 Paragraphs e) and f) proposes separate access roads for the business park and the secondary school along with the restricting site access in paragraph c) would result in no vehicular access for the 750 planned homes.</p>

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Name	Organisation	Summary of Comments
		<p>Suggested changes: Amend paragraph e) to read: <i>“e) The access to any proposed business park should be via the development’s principal road network to avoid any extra vehicular movements within the proposed residential areas.”</i></p> <p>Amend paragraph f) to read: <i>“f) The location and access to new educational facilities should not cause congestion within the development and surrounding areas. Any possible new secondary school should be accessible via the development’s principal road network, without traversing the existing or proposed residential areas. Buses, coaches and cars must have an adequately sized, dedicated off road drop-off and pick-up area”</i></p> <p>Policy BSS5: Expects development to maintain the open aspect and not obstruct views from with built structures and accommodate a 10 metre wide wildlife corridor either side of the Right of Way. CP believes Policy BSS4 to be over restrictive and would not achieve sustainable development. Site development will alter some views, but the focus should be to protect and enhance key views and minimise/mitigate visual impacts. Also the 10 metre buffer zone may not be the most sensitive ecological solution to preserve flora and fauna therefore the 10 metre buffer is applied as a guide only.</p> <p>Suggested changes: Amend paragraph a) to read: <i>The Hertfordshire Way crosses this site and its open aspect and key views should be maintained, wherever feasible. This is used as a bridleway and the minimum width should be 3 metres. Fencing adjacent to the footpath, if any, must be low visual impact and the design and layout such that the open aspect is maintained and key views are not obstructed by built structures. To protect the existing flora and fauna a 10 metre wildlife corridor either side of the Right of Way should be maintained or other appropriate measures designed into any development, to protect and enhance biodiversity.”</i></p> <p>Policy BSS5:</p>

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Name	Organisation	Summary of Comments
		<p>CP object to the 10 year maintenance of Hertfordshire Way. This as maintenance is undertaken by The Friends of Hertfordshire Way</p> <p>Suggested changes: Amend paragraph b) to read: <i>"b) Maintenance of the Hertfordshire Way is the responsibility of The Friends of the Hertfordshire Way. "</i></p> <p>Policy HDP5: Wheelchair accessible and adaptable CP seek evidence to support the need for a 20% requirement and if not available that the policy is amended to 3%</p> <p>Suggested changes: Amend paragraph a) to read: <i>"a) New housing shall be of a type and size which is capable of meeting the changing needs of residents over their lifetimes, is accessible to those with limited mobility and capable of adaptation for residents who are wheelchair users. At least 3% of homes shall be built to be 'Wheelchair Adaptable' as defined by Building Regulations M(2) or whatever standard supersedes it."</i></p>
John Rhodes	Bishop's Stortford Civic Federation	<p>It is not appropriate to rely on SHMA to determine the housing needs of East Herts or the distribution among settlements (See previous objections to the District Plan).</p> <p>Suggested changes: <i>reference to the SHMA in policy HDP1 a) should be deleted, with support for new residential development being confined simply to developments in accordance with the Local and Neighbourhood plans currently in force.</i></p> <p>No doubt as to the town's continuing hostility to the proposal for BS South</p> <p>Should not relocate the Boys High School as there will be sufficient demand for a new school and this will be only available site (See District Plan objections paras. 69-79)</p>

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Name	Organisation	Summary of Comments
		<p>Suggested change: <i>Section 4.10 of the plan should be deleted</i></p> <p>Para 4.1.5.4: Transport to Stansted Airport With the proposed increase of passenger numbers likely to take place 24 increasing to 35 million passengers per annum this will put additional pressure on transport systems.</p> <p>Suggested change: <i>Policy TP5 should be enhanced to include a specific reference to the need to improve the local bus services serving the airport as a result of the prospective expansion of both the town and the airport.</i></p> <p>Summary of District Plan Objections The plan does not satisfy the tests of 'soundness' required by NPPF</p> <p>Development History: Bishop's Stortford has had— a 66% increase in population since 1981 and 40% of all East Herts' new housing. But this has been accompanied by a loss of public services and no improvements in the road network to support such growth. - We have no reason to suppose that this plan will differ from any of its predecessors in determining that housing should come first and that supporting infrastructure, if any, can tag along later.</p> <p>Housing Demand: Relying on the SHMA will merely replace top down centrally determined forecasts Prejudice commercial housebuilders favoured house types Ignores potential impact of Brexit on migration and housing market in South East The location and volume of new housing influence migration patterns.</p> <p>Housing Distribution in East Herts The development plan proposes a similar historic folly of unbalanced development in Bishop's Stortford and restricting growth in other rural settlements.</p>

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Name	Organisation	Summary of Comments
		<p>The claimed demand for 4349 new homes for Bishop's Stortford nor the restriction of village development to 500 new homes is justified by population forecasts, which point to more housing in villages and less in Bishop's Stortford</p> <p>Unsustainability of Distribution Model Villages need growth, broadband reduces travel needs, villages need housing for various age groups in society. Endless expansion of towns is equally unsustainable, creating dormitory suburbs, car dependence. Bishop's Stortford north and the development of brownfield land should be the extent of growth.</p> <p>Deliverability Proposed housing completion rates represent a 40% increase over the average for the last 25 years (125% increase in first 5 years) Development change will require changes in procurement and /or taxation of development land values which are not in prospect.</p> <p>Zoning land for housing, on the basis of unrealistic expectations about the ability of the industry to deliver, causes blight and discredits the planning system.</p> <p>Green Belt Nearly half allocated housing sites are in GB, Ministers state that housing is not an exceptional circumstance to review GB boundaries Rural areas beyond the GB should not have policies as restrictive as the GB.</p> <p>Bishop's Stortford South: Strongly oppose removal of the GB Previous local plan retained the GB, school campus was rejected by EHDC, independent Inspector and the Secretary of State. Deemed unsuitable for development in EHDC GB Review.</p> <p>Proposals for development at Gilston, Sawbridgeworth and Uttlesford, would create a ribbon of development from Harlow to Stansted Mountfitchet. Planning should avoid mistakes of past not compound</p>

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Name	Organisation	Summary of Comments
		<p>them.</p> <p>Alternative Scenarios We suggest that that the allocation to Bishop's Stortford should be reduced by 1000 dwellings, and that either the overall total of 18040 dwellings in the plan should be reduced by 1000 to a slightly more realistic number, and/or 1000 additional dwellings should be distributed among the villages.</p> <p>Detailed Changes to the Plan</p> <ul style="list-style-type: none"> - Our suggestions are set out paras 63-84 of the full note of our objections. - We wish to highlight here our concerns about secondary education in the town and policy BISH6. If the plan (including development of BSS) remains unchanged, it will create a demand for 13 FE of additional secondary school places. - HCC have firm plans in place for a new school of only 6 FE of additional places (at BSN). They would like to provide the balance by expanding existing schools but there is no certainty that this is feasible or that the existing schools would be willing to agree to it. - Moving the Boys High School of itself creates no extra places. An entirely new school might be needed and BSS would provide the only suitable site for it. - If BSS remains in the Green Belt, there would be no question of the High School moving to it. If the plan remains unchanged and BSS is developed, the High School should stay on its present site. Policy BISH6 should therefore be deleted. <p>Conclusion The SHMA should inform, not prescribe, the volume and distribution of housing in the district The plan may not deliver appropriate infrastructure Putting nearly half the housing proposed on GB, adding dormitory suburbs to the main urban settlements and strangling development in the villages is not the most appropriate strategy for the district. The plan is not deliverable, development rates are above any previous rates Plan is not consistent with national policies, does not empower local communities, protect GB or sustainable.</p>

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Name	Organisation	Summary of Comments
Claire McLean	Canal and River Trust	<p>Page 10: The Trust would encourage the development of a mooring strategy in the River Stort, helping to create a destination for visiting boaters, encourage greater use of the waterway for moorings and other leisure activities.</p> <p>Suggested change: <i>Neighbourhood Plan could include a supportive policy for moorings along the River Stort. We would also encourage the development of a mooring strategy in the area.</i></p> <p>3.9.2 Objectives The Trust supports these objectives</p> <p>Policy GIP2 The Trust acknowledge reference to the Trust</p> <p>Policy TP4 The Trust supports the ambition to develop a connected town for pedestrians and cyclists</p> <ul style="list-style-type: none"> • The Canal and River Trust would assess any proposal in terms of need and impact on the character, appearance and historic asset of the river. • As the Trust is landowner, any new crossing would require consent and a commercial agreement and then approval from the Secretary of State. Crossings need to avoid hindering navigation. • Improvements to the River Stort footpath/towpath including the enhancement of this route for both leisure and utility use. <p>The Goods Yard Support the objective. Moorings could take the form of visitor moorings with facilities (refuse, water, and potentially electricity and pump out). They could also include residential or long term leisure moorings, or commercial moorings, which would help provide surveillance on the waterspace and towpaths, and bring animation and activity, connecting the local community with this special asset.</p>

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Name	Organisation	Summary of Comments
		<p>Support for: GY1 – Improved public realm and reference to</p> <ul style="list-style-type: none"> • “Continuous public access to an active river frontage with features such as cafes, • recreational areas and moorings to encourage engagement with the river.” <p>Other Matters Building heights adjacent to the river need to be carefully considered, particularly in southern part of the site to avoid:</p> <ul style="list-style-type: none"> • overshadowing the towpath and waterspace, having an adverse impact on its amenity value. • loss of light which would impact on the use of solar panels, which many boats make good use of, increasing reliance on fuel burning stoves, causing potential conflict with new canal side residents • overshadowing which may have impacts on the canal as an important ecological resource <p>Suggested change:</p> <ul style="list-style-type: none"> • <i>Request that development proposals be required to assess potential overshadowing impacts on the canal and its towpath.</i> • <i>Tall buildings close to the canal can also affect wind microclimate and can affect boats trying to navigate past.</i> • <i>Request that development proposals be required to consider this impact as part of their environmental assessments.</i> <p>Heating and cooling Water can be more efficient than air source pumps to heat and cool buildings. The local plan should have reference to this for developers who wish to explore the technology</p> <p>Suggested changes:</p> <ul style="list-style-type: none"> • Developments requiring Water based heating and cooling technologies will be welcomed along the waterfront. Please contact the Canal and River Trust, to discuss initiatives. <p>Surface Water Drainage</p>

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Name	Organisation	Summary of Comments
		<p>Suggested changes: <i>Developments should be required to explore the potential for the river to contribute towards surface water drainage networks subject to agreement with the Canal and River Trust.</i></p> <p>Lighting Bats use the river environment as a feeding corridor, retaining the river as a dark corridor, is very important. Any new bridges (subject to consent from the Trust) should include lighting over the towpath for pedestrians and cyclists using the towpath at dusk and dawn, but we would otherwise request that no lighting from new developments should spill over the waterspace.</p> <p>Pre-application advice: Suggested changes Please insert:</p> <ul style="list-style-type: none"> • Developers are advised to seek pre-application advice from the Canal & River Trust. • Town and Country Planning Association's Policy Advice note: Inland Waterways (2009) is a good reference guide for potential development. • Especially: Appendix 1 – 'Water proofing of planning policy': • https://www.thenbs.com/PublicationIndex/documents/details?Pub=TCPA&DocID=294166
Richard Agnew	Gladman Developments Ltd.	<p>Quote Para. 173 of the Framework and question the viability of proposed development and hence the deliverability of sites. Policies should be concise and precise, Gladman contend that BSNP policies are too restrictive.</p> <p>Policy HDP1 The Framework encourages the effective use of previously developed land. It does not prioritise it. As the GB surrounds the built up area, if EHDC released GB land this policy would be out of date.</p> <p>Conclusion Neighbourhood plans are a tool for local communities to shape future development, but NP must be consistent with national policy and the strategic requirements of the policies for the wider area. Gladman is concerned that the use of specific policies as detailed in this response are not consistent with</p>

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Name	Organisation	Summary of Comments
		<p>basic conditions (a) and (d), as they lack they are too prescriptive and restrictive bringing in questions of viability towards development and therefore deliverability.</p>
	HCC Property	<p>Suggested change: Amend 4.4.3.3 to read: <i>“ The location of new schools locations together with the access arrangements should <u>seek to</u> minimise vehicular congestion and traffic impact. New developments must be informed by travel plans which include measures to encourage the use of transport other than private cars.</i></p> <p>EP5 – Travel plans The location and access arrangements of new schools should <u>seek to</u> minimise vehicular congestion and traffic impact. Proposals which incorporate travel plans that include measures to encourage the use of transport other than private cars will be supported.</p> <p>Suggested change: Amend 4.4.5.1 to read: <i>“Consultation feedback indicates dissatisfaction with the level of adult and vocational training available in the area and new. <u>New development should seek to</u> provides the opportunity to ensure that the appropriate facilities are available.”</i></p> <p>Amend 4.10.1.2 to read: <i>“ Should the Bishop’s Stortford High School site be vacated during the life of this plan then subject to a future planning application 150 houses could be built on this vacated site.”</i></p> <p>Amend 4.11.1.5 to read: <i>“With 50 houses and up to 500 extra people in this area there will be extra pressure on the existing already busy surrounding roads.”</i></p> <p>With regard to 4.10.1.2, 4.11.1.2 and 4.11.1.5, HCC has noticed that the housing numbers used in the Neighbourhood Plan are different to those in the East Herts Pre-Submission District Plan.</p>

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Name	Organisation	Summary of Comments
Monica Lynch		Comment on the need for pedestrianisation of South Street and reduction of rents
Paul Dean		<p>The SHMA does not take account of 'Brexit'. Brexit and London Mayor's drive to support affordable housing may result in a reduced need for housing in the area north-east of London, therefore the existing SHMA may result in overdevelopment, especially of Bishop's Stortford. 17% of houses planned for Bishop's Stortford are currently on Green Belt Land. There is a risk that this land will be used before brownfield sites are developed, resulting in unnecessary loss of open space.</p> <p>Policy HDP1 Suggested changes amend policy HDP1(a) to read:</p> <ul style="list-style-type: none"> • <i>"i) in keeping with the current SHMA, or any subsequent revisions to it, provided it is also part of a reasonably equitable distribution of residences across the District;</i> • <i>ii) on brownfield sites-which includes first floors and above of retail units (see BP8) and vacated industrial areas within the town or near the town centre (see BP9)</i> • <i>iii) only accept development on open/greenfield sites if it conforms with (i) and available brownfield sites have been or are under development"</i> <p>Transport Town is too hilly and hazardous for cyclists. More safe routes are needed.</p> <p>The Plan is weak on promoting better public transport links to and from airport, especially areas west of NP2 and should be strengthened</p> <p>The travel times stated are inaccurate and do not account for congestion and unreliability of public transport. The improvement of public transport particularly at night to reduce car use and congestion are not welcomed in the Plan, which particularly promotes the use of cars or taxis</p> <p>GP Surgeries Possible demand for GP surgeries to remain in town centre. Moving surgery from Haymeads will result in</p>

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Name	Organisation	Summary of Comments
		<p>traffic movements especially through Hockerill junction. The Plan does not account for the demand/benefits of surgeries remaining in present locations.</p> <p>Otherwise support for NP2 vision, development policies and objectives.</p>
William R Steele		Fully support the comments made by Bishop's Stortford Civic Federation
Robert Deanwood Consultant Planner	Amec Foster Wheeler E&I UK On behalf of National Grid	<p>The Intermediate / High Pressure Gas Pipeline Bishop's Stortford 7 BAR-IP Line falls within the Neighbourhood Plan Area. However, it does not interact with any of the proposed development sites in this Neighbourhood Plan.</p> <p>There may be Low Pressure (LP) and Medium Pressure (MP) Gas Distribution pipes present within proposed development sites, therefore consultation with the provider is required.</p>
David Glass	The Ramblers	<p>Bishop's Stortford South includes Public Rights of Way, Thorley 001, 003 and 004, and Bishop's Stortford 034.</p> <p>Suggested change: Amend 3.10.2 to add objective: <i>".... And neighbouring green spaces including the Public Rights of Way"</i></p> <p>Policy GIP3 Suggested change: <i>Developers of large developments should contribute towards the maintenance and enhancement of these important assets. Any development will impact of green spaces across Bishop's Stortford. The Goods Yard development will bring higher footfall on the River Stort and BS South will impact visitors to the Thorley Wash Nature Reserve and River Stort.</i></p>
Roy Warren	Sport England	<p>3.7.2 Sport, Leisure and community Objectives Proposed objectives are welcomed but another objective should be added.</p>

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Name	Organisation	Summary of Comments
		<p>Suggested change: <i>Existing sports facilities are in such high demand that they must be safeguarded unless replaced with at least equivalent facilities in a suitable location. This would be consistent with Sport England's planning objectives, paragraph 74 of NPPF and policy SLCP2 emerging East Herts District Plan.</i></p> <p>3.11.2 Bishop's Stortford High School Site and policy BSHS2</p> <p>Suggested change: <i>An additional objective which ensures that if the existing school closes and moves to a new site, that the existing sports and community facilities are adequately replaced on any new school site.</i></p> <p>Policy HDP3 – Design Standards Full support that all major developments will have to demonstrate how the Active Design principles have been met</p> <p>Policy GIP1 Local Green Spaces Welcomed</p> <p>Policy EP8 – Wide Community Use Supported and consistent with Paragraph 70 of NPPF/Policy CFLR7 of emerging District Plan</p> <p>Policy SLCP1 - Provision of additional outdoor sports facilities Broadly welcomed</p> <p>Policy SLCP2 – Development or Expansion of Multi-Purpose Facilities Broadly welcomed but: Suggested change: <i>Criterion (a) should make provision for supporting facilities in sustainable locations as well as enhancing existing facilities as it will not be possible to meet community needs solely through enhancing existing facilities and the policy context is not limited to existing facility enhancement.</i></p>

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Name	Organisation	Summary of Comments
		<p>Policy SLCP3 – development and enhancement of specific facilities Broadly welcomed</p> <p>Suggested change: <i>Criterion (b) should specifically require applicable facilities to be planned and designed to allow community use outside of school/collage hours and use formalised over a long term period through community use agreements.</i></p> <p>Policy SLCP5 – Development of sports facilities in the Green Belt Generally welcomed but the implementation using the current wording may be problematic due to things like staff availability, lack of artificial lighting, clubs needing insurance when used as a public open space etc.</p> <p>Suggested change: <i>To avoid difficulties implementing this policy it would be preferable to have an expectation that “all new sports facilities in the GB are suitable for community use, should be made available for the community (rather than a requirement), when appropriate, and that community access will be expected to be secured through a formal community use agreement where appropriate. The agreement would set out the arrangements for community access that is appropriate to the facility.</i></p> <p>Policy BSS3 – Bishop Stortford South Provides an opportunity to provide facilities listed in the policy and additional sports pitches and outdoor facilities which could form part of the wider public open space.</p> <p>Suggested change: <i>New school developments should be required to make their sports facilities available for community use. For example a new secondary school could offer the potential for a dual use sports hall.</i></p>
Richard Hill	Thames Water	Concerns about both network and treatment capacity to serve the proposed level of development.

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Name	Organisation	Summary of Comments
		<p>Suggested changes: <i>Section 4.2.1.4 Both sewerage and wastewater requirements for new development should be referenced to Policy WAT6 of emerging East Herts Pre-submission District Plan.</i></p> <p>Suggested changes: Amend policy Section 4.2.1.4 to read: <i>“Any major new development must ensure that any necessary upgrades to the sewerage infrastructure required to support development are delivered prior to the occupation of development. Development proposals will need to accord with Policy WAT6 of the emerging East Herts District Plan.”</i></p> <p>Delivery of infrastructure Developers should consult Thames Water at the earliest opportunity to establish:</p> <ul style="list-style-type: none"> • The development’s demand for wastewater infrastructure both on and off site and whether it can be met • The surface water drainage requirements and flood risk of the development both on and off site and whether it can be met
P A Luder	Weston Homes Plc. And Bishop’s Stortford Golf Club	<p>As the Neighbourhood Plan was prepared before the consultation for the draft District Plan, it includes several proposals which were not brought forward by the District Plan (option land 2 for 100 dwellings)</p> <p>Suggested changes:</p> <ul style="list-style-type: none"> • amend section 3.12.1.2 to read: “Within the emerging District Plan, it is proposed that the Green Belt boundaries are amended and one adjacent area currently in the Green Belt is allocated for development. The area in question backs directly on to the gardens of bungalows in Manor Links and two storey properties in Cecil Close” • The Policy Maps on page 26 should be amended to reduce the area to include only area 1 as shown in the emerging District Plan • Figure 2 page 17 should be amended to reduce the site area of the Manor Links site and reduce the proposed housing number to 50. • Section 4.1.3.4 to read: “ There are two schemes within the emerging District Plan each of which

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		<p style="text-align: center;">yields over 150 homes(see figure 2 areas 4 and 5)....”</p> <p>Policy HDP1 Object to the wording of Policy HDP1(a) as it is inconsistent with emerging Local Plan where BISH 9 (Area 3) should be brought forward in first 5 years with no relationship to brownfield development</p> <p>Suggested change: Policy HDP1(a) should be omitted or changed to allow Area 3 to be developed on adoption of the District Plan.</p> <p>Policy HDP4 Object to the principle of Policy HDP4(f) if it is contrary to Government legislation at the time of determination of the planning application.</p> <p>Suggested change: The wording should be modified to reflect that it applies only where compatible with legislation</p> <p>4.11.1.1 Object to section 4.11.1.1 According to the 2007 Local Plan policies, this area is designated Metropolitan Green Belt. The area is scrubland, used as a buffer between the Golf Club and existing residential development and a wildlife refuge (including at times used by protected species). It is incorrect to state that the scrubland is used as a buffer between the housing and golf course, it is a low intensity, low noise – generating use and so does not require a buffer. There is no evidence that the scrubland is a “wildlife refuge” or that it is used by protected species even only “at times”</p> <p>Suggested change:</p> <ul style="list-style-type: none"> • Correct 4.11.1.2 to read: “The emerging District Plan proposes that the green belt boundary be amended to exclude this site and that the land be allocated for the development of 50 dwellings.” • Correct 4.11.1.4 to read: “The areas of Manor Links and Cecil Close which directly adjoin the proposed development consist of large low rise mature bungalows and two-storey houses on large

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Name	Organisation	Summary of Comments
		<p>plots with open aspect to the proposed development site and a sense of space broken by a selection of mature trees. Mayes Close and Norris Close would experience traffic and footfall should the development proceed".</p> <p>Policy BSEM2 Part a) Object to the claim that single storey dwellings adjacent to Manor Links are required to form a smooth transition to the green belt. This would not support the two storey dwellings between the proposed bungalows and the practice area which BSEM2 does allow.</p> <p>The need for bungalows should be justified by:</p> <ul style="list-style-type: none"> • urban design reasoning, • bungalows backing onto existing bungalows • identified housing need for bungalows <p>Suggested change: Part b) should refer to "space" rather than spaces as the merit of one or several smaller spaces has not been tested.</p> <p>Policy BSEM2 bullets 2 & 3 are repetitive. Suggest omitting bullet 2 and amending 3 as Shortcroft is not adjacent to the site and there should be flexibility to maintain scrub adjacent to either existing road.</p> <p>Suggest BSEM2 fourth bullet point is not relevant as BISH9 does not adjoin the disused railway line</p> <p>Policy BSEM2(c) should refer to access "points" as shown on illustrative material, the two existing places where access can be formed from Manor Links, which accords with BISH9 District Plan consultation draft.</p>

**Bishop's Stortford Town Council
Neighbourhood Plan for
All Saints, Central, South and part of Thorley**

The Report by the Independent Examiner

Richard High BA MA MRTPI

May 2017

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Summary

The preparation of the Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley 2015-2031 has been a very major undertaking. The Plan contains a large number of very detailed policies carefully designed to address the specific issues faced by the area. It has also had to address the uncertain strategic context because the emerging District Plan contains major allocations for new development in the Plan area, but these have yet to be confirmed. Another important consideration has been the existence of a made neighbourhood plan covering the other two Bishop's Stortford Wards.

The Plan has adopted a constructive approach to dealing with the possibility of changes to the Green Belt boundary and development on land South of Bishop's Stortford and East of Manor Links. The adjoining neighbourhood plan is in some ways helpful as many of the policies in this Plan mirror those in the neighbouring plan, and together the two plans will provide a coherent set of policies for the town. However, adding the specific requirements for this plan, while maintaining consistency where possible, has been a challenge, particularly as in some cases the policy or legislative background has changed since the preparation of the earlier plan.

I have found the documentation submitted with the Plan clear and comprehensive and this has helped me greatly. It is also clear that the preparation of the Plan has involved a very full programme of public consultation which has been very carefully documented and presented.

I have found it necessary to recommend quite a large number of modifications. Many of these are to provide clearer wording so that the policy can be applied consistently. In other cases, they have been necessary because there has been insufficient justification for some of the policy requirements. This has particularly been the case with some of the more specific policies which aim to influence the form of development if the potential new allocations in the emerging neighbourhood plan are confirmed. In some instances the policies seek a greater degree of control than is available through the planning system.

The preparation of the Plan has been in accordance with the legislation and subject to the modifications I have recommended, I am satisfied that the Plan:

- has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;
- having regard to national policies and advice contained in guidance issued by the Secretary of State it would be appropriate to make the Plan;
- the making of the Plan would contribute to the achievement of sustainable development;
- the making of the Plan would be in general conformity with the strategic policies of the development plan for the area;
- The making of the Plan would not breach and would be otherwise compatible with European Union obligations and the European Convention on Human Rights.

I am therefore pleased to recommend that the Bishop's Stortford Town Council Neighbourhood Plan for All Saints Central, South and part of Thorley should proceed to a referendum subject to the modifications that I have recommended.

I am also required to consider whether or not the Referendum Area should extend beyond the Neighbourhood Plan Area.

In my examination of the neighbourhood plan for the Silverleys and Meads Wards I considered this carefully because, as the plan area included the majority of the town centre, there was clearly the potential for some of the policies to have influence beyond the neighbourhood plan area.

I concluded that it was not necessary to extend the referendum area because many of the policies in that plan would not have been of relevance in the remaining wards

of the town and there were no representations suggesting that the referendum area should be extended.¹ .

As that plan has already been to referendum and contains many of the policies in the All Saints, Central, South and Part of Thorley Plan, which would be of relevance for that area I have not found any reason to extend the referendum area in this case. While some of the new policies in this Plan could have implications outside the area, notably those relating to the Goods Yard, the strategic decisions affecting this site will be taken through the emerging District Plan. Also, policies for the town centre have already been considered in the plan for the Silverleys and Meads Wards. I have concluded, having regard to Planning Practice Guidance ² that it is not necessary to extend the referendum area.

I conclude that there is not a clear need to extend the area for the referendum and that the referendum should relate to the neighbourhood plan area.

¹ Examiners Report on the Examination of the Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Wards paragraphs 91-96

² Reference ID: 41-059-20140306

Introduction

1. The Localism Act 2011 has provided local communities with the opportunity to have a stronger say in their future by preparing neighbourhood plans which contain policies relating to the development and use of land.
2. The Neighbourhood Plan for the All Saints, Central and South Wards of Bishop's Stortford and part of the parish of Thorley 2015-2031 (which I shall refer to as the Plan) has been prepared by Bishop's Stortford Town Council. It covers the southern part of the town and part of the parish of Thorley. It complements the neighbourhood plan for the Silverleys and Meads Wards 2014-2031 which covered the northern part of Bishop's Stortford, was successful at referendum in March 2015 and made in July 2015. The structure of the Plan and the policies closely follow those of the Silverleys and Meads Wards Plan, but in many cases the policies have been extended and there are many additional policies, If, following a recommendation from this examination, the plan proceeds to a local referendum and receives the support of over 50% of those voting, it can be made and form part of the statutory development plan. As such it will be an important consideration in the determination of planning applications, as these must be determined in accordance with development plan policies unless material considerations indicate otherwise.

Appointment of the Independent Examiner

3. I have been appointed by East Herts District Council (EHDC), with the consent of Bishop's Stortford Town Council (BSTC) to carry out the independent examination of the Neighbourhood Plan for All Saints, Central, South and part of Thorley.
4. I confirm that I am independent of the Town Council and the Local Planning Authority and have no interest in any land which is affected by the Neighbourhood Plan. I carried out the examination of the Neighbourhood Plan for the Silverleys and Meads Wards in 2014, but I do not consider that this gives rise to any conflict of interests.

5. I am a Chartered Town Planner with over 30 years' experience in local government, working in a wide range of planning related roles, including 15 years as a chief officer. Since 2006 I have been an independent planning and regeneration consultant. I therefore have the appropriate qualifications and experience to carry out this examination.

The Scope of the Examination

6. The nature of the independent examination is set out in Sections 8-10 of Schedule 4B to the Town and Country Planning Act 1990.
7. I must:
 - a) decide whether the Plan complies with the provisions of Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. These requirements relate primarily, but not exclusively, to the process of preparing the plan and I shall deal with these first.
 - b) decide whether the Neighbourhood Development Plan meets the basic conditions contained in Schedule 4B paragraph 8(2) of the Town and Country Planning Act 1990. This element of the examination relates to the contents of the Plan.
 - c) make a recommendation as to whether the Plan should be submitted to a referendum, with or without modifications, and whether the area for the referendum should extend beyond the Plan area.
8. The Plan meets the basic conditions if:
 - a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Plan;
 - b) the making of the Plan contributes to sustainable development;

- c) the making of the Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - d) the making of the Plan does not breach, and is otherwise compatible with, EU obligations.
9. Paragraph 9 of Schedule 4B indicates that as a general rule the examination should be carried out on the basis of written representations unless a hearing is necessary to allow adequate consideration of an issue or to allow a person a fair chance to put a case. I am satisfied from the documentation that has been submitted to me that the examination can be completed on the basis of written representations and that there is no need for a hearing. However, during the examination I have sought clarification by email on some issues and the email exchanges are attached as Appendix 1
10. The main documents which I have referred to in the examination are:
- Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley 2015-2032 Examination Copy.
 - Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley 2015-2032 Policy Maps.
 - Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley 2015-2032 Evidence Base Summary.
 - Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley 2015-2032 Basic Conditions Statement.
 - Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley 2015-2032 Consultation Statement Summary and Appendices 1-5.
 - Saved policies of the East Herts Local Plan 2007 Second Review
 - East Herts District Plan submitted for examination on 31st March 2017
 - Bishop's Stortford Draft Town Centre Planning Framework
 - Responses received to publicity in accordance with Regulation 16 of the Neighbourhood Plan Regulations

- The Neighbourhood Planning (General) Regulations 2012 as amended in 2015 which are referred to as the NPR
 - The Environmental Assessment of Plans and Programmes Regulations 2004 (EAPPR)
 - The Conservation of Habitats and Species Regulations 2010 (CHSR)
 - The National Planning Policy Framework which is referred to as the NPPF
 - National Planning Practice Guidance referred to as PPG
11. These documents include all of those that are required to be submitted with a neighbourhood plan under regulation 15 of the NPR, with the exception of a determination on the need for a strategic environmental assessment which is considered in paragraphs 32-39.
12. I made an unaccompanied visit to Bishop's Stortford to familiarise myself with the Plan area and its surroundings on 5 May 2017. I spent most of a day walking and driving round the Plan area and visiting all the locations referred to specifically in the Plan.

The Preparation of the Plan

13. The Plan has been prepared by Bishop's Stortford Town Council. In addition to three wards of the town, the Plan includes part of the parish of Thorley. In accordance with Section 61F (2) of the Town and Country Planning Act 1990 (which was inserted by Schedule 9 of the Localism Act 2011) Thorley Parish Council has given its consent to the inclusion of this part of the Parish in the Neighbourhood Plan.
14. On 11 February 2014 Bishop's Stortford Town Council wrote to EHDC to apply for the designation of the area comprising the Bishop's Stortford All Saints , Central and South Wards and part of the Parish of Thorley as a Neighbourhood Area. Following publicity in accordance with Regulation 6 of the NPR the designation was confirmed on 5 July 2014. The designation has subsequently been publicised on the EHDC website in accordance with Regulation 7.

15. Section 38B (1) (a) of the Planning and Compulsory Purchase Act 2004 requires that the Plan clearly states the period to which it relates. The Examination Copy of the Plan, Basic Conditions Statement and Consultation Statement Summary clearly state that the plan period is 2016-2032. However, the Evidence Base Summary indicates 2015-2031.

Recommendation

Correct the cover page of the Evidence Base Summary document to show the correct timescale

16. The Plan must not include any provision about development that is excluded development as defined in Section 61K, which is inserted into the 1990 Town and Country Planning Act. Excluded development includes “county matters” such as mineral extraction and waste disposal and major infrastructure projects. I am satisfied that the submitted plan contains no such provision and does not relate to more than one neighbourhood area.

Public Consultation

17. The preparation of the Plan has involved a very extensive and wide ranging process of public consultation and involvement which is reported in detail in the Consultation Statement which comprises a Summary and five Appendices. From the outset the process has been open and inclusive. The preparation of the Plan has been co-ordinated by a neighbourhood plan team with 16 members made up of town councillors, representatives of Thorley Parish Council, a wide range of community organisations, the potential developers of the land south of Bishop’s Stortford and volunteers who did not represent any organisation.
18. Consultation started with a questionnaire distributed to all households and businesses in autumn 2014 to which 1,744 responses were received. This was followed by 8 focus group meetings each addressing a particular topic between November 2014 and February 2015. In the second half of 2015 there were continuing initiatives to engage the wider community and specific interest groups, including businesses, commuters, young people, disability groups and mother and toddler groups in the development of the Plan.

Consultation days were held in June and September and further focus group meetings were held to consider the emerging Plan.

19. Formal Regulation 14 consultation took place between 3 March and 19 April 2016. Over 200 organisations were individually consulted, advertisements were placed in the local press, posters and flyers were displayed in public buildings, leaflets were distributed to commuters at the railway station and a summary document, leaflet and flyer were distributed to all households. Consultation days were held on 17, 19 and 20 March.
20. The response to all stages of the consultation is summarised in the Consultation Statement and presented in more detail in the appendices.
21. In accordance with Regulation 16, EHDC publicised the submitted Plan and invited representations in November/December 2016. 13 responses were received and have been sent to me with the other documents required under Regulation 17. Although I have not referred directly to all of them, I have taken all of these representations into account in my examination.
22. I am satisfied that the preparation of the Plan has involved extensive and inclusive consultation which more than meets the requirements of Regulation 14. I am also satisfied that the Consultation Statement including Appendices 1-4 fully meets the requirements of Regulation 15(2).

The Development Plan

23. The statutory development plan is made up of:
 - The Saved Policies of the East Hertfordshire Local Plan Second Review 2007. (EHLP 2007)
 - The Hertfordshire Minerals Local Plan adopted in 2007.
 - The Hertfordshire Waste Local Plan which comprises the Waste Core Strategy and Management Policies adopted in 2012 and the Waste Site Allocations Document adopted in 2014.
 - The Saved Policies of the Hertfordshire Minerals Local Plan Review 2002-2016 and the Hertfordshire County Waste Local Plan 2010.

The Plan must be in general conformity with the strategic policies of these plans.

24. The time horizon for the East Herts Local Plan was 2011 and it is thus now clearly out of date. Where there is any conflict with the National Planning Policy Framework of 2012 (NPPF) the latter will take precedence. The 2007 Local Plan will be replaced by the East Herts District Plan 2011-2033 which is now at an advanced stage of preparation. It was submitted for examination on 31 March 2017. While there is no requirement for the Plan to be in general conformity with it, PPG indicates that *“the reasoning and evidence informing the Local Plan process is likely to be relevant in the consideration of the basic conditions against which a neighbourhood plan is tested”* and *“The local planning authority should work with the qualifying body to produce complementary neighbourhood and Local Plans. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging Local Plan.”*³ This guidance applies with particular force where the emerging Local Plan has reached a fairly advanced stage as in this case and there is clear evidence in the submitted material that there has been substantial co-operation in this case.

The Basic Conditions Test

25. The consideration of whether the Plan meets the basic conditions is the main focus of the independent examination process. It is therefore essential to be absolutely clear on the meaning of each of the basic conditions.

“having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan”.

26. There are two important points to emphasise in relation to this. The first is that I must consider this requirement in relation to the making of the Plan; it thus applies to the Plan as a whole rather than to individual policies. The second

³ PPG Can a neighbourhood plan come forward before and up-to-date Local Plan is in place? Reference ID 41-009-20160211

point is the use of the phrase “*having regard to*”. This means that I must consider the national policy and advice but it does not mean that each policy should be in absolute conformity with it. It provides for an element of flexibility. PPG explains that “*having regard to national policy*” means that “*a neighbourhood plan must not constrain the delivery of important national policy objectives*”. The Plan as a whole is clearly the sum of its policies and it is therefore necessary to consider the extent to which each policy complies with national policy and guidance. However, in reaching my conclusion on this basic condition it is the relationship of the Plan as a whole with national policies and guidance rather than individual policies which is the key consideration.

27. The Basic Conditions Statement explains how the Plan responds to the core planning principles of the NPPF. It then goes on to consider how the policies of the Plan relate to the main themes of the NPPF. This is very helpful, but it would be even more helpful in some cases to identify the specific paragraphs of the NPPF that are of particular relevance for the Plan because these explain in more detail how the principles are to be applied.
28. Also relevant to the basic conditions test is “guidance issued by the Secretary of State” as set out in PPG. The Basic Conditions Statement does not consider the relationship of the Plan to PPG but I have had frequent need to relate aspects of the Plan to it.

“The making of the plan contributes to sustainable development”

29. Sustainable development is the fundamental principle guiding the planning process and the assessment of this basic condition is therefore of prime importance.⁴ The NPPF spells out the three dimensions of sustainable development: economic, social and environmental, and emphasises the interdependent nature of these. Again, it is important to note that the assessment to be undertaken relates to the Plan as a whole, but clearly the contribution of each policy needs to be considered to enable a conclusion to

⁴ NPPF Paragraph 6

be reached and policies which fail to contribute to sustainable development are likely to require modification or deletion. As the NPPF points out local circumstances vary greatly and that influences the way in which contributions to sustainable development can be made.⁵

30. The Basic Conditions Statement briefly explains how the Plan contributes to the three dimensions of sustainable development. The whole structure of the NPPF is based on elements of sustainable development and there is thus a substantial overlap between the first and second basic conditions as both are concerned with the relationship of neighbourhood plans to the NPPF.

“The making of the plan is in general conformity with the strategic policies contained in the development plan for the area”.

31. As with the previous two conditions the test applies to the Plan as a whole, but this requires consideration of individual policies against relevant strategic policies in order to reach an overall conclusion. The test of “*general conformity*” is fundamentally that the neighbourhood plan policies should not undermine the strategic policies of the Local Plan. The test is spelt out more fully in PPG⁶. It does not preclude some variation from a strategic policy to reflect local circumstances providing the proposal upholds the general principle that underlies the strategic policy. The Basic Conditions Statement clearly shows how the Plan relates to the saved policies of the East Herts Local Plan Second Review 2007 and does not identify any significant conflicts. I shall consider this in more detail in relation to individual policies. The absence of up to date strategic policies on many issues reduces the importance of this test and means that more reliance is placed on conformity with national policy and guidance.

The making of the order does not breach and is otherwise compatible with EU Obligations

Strategic Environmental Assessment

⁵ NPPF Paragraph 10

⁶ PPG What is meant by ‘general conformity’? Reference ID: 41-074-20140306

32. PPG indicates that *“where a neighbourhood plan is likely to have significant environmental effects it may require a strategic environmental assessment”*⁷, subsequently referred to as SEA. A SEA requires the preparation of an environmental report. In order to determine whether the plan would have a significant environmental effect, a screening assessment is necessary.
33. Regulation 15 of the NPR requires that the submission of a neighbourhood plan must include:
34. *” (i) an environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans Regulations (EAPPR) or*
35. *(ii) where it has been determined under regulation 9(i) of these Regulations that the proposal is unlikely to have significant environmental effects (and accordingly does not require an environmental assessment), a statement of reasons for the determination”.*
36. In the case of the Plan, a screening assessment of the need for a SEA was carried out by the Town Council and is included as Appendix 2 to the Basic Conditions Statement. The screening assessment followed the flowchart set out in the Practical Guide to the Strategic Environmental Assessment Directive⁸ and concluded that the Plan is not likely to have significant environmental effects and that a SEA is therefore not necessary. Appendix 1 to the screening sets out the reasons for the answers to individual questions on the flow chart.
37. The relationship between the Neighbourhood Plan and the emerging Local Plan is crucial in the conclusion that a SEA is not required. Although the Plan contains policies relating to the development of new allocations of land for housing and other development, these policies relate to the form of the development if the allocations are confirmed and do not allocate these sites

⁷ PPG Does a neighbourhood plan require a strategic environmental assessment? Reference ID: 11-027-20150209

⁸ Fig 2 on Page 13 of A Practical Guide to the Strategic Environmental Assessment Directive. Office of the Deputy Prime Minister 2005.

for development. The sites concerned are either allocated in the 2007 Local Plan, which has been subject to a SEA, or proposed for allocation in the emerging Local Plan which will be subject to a SEA. Of course the outcome of the SEA cannot be anticipated, but the Plan makes clear that the policies it contains relating to these sites will only have effect if the allocations not already made are made in the emerging Local Plan.

38. In accordance with regulation 9 (2)(b) the consultation bodies were consulted on the screening assessment. Their responses were not included with the submission documents and I have sought clarification on this. Also, it was not clear from the Basic Conditions Statement whether the District Council has made a determination under regulation 9 of the EAPPR that a SEA is not necessary. I have now been sent copies of the responses from the consultation bodies and the Council's formal determination that SEA is not required which is attached at Appendix 2.
39. The Council's determination should have been submitted with the Plan and been subject to publicity along with the other submitted documents. However, I am satisfied that the determination was made and, in association with the responses of the consultation bodies, that the report on the determination sets out the reasons for the conclusion that a SEA is not required, and that further consultation on the determination is not necessary.

Appropriate Assessment under the Habitats Regulations

40. Regulation 102 of the Conservation of Habitats and Species Regulations 2010 (CHSR) puts into effect the requirements of Article 6.3 of the EU Habitats Directive and requires that:
*“(1) Where a land use plan -
is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and is not directly connected with or necessary to the management of the site, the plan-making authority must before the plan is given effect, make an appropriate assessment of the implications of the site in view of that site's*

conservation objectives.” Amendments to these regulations were made in the Schedule 2 to the NPR which inserted Regulation 102A to the CHSR:

“A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 102 or to enable them to determine whether that assessment is required.”

The SEA Screening Assessment confirmed that there are no European Sites or Offshore Marine Sites that would be significantly affected by the proposals in the Plan and that an Appropriate Assessment under the Habitats Regulations would therefore not be necessary. This view has been confirmed by the response of Natural England.

Human Rights

41. I have not found, or received any representations to suggest that the Plan in any way contravenes the European Convention on Human Rights.
42. I am satisfied that the making of the Plan would not breach, and is otherwise compatible with, EU obligations.

The Relationship of the Plan to the Neighbourhood Plan for the Silverleys and Meads Wards

43. Before considering the contents of the Plan in detail, a few comments on the unusual nature of this examination are necessary. In late 2014 I carried out the independent examination for the Bishop’s Stortford Silverleys and Meads Wards which covered the northern part of Bishop’s Stortford. The Plan for All Saints, Central, South and part of Thorley covers the southern half of the town so that if it is made the whole of the town will be covered by neighbourhood plans. The current Plan is very much modelled on the earlier one to the extent that the wording of the Vision, Objectives and some of the policies and the supporting text is identical or very similar. In many cases the modifications which I recommended to policies of the Silverleys and Meads

Wards Plan are reflected in the wording of the Plan for All Saints, Central, South and part of Thorley.

44. It is obviously important that there is consistency between the examinations of the two plans. However, that does not mean that my conclusions in relation to similar or identical policies will always be precisely the same. There are two reasons for this. firstly there have been some changes to the NPR, PPG and the legislative background since the first examination. Secondly the Silverleys and Meads Plan was only the third one I examined and at that time neighbourhood plans were still in their infancy. This is my 21st examination. The experience I have gained, along with the sharing of best practice may mean that my approach has evolved to the extent that I reach different conclusions. Where the conclusions that I reach differ from those reached in the earlier Plan I shall set out my reasons for this.

Vision and Objectives

45. Section 3 of the Plan sets out a broad vision and objectives for the Plan area. The Vision sets out 9 principles of which 5 are identical to those in the Plan for Silverleys and Meads Wards and one relating to transport is slightly modified. There are three new principles relating to the importance of the River Stort as an asset for the town, regeneration in the town centre and the attraction of new business. The Vision is supported by objectives which relate to individual policy themes and they present an overview of the issues facing the area and set out aspirations for it. The objectives will not form part of the statutory development plan if the Plan is made as they are not policies and some of them relate to issues which are beyond the scope of the Plan as they do not relate to the development and use of land. However, I am satisfied that the objectives are consistent with the aims of sustainable development.

The Policies of the Neighbourhood Plan for All Saints, Central, South and part of Thorley 2015-2032

47. I have considered all the policies of the Plan in relation to the basic conditions. In doing so I have taken account of all the comments that have been made on the Plan as it has been developed and in particular those comments made in response to the Regulation 16 consultation on the submitted plan. While I have not referred explicitly to every comment that has been made, I have taken them all into account.
48. I am only empowered to recommend modifications that I consider are necessary to meet the basic conditions or to correct errors. This includes modifications to improve the clarity of the wording of policies as one of the important elements of PPG is that *“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.”*⁹
49. PPG also indicates that *“Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn on to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan...”*¹⁰.
50. Section 4 of the Plan contains the policies that are intended to form part of the development plan. They are presented in sections, relating to the policy themes used in the objectives. Each section is introduced by a helpful policy context and the objectives that relate to it with the reasoned justification for the policy that follows. Background evidence to support the policies is also provided in the separate Evidence Base Summary which also provides links to other relevant documents. I have found this to be a very helpful way of presenting this information.

⁹ PPG Neighbourhood Planning How should the policies in a neighbourhood plan be drafted? Reference ID: 41-041-20140306

¹⁰ PPG Neighbourhood Planning What evidence is needed to support a neighbourhood plan? Reference ID 41-040-20160211

Housing and Design

Policy HDP1- Residential development and redevelopment

51. This policy sets out some general principles for housing development. It envisages that new housing development will meet needs identified in an up to date Strategic Housing Market Assessment. It also proposes that opportunities for housing development on brownfield sites should be utilised before developments on the edge of the built-up area are implemented. More specifically part b) requires that development of the land South of Bishop's Stortford (also referred to as Bishop's Stortford South) should not be permitted until additional parking and traffic measures identified in policies for the development of the Goods Yard Site, a substantial brownfield site on the edge of the town centre, have been delivered. Parts c) and d) also provide general guidance on the style and density of development advocating that development beyond the existing edge of the built-up area should incorporate the principles of Garden Cities and that higher density development on brownfield sites should be of high quality design.
52. The requirement for brownfield opportunities for development to be taken before developments on the edge of the built-up area has very clear implications for the relationship between the development of land South of Bishop's Stortford and the Goods Yard Site. It also has implications for the timing of development on Land east of Manor Links. It is therefore necessary to consider the general principle that brownfield land should be developed first and part b) of the policy relating specifically to the relationship between the Goods Yard and Bishop's Stortford South together.
53. The Goods Yard site is identified for major residential development in Policy BIS11 of the EHLP 2007 and Land South of Bishop's Stortford is identified in the emerging Local Plan as a location for major housing development which will help to meet the identified need for new housing in Bishop's Stortford. The potential developers of Bishop's Stortford South and East of Manor Links have both objected to the requirement for brownfield land to be developed before sites on the edge of town.

54. I can fully understand why it may be considered desirable for the brownfield Goods Yard site to be developed first, particularly because of the impact of development on the edge of the town on the Green Belt. However, no compelling evidence has been provided of any harm that would be caused if, once the principle of developing Bishop's Stortford South or land East of Manor Links had been accepted, they were to be developed first. There is also no provision for brownfield sites to be developed ahead of greenfield sites in the EHLPP or the emerging local plan.
55. Moreover, while the NPPF encourages the effective use of previously developed land,¹¹ it does not provide any support for holding back the development of greenfield sites that would contribute to sustainable development.
56. There is reference in paragraph 4.1.3. to the development of Bishop's Stortford South being unpopular, to infrastructure requirements and to potential use of the town centre one-way system. However, that does not amount to a clear justification to make its development dependent on the release of car parking at the Goods Yard site as required by part b) of the policy. The Goods Yard Site is a brownfield site which, it is envisaged, will accommodate a complex mix of uses. There are likely to be many issues that will need to be addressed and, although a planning application has been submitted (Ref. 3/16/0530/OUT)¹² there can be no guarantee of when the site will be developed. If there was a significant delay in the development of the Goods Yard Site which held up development of Bishop's Stortford South, there could be a serious impact on the delivery of housing to meet the identified needs. In this way, the neighbourhood plan could undermine the strategic policies of the Local Plan contrary to paragraph 184 of the NPPF and would frustrate otherwise sustainable development.
57. I have therefore recommended minor modifications to part a) of the policy and the deletion of part b). I am satisfied that parts c) and d) of the policy are

¹¹ NPPF Paragraph 17

¹² This application was refused during the course of my examination

consistent with the basic conditions.

Recommendations

In part a) of Policy HDP1 delete “firstly” in the seventh line and “, subsequently,” in the ninth line.

Delete part b) of Policy HDP1 and renumber the remaining parts of the policy as parts b) and c).

Policy HDP2- Setting and character of buildings, streets and places

58. This policy sets out requirements which are designed to ensure that new development respects the character of the surrounding area. Part a) relates to Conservation Areas and refers specifically to Twyford House and Twyford Mill, part b) to general design criteria and part c) to innovative design.
59. I have carefully considered part a) in the context of the approach set out in section 12 of the NPPF to conserving and enhancing the historic environment. This is to consider the nature of the impact of any development in relation to the importance of the asset. The cross reference in the first part to The Conservation Area Character Statement is consistent with the basic conditions. However, the wording of the second part relating to Twyford House and Twyford Mill is significantly more restrictive than the approach in the NPPF. While Twyford House is a grade II* listed building and substantial harm to it “*should be wholly exceptional*”, less than substantial harm to it “*should be weighed against the benefits of the proposal*”. The status of Twyford Mill is not clear from the documentation but it has been confirmed to me that it is not a listed building I have therefore recommended a modification to achieve greater consistency with the NPPF.
60. The next part of the policy sets out the approach to development that would result in the demolition of unlisted buildings that make an important contribution to the Conservation Area. The reference to this only being acceptable “*in exceptional circumstances*” is consistent with the approach of the NPPF to substantial harm to a grade II listed building but not with the “*balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset*” that is required in relation to non-

designated heritage assets. A further modification is therefore recommended in relation to this part of the policy.

61. Part b) of the policy defines how residential development should relate to its setting and I am satisfied that the criteria are consistent with the basic conditions. Part c) appears to restrict innovative designs to areas “*where there is not a positive lead on building style.*” There is a tension between this and paragraph 60 of the NPPF which advocates that “*Planning policies ...should not stifle innovation...*” though “*...it is proper to seek to promote or reinforce local distinctiveness.*” It is not unusual for innovative designs to make a very positive contribution to the environment in very sensitive locations, while not undermining local distinctiveness.

Recommendations

In Policy HDP2 a) at the end of the second sentence which ends “...will not be supported” add “unless the harm is clearly outweighed by the public benefits of the proposal.”

In the third sentence of part a) of Policy HDP2 delete “other than in exceptional circumstances” and insert “except” and delete “or unless a superior scheme in quality and design is proposed as part of the application” and insert “or where the public benefit of the replacement scheme in terms of its appearance and design or the viable use of the site outweighs the harm.”

In Part c) of Policy HDP2 delete the first two lines and put a capital “I” at the beginning of “Innovative”.

Policy HDP3-Design Standards

62. Policy HDP3 sets out design standards to be met by new developments. Part a) of the policy refers to: Sport England’s Active Design Guidance, The nationally described spatial standard, Secured by Design, Lighting against Crime and The DCLG Housing Technical Standard for Water Efficiency. I shall consider each point in turn, but as a general point the current wording of the policy applies to all housing development. It would be unreasonably onerous having regard to paragraph 193 of the NPPF to insist that

performance against all of these criteria is demonstrated for small scale developments of a few dwellings.

63. The Sport England Active Design Guidance sets out ten principles for the design of new development to promote active and healthy lifestyles. They include: connectivity on foot or by cycle and the provision of public spaces and the location of community facilities. These principles have much in common with the requirements of Building for Life and therefore many of these requirements will be addressed in a Building for Life Assessment as required in policy HDP2b). However, the tenth of these principles is “Activity Promotion and Local Champions”. This does not relate to land use, but with a minor amendment to reflect this I am satisfied that this requirement is consistent with the basic conditions
64. The Housing Standards Review of 2015 simplified the use of housing standards in planning by establishing a “nationally described spatial standard” and other optional standards to be applied optionally by local planning authorities. However the Ministerial Statement introducing the Housing Standards Review made it clear that “*Neighbourhood plans should not be used to apply the new national technical standards.*”¹³ I note the representations of the Environment Agency but it is my understanding that this limitation applies to both the nationally described space standard and the tighter standard for water efficiency.
65. Secured by Design is a nationally recognised standard but Part 2 relates to the security standards to be used in the construction of individual dwellings. Mandatory standards for the physical security of new dwellings came into force in October 2015 and PPG indicates that “*planning authorities should no longer seek to impose any additional requirements for security of individual dwellings through plan policies, though designing for security of site layout*

¹³ Planning Update March 2015. Ministerial Statement 25 March 2015 under the heading Plan Making

remains a valid planning consideration."¹⁴ The street lighting requirements are therefore appropriate.

66. Part b) of the policy encourages the use of solar power on sites with a favourable aspect. It also seeks to encourage other sources of renewable energy and as worded this would also apply only to sites with a favourable south-east to south-west aspect. I am sure this is not the intention and the wording of this element of the policy is generally not very clear. I have therefore recommended an appropriate modification. The Ministerial Statement, to which I have previously referred, also indicated that the government would be introducing national standards for the energy performance of buildings to be incorporated into the building regulations and that policies seeking a higher standard than this should not be set or applied. However, this policy does not require a particular standard and is therefore acceptable in principle.
67. Part c) of the policy requires all roads on new developments to meet Highways adoption standards. This policy is justified by the poor standard of maintenance experienced with private roads and in my judgement it is consistent with sustainable development.
68. Part d) of the policy relates to the provision of Sustainable Urban Drainage Systems (SUDS) and sets out four requirements that are designed to reduce the rate of surface water runoff and ensure the effective integration of new development to realise opportunities for biodiversity, amenity and recreation and maintain safety. The NPPF suggests "*using opportunities offered by new development to reduce the causes and impacts of flooding*"¹⁵ and that "*when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere.*"¹⁶ The provision of SUDS is consistent with these requirements and the justification refers to the location of the areas proposed for major new development close to areas of existing flood risk.

¹⁴ PPG What optional technical housing standards can local authorities set? Reference ID 56-002-20160519

¹⁵ NPPF paragraph 100

¹⁶ NPPF paragraph 103

While the policy lists fairly detailed requirements, I am satisfied that it is worded with sufficient flexibility to meet the basic conditions.

Recommendations

In the first bullet point of Policy HDP3a) delete “ten” and insert “first nine”. Delete the second, third and fifth bullet points

Modify part b) of Policy HDP3 to read “on sites that have a favourable south-east to south-west aspect such as the land South of Bishop’s Stortford, proposed in the emerging District Plan developers will be encouraged to incorporate the use of solar energy generation. On all sites the use of solar energy or other sources of renewable energy will be supported, where it does not conflict with other development plan policies.

Policy HDP4-Dwelling mix strategy

69. This policy sets out requirements for the determination of the size, type and tenure of houses. Part a) of the policy requires developers of schemes of five or more houses to submit a dwelling mix strategy to show how the development meets objectively identified needs for Bishop’s Stortford; it meets the basic conditions. Part b), which requires the provision of affordable housing on site, other than in exceptional circumstances where contributions towards offsite affordable housing will be sought, also meets the basic conditions.
70. Part c) requires that 60% of affordable housing should be social/ affordable rented and 40% intermediate shared ownership. No evidence is provided to support these figures other than the response to the neighbourhood plan survey showing positive demand for shared ownership and this does not amount to an objective assessment. The emerging District Plan points to 84% of the identified affordable housing need being for affordable rented housing.¹⁷ It also refers to the need for affordable housing provision to take account of government proposals for Starter Homes. While that plan has yet to be tested, the neighbourhood plan should take account of the evidence that

¹⁷ East Herts District Plan Submission Version Table 14.3

informs it.¹⁸ In the absence of any clear evidence to support the figures included in part c) of the policy, it does not meet the basic conditions.

71. Part d) requires proposals to take account of the unfulfilled demand for bungalows. However, the second part of the policy proposes that where schemes come forward without any bungalows at least 20% of the dwellings that would have been 4 or 5 bedroom houses should be bungalows with an average of two bedrooms. While the evidence base refers to evidence in the East Herts District Housing Needs Survey that almost 30% of those needing affordable housing, need bungalows, and for the general need among older people for bungalows, there is no clear evidence for this specific requirement. Again the support from a questionnaire for more bungalows and less 4/5 bedroom houses is not enough to provide objective evidence for this arbitrary figure.
72. Part e) requires schemes to consider the possibility of self-build and is consistent with the basic conditions.
73. Part f) aims to ensure that affordable housing is retained for that purpose and not resold onto the open market. This policy appears to conflict with government policy which supports the right of the tenants of affordable housing to buy their properties and may therefore not be enforceable. I appreciate that the emerging District Plan has a similar policy¹⁹ but this has not been tested and I am not satisfied from the evidence available to me that the policy in the neighbourhood plan meets the basic conditions.

Recommendations

In Policy HDP4 delete part c), part d) after “...why a site is not suitable for bungalows” and part f).

Policy HDP5 – Building for the community

¹⁸ PPG Can a neighbourhood plan come forward before an up-to-date Local Plan is in place Reference ID 41-009-20162011

¹⁹ East Herts Local Plan Submission Version March 2017 Policy HOU3

74. This policy deals with the provision of housing for older and vulnerable people and the provision of community facilities in association with residential development. Part a) of the policy requires that at least 20% of homes should be built to be Wheelchair adaptable as defined by the building regulations. A similar policy was contained in the Silverleys and Meads Neighbourhood Plan and I accepted it at the time as being generally compliant with the existing Local Plan policy. However, I pointed out that the Housing Standards Review may have implications for this policy.²⁰ The government has now completed the Housing Standards Review and as I have said earlier the Ministerial Statement made it clear that neighbourhood plans should not be used to impose the new technical standards. PPG sets out clearly how local authorities should address these needs in local plans.²¹
75. Part b) of the policy sets out criteria for the location and design of housing for Older and Vulnerable People. I am satisfied that these are entirely consistent with sustainable development and meet the basic conditions.
76. Part c) of the policy relates to the timing of the provision of community facilities in association with the provision of residential development and requires that facilities should be available from the start of occupation. It is not clear what is included in the definition of community facilities and it has been clarified to me that it could include commercial facilities such as local shopping as well as public services (see e mail dated 17 May in Appendix 1). While it is evidently desirable from the viewpoint of the residents, it may not always be realistic. For new facilities to be viable the population that will need them may need to reach a critical level before they are viable. I have therefore recommended a modification to qualify this requirement.

Recommendations

In Policy HDP5 delete section a)

In Policy HDP5 section c) add after "...start of occupation" "or, where it can be clearly demonstrated that this is not viable or practicable, in

²⁰ My report on the examination of the Silverleys and Meads wards neighbourhood plan paragraph 49

²¹ PPG Accessibility and Wheelchair Housing Standards: Reference ID 56-05-20150327-56-011-20150327

accordance with an agreed phasing policy which will deliver facilities at the earliest stage at which it would be viable.”

Policy HDP9 – Archaeology

77. The policy seeks a contribution towards the cost of curating any archaeological finds. This policy goes beyond the requirements of Policies BH2 and BH3 of the East Herts Local Plan 2007 which relate to requirements for archaeological investigation which may be required and to the recording of finds or preservation in situ. PPG indicates that only a small proportion of archaeological investigations need to be detailed and thus it is misleading to suggest that this policy would apply to any archaeological find. Many are simply recorded but do not require reclamation, display or curation. In many cases it is unlikely that a requirement to contribute towards the cost of curation would be *“necessary to make the development acceptable in planning terms”*. Paragraph 173 of the NPPF also indicates that the level of requirements for planning obligations should not undermine the viability of development. Subject to amendments to reflect these concerns the policy meets the basic conditions.

Recommendation

Reword policy HDP9 to read:

“Should new archaeological finds occur, that are worthy of reclamation or display, an appropriate contribution will be sought from the developers towards the costs of whatever methods are deemed by Hertfordshire County Council to be most appropriate to curate the finds, where it meets the legal requirements for section 106 contributions.”

Contributions to Infrastructure and Community Facilities

78. In my examination of the Silverleys and Meads Wards Neighbourhood Plan I commented on the large number of policies in that Plan which sought the provision of or contributions to new or improved infrastructure or community

facilities from new development.²² I pointed out that such contributions through planning obligations are subject to tight legal requirements and that these may not always be met, particularly after the limitations on the pooling of tariff type contributions from 2015 onwards.²³ I recommended the addition of a policy to clarify these limitations and the finally made Plan included the recommended policy. However, it is not included in this Plan.

79. It is my impression that many of the policies in both neighbourhood plans which require contributions towards infrastructure and community facilities have been drafted with large scale developments in mind, where it is likely that the legal requirements will be met and the limitations on the pooling of tariff style contributions are less likely to be a constraint. However, many of the policies are written for all new development and it is likely in relation to smaller scale developments that the legal requirements and particularly the limitations on pooling will reduce the ability to secure contributions in this way. The wording of the policies implies that such contributions will be automatic and are potentially misleading unless the limitations are made clear.
80. In order to avoid the need for repetitive modifications to qualify policies where contributions may not always be appropriate, I consider that the policy that I recommended for inclusion in the Silverleys and Meads Wards Neighbourhood Plan should also be inserted into this plan.

Recommendation

Insert a new policy between the Housing and Green Infrastructure Sections, with appropriate supporting text based on the reasoning above to read

**“Policy C1 – Contributions to Infrastructure and Community Facilities
Where policies in this plan require contributions to provide new or improved infrastructure or community facilities, they will be made through planning obligations in accordance with policy IMP1 of the East Herts Local Plan 2007 Second Review or a successor policy in the**

²² My report on the examination of the Bishop’s Stortford Neighbourhood Plan for Silverleys and Meads Wards paragraphs 85-87.

²³ PPG Is there a limit on the pooling of S106 contributions? Reference ID 25-099-20140612

emerging East Herts Local Plan where they comply with the Community Infrastructure Regulations 2010 including any subsequent amendments to them.”

Green Infrastructure

Policy GIP1- Local Green Spaces and other green areas

81. Policy GIP1 identifies five areas for designation as Local Green Spaces and sets out the planning policy to be applied to them. Several other areas are also identified where development should have regard to their value as green spaces.
82. The NPPF sets out the criteria for the designation of Local Green Spaces in paragraph 77. While the supporting text does not explicitly relate the proposed areas to these it does describe the importance of each of these areas and I shall consider them in turn.
83. Birchanger Wood Is a substantial area of woodland on the north-east side of Bishop’s Stortford which extends beyond the neighbourhood area. On my site visit it was not straightforward to find how to access the wood, but having done so it was clear that the wood is well managed and well-used by the local community. It clearly provides an important green lung for a large adjoining residential area where there is relatively little open space. Only about one-third of the woodland falls within the neighbourhood plan area and only that part can be designated as a Local Green Space in this plan, but I am satisfied that it meets the criteria.
84. The Firs is an attractive avenue of trees which is well used as a pedestrian route and is an important wildlife corridor. It also forms part of an important longer footpath route. It is clearly a special and distinctive feature of the town and I am satisfied it meets the criteria for Local Green Spaces
85. The Spinney is a narrow strip of woodland of which part borders the Bishop’s Stortford High School Site. It is similar in character to the Firs as an attractive avenue of trees with pedestrian access through it and is appropriate for designation as a Local Green Space.

86. Thorley Wedge is a strip of linked green spaces running from the western edge of the town almost to the town centre. At the western end is an area of informal parkland and a playing field, it also includes allotments and a children's play space and extends almost 2km in total from west to east but its width varies from about 250m wide at its widest point to less than 50m in some places. It is unusual for a Local Green Space to extend so far, and to have so many different characteristics. However, because of its narrowness it is not an extensive area of land and the feature which makes it special in terms of local distinctiveness is the continuity of this green wedge from the edge of the town almost to the middle. It is clearly a defining feature of the southern part of Bishop's Stortford and appropriate for Local Green Space designation.
87. The Southern Country Park is quite a large area of open space between the edge of the built-up area and the bypass. It contains areas of different character, is clearly well used for a variety of recreational purposes and is important as a wildlife habitat. It is also clearly actively managed as an important asset for the town. It is quite large in comparison with many Local Green Spaces, but in relation to the size of the community it serves, not excessively so.
88. The second part of the policy identifies another 13 green spaces where it is proposed that any development respects their intrinsic value as a green space. This is a level of protection below that of Local Green Spaces and the policy also acknowledges that the emerging District Plan may influence the future of these sites. I visited all of these spaces on my visit. These spaces vary greatly in character; many are small areas of open space within residential areas, which are clearly of value for both amenity and recreation, others are in more prominent positions on significant roads where they soften an otherwise urban environment and some have a more specific purpose, such as the Thorley Cricket Field and the Cemeteries. I am satisfied that their protection is consistent with sustainable development.

89. On my site visit I noted that Cox's Garden, which has the appearance of a pleasant small area of green space in a residential area, was fenced off and not publicly accessible. It has been clarified to me (in the e mail of 17 May in Appendix 1) that the future of the site is uncertain as it is linked to the future of the Bishop's Stortford High School site. However, as the policy acknowledges that possible allocations in the emerging District Plan may affect the future of the spaces in this part of the policy, the inclusion of this green space in the list of spaces in part b) of the policy is appropriate.

Policy GIP2-Improve areas for leisure

90. This is a positively worded policy that supports measures to encourage the use of existing and new open spaces and improved leisure use of the River Stort Navigation and in particular the towpath south of the town. It is consistent with the basic conditions.

Policy GIP3- Green space management and zoning

91. Policy GIP3 is in two parts: the first requires developers to participate in the establishment of management arrangements for new open spaces by providing financial contributions and/or transferring land to an appropriate body. The policy meets the basic conditions.
92. The second part of the policy supports the principle of the zoning of green spaces for particular uses. In many cases the different uses to which green spaces are put would not require different planning permissions and the policy is thus to a large extent a management policy rather than a land use policy as it does not provide guidance to a decision maker in relation to a planning application for a particular use.

Recommendation

In Policy GIP3 delete part b)

Policy GIP4 – Protect wildlife and increase diversity

93. Policy GIP4 is a detailed policy setting out requirements for new development which will protect wildlife and increase biodiversity. The policy is identical in

parts to the equivalent policy in the Silverleys and Meads Wards Neighbourhood Plan and reflects, where appropriate, the modifications I recommended to that policy. It also includes significant additional detail on the measures to be taken and the standards to be met and there is extensive reference to supporting evidence in the evidence base summary. The intentions of the policy are entirely consistent with the aims of section 11 of the NPPF and Policies ENV16 and ENV17 of the EHLP. My comments relate to the extent to which the detail of the policy is justified and whether or not it is too prescriptive to be consistent with the presumption in favour of sustainable development.

94. Part a) of the policy relates to trees and woodland and standards to be met with new planting or the removal of trees. It generally encourages the retention of existing trees and new and replacement planting of native species appropriate to the character of the area. There is no clear justification for the “*minimum of 10 species*” to be included in new hedgerow planting. This is one of several suggested amendments to the draft plan suggested by Matt Dodds of the Hertfordshire and Middlesex Wildlife Trust.²⁴ However, the only justification is for the desirability of a specific standard to provide clarity and not for the figure chosen. A specific standard needs to be justified to be enforceable and there is no obvious reason, for example, why eight or nine different varieties of tree would not be acceptable. I accept that the National Vegetation Classification is a well-established definition for types of habitat. While the retention of log piles and monoliths may be desirable it is an issue for woodland management and not subject to planning control. Modifications are therefore recommended to reflect the points that I have made.
95. Part b) relates to water courses and again there is no clear justification for the standard of 12m chosen. Reference is made to an Environment Agency recommendation but the source of this is not provided²⁵. I have therefore recommended a modification.

²⁴ Consultation Statement Appendix 4 P42

²⁵ Consultation Statement Appendix 4 p42

96. Part d) of the policy relates to the possible provision of a wildlife corridor running from the Southern Country Park to the river to be funded by a developer. There is no indication of where this would be or of how it would relate to any particular development. The wording that “*consideration will be given...*” does not provide any clear guidance to a decision maker. While this is a legitimate aspiration it is not a planning policy and this section could be moved to the supporting text and expressed as a long-term aspiration.
97. Part e) requires that green spaces created as part of new development should include wildflower meadow areas for which there should be suitable management plans. This is a very specific requirement for which no clear justification is given and in my view is too prescriptive to be consistent with the basic conditions. I am not persuaded that there is a clear justification for them.
98. Part f) relates to measures to incorporate new wildlife habitats into new developments and is consistent with the basic conditions.
99. Part g) requires that all major and some minor developments should “*result in a neutral or positive ecological score as defined by the NE and DEFRA endorsed Biodiversity Impact Assessment Calculator.*” No information is given on this calculator or the nature of the NE and DEFRA accreditation. I therefore do not have the evidence to confirm that its use is necessary having regard to paragraph 193 of the NPPF.

Recommendations

In Policy GIP4a) delete “a minimum of 10” and insert “a variety of” and delete “When felling mature trees, monoliths and log poles should be retained where practicable as these habitats have significant wildlife benefits”

In Policy GIP4b) delete “of 12m”

delete part d) and refer to it in the supporting text as a long-term aspiration,

delete parts e) and g).

Policy GIP5 – Enhancement of footpaths, bridleways and cycle paths

100. This policy to a large extent replicates Policy GIP6 of the Silverleys and Meads Wards Neighbourhood Plan but it does contain some additional provisions in parts d) and f). I am satisfied that it meets the basic conditions.

Policy GIP6 – Improving / expanding allotments

101. This policy is identical to Policy GIP7 of the Silverleys and Meads Wards Neighbourhood Plan. Andrew Martin of Countryside Homes has questioned the standard of 0.24ha/1000 population as it does not comply with the standard in the EHLP (2007) of 0.21ha. However, I am satisfied that the difference between 0.21 ha. and 0.24ha. is sufficiently small for the policy to be in general conformity with the Local Plan Policy LRC4, particularly as local evidence of the current provision of allotments supports 0.24ha. I am therefore satisfied that the policy meets the basic conditions.

Policy GIP7 Flood mitigation

102. The policy reflects the modifications I recommended in relation to Policy GIP9 of the Silverleys and Meads Wards Neighbourhood Plan and the requirements of the NPPF regarding development in flood risk areas. It is in general conformity with Policy ENV19 of the EHLP. It meets the basic conditions.

Transport

Policy TP1 – Tackling traffic congestion

103. The policy sets out requirements for the assessment of the impact of development on congestion, contributions to mitigation measures and the monitoring of impacts. It is very similar to that in the Silverleys and Meads Ward Neighbourhood Plan.
104. The provisions in parts a) and b) for the assessment of the impact of development on traffic congestion are much more detailed than either the EHLP or the emerging District Plan. However, it also provides for sufficient flexibility in terms of both the scope of any assessment and the measures to

be taken to mitigate any harmful effects to be consistent with the approach in paragraph 32 of the NPPF, which indicates that “*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*”

105. Part d) of the policy requires statements of community involvement to provide evidence that transport proposals have been subject to consultation and that there is clear public support for the measures contained in the transport plan. Statements of community involvement are not a mandatory requirement for most planning applications and it is therefore not appropriate to determine their scope. Also the requirement that there should be public support for the measures in the travel plan is not consistent with the presumption in favour of sustainable development. Public support is one of many material considerations, but it is the weight of the arguments presented in public response rather than the volume which must be considered alongside other material planning considerations in the determination of planning applications.
106. There is duplication between sections f) and g) of the policy in that Haymeads Lane is referred to in both.
107. Section h) is also additional to the Silverleys and Meads Plan. It relates to arrangements for the monitoring of traffic impact and provides for the payment of an additional and pre-agreed sum of money if the amount of vehicle movements arising from the development exceeds the forecast identified in the Monitoring Report by more than 10%. While the rationale for this policy is clear, I have some reservations about the extent to which it can be applied, as the number of traffic movements in a particular location at any time can be subject to a wide range of variables and it may not be possible to reliably isolate the impact of new development. However, the application of the policy is subject to agreement in any given case with the Highways Authority and factors such as this can be taken into account at that stage. I am therefore satisfied that this provision meets the basic conditions.

Recommendations

In Policy TP1 delete part d)

In part g), delete Haymeads Lane

Policy TP2 – Improving air quality

108. This policy aims to prevent or mitigate adverse effects on air quality caused by new development, with a particular focus on the Hockerill Junction which is an Air Quality Monitoring Area. There is no conflict between the policy and The NPPF paragraph 124 or the existing Local Plan policy ENV27.
109. The policy amplifies a similar policy in the Silverleys and Meads Wards Neighbourhood Plan. However it is not consistent with it. Part a) of the policy requires an assessment of the predicted impacts on the Air Quality Management Area (AQMA) if development is forecast to increase congestion at the Hockerill junction by more than 2.5%, whereas the Silverleys and Meads Wards Plan sets the threshold at 5%. No clear justification is presented for this different standard. The boundary between the Plan area and the Silverleys and Meads Wards area passes through the Hockerill junctions and it would be impractical and inconsistent for decision makers to have to apply a different standard to proposals in the two plan areas which may be only yards apart. The Silverleys and Meads Plan is made and therefore a modification to this policy to achieve consistency with the earlier plan would be appropriate to meet the basic conditions.
110. Parts d) and e) of the policy state that, if impacts on air quality are incapable of being overcome by conditions or planning obligations, development will not be permitted. These parts of the policy are not included in the equivalent policy for the Silverleys and Meads Wards Plan. However, they express the logical approach to be taken in considering the findings of an air quality assessment. They therefore provide clearer guidance to decision makers than was explicit in the earlier plan and are entirely consistent with its intentions. I am therefore satisfied that they meet the basic conditions.
111. Part c) requires evidence of mitigation measures at the pre-submission stage. However the NPPF makes it clear that while pre-application consultation is

strongly encouraged, it cannot be required.²⁶ This part of the policy therefore does not meet the basic conditions.

Recommendations

In Part a) of policy TP2 delete “2.5%” and insert “5%” delete part c).

Policy TP-3 Create walking and cycle friendly neighbourhoods

112. The policy aims to ensure that new development contributes to improvements in pedestrian and cycle routes where possible and it requires development proposals to apply the Department for Transport guidelines for reasonable walking distances. The policy aligns closely with the NPPF paragraph 35 and with policies in both the existing and emerging plans.
113. However, the policy starts with “Any development should enhance the attractiveness of walking and cycling” and this places unrealistic demands on small scale developments involving extensions or small numbers of dwellings which make up the bulk of development proposals. This would run counter to the presumption in favour of sustainable development. In practice developments which do not involve the construction of new roads or occupy large sites are unlikely to have much potential to meet these requirements. In the Silverleys and Meads Plan the equivalent policy was applied to “significant developments” which are those large enough to require a transport assessment, and would involve 80 or more homes for residential development and defined floorspace areas for other types of development. Some developments smaller than this would also have the potential to do this. I have therefore recommended a modification to reflect these points and meet the basic conditions.
114. It may not always be possible for new developments to meet the Department for Transport standards for access to facilities as only the largest developments will be able to provide them, but the policy is worded with sufficient flexibility to recognise this.

²⁶ NPPF paragraph 189

Recommendation

In policy TP3 modify the beginning of section a) to read:

“Development proposals should where possible increase the attractiveness of walking and cycling and all significant developments should:”

In each of the bullet points which follow change the form of the verb to agree e.g. Change “including” to “include”

Policy TP4 – Develop a connected town for pedestrians and cyclists

115. Policy TP4 sets out further requirements for the provision of pedestrian and cycle infrastructure by new developments. The list of potential requirements is lengthy and detailed, and some modifications are necessary to retain sufficient flexibility to be consistent with the presumption in favour of sustainable development.
116. Part c) contains a presumption against development which results in the loss of any existing cycle or pedestrian crossing over a road, railway or river. This needs to be considered in the context of the presumption in favour of sustainable development. While the loss of a pedestrian or cycle crossing would not contribute to sustainable development the determination of a planning application is likely to contain a wide range of considerations and these could outweigh this loss. A modification is therefore necessary to meet the basic conditions.
117. Part d) defines desirable features of cycle routes without making them absolute requirements.
118. Part e) sets out standards for the construction of cycle routes. While these are all desirable there is a need to relate these to the viability of the development as a cycle route which does not meet all of these requirements may well be preferable in terms of sustainable development to no cycle route. A minor modification is recommended to reflect this.
119. Part f) aims to ensure the early implementation of sustainable travel initiatives and is consistent with the basic conditions.

120. Part g) identifies particular improvements which are identified as desirable which could be facilitated by contributions from new development. This is a useful list of priorities which could be facilitated by new development.

Recommendations

In Policy TP4 at the end of part c) add “or the benefits of development in terms of sustainable development clearly outweigh the loss.”

in part e) of policy TP4 after “...London Cycle Design Standards and” insert “...to the extent that it is consistent with the viability of the development:”

Policy TP5- Better bus travel

121. This policy amplifies the policy included in the Silverleys and Meads Neighbourhood Plan in identifying possible improvements to bus services which may be supported by contributions from new developments. The improvement of public transport services is consistent with the emphasis on sustainable modes of transport in the NPPF paragraph 35 and with policy TR1 of the EHLP.
122. The amplification in part a) requiring the buses used to be of hybrid type or meet the latest emissions regulations is consistent with Policy EQ4 of the emerging District Plan. However, that policy has not been tested and I am not satisfied that it relates to the development and use of land. Parts b) to d) relate to the provision of bus stops and the standards to be met by them and meet the basic conditions. Part e) of the policy defines important bus corridors where contributions may be sought towards improvements in bus services.

Recommendation

In part a) of the policy delete the last sentence.

Policy TP5a – Safer sustainable school travel

123. The policy reflects the duty on local authorities to promote sustainable travel to school. It lists potential items for development contributions subject to the viability of the development. I am satisfied that these are consistent with the

basic conditions except for the provision of 20mph speed limits which is a traffic management matter for the highways authority and not a planning issue.

Recommendation

In Policy TP5a delete the second bullet point which relates to the provision of 20mph speed limits.

Policy TP7 – Cycle parking

124. The policy aims to ensure that appropriate cycle parking is provided in association with new developments and indicates that larger developments may be required to contribute to cycle parking at key destinations. The first part of the policy is in general conformity with Policies TR14 of the EHL P and TRA3 of the emerging District Plan. The second part of the policy goes beyond the requirements of either the existing or emerging Local Plans and the number of instances where such contributions will be necessary to make the development acceptable in planning terms may well be limited. Subject to a modification to clarify when such contributions will be required and to the other legal requirements for planning obligations the policy is consistent with the basic conditions.

Recommendation

At the end of Part b) add “...where they substantially increase the demand for cycle parking.”

Policy TP8 - Residential parking

125. The policy sets out standards and design and layout criteria for the provision of parking for residential development.
126. The policy is very similar to that in the Silverleys and Meads Wards Neighbourhood Plan except for the addition of two additional criteria, one relating to the conversion of garages to living accommodation and the other to development relying on on-street parking.
127. Both neighbourhood plans apply the standards that were the maximum parking requirements in the EHL P 2007 as the expected requirement. This is

in line with the change in government guidance which discouraged the use of maximum standards.²⁷ Since the preparation of the Silverleys and Meads Wards Neighbourhood Plan EHDC has approved revised parking standards, attached as an appendix to the emerging District Plan, and these standards are being applied alongside the earlier standards for development control purposes. The new standards suggest a slightly higher provision in larger dwellings but also include an element of flexibility linked to a zoning approach where for development in more accessible locations a rather lower level of provision may be acceptable.

128. The standards proposed in part a) of Policy TP8 are similar to those in the revised standards but do not provide the same amount of flexibility in the way the standards are applied in different zones. However, part b) of the policy provides for variation from these standards, where justified by evidence related to criteria consistent with those recommended in the NPPF²⁸. I am satisfied that the standards proposed taking paragraphs a) and b) are broadly consistent with the adopted Local Plan having regard to the change in government guidance since it was adopted and to the standards proposed in the emerging plan.
129. I am satisfied that parts c), d), and e), of the policy are consistent with the basic conditions. Part g) of the policy supports the conversion of garages into living accommodation providing alternative provision is made. It is possible that in some circumstances alternative provision is not necessary as there may already be sufficient space without the garage. A modification to reflect this is necessary.
130. Part h) relates to development that relies on on-street parking and resists this where it would have an adverse impact on highway safety. I am satisfied that it meets the basic conditions.

Recommendation

Reword part g) to read “adequate off road parking is provided for the

²⁷ Planning Practice Guidance ref 42-008-20140306

²⁸ NPPF paragraph 39

sole use of the property in accordance with the standards referred to in part a).”

Policy TP9 – Parking in and around the town centre

131. Parts a) – d) of the policy are almost identical to the made policy in the Silverleys and Meads Wards Neighbourhood Plan. Part e) relates to the provision of private car parks in the town centre and allows for the possibility that it should be available for public use.
132. The wording of the Policy is problematic in two respects. It states that “East Herts District Council will...” This is expressed as an instruction to East Herts Council, which is not appropriate or necessary as, of course, East Herts District Council will apply the policy when it is made as part of their statutory duty. The policy therefore needs to be clear enough to be applied. In this respect the meaning of “the primary user” was not clear to me and clarification was provided in the e mail of 19 May in Appendix 1. I have therefore recommended modifications to reflect both these points.

Recommendation

Reword Part e) to read “Where a proposal for a private car park in or near the town centre for non-domestic use is approved, it may be subject to a condition requiring public use, possibly at defined times, where this does not conflict with the needs of the use for which it is provided.

Policy TP10 – Traffic speeds within new developments

133. This policy is the same as that made in the Silverleys and Meads Wards neighbourhood plan and I am satisfied that it meets the basic conditions.

Policy TP11 – Promote road safety

134. The policy requires the identification of mitigating works to offset any harm to road safety taking account in particular of the effect on several identified

locations where road and pedestrian safety are already an issue. The policy meets the basic conditions.

Policy TP12 – Contributions to improve town centre access and movement

135. The policy indicates that, where appropriate, contributions will be sought toward improvement to access in and around the town centre for pedestrians and cyclists and lists the nature of these potential improvements. Only a relatively small part of the town centre is in this Plan area and the greater part is in the Silverleys and Meads Wards Neighbourhood Plan area, which does not include this policy. It is therefore quite likely that the improvements sought will be at least partly outside the plan. However, I have already accepted policies that require consideration of its effects outside the Plan area and a requirement for a S106 agreement that would mitigate harmful effects that could be outside the Plan area is a logical consequence of this. I am satisfied that the policy meets the basic conditions.

Education

Policy EP1 – School availability

136. This policy is designed to ensure that new development is served by primary and secondary schools that are suitably located. For primary schools this is linked to the standards set out in Policy TP3. The cross reference to Policy TP3 also engages the flexibility in that policy and I am therefore satisfied that the policy meets the basic conditions.

Policy EP2 – New secondary school places

137. The policy simply supports in principle a proposal for the provision of new secondary school places in a suitable location to serve new developments. It meets the basic conditions.

Policy EP3 – New primary schools

138. This policy supports the provision of new primary schools that are suitably located to serve new developments. It also seeks the early completion of schools and in any case no later than the year in which 25% occupancy is

anticipated. I was not satisfied that there was evidence to support this figure and I therefore sought clarification on whether there was any clear basis for it. The e mail dated 19 May 2017, attached at Appendix 1, indicates that this is Hertfordshire County Council policy and I am therefore satisfied that the policy meets the basic conditions.

Policy EP4 – Pre-school and early years

139. The policy simply supports in principle the provision of pre-school and early years places. It meets the basic conditions.

Policy EP5 – Travel Plans

140. The policy supports the proposals in travel plans that include measures to encourage the use of transport other than private cars. It meets the basic conditions.

Policy EP6 – High quality design

141. This policy requires new or renovated educational buildings to be of high quality design and to complement local features. It meets the basic conditions.

Policy EP7 – Adult and vocational educational use

142. The policy requires new proposals to explain how they will be made available for adult educational use. It is not clear how a decision maker is expected to respond to this. For instance, it would be possible to meet the requirement to set out an assessment that showed little or no potential for such use, but it is not clear if that would lead to the refusal of the application or not. A modification is recommended to address that. The same considerations apply to Policy EP8 and I therefore recommend combining these policies.

Recommendation

Combine Policies Policy EP7 and EP8 as a single policy headed “Adult, Vocational Education and Community Use” to read:

“Proposals for new school accommodation will be required to be designed to accommodate adult and vocational education and / or community use outside of school hours unless it can be demonstrated that this is either not practical or not viable”.

Health

Policy HP1

143. Parts a) to c) of this policy are the same as the equivalent policy in the Silverleys and Meads Wards neighbourhood plan including the modification that I recommended at that time. I anticipate that the application of Part a) of the policy is likely to be severely limited by the restrictions on the pooling of tariff style contributions that I referred to in paragraph 79. However subject to these limitations, which are covered by Policy C1, I am satisfied that the policy meets the basic conditions.

Policy HP2 – Services for the elderly, disabled and for mental health

144. The policy offers general support for developments which improve specialist care for the elderly, disabled and those suffering from mental health problems and meets the basic conditions.

Sport, Leisure and Community

Policy SLCP1 – Provision of outdoor sporting and leisure facilities

145. This policy sets out the approach to the provision of contributions towards outdoor sports and leisure facilities in accordance with Policy LRC3 of the EHLP or its successor. It also indicates how the facilities to be provided will be determined and requirements in terms of inclusivity for new facilities. Subject to the legal requirements for contributions, it meets the basic conditions.

Policy SLCP2 – Development or expansion of multi-purpose facilities

146. This policy expands on the positive support for investment to enhance existing facilities and a requirement to consider the potential for shared use in the Silverleys and Meads Wards Neighbourhood Plan. It adds new sections

requiring new facilities to comply with Sport England or Community Halls Design Guidance and resisting the loss of existing facilities unless defined criteria are met.

147. The requirement to comply with the Sport England or Community Halls design guidance may well be desirable but a failure to do so may not necessarily justify the refusal of planning permission, having regard to the presumption in favour of sustainable development. Moreover these standards are already some years old and may become outdated or superseded during the timescale of the Plan. Modifications are recommended to reflect these points.
148. The criteria to be met in the event of the loss of buildings for sport and leisure are consistent with the first two in policy LRC1 of the EHLF. The third one is additional but I am satisfied that it is consistent with sustainable development.

Recommendation

in part c) of Policy SLCP2 insert after “(...December 2004” “or updated guidance that supersedes it unless a clear justification for departing from it is provided in terms of viability, the nature of the site, or user needs is provided.”

Policy SLCP3 – Development and enhancement of specified facilities

149. Policy SLCP3 supports in principle the development of a new or improved swimming pool complex or other facilities needed to serve the town’s population subject to other development plan policies. It also supports proposals by educational establishments to expand sports and leisure facilities to make them available for community use. It meets the basic conditions.

Policy SLCP4 – Community leisure and arts facilities

150. The policy supports the provision of a new and larger arts facility or the enhancement of existing facilities and resists proposals which would result in the loss of such facilities unless clear criteria are met. It meets the basic conditions.

Policy SLCP5 - Development of sports facilities in the Green Belt

151. The policy supports the development of outdoor sports facilities in the Green Belt where: they are open to the general public at specified hours, there is a clear demand and any related buildings would have a harmonious relationship with the surrounding landscape. Paragraph 89 of the NPPF indicates that buildings in association with facilities for outdoor sport and recreation should not be regarded as inappropriate in the Green Belt. Thus, while I understand the intentions, I am not satisfied that the requirement for the facilities to be open to the general public could be justified, if challenged, having regard to the presumption in favour of sustainable development.

Recommendation

In Policy SLCP5 – delete the first bullet point

Business and employment

Policy BP1 – Provision of a business incubation centre

152. This policy supports in principle the development of a business incubation centre and sets out requirements in terms of accessibility and parking. It is almost identical to a corresponding policy in the Silverleys and Meads Wards Neighbourhood Plan. This policy is entirely consistent with the general encouragement for new business development given in part 3 of the NPPF. I sought clarification on whether the aim was the provision of one business incubation centre for the whole of Bishop's Stortford or one in each neighbourhood plan area. The response in the e mail of 19th May at Appendix 1 is that one is sought in each area. There is no evidence on the viability or not of two such centres in a town the size of Bishop's Stortford, but as the policy expresses general support, no doubt viability would be a decision for a potential investor. I am satisfied that the policy meets the basic conditions.

Policy BP2 – Local retailing facilities

153. Policy BP2 supports the establishment of retail facilities to serve large residential development providing they are not of a scale that would detract

from the town centre. This is consistent with Policy STC1 of the EHLP 2007 and with the sequential approach to development outlined in part 2 of the NPPF. However, the limitation to 6-10 units is very prescriptive and there is no clear justification for it. The scale of development will need to be determined by the size of the potential catchment population for any neighbourhood centre. Similarly while residential development above shops may be encouraged, it would be too prescriptive to make it a requirement as this would need to relate to the design of the centre.

Recommendation

In Policy BP2 insert a full stop after “use classes”, delete “6-10 business units and residential above.” And insert “Residential accommodation above the shops should be provided if possible.”

Policy BP5 – Provision of business communication infrastructure

154. The policy stresses the importance of high quality business communication infrastructure. Part a) requires new development to make optimal speed broadband available in all locations and to consider supporting the installation of a public Wi-Fi internet facility for all new development. It is not easy to define what the policy means by “optimal” and “available”. Broadband speeds vary greatly and the highest speeds may be more costly and unnecessary for some users. What matters is the infrastructure to facilitate connection if it is required. There is also a clear distinction between what might be necessary in large scale development and small developments of a few houses. Modifications are recommended to address these points and so meet the basic conditions.
155. Part b) supports the installation of mobile communication equipment where it is not prominent. Part c) requires the provision of electric car charging points into new business sites. Again, scale is an issue and in my judgement it would be unduly onerous to apply this to the sites of very small businesses where only a few parking spaces are required. I have therefore recommended a modification making electric car charging points a

requirement for major business development,²⁹ while encouraging them for smaller scale development.

Recommendations

In part a) of Policy BP5 delete the first bullet point and replace with the following

- **“that the necessary infrastructure is provided to enable new houses and development to connect to the highest broadband speed available in the area.”**
- **Modify part c) to read “The provision of electric car charging points will be encouraged in all new business developments and will be a requirement for all major business development.”**

Policy BP6 – Future development of the town centre

156. Part of the town centre of Bishop’s Stortford lies in the Plan area, but most of it is in the Silverleys and Meads Neighbourhood Plan area. Although Policy BP6 refers to “*development which lies within the neighbourhood area*”, there is no map to show the division between the two plans other than Figure 1 which shows the neighbourhood area as a whole, where the scale is too small to show the division in the town centre. The policies of the Plan can only apply to that part of the centre that lies in the Plan area but at the same time there is a need for consistency in the policies where possible as the town centre is clearly a functional unit and differences of policy within it would, unless clearly justified, make decision making difficult.

Recommendation

Insert Figure 10 of the Silverleys and Meads Wards Neighbourhood Plan after the supporting text before Policy BP6 and refer clearly in the supporting text to the limited proportion of the town centre which lies within the Plan area.

²⁹ Development of more than 1000sq m or 0.5ha where the floorspace is not known as defined in the Development Management (Procedure order) 2015

157. The policy is consistent with Policy BP6 of the Silverleys and Meads Wards Neighbourhood Plan and I am satisfied that it meets the basic conditions.

Policy BP7 – Prosperity and Character of the existing town centre

158. This policy relates to changes of use within the town centre and to ‘pop-up’ shops and the street market in North Street, Market Square, Potter Street and South Street. The policy mirrors that in the Silverleys and Meads Wards Neighbourhood Plan to a large extent, except that while the latter sought to limit non-retail uses (Classes A2, A3, A4 and A5) to 30% of primary shopping frontages at ground level this policy provides for 50% in these uses. No justification or explanation of this difference is provided.
159. However, since the making of the earlier plan, there have been many changes to the General Permitted Development Order which have increased the extent to which changes of use within Class A uses are permitted development.³⁰ These changes have made Policies STC2 and STC3 of the EHLN out of date. In particular, changes of use from Class A1 to A2 and from classes A1 and A2 to Class A3 are permitted development, subject to some limitations. Thus, Policy BNP7 in the Silverleys and Meads Wards Neighbourhood Plan is effectively superseded as it is not possible to enforce the proposed policy as currently worded. Changes of use from Classes A1 and A2 to Classes A4 and A5 are subject to control, and I understand that to maintain the character of primary shopping frontages it is desirable to limit the number of Class A4 and A5 uses. However, I have no evidence to define an appropriate threshold for these uses for decision making purposes. A modification is therefore necessary to meet the basic conditions.

Recommendation

Delete part b) of Policy BP7 up to and including “...sum total of the length”. In the final sentence of part b) delete “also” in the penultimate line.

Policy BP8 – Mixed developments

³⁰ Town and Country Planning (General Permitted Development) (England) Order 2015 Part 3

160. This policy offers general support for mixed use developments which provide employment opportunities, the refurbishment of employment premises, the regeneration of industrial sites to commercial use and the conversion of upper floor space from retail to residential. This positive approach is generally consistent with the part 1 of the NPPF. The first bullet point refers to a mix of retail and commercial facilities. The retail element of this could conflict with the sequential approach outlined in paragraph 24 of the NPPF but the qualification in the introductory section making all of the policy subject to other applicable policies addresses this. The last point has also been overtaken by the inclusion of the conversion of retail to mixed retail and residential within permitted development rights.³¹

Recommendation

In Policy BP8 delete the last bullet point.

Policy BP9 – Edge of town development

161. This policy provides for new industrial and/or commercial development on the edge of the town, and for the relocation of industrial uses near the town centre to the edge of town, subject to other applicable policies which would include Green Belt policies.
162. The purpose of the use of the word “centre” in the first part of the policy is unclear as it refers to “*new industrial and/or commercial business centre.*” I am not clear what this means and recommend the replacement of “centre” with “uses”. Otherwise the policy meets the basic conditions.

Recommendation

In Policy BP9 delete “centre” and insert “uses”.

The Goods Yard

163. The Goods Yard is a major undeveloped brownfield site on the edge of the town centre between the railway line and the River Stort. In association with the adjoining John Dyde Training College site it was identified in the EHLP 2007 as a site for comprehensive mixed use development including

³¹ Town and Country Planning (General Permitted Development) (England) Order 2015 Part 3 Class G

residential, leisure, pub/restaurant / hotel, retail and B1 uses as well as moorings on the River Stort. It also included a requirement to provide the construction of a link road between the Junction of Station Road with Dane Street and London Road. It envisaged a minimum of 700 dwelling units on the site as a whole of which 208 have been built on the John Dyde Site, leaving a need for a minimum of 492 homes.

164. The emerging District Plan also identifies the site as a mixed-use development site and proposes a similar mix of uses. It suggests the provision of at least 400 homes including a mix of dwelling types and affordable housing. An earlier version of the emerging plan, to which the evidence base for the Neighbourhood Plan refers, suggested 200 homes. The emerging District Plan policy also includes a range of design and layout requirements to ensure that the development contributes positively to the character of the area and realises the potential offered by its location adjacent to the River Stort and it requires the development to take account of other policy provisions in this Plan. It does not, however, require the provision of the road link referred to in the 2007 Local Plan between the Station Road / Dane Street junction and Railway Road.
165. While I was carrying out this examination a hybrid application for the development of the site was refused.³² It sought :
- a) full permission for phase 1 of the scheme to include for 122 residential units, a hotel, 948 sq. m of retail floorspace, a multi-storey car park and a , reconfigured transport interchange.
 - b) outline permission for the development of the phases 2-4 to include up to 558 residential units and a further multi-storey car park,
- The two parts of this application proposed 680 residential units in total. Notwithstanding the divergence between this proposal and the Plan, particularly in terms of the scale of development proposed, no representations have been made by the applicants.

³² Ref 3/16/0530/OUT

166. This is clearly a complex site requiring detailed planning to integrate a large number of elements. It is beyond the scope of this examination to evaluate this in detail. My consideration must be restricted to the relationship of the proposed policies to the basic conditions.

Policy GY1 – Improved public realm

167. This policy sets out a series of design and layout requirements to be met by comprehensive development of the site. These aim to ensure that the development provides an attractive gateway to the town for those arriving at the station, that it is designed to provide attractive public and green spaces and that it is designed to respect the character and history of the site and to relate positively to the existing urban environment.
168. The beginning of part a) requires a comprehensive approach to the development of the site with the infrastructure for each phase being completed first. The requirement for completion within 7 years from the start of construction is not justified and, while it is clearly desirable, it is a well-established principle that planning policies cannot control the timescale for the completion of development as this may be subject to many non-planning considerations.
169. The first bullet point stresses the importance of creating a memorable gateway to the town and relating to the differing architectural styles at the northern and southern ends of the site. It also requires the maintenance of clear site lines from the station entrance towards the old Maltings buildings, the river and St Michael's Church. These are important elements of the surrounding townscape and the views towards them from the station should therefore be an important design consideration. However, without a fuller understanding of all the constraints that may influence the form of development, I am not satisfied that an absolute requirement to maintain both these clear views is consistent with the presumption in favour of sustainable development. I have therefore recommended a modification to reflect this.

170. I am satisfied that the remaining bullet points, which all relate to features that will contribute to the quality of the public realm without being too prescriptive, are consistent with the basic conditions, with the exception of the 5th bullet point. There is no clear justification for the requirement that no building should be within 12m of the river bank. The Canal and River Trust in their comments refer to the potentially harmful effects of overshadowing of the water, and the need for lower buildings nearer to the river, but this is addressed in the first part of the bullet point. In an urban setting the relationship of buildings to waterways can make a very positive contribution to the townscape and the quality of the public realm. Similarly, while a requirement for lower building heights on the southern part of the site is clearly justified with regard to the character of neighbouring development, the rigid preclusion of any building of more than three storeys is not.
171. Part b) of the policy supports bold and innovative design in the northern part of the site which could include an iconic building using modern materials. Part c) provides for the limited expansion of the train station. Both are consistent with the basic conditions.

Recommendations

In part a) of Policy GY1 delete “and within a timescale not exceeding 7 years from the start of construction”

In the first bullet point of part a) modify the second sentence after “...gateway to Bishop’s Stortford” to read “taking account of the important views from the railway station entrance towards the old Maltings buildings, the river and St Michael’s Church and maintaining a clear sightline to one or both of these buildings if at all possible having regard to the development as a whole.”

In the 5th bullet point delete “and no building within 12 metres of the river bank” and “not exceed three storeys”. Insert after “...buildings should” “be generally lower than on the northern part of the site.”

Policy GY2 – Site Uses

172. The policy sets out the uses that could be accommodated on the site, referring to residential development up to a maximum of 250 dwellings or whatever lower limit supersedes this in the District Plan. Other possible uses include small scale retail, office space, local medical centre, hotel and public conveniences.
173. The scale of residential development is below that in the 2007 EHLP, which taking account of the development that has been completed on the John Dyde training site would be at least 492 dwellings, and Policy BISH7 of the emerging District Plan which requires at least 400 dwellings. The number proposed in this policy appears to have been influenced by the figure of 200 dwellings in the 2014 version of the emerging District Plan. I must consider whether the provision for a maximum of 250 dwellings is in general conformity with Policy BIS11 of the 2007 Local Plan. In the context of the District as a whole this difference may not be of strategic significance if there were other reasons in terms of sustainable development to justify it. However, no evidence has been provided to show that the scale of development envisaged in the 2007 Local Plan cannot be sustainably accommodated. I therefore consider that the amount of development which the Plan proposes for the site is not in general conformity with the development plan policy and I have therefore recommended a modification to require at least 400 dwellings, in accordance with the policy in the emerging plan, to meet the basic conditions. While this is less than required by the 2007 EHLP, it is in general conformity with this figure and the emerging plan figure is informed by more up to date evidence on housing need. As a minimum this figure provides for a higher level of growth if it can be demonstrated to be sustainable.
174. The design considerations for residential development are all consistent with sustainable development.
175. I am also satisfied that the other uses proposed for the site are consistent with the basic conditions except that I was not sure what was meant by "*Buildings that, because of their position or communal nature, can benefit from a renewable energy source.*" This has been clarified in the e mail of 19 May in

Appendix B. I have therefore recommended a modification to make the intentions of the policy sufficiently clear for it to be applied.

Recommendation

In the first bullet point of Policy GY2a) delete “a maximum of 250” and insert “at least 400”.

Modify the 4th bullet point of Policy GY2b) to read “buildings that because of their scale, position or mix of uses can benefit from a renewable energy source.”

Policy GY3 – Transport interchange

176. The policy sets out the requirements for a transport interchange which is one of the elements proposed in the 2007 EHLP. Part a) requires that it should reflect best practice. Parts b) and c) seek to define the catchment area and scope of a transport assessment having regard to other developments in the area. Part d) sets out design considerations for the interchange. I am satisfied that all these requirements are consistent with the basic conditions.

Policy GY4- Vehicle connections to and from the site

177. This policy describes access arrangements to the site which will be required unless traffic modelling can justify alternative arrangements. Part b) requires two way access from London Road near Tanners Wharf and from Station Road. Part c) indicates that a north-south throughway link for taxis and buses will be preferred. Policy BIS11(a) of the 2007 EHLP requires the safeguarding of the ability to construct such a road, but makes no reference to its use being restricted to taxis and public transport. While I can understand that this might be desirable, in the absence of any evidence there is insufficient justification for this departure from the requirements of the Local Plan. I have therefore recommended a modification to reflect this. Part d) resists schemes that would restrict full access to the site from London Road near Tanners Lane. I am satisfied this meets the basic conditions.

Recommendation

In Policy GY4c) delete “for taxis and buses.”

Policy GY5 – Car and cycle parking

178. Policy GY5 sets out requirements for car and cycle parking on the site. Parts a) and b) repeat parts b) and c) of Policy GY3 and this is unnecessary as car and cycle parking are essential elements of the assessment of need for the transport interchange. A modification to cross reference to Policy GY3 is recommended.
179. Part d) requires the maintenance of the provision for car parking during the construction phase. Parts d) – h) set out design requirements for car parking and cycle storage to ensure that they are attractive and user friendly and I am satisfied that they meet the basic conditions.

Recommendation:

In the third line of Policy GY5 prior to part a) insert after “...foreseeable future”, “as determined in accordance with Policy GY3 parts b) and c) Delete Parts a) and b).

Policy GY6 – Pedestrian and cycle links

180. This policy amplifies the requirement in Policy BIS11 of the EHLC 2007 to provide good pedestrian and cycle links to the town centre. The NPPF in paragraph 35 justifies this greater attention to the needs of pedestrians and cyclists. Part a) lists a series of links that should be provided and are illustrated on Fig.10. These reflect clear desire lines. Part b) requires connection to the new Station Road footbridge which lies just outside the neighbourhood plan area. Neighbourhood plans are not able to make proposals outside of their area, but at the same time it would clearly not be consistent with sustainable development for pedestrian links to fail to connect with this footbridge. A modification to address this dilemma and therefore meet the basic conditions is therefore recommended

Recommendation

Modify Policy GY6-b) to read “Schemes that do not provide pedestrian

links that are capable of convenient connection to the new Station Road footbridge will not be supported.”

Land South of Bishop’s Stortford

181. Policies BSS1- BSS5 relate to the development of land south of Bishop’s Stortford that is currently in the Green Belt. The allocation of this land has been opposed by BSTC but the site is proposed in Policy BISH of the emerging District Plan for the development of 750 houses, the provision of sites for a new primary school and a new secondary school and a small business park. The proposed allocation is justified on the basis of the level of housing need. The emerging District Plan has not yet been examined and there is strong opposition to the amendment of the Green Belt boundary that would be involved. While the Neighbourhood Plan does not need to be in conformity with the emerging District Plan, it does need to have regard to the evidence base that informs it. The Plan has been drafted to take account of the two possible outcomes: that the allocation is confirmed in the emerging plan or that the boundary of the Green Belt remains unchanged

Policy BSS1 – Conditional Policies

182. This policy makes it clear that policies BSS2-BSS5 will only apply in the event that the strategic policy allowing for the development of the land identified south of Bishop’s Stortford is confirmed. Otherwise Green Belt policies will continue to apply to the site. Part c) of the policy states that the policies should not be read as support for the principle of the development of the site. This is not a land use policy and should therefore be deleted.

Recommendation

In Policy BSS1 delete part c).

Policy BSS2 – Setting and character of buildings

183. Policy BSS2 sets out criteria for the design and layout of new development. These are concerned with the relationship of the new development to neighbouring development and the countryside to the south and east. They provide guidance on the height of new dwellings, limiting dwellings to two

stories on the edges of the development and up to 3 stories close central community facilities. With the slight exception of part c) I am satisfied that they are consistent with the guidance in the NPPF on good design and meet the basic conditions.

184. Part c) requires that views of the open countryside to the south and east should be maintained from focal locations near the centre of the development. Andrew Martin Planning on behalf of Countryside Properties argues that maintaining all views is unrealistic and that only key views should be protected. However, that is effectively what this policy is proposing. The land slopes gently but significantly to the south and east which should assist the maintenance of views in that direction from within the development. However, without more detailed design and evidence it is not possible to know how practical this will be and I have therefore recommended a modification to acknowledge this uncertainty and limit the requirements to some key locations.

Recommendation

In Policy BSS2c) after “...are maintained from” inset “some key” and at the end of the sentence add “unless it can be clearly demonstrated that this is not realistically practicable.”

Recommendation BSS3- Community facilities

185. This policy requires the provision of new community facilities including local shops, a community hall, allotments and medical facilities because of the distance of the development from the Thorley Neighbourhood Centre. It also requires inter-connected green spaces and recreational areas. The policy meets the basic conditions.

Policy BSS4 – Access/ egress to the site

186. The policy sets out requirements for access to the site. It aims to limit extra traffic flows through the Thorley Park residential area and to achieve vehicular access from the two existing roundabouts on St James Way. However, it also seeks to separate access to any new business park from access to housing

and to ensure that access to new educational facilities does not cause congestion within the development. As Andrew Martin Planning point out in their representations, it is not clear how all of these things can be achieved. Moreover, it is not clear to me that it would be in the interests of sustainable development to rule out access from Whittington Way or Obrey Way at this stage. While the policy refers to pedestrian and cycle access to Whittington Way, in reality there will be vehicular traffic from this development to and from other parts of the town and the restriction of vehicular access to St James Way may not help the integration of the development with the rest of the town. In my judgement it is too prescriptive at this stage, in advance of a traffic study and travel plan to define where access to the development should come from. Similarly, while it may well be that access to a Secondary School should be from St James Way there is insufficient evidence to make this an absolute requirement. I have therefore recommended modifications in the interests of sustainable development and to meet the basic conditions.

Recommendations

In Policy BSS4c) delete “be via” and insert “include use of”

In part f) delete “Any secondary school should be accessible directly from St James Way without traversing residential areas.”

Policy BSS5 – Hertfordshire Way and green spaces

187. The policy aims to protect the open aspect and view from the Hertfordshire Way as it crosses the site and this is consistent with Policy BISH5 of the emerging District Plan. It also seeks to protect its role as a wildlife corridor, provide for its future maintenance, protect the ancient hedgerow to the south of the site and two copses of trees and to ensure that water courses across the site remain above ground.
188. The general intentions of the policy are entirely consistent with the policies of the NPPF regarding the protection of rights of way (paragraph 75) and the conservation of the natural environment. However, as with policy BSS2, I have sympathy with the views expressed by Andrew Martin Planning. This is a large site which slopes generally to the south-east, but it is traversed by a

small valley which means parts of the site have a north-eastern aspect. The development of the site will inevitably have some impact on views from the site and it is unrealistic that “all views” from the Hertfordshire Way could be maintained. Similarly, while the maintenance of a 10m wildlife corridor may well be appropriate, I have not been presented with evidence to say that it is the only or best way to protect and enhance biodiversity. I have therefore recommended modifications in the interests of sustainable development to meet the basic conditions.

Recommendation

In Policy BSS5a) in the second line delete “all” and insert “some” and after “views” insert “to the open countryside”. Delete the last two lines and insert “should be maintained unless it is demonstrated that other appropriate measures would be more effective in terms of protecting and enhancing biodiversity.”

Bishop’s Stortford High School site

189. The Bishop’s Stortford High School site is to the west of London Road, and the school has expressed an interest in relocating to the land south of Bishop’s Stortford. Policy BISH6 of the emerging District Plan provides for the development of approximately 150 new homes on the existing site if this relocation takes place or there is sufficient secondary school capacity elsewhere in the town. Policies BSHS1 and BSHS2 are to be applied in the event of the site being released for housing.

Policy BSHS1 – Setting and character of buildings

190. This policy requires new development of this site to be no higher than two storeys and to complement the local landscape and housing in terms of styles and materials. In many instances a rigid height restriction of this sort would be excessively prescriptive, but the existing dwellings in the vicinity of the school are exclusively one and two storey and I am satisfied that the policy meets the basic conditions.

Policy BSHS2 – Community Facilities

191. The title of this policy is misleading as the policy itself does not refer to community facilities. The first part of this policy requires that development of the site *“must enable social interaction for the local community.”* It is not clear what this means in land use planning terms and therefore it does not offer clear guidance to a development management decision maker. It appears that it would most appropriately refer to the need for new development to be effectively integrated with existing development in terms of road, pedestrian and cycle routes and I have recommended a modification to this effect.
192. Part b) requires the retention of the Spinney, as a through route for pedestrians and cyclists and to maintain a buffer between new and existing development. It also requires consideration of the potential for extending the route at both ends to provide a sustainable route from the south of the town into the town centre. The designation in Policy GIP1 of the Spinney as a Local Green Space will ensure its retention and its role as pedestrian and cycle route is part of what makes it important.

Recommendation

**Change the heading of Policy BSH2 to – Connectivity
modify Part a) to read “Proposals for development of this site must ensure good pedestrian and cycle links to the surrounding development.”**

Bishop’s Stortford East of Manor Links

193. The land to the East of Manor Links is currently allocated as Green Belt and, as with the land South of Bishop’s Stortford the policies relating to this site are only applicable in the event that land to the East of Manor Links is allocated in the emerging plan. Paragraph 4.11.1.2. states that the emerging District Plan proposes the allocation of this land for the development of 150 dwellings and paragraph 3.12.1.2 indicates that this would be on two sites. Figure 2 on

page 17 also refers to 150 homes. Weston Homes representing themselves and Bishop's Stortford Golf Club correctly point out that the submission version of the District Plan proposes an allocation of a smaller area for 50 dwellings on one site. It is also confirmed that this scale of development is all that Weston Homes and the Golf Club aspire to. There is no obligation for conformity with the emerging plan, but references to it should be accurate and up to date and modifications are necessary to achieve this.

Recommendation

Modify paragraph 3.12.1.2 to read “Within the emerging District Plan it is proposed that the Green Belt boundary is amended and an area currently within the Green Belt is allocated for development.”

In paragraph 4.11.1.2 delete “150” and insert “50”

On Figure 2 delete 150 and insert 50 on the area shown as 3.

Policy BSEM1 – Conditional Policy

194. This Policy simply explains that Policy BSEM2 will not take effect unless the principle of developing this site confirmed, most probably through the emerging District Plan. As in the case of Policy BSS1 part c) in not a land use policy.

Recommendation

In Policy BSEM1 delete paragraph c)

Policy BSEM2 – Master-planning, setting, character

195. Policy BSEM2 sets out several design principles to be followed in the detailed design of any development. In part b) the third bullet point duplicates and expands on the second bullet point. The principle of maintaining some of the existing scrubland as a wildlife haven is consistent with sustainable development, but it is unduly prescriptive to require that it should be in the form of a buffer between the new and existing development. This should be determined as part of the planning of the development as a whole, which will need to take account of the living conditions of neighbouring development. With this exception I am satisfied that the policy meets the basic conditions.

Recommendation

In Policy BSEM2b) delete the second bullet point. In the third bullet point delete “immediately adjacent to the existing development of Manor Links, Cecil Close and Shortcroft.

Summary and Referendum

196. The preparation of the Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley 2015-2031 has been a very major undertaking. The plan contains a large number of very detailed policies carefully designed to address the specific issues faced by the area. It has also had to address the uncertain strategic context because the emerging District Plan contains major allocations for new development in the Plan area, but these have yet to be confirmed. Another important consideration has been the existence of a made neighbourhood plan covering the other two Bishop's Stortford Wards.
197. The Plan has adopted a constructive approach to dealing with the possibility of changes to the Green Belt boundary and development on land South of Bishop's Stortford and East of Manor Links. The adjoining neighbourhood plan is in some ways helpful as many of the policies in this Plan mirror those in the neighbouring plan, and together the two plans will provide a coherent set of policies for the town. However, adding the specific requirements for this plan, while maintaining consistency where possible, has been a challenge, particularly as in some cases the policy or legislative background has changed since the preparation of the earlier plan.
198. I have found the documentation submitted with the Plan clear and comprehensive and this has helped me greatly. It is also clear that the preparation of the Plan has involved a very full programme of public consultation which has been very carefully documented and presented.
199. I have found it necessary to recommend quite a large number of modifications. Many of these are to provide clearer wording so that the policy can be applied consistently. In other cases, they have been necessary because there has been insufficient justification for some of the policy requirements. This has particularly been the case with some of the more specific policies which aim to influence the form of development if the potential new allocations in the emerging District Plan are confirmed. In some

instances the policies seek a greater degree of control than is available through the planning system.

199. The preparation of the Plan has been in accordance with the legislation and subject to the modifications I have recommended, I am satisfied that the Plan:
- has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;
 - having regard to national policies and advice contained in guidance issued by the Secretary of State it would be appropriate to make the Plan;
 - the making of the Plan would contribute to the achievement of sustainable development;
 - the making of the Plan would be in general conformity with the strategic policies of the development plan for the area;
 - The making of the Plan would not breach and would be otherwise compatible with European Union obligations and the European Convention on Human Rights.

I am therefore pleased to recommend that the Bishop's Stortford Town Council Neighbourhood Plan for All Saints Central, South and part of Thorley should proceed to a referendum subject to the modifications that I have recommended.

200. I am also required to consider whether or not the Referendum Area should extend beyond the Neighbourhood Plan Area.
201. In my examination of the neighbourhood plan for the Silverleys and Meads Wards I considered this carefully because, as the plan area included the majority of the town centre, there was clearly the potential for some of the policies to have influence beyond the neighbourhood plan area.

202. I concluded that it was not necessary to extend the referendum area because many of the policies in that plan would not have been of relevance in the remaining wards of the town and there were no representations suggesting that the referendum area should be extended.³³ .
203. As that plan has already been to referendum and contains many of the policies in the All Saints, Central, South and Part of Thorley Plan, which would be of relevance for that area I have not found any reason to extend the referendum area in this case. While some of the new policies in this Plan could have implications outside the area, notably those relating to the Goods Yard, the strategic decisions affecting this site will be taken through the emerging District Plan. Also, policies for the town centre have already been considered in the plan for the Silverleys and Meads Wards. I have concluded, having regard to Planning Practice Guidance³⁴ that it is not necessary to extend the referendum area.
204. **I conclude that there is not a clear need to extend the area for the referendum and that the referendum should relate to the neighbourhood plan area.**

Richard High

May 2017

³³ Examiners Report on the Examination of the Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Wards paragraphs 91-96

³⁴ Reference ID: 41-059-20140306

APPENDIX 1

E mails exchanges to clarify issues arising from the submitted documentation

Email dated 9 May 2017 to Laura Pattison (EHDC) copied to James Parker (Bishop's Stortford Town Council)

Dear Laura

I have the following queries on which I would appreciate your clarification.

1. The East Herts website (<http://www.eastherts.gov.uk/developmentplan>) indicates that the development plan is made up of:

The East Herts Local Plan 2007

The Hertfordshire Waste Local Plan 1999

The Hertfordshire Minerals Local Plan 2007

Saved policies from the Hertfordshire Structure Plan 1991-2011

From my research, and previous examinations it appears that this is out of date in several respects. Could you confirm that

- a) it is only the saved policies of the 2007 Local Plan that form part of the development plan;
- b) the Hertfordshire Waste Local Plan 1999 has been superseded by the Hertfordshire Waste Local Plan which comprises the Core Strategy and Development Management Policies Adopted in 2012 and the Waste Site Allocations Document adopted in 2014;
- c) the saved policies of the Hertfordshire Structure Plan 1991-2011 no longer form part of the development plan.

2. SEA Screening Assessment. The Basic Conditions Statement (p20) states that the screening assessment was sent to "...the Environment Agency, Natural England and Historic England for approval" and that "the SEA screening states a belief that no SEA is required, but this is for East Herts District Council to confirm."

I have been unable to locate the responses from the statutory Consultees. It may be that they are in the appendices to the Consultation Report as I have yet to go through these in detail, but the tables of contents give no indication that this is the case and the responses of the statutory consultees to the regulation 14 consultation do not refer to the screening assessment. Can you point me to or let me have these responses? Also has the District Council made a determination under regulation 9 of the Environmental Assessment of Plans Regulations 2004 regarding the need for SEA?

3. Policy HDP2 Could you please tell me the heritage status of Twyford Mill. Paragraph 4.1.3.13 identifies Twyford House as Grade II* but is not explicit about Twyford Mill.

4. Policy HDP 3 refers to "Part 2 Secured by Design Accreditation". Does this relate to Section 2 of Secured By Design New Homes 2014?

5. In Policy HDP5 does section c) relate to all housing, not just housing for Older and Vulnerable People and what is included in the definition of community facilities? For instance does it include retail and other commercial facilities?

6. There are several references to the Hockerill junction. Can you tell me how this relates to the neighbourhood plan boundary i.e. Is it in this plan area or Silverleys and Meads as it is not entirely clear from the map?

7. On my site visit today I noticed that Cox's Garden is fenced off and inaccessible. A notice on the site says it is owned by the County Council and that there is no right of access. What is the status of this site?

8. Also on my visit I saw that a large part of the Goods Yard site and intense construction activity was underway with what looked like the laying out of roads with kerning. Does this mean that permission has been granted for the application you referred to or another one?

I may well have further queries.

Kind Regards

Richard

E mail dated 16 May 2017 to Laura Pattison EHDC copied to James Parker Bishop's Stortford Town Council

Dear Laura

Here is a second group of questions. It would also be helpful to have responses to those in my e mail of 9 May 2017

- 1) In policy TP9 it would be helpful if the meaning of "the primary user" was clarified. Is this aimed at retail car parks provided in association with individual shops, in which case is "the primary user" the retailer or the shopper?
- 2) In Policy EP3 is there any basis for using 25% occupancy as the latest target for opening a new primary school?
- 3) Could you please clarify the position of East Herts Council on the Community Infrastructure Levy and more specifically with regard to policy HP1, is the SPD of October 2008 the most up to date guidance on healthcare contributions?
- 4) In relation to Policy BP1, this is almost identical to the equivalent policy in the Silverleys and Meads Wards plan? Is there an aspiration for one incubation centre for the whole of Bishop's Stortford or one in each half?
- 5) I have been unable to find the Bishop's Stortford Town Centre inset map from the 2007 Local Plan online. Could you please point me to this? In particular it would be helpful to determine the difference in the definition of the Goods Yard Site in the neighbourhood and emerging plan from the Goods Yard/John Dyde Training College Site in the 2007 Local Plan.

- 6) In Policy GY2 I do not know what is meant by “Buildings that, because of their position or communal nature, can benefit from a renewable energy source.” Some elaboration would be helpful.
- 7) In relation to Policy GY6, I have been unable to access the Planning application referenced in the footnote. It would be very helpful to have a large scale map showing the boundary between the two neighbourhood plan areas in the town centre.

Kind Regards

Richard

From: Pattison Laura
Sent: 17 May 2017 14:35
To: 'Richard High'
Subject: RE: Bishop's Stortford NP

Dear Richard,

Apologies for the delay in responding to these initial questions. Please find below the responses; responses from the Council are in red and, where applicable, the responses in blue are from the Neighbourhood Planning team.

1. The East Herts website (<http://www.eastherts.gov.uk/developmentplan>) indicates that the development plan is made up of:
 - The East Herts Local Plan 2007
 - The Hertfordshire Waste Local Plan 1999
 - The Hertfordshire Minerals Local Plan 2007
 - Saved policies from the Hertfordshire Structure Plan 1991-2011

From my research, and previous examinations it appears that this is out of date in several respects. Could you confirm that

- a) it is only the saved policies of the 2007 Local Plan that form part of the development plan;
- b) the Hertfordshire Waste Local Plan 1999 has been superceded by the Hertfordshire Waste Local Plan which comprises the Core Strategy and Development management Policies Adopted in 2012 and the Waste Site Allocations Document adopted in 2014;
- c) the saved policies of the Hertfordshire Structure Plan 1991-2011 no longer form part of the development plan.

The website link above has now been deactivated following the recent launch of the Council's website. As this project has been ongoing for some time, it is acknowledged that a number of the webpages on the old website had not been kept up to date. I can confirm that the details above relating to what constitutes the development plan are correct.

2. SEA Screening Assessment. The Basic Conditions Statement (p20) states that the screening assessment was sent to “...the Environment Agency, Natural England and Historic England for approval” and that “the SEA screening states a belief that no SEA is required, but this is for East Herts District Council to confirm.”

I have been unable to locate the responses from the statutory Consultees. It may be that they are in the appendices to the Consultation Report as I have yet to go through these in detail, but the tables of contents give no indication that this is the case and the responses of the statutory consultees to the regulation 14 consultation do not refer to the screening assessment. Can you point me to or let me have these responses? Also has the District Council made a determination under regulation 9 of the Environmental Assessment of Plans Regulations 2004 regarding the need for SEA?

The Council published its decision through the non key decision making process. Unfortunately, the link to these decisions is not currently available on the new website. However, I have attached the report and responses to this email.

3. Policy HDP2 Could you please tell me the heritage status of Twyford Mill. Paragraph 4.1.3.13 identifies Twyford House as Grade II* but is not explicit about Twyford Mill.

I have checked with the Council's conservation officer who has confirmed that whilst it is of some age, Twyford Mill is not individually listed and does not lie within the Conservation Area. He has advised that a site visit would be required in order to establish if it could be considered curtilage listed to the Grade II* Twyford House, although his initial thought are that this is unlikely.

4. Policy HDP 3 refers to "Part 2 Secured by Design Accreditation". Does this relate to Section 2 of Secured By Design New Homes 2014?

From the NP Group: I think we can safely say yes to this. Secured by Design New Homes 2014 is the publication we refer to and should be described as such in Appendix 3 Policy Context and Background. Our words are almost exactly what Mark Montgomery, the Herts Police Crime Prevention Design Advisor, gave us, at (or after) one of the Focus Group sessions, for us to use. Section 2 of the document refers to qualities for dwellings, whereas Section 1, 'The Development – Layout & Design (Planning Issues)', refers to their wider context.

5. In Policy HDP5 does section c) relate to all housing, not just housing for Older and Vulnerable People and what is included in the definition of community facilities? For instance does it include retail and other commercial facilities?

From the NP Group: Yes to the first question. Sections a) and b) do refer just to housing whereas c) refers to community facilities as provided in relation to all housing as it is bought into use. You may remember that just about all of the 'community facilities' policy contents were subsumed into the 'Sports, Leisure & Community' section', as agreed with Colin. On the second question I guess I should have been more specific, but common sense would suggest paragraph c) is referring to facilities needed by residents as they start to occupy the new homes. So this would include a small local collection of service and/or food shops, but not a larger retail centre for use by people from way beyond the new development.

6. There are several references to the Hockerill junction. Can you tell me how this relates to the neighbourhood plan boundary ie. Is it in this pan area or Silverleys and Meads as it is not entirely clear from the map.

The ward boundary passes diagonally across the junction from north-east to south-west, so the Dunmow Road and London Road approaches fall under this Neighbourhood Plan whilst the Stansted Road and Hockerill Street approaches fall under the Silverleys and Meads Neighbourhood Plan.

From the NP Group: Hockerill junction is the junction between the A12150 and the A1184 in an area of town called Hockerill. The boundary between the Neighbourhood area for Siverleys and Meads and that for All Saints, South, Central and Part of Thorley actually goes right through the middle of the junction (see map attached, the dotted green line is the boundary at this point). It is a notoriously difficult traffic spot, an air quality management area which breaches the national guidelines (and recently featured on national news for that reason) and there have been many attempts to improve the traffic situation but the fundamental is that any major improvement is probably dependent on a south-eastern bypass (which is not currently on the cards). As a result of the problems at this junction there is a rat run through Beldams lane and Boundary Rd which many use as an alternative. I hope this helps.

7. On my site visit today I noticed that Cox's Garden is fenced off and inaccessible. A notice on the site says it is owned by the County Council and that there is no right of access. What is the status of this site?

The site is owned by Hertfordshire County Council and is designated open space left over from development of school land a number of years ago. However, there is a lapsed planning permission (lapsed in 2014) for the relocation of the Blues Pre-school from the site of The Bishop's Stortford High School to this site as part of the proposed relocation of the school to land south of Whittington Way (now referred to as Bishop's Stortford South in the emerging plan). The emerging plan states that if the High School relocates to the land at Bishop's Stortford South, the existing site will be released for residential development. This will require the relocation of the pre-school and it may be that HCC seek to reapply for planning permission to relocate to Cox's Garden. The lapsed planning application only involves development of a small part of the site and it is envisaged that the remainder of the site would remain as open space.

8. Also on my visit I saw that a large part of the Goods Yard site and fairly intense construction activity was underway with what looked like the laying out of roads with kerbing. Does this mean that permission has been granted for the application you referred to or another one?

The planning application for the redevelopment of the site is due to be determined this evening (Wednesday 17th May). The officer recommendation is that the application be approved. The report can be viewed at:

<http://democracy.eastherts.gov.uk/documents/s39552/3160530OUT%20ST.pdf?J=4>

There is also a planning application awaiting determination for up to 425 temporary parking spaces to allow phased development of the site to take place on existing car parks. There are no other applications (approved or awaiting determination) on the site.

From the NP Group: There is a planning application which has been with the DC for several months. I believe it goes to Committee on 17th May. The version now going to Committee is outline for the whole site and full for only the bit immediately east of the station, with the rest of the detail reserved for later. This gives plenty of scope still for NP policies to be applied to the balance of the site.

If you require any further information on these questions let me know.

Kind regards,

Laura Pattison
Senior Planning Policy Officer

E mail dated 19 May 2017 from Laura Pattison

Dear Richard,

Please find below responses to the second set of questions. As before, responses from the Council are in red and the responses in blue are from the Neighbourhood Planning team.

1. In policy TP9 it would be helpful if the meaning of “the primary user” was clarified. Is this aimed at retail car parks provided in association with individual shops, in which case is “the primary user” the retailer or the shopper?

From the NP Group: Some background which may be useful for the Examiner. TP9 e) relates to making the most efficient use of land. Therefore where a car park is proposed for non-domestic use (say for example commuter parking at the station, or a car park for employees of a business) then it makes sense to consider whether shared public use (perhaps at certain times e.g. weekends/evening) should also be allowed in these parking spots. This could be particularly relevant within or close to town centres or other areas where parking spaces are limited in relation to demand/convenience. However, the policy makes the caveat that it’s not ok to just go ahead and do this without ensuring that the parking needs of the primary user (i.e. commuter or employee in the examples above) are still met and not compromised by allowing for shared public usage.

In terms of defining ‘primary user’ – this is clearly rather tricky but how about ‘The primary user is the person who parks at the facility for the prime purpose originally identified as the reason for assigning land for parking provision’

The draft District Plan contains a similar policy (TRA3 IV) perhaps there is a definition envisaged there (albeit that it is not stated in the plan) which could be ‘lifted’ – you would have that if it exists. **There is no definition attached to ‘primary user’ but the examples of commuter parking and parking provided for employees of a business are good examples of where the Council may seek shared public use of parking facilities.**

2. In Policy EP3 is there any basis for using 25% occupancy as the latest target for opening a new primary school?

From the NP Group: The 25% came from an HCC recommendation. Their officer, Andrea Gilmore, represented HCC at the consultation meetings and subsequently advised that 25% is HCC policy.

3. Could you please clarify the position of East Herts Council on the Community Infrastructure Levy and more specifically with regard to policy HP1, is the SPD of October 2008 the most up to date guidance on healthcare contributions?

The Council has still not reached a decision as to whether it is going to introduce a CIL charge in order to support the provision of future infrastructure schemes. However, it is envisaged that S106 legal obligations will still be used to secure financial contributions towards the

provision of infrastructure on strategic development sites allocated in the District Plan. With regard to healthcare contributions, they are now sought on developments of 11 dwellings or over if requested by NHS England. The capacity planning calculation, based on general medical services provision, used to calculate the contribution required to support new GP provision is set out in the Infrastructure Development Plan. This can be viewed at: <https://www.eastherts.gov.uk/article/35066/Infrastructure-Delivery-and-Monitoring-IDM> (pages 30-31).

4. In relation to Policy BP1, this is almost identical to the equivalent policy in the Silverleys and Meads Wards plan? Is there an aspiration for one incubation centre for the whole of Bishop's Stortford or one in each half?

From the NP Group: One in each.

5. I have been unable to find the Bishop's Stortford Town Centre inset map from the 2007 Local Plan online. Could you please point me to this? In particular it would be helpful to determine the difference in the definition of the Goods Yard Site in the neighbourhood and emerging plan from the Goods Yard/John Dyde Training College Site in the 2007 Local Plan.

I have sent over hard copies of the maps for the 2007 Local Plan and the 2016 Pre-Submission plan. This should make it easier to compare the site designations than using the online mapping system.

6. In Policy GY2 I do not know what is meant by "Buildings that, because of their position or communal nature, can benefit from a renewable energy source." Some elaboration would be helpful.

From the NP Group: 'buildings of a communal nature' are ones with shared facilities/common services e.g., blocks of flats with common services that lend themselves to group heating/generation schemes often using renewable energy sources, or things like shopping centres or other public amenities where multiple functions are combined under one roof. Whilst flats tend to have a relatively small proportion of roof area to number of dwellings, the fact that the sun facing area is unlikely to be over shadowed can make them good candidates for solar schemes, particularly where there are a large number of similar dwellings close together probably serviced by a single management organisation. Buildings of a communal nature, or perhaps with shared facilities, could equally apply to shopping centres or other public amenities under one, often broad, roof.

'Position' could have been substituted by 'favourable aspect', which is obviously of key importance if using solar energy. EG the Goods Yard site is wide, level and open to the south, so has a good chance in this respect.

7. In relation to Policy GY6, I have been unable to access the Planning application referenced in the footnote. It would be very helpful to have a large scale map showing the boundary between the two neighbourhood plan areas in the town centre.

The footnote doesn't relate to a planning application. Whilst I can't recall the exact source, it is from an historical HCC transport document and the ITP reference is to an 'integrated transport project'. The widening of the Station Road bridge is included within the

Infrastructure Delivery Plan, although no funding source for its delivery has currently been identified.

From the NP Group; you are correct that it isn't a planning application, it is the HCC plan (not confirmed) to widen the bridge. Its referenced in the EHDC Town centre Planning Framework (page 42 and effectively on the front cover – the picture assumes a widened bridge!). It appears in BISH10 in the emerging District Plan, which might now be a better reference as I can't find publicly accessible HCC documents. The Bishop's Stortford Town Centre Planning Framework was reported to the Council's Executive on Tuesday 16th May with the recommendation that it be approved for Development Management purposes. This decision still needs to be formally made by Full Council. The report can be viewed at: <http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=119&MId=2882&Ver=4&J=3> and the document itself can be viewed at: <http://democracy.eastherts.gov.uk/documents/s39447/Bishops%20Stortford%20planning%20framework.pdf?J=5>

I have sent you over a large scale map showing the boundary between the two neighbourhood plan areas. I have also attached this above.

The planning application for development at the Goods Yard was refused by the Development Management committee last night. Reference was made at committee to construction work taking place on the site and the Council's Enforcement team are now investigating this. It appears that work on constructing the temporary car park may have begun, prior to the approval of the planning application.

Kind regards,

Laura Pattison
Senior Planning Policy Officer

Appendix 2: Determination on need for SEA

EAST HERTS COUNCIL

NON-KEY DECISION -

REPORT BY THE LEADER OF THE COUNCIL

BISHOP'S STORTFORD NEIGHBOURHOOD PLAN FOR ALL SAINTS, CENTRAL, SOUTH AND PART OF THORLEY, 2016 – 2032 - STRATEGIC ENVIRONMENTAL ASSESSMENT AND APPROPRIATE ASSESSMENT SCREENING REPORT

WARD(S) AFFECTED: **ALL SAINTS, CENTRAL, SOUTH AND PART OF THORLEY**

Purpose/Summary of Report

- The purpose of this report is to determine whether or not a Strategic Environmental Assessment (SEA) and/or a Habitats Regulations Assessment (HRA) of the emerging Bishop's Stortford Neighbourhood Plan for All Saints, South, central and parts of Thorley wards is required.
- The report concludes that the Neighbourhood Plan does not require either a Strategic Environmental Assessment (SEA) or a Habitats Regulations Assessment (HRA) because the Plan is not likely to have any significant environment effects.

RECOMMENDATION FOR DECISION: the joint parish group be advised that:

(A)	in accordance with Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004, the District Council, as the responsible authority, has determined that an environmental assessment of the emerging Bishop's Stortford Neighbourhood Plan for All Saints, South, Central and parts of Thorley wards is not required as it is unlikely to have significant environmental effects. In making this determination, the District Council
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	has had regard to Schedule 1 of the Regulations and has carried out consultation with the consultation bodies; and
(B)	the emerging Bishop's Stortford Neighbourhood Plan for All Saints, South, Central and parts of Thorley wards is unlikely to have a significant effect upon a Natura 2000 designation and therefore does not require an HRA.

1.0 Background

1.1 In order for a neighbourhood plan to meet the Basic Conditions to proceed to Referendum, the Local Planning Authority must determine whether a neighbourhood plan requires a Strategic Environmental Assessment (SEA), and/or a Habitats Regulations Assessment (HRA). This report determines whether the Buntingford Community Area Neighbourhood Plan (BCANP) requires either.

SEA Legislative Background

1.2 The European Directive 2001/42/EC requires a Strategic Environmental Assessment (SEA Directive) to be carried out for certain plans and programmes to assess their effects on the environment. This Directive was transposed in law by the Environmental Assessment of Plans and Programmes Regulations 2004.

1.3 Neighbourhood Plans fall within the scope of this legislation. They are a plan as defined by Article 3(2) of the SEA regulations and Regulation 5 paragraph 2 of the Environmental Assessment of Plans and Programmes Regulations 2004.

1.4 Under Article 3(2) of the SEA Directive and Regulation 5 paragraph 6 of the Environmental Assessment of Plans and Programmes Regulations 2004, Strategic Environmental Assessment (SEA) is only required for documents that determine land use in small areas at the local level where it is considered that they are likely to have 'significant environmental effects'. This is carried out through a screening determination.

1.5 The role of a screening exercise is to determine whether the effect

of the implementation of a plan or programme is likely to have a significant effect on the environment.

HRA Legislative Background

- 1.6 The Conservation of Habitats and Species Regulations 2010 (as amended in 2012) transpose the requirements of the European Habitats Directive 92/43/EEC into UK law. The Habitats Directive and Regulations afford protection to plants, animals and habitats that are rare and vulnerable in a European context.
- 1.7 Habitats Regulations Assessment (HRA) is a systematic process through which the performance of a plan or project can be assessed for its likely impact on the integrity of a European Site. European Sites, also referred to as Natura 2000 sites, consist of Special Protection Areas (SPA), Special Areas of Conservation (SAC); Potential Special Protection Areas and candidate Special Areas of Conservation (pSPA and cSAC); and listed or proposed Ramsar sites.
- 1.8 Article 6(3) of the Habitats Directive states: 'Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives'.
- 1.9 The first stage of HRA is to screen a plan or programme to identify if there are likely to be any significant effects on Natura 2000 sites. This will indicate whether a full Appropriate Assessment is required.
- 2.0 Report
- SEA
- 2.1 To decide whether a draft neighbourhood plan might have significant environmental effects, its scope needs to be assessed against the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004.
- 2.2 The local planning authority is required to put in place a process

to provide a screening opinion to the qualifying body (in this case, Bishop's Stortford Town Council) on whether the proposed neighbourhood plan will require a Strategic Environmental Assessment (SEA). The qualifying body should work with the local planning authority to ensure that the authority has the information that it needs to provide a screening opinion.

- 2.3 When deciding on whether proposals are likely to have significant environmental effects, the local planning authority is required to consult Historic England, Natural England and the Environment Agency (the 'statutory consultees').
- 2.4 Bishop's Stortford Town Council (the qualifying body) has produced a draft neighbourhood plan covering All Saints, South, Central and parts of Thorley wards, (known as BSNP2). The BSNP2 covers:
- Housing and design;
 - Green infrastructure;
 - Transport;
 - Education;
 - Health;
 - Sport, Leisure & Community
 - Business and employment;
 - The Goods Yard;
 - Land south of Bishop's Stortford;
 - Bishop's Stortford High School Site
 - East of Manor Links.
- 2.5 The BSNP2 does not allocate land for housing or for any other significant development. Rather it provides local level guidance on how the community wishes to see future development come forward.
- 2.6 The Town Council have prepared a Strategic Environmental Assessment and Appropriate Assessment Screening Report (May 2016), which is included as **Essential Reference Paper 'B'**. The screening report contains a diagram at Section 5 which demonstrates the application of the SEA Directive to plans and programmes. Appendix A of the screening report assesses whether or not an SEA is required.

- 2.7 The Environment Agency, Historic England and Natural England have all been consulted on the Screening Report and have all confirmed that they agree with the outcome that an SEA is not required for the Neighbourhood Plan. Their responses are attached at **Essential Reference Paper 'C'**.
- 2.8 Having regard to Schedule 1 of the Regulations and following consultation with the consultation bodies it is concluded that an environmental assessment of the emerging BSNP2 is not required as it is unlikely to have significant environmental effects.
- 2.9 The Local Authority is the 'competent authority' under the Conservation of Habitats and Species Regulations 2010, and needs to ensure that Neighbourhood Plans have been assessed through the Habitat Regulations process. This looks at the potential for significant impacts on nature conservation sites that are of European importance, also referred to as Natura 2000.
- 2.10 There are three key Natura 2000 sites that lie partly within East Hertfordshire – Lee Valley SPA; Lee Valley Ramsar site; and Wormley-Hoddesdon park Woods SAC (although there are also sites in neighbouring authorities, namely Epping Forest SAC). Because Neighbourhood Plans must conform with the development plan for the area (in this case, the East Herts Local Plan 2007), which has itself been subject to an HRA, the key issue will be whether the Neighbourhood Plan will potentially result in an impact not previously considered.
- 2.11 The HRA on the Local Plan 2007 concluded:

'The European Sites of nature conservation interest in the district are valued features that have local importance as well as wider significance. The Local Plan Second Review attaches a correspondingly high level of protection to these sites from inappropriate development.'

Policy ENV12 [of the Local Plan 2007] establishes a robust approach to the protection of European Sites that reflects the Habitats Directive and will help maintain the importance of these sites through the life of the Plan. While there are several proposals in the Local Plan in proximity to these sites, the

requirements imposed through Policy ENV12 ensure that none of the proposals are likely to result in a significant effect on a European site.'

2.12 Given the conclusions of the HRA on the Local Plan 2007 and the fact that the Neighbourhood Plan does not include any land allocations it is concluded that an HRA on the Neighbourhood Plan is not required.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Essential Reference Papers

Essential Reference Paper 'A': Corporate Implications

Essential Reference Paper 'B': Strategic Environmental Assessment Screening Report, Bishop's Stortford Town Council, (May 2016).

Essential Reference Paper 'C': Email from Environment Agency (31.08.16); Letters from Historic England (28.09.16) and Natural England (02.09.16).

Background Papers

Bishop's Stortford Neighbourhood Plan for All Saints, South, Central and parts of Thorley wards – the Neighbourhood Plan is available online at: www.eastherts.gov.uk/neighbourhoodplanning

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Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley

2016–2032

~~Examination Copy~~

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Bishop's Stortford Neighbourhood Plan

All Saints, Central, South & part of Thorley

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Neighbourhood Plan for All Saints, Central, South and part of Thorley Parish © Bishop's Stortford Town Council 2016.

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Examination Copy

Your town - your plan

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2 Introduction

2.1 WHAT IS A NEIGHBOURHOOD PLAN?

2.1.1.1 A Neighbourhood Plan is a part of the overall planning system, i.e. the system used to regulate and control building and development. The right to create one was introduced by the Localism Act 2011. A Neighbourhood Plan is created at a local level, in our case by Bishop's Stortford Town Council. Once a Neighbourhood Plan is formally adopted (made¹) it sits alongside other planning policy documents and forms part of the statutory Development Plan for use by East Herts District Council as Local Planning Authority in determining planning applications. The Development Plan currently consists of the 2007 Local Plan and the Hertfordshire Minerals Local Plan 2007. The Neighbourhood Plan has been developed with regard to the National Planning Policy Framework and the East Herts 2007 Local Plan.

2.1.1.2 This Neighbourhood Plan has been prepared at a time when a new District Plan is in the course of preparation². Once adopted this will supersede the current Local Plan. Accordingly, and in order to give a degree of 'future proofing', this Neighbourhood Plan has been written having regard to policies in the emerging District Plan available at the time of preparation.

¹ Technically the process of bringing a Neighbourhood Plan into force is called making the plan and the plan is then said to be 'made'.

² The most recent information is available at www.eastherts.gov.uk/article/29006/Draft-District-Plan-Consultation

2.1.1.3 In particular this plan includes policies in relation to areas of land to the east of Manor Links and at Land South of Bishop's Stortford, which are allocated for development in the emerging District Plan. The Neighbourhood Plan does not specifically advocate development on these sites, however it does include policies which will apply (and therefore influence the development) should the allocations in the emerging District Plan be confirmed by East Herts District Council. This Neighbourhood Plan also contains policies in respect of the major development site at the Goods Yard, which appears as a development site both in the 2007 Local Plan and the emerging District Plan.

2.1.1.4 The Neighbourhood Plan can only deal directly with any land use matters which would be the subject of a planning application. These could include, for example, design standards, community facilities, transport and access, the protection of important buildings and historic assets such as archaeological remains, green spaces and many more areas. The Neighbourhood Plan can comment on matters which are not strictly planning matters, but any influence over these matters will be indirect only.

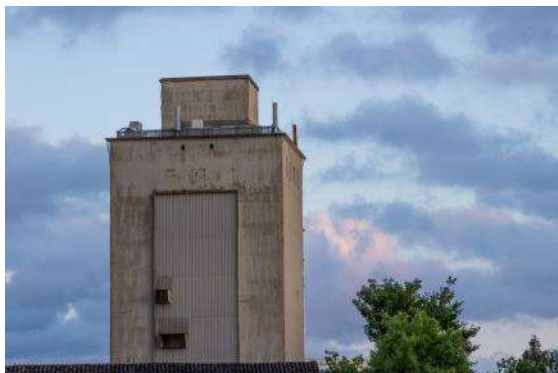
2.1.1.5 There are some legal limitations to Neighbourhood Planning. A Neighbourhood Plan must be 'in general conformity' with the strategic policies of the adopted Local Plan. It cannot block development that is part of the Local Plan or amend the boundaries of Green Belt. It must not conflict with the NPPF or EU legislation. It cannot deal with major infrastructure or national projects for which central government has a separate system. Finally, because it is part of the planning system, it can only directly influence matters which would be dealt with as part of a

planning application and cannot force any particular development to take place.

2.1.1.6 Before a Neighbourhood Plan is made³ it must be subjected to a formal consultation process and appropriate amendments made based on the consultation feedback. Formal consultation took place between 3rd March and 19th April 2016. It must then be considered by an independent examiner who will check that it meets the legal requirements outlined above. The Plan will then go to referendum and must achieve a simple majority. Electors in the Neighbourhood Area will be entitled to vote and the examiner may decide that the referendum area should be larger than the Neighbourhood Area.

2.2 WHY ARE WE PREPARING THIS PLAN?

2.2.1.1 A Neighbourhood Plan allows the local community to have a direct say about the development within the Neighbourhood Area. This Plan covers three of the five electoral wards in Bishop's Stortford. A



Neighbourhood Plan has already been prepared and made for the two wards in the northern part of the town: Silverleys and Meads. The new plan will complete the process for the rest of the town and also part

³ 'made' is the technical term used for the process by which the plan formally comes into force

of Thorley Parish which includes an area of Green Belt, earmarked for development by East Herts Council in their draft District Plan.

2.3 VERSION NOTES

2.3.1.1 The Examination Copy of the Neighbourhood Plan was is version, issued on 26th July 2016 following approval by the Town Council, as qualifying body, on 25th July 2016.

2.3.1.2 This version includes changes and modifications suggested by an Independent Examiner to ensure that the plan complies with the Basic Conditions, is the version to be submitted for examination and was formally approved by Bishop's Stortford Town Council, as qualifying body, on 25th July 2016.

2.4 THE PLAN IN CONTEXT

2.4.1 Bishop's Stortford as a whole

2.4.1.1 Bishop's Stortford is a prosperous market town with a distinctive character, situated on the River Stort. With approximately 38,000 residents, it is the largest town in East Hertfordshire and the population has grown quickly over the last thirty years owing to its strategic location: close to Stansted Airport and the M11. It is well served by rail to London and Cambridge and by road in most directions. It has excellent schools, a thriving community and good employment opportunities both in the town and through commuting. The main employment in the town itself is a flourmill, distribution services, light industry, office-based and leisure services and retail.

2.4.1.2 Bishop's Stortford is widely viewed as a desirable location for young families and this has created a problem balancing demand for housing and services with the need to

All Saints, Central, South & part of Thorley

protect the heritage of a medieval town, which is a large part of what makes it desirable.

2.4.1.3 Thorley parish, a part of which is included in the Neighbourhood Area, is a Grade 3 village with 461 residences located to

and supports a wide variety of wildlife.

Residents of the area have excellent access to a number of rural areas around the town and to the riverside, and there are well-maintained rights of way to facilitate this, including the Hertfordshire Way which runs south through Thorley Parish to the River

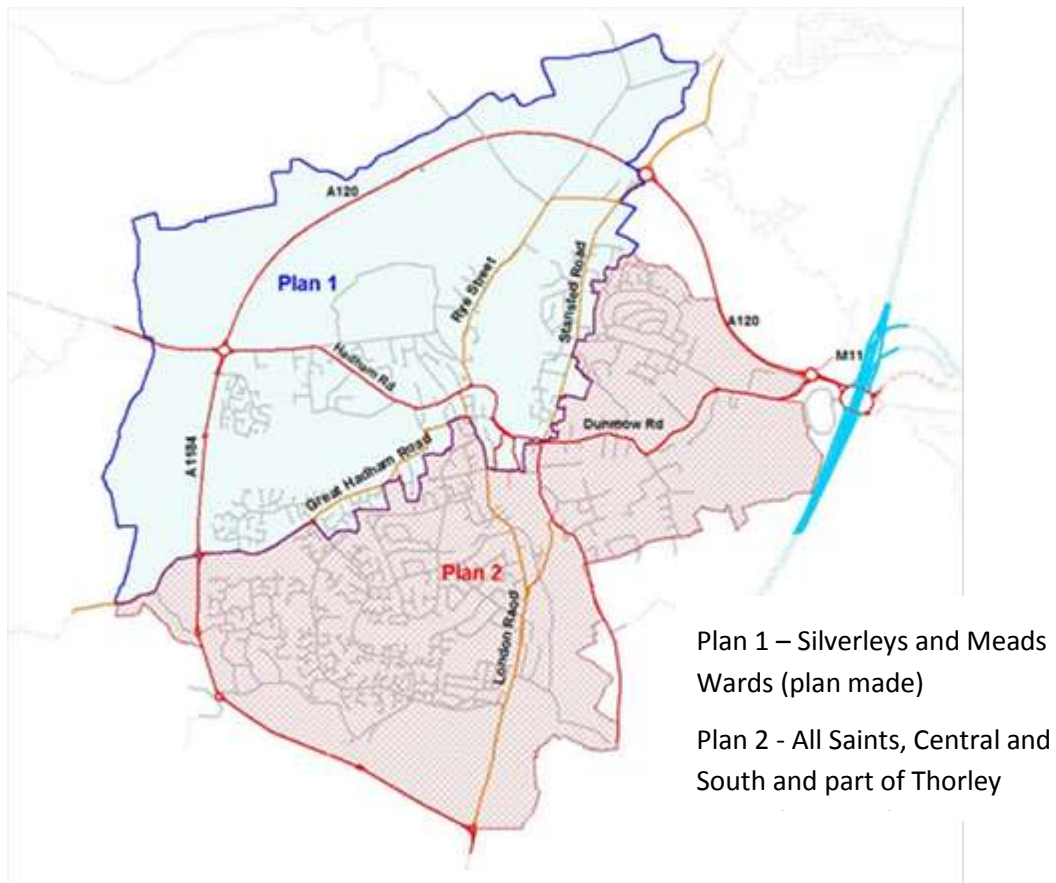


Figure 1 – Neighbourhood Areas

the South of Bishop's Stortford.

2.4.2 The Neighbourhood Area

2.4.2.1 This Neighbourhood Plan includes the wards of All Saints, Central, South and part of Thorley Parish. The Neighbourhood Area comprises a mix of residential, green spaces and part of the town centre, some of which is in a conservation area but with other parts in vital need of regeneration. The River Stort runs through the town from north to south

Stort. There are also several important green spaces within the area, including Thorley Wedge and Northern Country Park, and Southern Country Park.

2.4.2.2 Like the rest of Bishop's Stortford, the Neighbourhood Area has an ageing population and as the average life expectancy grows there will be increased needs for care of the elderly. There is also a clear need for affordable housing for young families and

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Examination Copy

individuals, including low cost market housing for private purchase, and more shared ownership properties. Retail is focussed on the town centre and, whilst there is some turnover, the occupancy rate of town centre retail space remains favourable relative to comparable locations.

2.4.2.3 The emerging District Plan envisages three major developments within the Neighbourhood Area:

- A development of ~~up to 1,000 houses (or 750 houses and a school)~~ **750 homes** and supporting infrastructure **including a primary and secondary school** on the land between Whittington Way and the bypass, predominantly in Thorley Parish
- A mixed commercial/residential development on the former Goods Yard site
- A development of ~~about 150 dwellings~~ **50 homes** on land ~~near east of~~ Manor Links.

In order for the developments at Land South of Bishop's Stortford and at Manor Links to come forward, they would need to be removed from Green Belt through the District Plan process. The emerging District Plan envisages that this will occur.

2.4.2.4 The removal of land from Green Belt is a very controversial part of the emerging District Plan and likely to face severe opposition. The Neighbourhood Plan cannot influence this decision; it can only deal with the consequences by way of policies if the development takes place.

2.4.2.5 As there is a state of uncertainty in regards to the outcome of the emerging District Plan, we are providing for the two possible outcomes namely either that the land in question is removed from the Green Belt, or it is not. Certain policies in this plan apply only in the former case.

2.5 HOW WAS THE PLAN DEVELOPED?

2.5.1 The Neighbourhood Plan Team

2.5.1.1 The development of the Neighbourhood Plan was led by a Neighbourhood Plan Team (NPT), under the general guidance of Bishop's Stortford Town Council. The NPT has comprised representatives of local residents' associations, the Bishop's Stortford Civic Federation, the Bishop's Stortford Chamber of Commerce, three Town Councillors (two of whom are also East Herts Councillors and one County Councillor), a Thorley Parish Councillor, a representative of Bishop's Stortford Schools Consortium, and two developer/landowners. Volunteers were sought through newspaper advertisements and three un-affiliated volunteers joined the NPT. The NPT has been supported by planning officers from East Herts Council and officers from Bishop's Stortford Town Council.

2.5.1.2 All team members were briefed to consult with other residents and interested parties during all phases of plan preparation to supplement the formal consultation stages which are described in detail in the accompanying Consultation Statement. In addition a series of consultation events were held throughout the period during which the plan was being developed.

2.5.2 The Town Plan and 2020 Vision

2.5.2.1 Although becoming dated, the NPT also had at its disposal a survey of residents of the town (The 'Town Plan Survey') that had been conducted in October 2008. Around 4,000 completed questionnaires were received and this led to the creation of a Town Plan setting out numerous actions, many of

All Saints, Central, South & part of Thorley

which have been implemented. The plan was updated in 2011 and several of the longer term actions continue.

2.5.2.2 Around the same time as the Town Plan Survey (and based on the same data), a vision for Bishop's Stortford, the '2020 Vision', was created by a group led by East Herts Council and which included representatives from many organisations connected with the town. This Vision document, although also dated, has provided some further high level input to the Neighbourhood Plan.

2.5.3 Neighbourhood Plan for Silverleys and Meads Wards

2.5.3.1 The Neighbourhood Plan for Silverleys and Meads Wards formed a further important input to the current plan. The areas are adjacent and, whilst there are differences, there are also commonalities. As a consequence many of the objectives and policy themes, and many of the policies in the Silverleys and Meads Ward plan, reappear in this plan. Some policies have wording which is identical (or very similar) to that in the Silverleys and Meads plan, while others have been modified to reflect local differences or evolution in thinking. Policy numbering has been carried over. Policies in this plan will always have the same number as the corresponding policy in the Silverleys and Meads Ward plan where they are identical, similar or cover the same topic area. Policies in this plan which are wholly distinct from those in the Silverleys and Meads Ward plan have policy numbers which do not appear in the latter. In some cases this results in deliberate gaps in policy numbering.

2.5.4 The Neighbourhood Plan Questionnaire

2.5.4.1 A survey of all residents and businesses in Bishop's Stortford and Thorley Parish was carried out in late 2014. Around 1,700 completed questionnaires were received and the results were analysed and used to identify the main issues and objectives. The various options were considered and groups formed around the topic areas.

2.5.4.2 The engagement of the wider public began in October 2014. During this stage a Questionnaire was created online and printed copies were delivered to all households and businesses in Bishop's Stortford. Posters were created and displayed advertising both the questionnaire and open days to be held regarding the questionnaire. On 23rd October and 8th November consultation days were held in Jackson Square to promote the questionnaire. The public was engaged in various forms, including Facebook and Twitter, an e-newsletter, the production of postcards and the advertisement of consultation days online. In November leafleting of commuters at Bishop's Stortford Railway Station also took place. In total the questionnaire received 1,744 responses.

2.5.5 Focus Groups

2.5.5.1 In November 2014 to February 2015 Focus Groups were held regarding Green Infrastructure, Housing & Design, the Goods Yard, Sports, Leisure, Education, Health, Land South of Bishop's Stortford and East of Manor Links, Transport and Business and Employment. Each lasted approximately two hours. These focus groups helped in the preparation of a first draft of the plan.

2.5.6 Further Public Engagement

2.5.6.1 During the following months, there was a further campaign to promote the plan and engage specific sections of the public.

2.5.6.2 A consultation Day was held at Rhodes Arts Complex with regular presentations throughout the day on 27th June 2015. This was followed up with a repeat of the consultation day on 17th and 19th September 2015 at Jackson Square.

2.5.7 Focus Groups Phase 2

2.5.7.1 New Focus Groups were held on the autumn of 2015 regarding the pre-consultation draft of the Neighbourhood Plan. Focus Groups for Business & Employment, Education, The Goods Yard, East of Manor Links, Land South of Bishop's Stortford and Transport were held.

2.5.7.2 Additionally, a Focus Group for Housing & Design was held to initiate the Heritage Character Assessment, hosted by AECOM Infrastructure & Environment UK Ltd (AECOM).

2.5.8 Formal Consultation and Examination Copy

2.5.8.1 The formal ('Regulation 14') consultation period for the plan commenced on 3rd March 2016 and ended on the 19th April 2016.

2.5.8.2 Following consultation the comments made were individually logged and assessed. Where appropriate, changes were made to the policies and supporting text. The team also engaged further with selected consultees in order that their comments could be better understood. Further details can be found in the Consultation Statement Summary.

2.5.8.3 The amended text was approved by Bishop's Stortford Town Council on 25th July 2016.

2.5.8.4 All information was then submitted for independent examination by East Herts District Council.

~~2.5.8.4~~2.5.8.5 The Neighbourhood Plan was examined by an Independent Examiner in May 2017. Recommendations set out in the Examiner's Report have been incorporated in this final referendum version.

3 Vision and Objectives

3.1 OVERALL VISION

3.1.1.1 The overall vision for the Neighbourhood Plan is that the Neighbourhood Area should be a great place to live, work and play, embracing development and relating to Bishop's Stortford as a whole in a way that retains the unique market town characteristics and medieval charm, but at the same time provides the additional infrastructure and housing needed to support growth. There are some principles to the vision:

- Development must be suitable, sustainable and demonstrate excellent design so that people's quality of life both now and in the future is enhanced by well thought out housing, infrastructure, and other facilities creating a sense of local community;
- Development should complement and support the existing character and cultural heritage of the market town and its river and create an attractive mix of well-maintained residential and green spaces within a safe environment;
- Major development on the edge of the current built up area should be designed with Garden City principles, specifically incorporating its own green infrastructure (gardens, parks and landscaping) so as to create a smooth transition between the historic centre and the rural hinterland beyond;
- The River Stort is widely recognised as an under-used asset for the town; it should be developed as a focus for the town, in terms of leisure use, pedestrian and cycle usage, and wildlife diversity;

- Development within the town centre should seek to enhance and complement existing provision through sensitive regeneration, renovation and conservation;
- The transport infrastructure with its improved links should evolve in a way which facilitates economic and social activity without undermining the features that makes the town desirable;
- Schooling and health infrastructure should meet the needs of the population and be accessible;
- The town centre should remain the primary location for retail and service provision and be attractive, prosperous and vibrant. It should remain the heart of the town with appropriate connections to it;
- Businesses should be attracted to Bishop's Stortford due its highly skilled local workforce and high quality premises.

3.1.1.2 This Vision is supported by a set of objectives under individual policy themes as set out below.

3.2 HOUSING AND DESIGN

3.2.1.1 Housing, and the design of the urban environment, has a direct impact on quality of life and excellent design is critical to creating desirable and sustainable neighbourhoods with a sense of community and place. This Neighbourhood Plan does not allocate housing land; this is the responsibility of the current Local Plan and emerging District Plan being prepared by East Herts Council. Instead this Neighbourhood Plan seeks to influence development to ensure that it complements the town, is of a high quality, and is supported by appropriate infrastructure. The

Neighbourhood Plan includes policies which will apply to new developments within the Neighbourhood Area including those on land allocated in the emerging District Plan.



3.2.2 Objectives

- Promote an attractive and harmonious living environment recognising the town's heritage
- Promote high functionality and quality within the living environment
- Provide housing for all and create community cohesion
- Protect and enhance newly discovered archaeological sites

3.3 GREEN INFRASTRUCTURE

3.3.1.1 The residents of Bishop's Stortford are fortunate to live in a town surrounded by a mix of attractive rural areas which provide a great variety of opportunities for healthy and enjoyable activities. The River Stort provides valuable leisure activities and biodiversity. New development should protect existing green spaces, other than those specifically identified as development sites, improve biodiversity and should take the opportunity to create and exploit new green infrastructure and leisure facilities whilst minimising environmental risks.

3.3.2 Objectives

- Enhance and protect green spaces; utilise appropriately for leisure
- Protect and enhance wildlife and biodiversity, including the River Stort
- Improve access and connections to green spaces and the surrounding countryside
- Provide essential community facilities
- Maintain and enhance the flood mitigation function of green spaces

3.4 TRANSPORT

3.4.1.1 High levels of car ownership and an underdeveloped sustainable travel network have contributed to a reliance on car transport in the area and resulting congestion at peak periods. In addition to concerns over traffic volumes, community feedback has also highlighted key concerns about pedestrian and cyclist safety, parking and public transport provision. Whilst this plan contains policies to improve sustainable travel, the overall aspiration is to improve movement by all transport modes including walking, cycling, public transport and car.

3.4.2 Objectives

- Support solutions to congestion
- Create and promote sustainable travel networks
- Provide adequate car parking
- Manage traffic speeds and promote road safety
- Improve town centre access, connectivity, amenity and vitality



3.5 EDUCATION

3.5.1.1 Schools in Bishop's Stortford are generally recognised to have very good standards and attract pupils from a wide catchment area. There is a demand for both primary and secondary places which exceeds the places available and this gap is forecast to widen as the population of the town grows. The unbalanced geographical distribution of secondary schools contributes to traffic congestion in the town. There is poor provision of adult education and vocational training.

3.5.2 Objectives

- Support the creation of sufficient new school places to accommodate population growth.
- Maintain or improve current high standards of education in the Neighbourhood Area.
- Enable the provision of vocational training,



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adult education and wide community use.

3.6 HEALTH

3.6.1.1 Primary health care in the town is already stretched and many residents complain about difficulties with getting timely appointments with GPs, about a lack of mental health services, A&E facilities and care for the elderly. The expansion of the town and the ageing population will put additional strain on these facilities.

3.6.2 Objective

- Provide reasonable access to health services for residents of all ages

3.7 SPORT, LEISURE & COMMUNITY

3.7.1.1 Whilst the Neighbourhood Area and the town as a whole benefit from a number of sports facilities there is a high demand for additional or enhanced space, both indoor and outdoor, and a relatively low public satisfaction rating for current sports facilities within the town. The competing demands for land use create real challenges in meeting the need.

3.7.2 Objectives

- Provide standards-compliant community facilities to meet the needs of the residents
- Encourage appropriate use of Green Belt for sensitively designed outdoor sport, leisure and community facilities

3.8 BUSINESS AND EMPLOYMENT

3.8.1.1 Bishop's Stortford has excellent transport links to London, the M25, Cambridge and, due to its proximity to

Stansted Airport, many international destinations. It is well positioned in relation to the UK's most dynamic economies. There is an inadequate supply of modern business space to accommodate the potential for employment growth but relatively low unemployment. There is some tension between those who wish to see local employment opportunities expand, and those who are concerned that expansion does not damage the attributes which make the town attractive.

3.8.1.2 The town centre still has the character of a historic market town. Whilst it has suffered, like many others, from a movement towards online and out of town shopping, the occupancy rates remain high. The Neighbourhood Plan contains policies which seek to ensure that the centre remains a vibrant and attractive focus for both retail and other activities.

3.8.2 Objectives

- Create new employment opportunities for local residents while protecting amenities for residents
- Create a welcoming, prosperous and dynamic town centre through attractive development and integrated refurbishment
- Support development in the town and commercial areas to ensure sustainable employment diversity

3.9 THE GOODS YARD

3.9.1.1 Sensitive re-development of the Goods Yard presents a huge opportunity to provide a welcoming gateway to Bishop's Stortford and to greatly improve the accessibility of the town centre from the southern side of the town. Coupled with improvements to surrounding areas there is the chance to transform the site from a barren

vista of cars into a vibrant contributor to the life and soul of the town.

3.9.2 Objectives

- Create a welcoming and pleasant public realm, enhancing the river environment and acknowledging the longstanding links of the area with travel and transport
- Provide a transport interchange to promote better connections between all means of transport
- Improve vehicle access routes to the site and connections with the rest of the town
- Provide sufficient car and cycle parking for users throughout the period covered by the Neighbourhood Plan
- Provide easy and safe pedestrian and cycle links to and from the site

3.10 LAND SOUTH OF BISHOP'S STORTFORD

3.10.1.1 According to the 2007 Local Plan, the area between Whittington Way and the bypass is designated Metropolitan Green Belt. Within the emerging District Plan it is proposed that the Green Belt boundaries are amended and the site allocated for development. It is referred to in the emerging District Plan as 'Land South of Bishop's Stortford' although colloquially it is also known as 'Bishop's Stortford South'

3.10.1.2 The emerging District Plan proposes ~~1,000 dwellings plus a primary school or~~ 750 dwellings, a secondary school and a primary school. Supporting infrastructure, access and a business park are also proposed.

3.10.1.3 A decision by the District Council to amend the Green Belt boundaries would be controversial. This site is additionally controversial because of its prominent location, the effects of congestion and the fact

All Saints, Central, South & part of Thorley

that the take-off flightpath from Stansted Airport passes immediately adjacent to the site and aircraft which have departed from the Noise Preferential Routes from time to time fly over at low altitude. However the Neighbourhood Plan has no influence over the decision to amend the **Green Belt** boundaries; it can deal only with the consequences should it occur.

3.10.1.4 As there is a state of uncertainty in regards to the outcome of the emerging District Plan, this Neighbourhood Plan provides for the two possible outcomes namely either that the land in question is removed from the Green Belt, or it is not. Certain policies in this plan apply only if the land is removed from development as part of the emerging District Plan process and in this case the Neighbourhood Plan focuses on shaping development to ensure that growth complements and enhances the surrounding area and does not undermine the integrity of the Green Belt that surrounds it.

3.10.2 Objectives

- Ensure that any development is in keeping with surrounding areas, presents a graduated edge to the surrounding Green Belt areas, includes inclusive community facilities and has adequate traffic planning
- Ensure any development does not have a negative impact on the local features of the natural landscape and neighbouring green spaces

3.11 THE BISHOP'S STORTFORD HIGH SCHOOL SITE

3.11.1.1 The governors of the Bishop's Stortford High School have expressed an interest in moving to the Land South of

Bishop's Stortford site, should this site be approved for development (see above). This proposal received formal support from Hertfordshire County Council on 11th July 2016.

3.11.1.2 As there is a state of uncertainty in regards to the outcome of the emerging District Plan, we are providing for the two possible outcomes namely either that the land at Land South of Bishop's Stortford is removed from the Green Belt, or it is not. The policies specific to the Bishop's Stortford High School site apply only in the former case.

3.11.1.3 If this occurs, then 200–250 houses could be built on the current site of the Bishop's Stortford High School, which is bounded by existing housing estates on three sides and the main London Road on the other.

3.11.2 Objectives

- Ensure any new housing is in keeping with the surrounding area
- Ensure the inclusion of sustainable leisure, recreational and other public facilities on site

3.12 EAST OF MANOR LINKS

3.12.1.1 Manor Links is an area of large low-rise mature bungalows on large plots with open aspects.

3.12.1.2 Within the emerging District Plan, it is proposed that the Green Belt boundaries are amended and two adjacent areas currently within the Green Belt areas are allocated for development. The area in question backs directly on to the gardens of bungalows in Manor Links and two storey properties in Cecil Close and Shortcroft.

3.12.1.3 A decision by the District Council to amend the Green Belt boundaries would be

controversial; however the Neighbourhood Plan has no influence over this decision. It can deal only with the consequences should it occur.

3.12.1.4 As there is a state of uncertainty in regards to the outcome of the emerging District Plan, we are providing for the two possible outcomes namely either that the land in question is removed from the Green Belt, or it is not. The policies specific to the East of Manor Links site apply only in the former case.

3.12.2 Objectives

- Ensure development sits comfortably, presents favourable vistas, provides community facilities which include open spaces and play areas and has adequate traffic planning.

4 Policies

4.1 HOUSING AND DESIGN

4.1.1 Introduction

4.1.1.1 The Neighbourhood Area comprises All Saints, Central and South wards of Bishop's Stortford and a part of Thorley Parish including a section lying within the bypass. Although part of Central ward lies within the town centre, the remainder of the Neighbourhood Area within Bishop's Stortford is characterised by a number of housing estates built in different periods and styles over the last 150 years. Central ward has a network of small streets and mostly terraced cottages built from Victorian times up to the First World War. All Saints and South wards both have a wide range of housing largely built from the First World War up to the post Second World War era, whilst South Ward alone has major estates, such as Thorley and St Michael's Mead, built after 1980.

4.1.1.2 Although each housing estate retains a character typical of the period in which it was built, subsequent infill and modernisation have resulted in an enormous variety of styles and appearances.

4.1.1.3 The part of Thorley Parish within the Neighbourhood Area is largely undeveloped at present, though is allocated to take up to 1000 new homes in the emerging District Plan.

4.1.1.4 The District Plan (currently emerging) will establish the amount of development required to meet needs in Bishop's Stortford and across the district. The exact scale of development will need to be established through the District Planning process and is not something that can be

meaningfully influenced by this Neighbourhood Plan.

4.1.1.5 The Neighbourhood Plan focuses on shaping how development is brought forward to ensure that growth which complements and enhances the unique character of the town can take place in a way which does not undermine the main purpose of the Green Belt in preventing uncontrolled urban sprawl.

4.1.2 Objectives

4.1.2.1 The objectives underlying the policies in this chapter are grouped under the headings below:

- Promote an attractive and harmonious living environment recognising the town's heritage
- Promote high functionality and quality within the living environment
- Provide housing for all and create community cohesion
- Protect and enhance newly discovered archaeological sites



Objective: Promote an attractive and harmonious living environment recognising the town's heritage

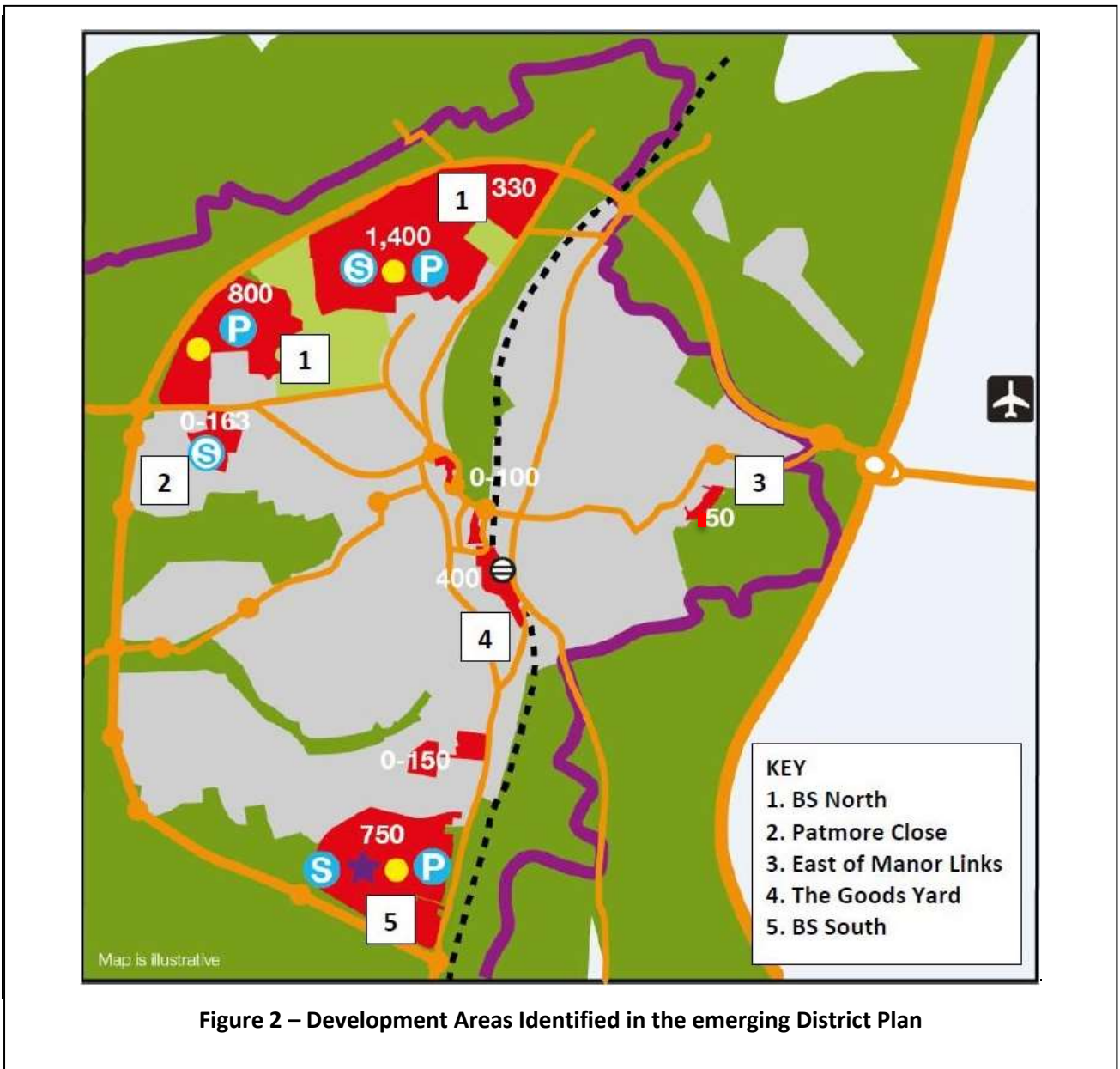


Figure 2 – Development Areas Identified in the emerging District Plan

4.1.2.2 Bishop's Stortford has a blend of character liked by its residents and well represented within the Neighbourhood Area. On the edge of the built up area, open spaces along the Stort valley and towards Thorley village, as well as the Southern Country Park, allow the town to blend gradually into its rural hinterland. In these areas it is expected that any developments will enhance this transition through the use of Garden City principles. The ongoing presence of a Green Belt transition together with the town bypass creating its own boundary will help to keep the scale and character of Bishop's Stortford as a historic

market town and to prevent an urban sprawl towards Thorley Village, Spellbrook and the Hallingburys.

4.1.2.3 Hertfordshire is the home of the Garden City and, although the character of the Neighbourhood Area was never intended as such, the predominance of green open spaces towards the edge accord with those of a mature Garden suburb. The Garden City approach to planning balances lower density of development often around the edge of towns with relatively higher density towards the centres. It also incorporates its own green infrastructure (e.g. gardens, parks,

All Saints, Central, South & part of Thorley

landscaping) so as to create a smooth transition between that and the rural hinterland beyond, with gardens of a size commensurate with the scale and type of dwelling.

4.1.2.4 It should be noted that, when asked to comment about the character of new development in the Neighbourhood Plan Questionnaire (question #14), many respondents stated a preference for lower density developments and over 97% thought that landscaping and trees to create an attractive environment was important or very important.

4.1.2.5 There are ~~three~~ **two** schemes within the emerging District Plan each of which yields over 150 homes (see figure 2, areas 3, 4, 5) within the area of the Neighbourhood Plan. **In addition, 50 homes are proposed at land east of Manor Links (figure 2, area 3).** Policies that deal with each scheme specifically are listed separately so that, should planning applications be made, suitable guidance is available to make sure that development is appropriate and compatible with its surroundings.

4.1.2.6 From the Neighbourhood Plan survey of Dec 2014, the Land South of Bishop's Stortford site is the least popular of the three greenfield sites for development with town residents and will have the greatest infrastructure requirements to be acceptable. In particular, car parking capacity and access to it, avoiding the one-way system in the town centre, may be improved by development of the Goods Yard site (see policies GY4 and GY5). ~~It is therefore recommended that the Land South of Bishop's Stortford site should only be developed once the additional car parking capacity and access to it identified in policies GY5 and GY4, respectively, are in place.~~

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4.1.2.7 East Hertfordshire District Council has a Strategic Land Availability Assessment (SLAA) process to identify and appraise sites that come forward through a consultation process with landowners and other stakeholders.

4.1.2.8 It contains a number of commercial and other areas with premises that are no longer fit for purpose, or that are poorly sited for good connectivity to the transport network. Priority should be given to using such 'brownfield' sites for housing, provided suitable alternative premises arise elsewhere in the Town and that opportunities for increasing the extent and quality of local employment are forthcoming.

4.1.2.9 All development must comply with Regulation 10(1)(b) of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended⁴ which requires that in local plans and supplementary planning documents, regard be had for the objectives of preventing major accidents and limiting the consequences of such accidents for human health and the environment. Within the Neighbourhood Plan area there is the potential for land allocation to encroach on the consultation zones around a National Grid Gas PLC pipeline detailed in Appendix 6.

HDP1 – Residential development and redevelopment

a) New residential development will be supported as long as it is found to be meeting the findings of the latest Strategic Housing Market Assessment and subject to Local and Neighbourhood Plan policies in force. It is envisaged such housing will come forward ~~firstly~~ through utilising opportunities for infill

⁴ Amended by r.33 - Schedule 5 of The Planning (Hazardous Substances) Regulations 2015

and brownfield development wherever possible and, subsequently, through significant developments⁵ on the outer edge of the built up area.

~~b) Development of the Land South of Bishop's Stortford site will not be supported without the delivery of additional car parking capacity identified in GY5, access to it in accordance with GY4 and other traffic mitigations identified in BSS4.~~

~~e) b Residential Development Proposals beyond the existing edge of the built up area should be designed to incorporate the principles of Garden Cities (as defined in the glossary in Appendix 4 and as applicable to the size of development).~~

~~d) c Brownfield development and the redevelopment of existing residential properties to create higher density shall be supported subject to the achievement of high quality design that meets the requirements of other policies and does not compromise to an unacceptable level the amenity value in either neighbouring properties or for the future occupiers of the proposed development.~~

4.1.2.10 Bishop's Stortford should only receive the very best, attractive and sustainable development. Building for Life 12, a Government-backed industry standard for well-designed homes and neighbourhoods, is an effective way of achieving high quality through compliance with policy. The standard sets out twelve criteria to assess the quality of a development scheme. The emerging District Plan acknowledges the value of using Building for Life principles, but currently stops short of mandating their use through policy. Proposals coming forward in Bishop's Stortford should aim to be exemplary, ideally scoring twelve out of twelve greens when assessed against

⁵ See glossary for definition

these criteria. In this context a 'green' against a specific criterion means that all relevant recommendations for that criterion are met. It is expected that East Herts District Council design review process is used to monitor the performance of developers against the criteria.

4.1.2.11 Appendix 5 contains a summary of the AECOM Heritage and Character Assessment for the Neighbourhood Area divided up to describe the land and townscape features of each sub-area. As developments arise in any sub-area, it is expected that the Key Character Management Principles applicable for that sub-area will guide developers in designing suitable buildings, streets and spaces for their location and to identify areas without a positive style where a more innovative approach can be used.

4.1.2.12 The National Planning Policy Framework places considerable importance to the setting of heritage assets, not just the assets themselves, and this is particularly so in the centre of Bishop's Stortford close to the Market Square and St. Michael's Church (Grade 1 listed) particularly, where a large number of listed buildings create a unique historic character that extends beyond the boundary of the Conservation Area.

4.1.2.13 For sites near to or in the Conservation Area, it is expected that planning decisions will reflect the advice given in Historic England's publication 'The Historic Environment in Local Plans' or whatever advice supersedes it, in conjunction with the Bishop's Stortford Conservation Area Appraisal (CAA). The CAA is expected to guide developers in designing new buildings as appropriate for their historic settings. It also identifies many unlisted buildings that make a positive contribution to the character of the area and which do not enjoy the same protection as listed buildings. Such buildings

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need to be properly maintained and preserved to keep the essential character of the area.

4.1.2.14 The Twyford Lock area deserves special protection as a place where its rural character has remained largely intact without intrusive development. The setting of the Twyford Mill and the Grade II*Queen Anne style Twyford House should continue to be protected from development that detracts from their architectural and historic value in a rural setting.

HDP2 – Setting and character of buildings, streets and spaces

a) For all development proposals in and adjacent to the Conservation Areas, schemes must follow the relevant styles and materials set out in the Conservation Area Character Appraisal. Such schemes will require special sensitivity in recognising the significance of their historic settings to be supported. Development proposals close to Twyford House and Mill which adversely affect their essentially rural setting will not be supported unless the harm is clearly outweighed by the public benefits of the proposal. Schemes involving the demolition of unlisted buildings that make a positive contribution to the Conservation Area, as denoted in section 7 - Management Proposals in the Conservation Area Appraisal, will not be supported except, other than in exceptional circumstances where the contribution from replacement buildings is comparable or better, or where the public benefit of the replacement scheme in terms of its appearance and design or the viable use of the site outweighs the harm, unless a superior scheme in quality and design is proposed as part of the application.

b) Developments which can generally demonstrate high quality and empathy with their setting within the Neighbourhood Area

will be encouraged. This means schemes will be supported if:

- They follow the Character Management principles described in Appendix 5, depending on the Townscape Character Area (TCA) of the site.
- They are accompanied by a Building for Life 12 Assessment and that score green or amber against all applicable criteria. An amber score will only be acceptable where it is accompanied by a clear justification in terms of local circumstances or viability explaining why a green score cannot be achieved.
- Buildings, streets and spaces can be shown to relate well to their location and surroundings, particularly in prominent areas, such as when approaching Thorley Street from the south.
- Where possible, they keep the routes of existing roads and lanes to provide continuity with the history and morphology of the local area, for example Thorley Lane and Pig Lane.

c) ~~For development proposals, in areas without a positive lead on building style,~~ innovative designs of a high quality can be used, where it can be demonstrated that they also contribute positively to the immediate surroundings.

4.1.3 Objective: Promote high functionality and quality within the living environment

4.1.3.1 The achievement of high quality through good design, whether on the detailed scale within homes or on the wider scale for, say crime prevention, is encouraged by looking to meet or exceed current standards as they evolve. Best practice design principles shall be followed to ensure current and future

functional and service needs are anticipated, thereby avoiding subsequent disruptive changes and contributing to the sustainability of the neighbourhood in the long term.

4.1.3.2 Sport England with Public Health England have produced Active Design guidance detailing how good urban design practice can deliver built environments that are enjoyable to live in and encourage healthy lifestyles. Bishop's Stortford is not well served by its existing sport facilities, poorly connected neighbourhoods and community infrastructure, as indicated in other relevant sections of this Plan, so it is particularly important that new developments seek to redress this imbalance by following such good practice.

4.1.3.3 The aim is for new development to deliver homes that are fit for purpose. This can relate to simply having enough space, for example for visitors and guests to promote social interaction, for bikes and push chairs to encourage sustainable transport and to store sorted waste awaiting collection under the multiple wheelie bin local policy. Consultation has revealed that homes need more space and, in the absence of space standards in both the existing and emerging District Plans, it is recommended that the Nationally Described Space Standard in the optional DCLG Technical Housing Standards is used.

4.1.3.4 Recent changes in local lighting times have resulted in concerns about night time safety and security within Bishop's Stortford. It is important that the quality of lighting in new developments is able to allay those fears.

4.1.3.5 In order to mitigate the impacts of new development on climate change, development proposals should demonstrate how they will ensure that new dwellings and business premises include energy-saving and carbon dioxide reducing measures that at

least match, and ideally exceed, proposed regulations.

4.1.3.6 Some residents of the town have complained that unadopted roads in recent new developments have needed costly arrangements for road maintenance that could be avoided if built to a proper standard.

4.1.3.7 The Environment Agency in their comments have said the Neighbourhood Area is part of a wider area under 'severe water stress' and recommend the DCLG Optional Technical Standard for Water Efficiency should be applied through NP policy. Although the existing Local Plan in force and the emerging District Plan cover water conservation generally, the local nature of the issue argues for its specific inclusion in the Plan.

4.1.3.8 Following the May 2016 House of Commons rejection of the Lord's amendment on SUDS (Sustainable Drainage Systems), where they suggested removing the automatic right of developers to connect to public sewers for surface water and encourage SUDS on every development, the Lords accepted an amendment. This now means the Secretary of State must carry out a review of the planning legislation, government planning policy (introduced in April 2015) and arising local planning policies concerning sustainable drainage.

4.1.3.9 The Stort river runs through the Neighbourhood Plan area and has a history of flooding in the town centre and of water run-off towards its flood plain in lower Thorley Street. Both locations have the potential developments of the Goods Yard and Land South of Bishop's Stortford close to them, so it is vital that SUDS water management principles are followed to minimise any adverse impact, following the uncertainty caused by the Government review, the timing of which is unknown. A hierarchy of

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Sustainable Urban Drainage appears in the Emerging District Plan in policy WAT3.

HDP3 – Design standards

a) In addition to other applicable criteria for design assessment, development will be required to meet all of the following criteria unless they include a clear justification for not meeting the standard:

- For all significant developments⁶, developers must demonstrate how the ~~ten~~ **first nine** principles of active design as detailed within Sport England's, Active Design Guidance (2015) have been addressed by using the Active Design checklist.
- ~~Meet the Nationally Described Space Standard on internal space set out in the DCLG Technical Housing Standards, or any guidance which explicitly supersedes it.~~
- ~~Achieve Part 2 Secured by Design accreditation as a minimum, and ideally should achieve full SBD accreditation. Features such as gated developments, that invoke a fear of crime, are to be avoided.~~
- ~~Street lighting should achieve the standard as described in the Secured by Design publication 'Lighting Against Crime' or subsequent documents which explicitly supersede this.~~
- ~~Meet the tighter DCLG Housing Technical Standard for water efficiency of 110 litres/person/day, or any guidance which explicitly supersedes it.~~

b) On **sites that have a favourable south-east to south-west aspect such as the land South of Bishop's Stortford, proposed in the emerging District Plan developers will be encouraged to**

incorporate the use of solar energy generation. On all sites the use of solar energy or other sources of renewable energy will be supported, where it does not conflict with other development plan policies. ~~sites that have a favourable south-east to south-west aspect, such as that proposed for Land South of Bishop's Stortford, developers will be expected to incorporate sub-schemes for housing or community buildings that use solar energy generation, or other suitable sources of renewable energy, for the overall development to be supported.~~

c) All roads on new developments will be expected to meet the criteria for adoption set out by the Highways Authority.

d) All schemes are expected to follow the principles described below:-

- Development must utilise the most sustainable forms of drainage systems in accordance with the SUDS hierarchy, unless there are practical engineering reasons for not doing so.
- Development should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- Drainage should be designed and implemented in ways that deliver other policy objectives of this Plan, including water use efficiency and quality, biodiversity, amenity and recreation. The provision of balancing ponds as part of an area of public open space for recreation or wildlife should be designed to ensure the safety of other users of the space. Where SUDS are provided as part of a development, applicants should detail how it will be maintained in the long term.

⁶ See Appendix 4 - Glossary

- Where practicable, SUDS should be designed to ensure the sustainable drainage networks have the additional capacity required to cope with infrequent adverse weather conditions and therefore reduce flood risk.

4.1.4 Objective: Provide housing for all and create community cohesion

4.1.4.1 The future housing mix policy within the emerging District Plan is identified through the West Essex and East Hertfordshire Strategic Housing Market Assessment Sept 2015 (SHMA), which sets out the Objectively Assessed Housing Need (OAHN) over the Plan period, forecasting requirements to 2033. The recent nature of its evidence base argues for it to be used alongside the existing 2007 Plan which is technically in force at the moment.

4.1.4.2 The District Council also uses other sources of information to forecast housing demand within the District, including its own Housing Needs survey of residents carried out in Q4 of 2014 to identify current and future demand within the District and sub-areas. The key finding from that survey for Bishop's Stortford (based on 180 respondents) is that it has a strong demand for affordable housing, particularly amongst 'concealed households' (those not living independently but who wish to do so), indicating a lack of affordable homes within the area.

4.1.4.3 The Neighbourhood Plan survey carried out in Q4 2014 asked, in questions 12 and 13, for residents' views on the nature of housing that is most needed. The replies from the 1700 respondents highlighted the following:

- Strong preference for 2-3 bedroom homes (70% thought more such homes were needed)

- Positive demand for bungalows (54% thought more such homes were needed)
- Less preference for 4/5 bedroom homes (only 15% thought more such homes were needed)
- Positive demand for shared ownership (57% thought more such homes were needed)



4.1.4.4 The fact that the Neighbourhood Area is only 15 minutes travel time to the major employment centre of Stansted Airport and less than 45 minutes to London and Cambridge along the M11 corridor means that housing demand is likely to exceed the District average. Feedback from consultation and the Neighbourhood Plan Survey shows that for local people, particularly young people starting families, difficulty in obtaining a place to live is a major concern.

4.1.4.5 The 2011 Census figures also show that the Neighbourhood Area has about 5% more families with one or two dependent children and about 3% less two to three bedroom homes, compared to the East Hertfordshire District average. This, coupled with the results of the Neighbourhood Plan survey, argues for housing mix to be weighted away from four or five bedroom homes towards those with two or three bedrooms. Paragraph d) of policy HDP4 indicates how supply for smaller family houses could be increased by building small bungalows [as part](#)

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of the housing mix. ~~at the expense of larger houses.~~

4.1.4.6 The high demand for housing coupled with the large difference between affordable home provision policy and the current provision clearly supports the need for a pragmatic and sensitive approach to dwelling mix policy implementation. This needs to take account of the local conditions driving demand and the nature of the area itself to avoid damaging both its character and social fabric.

4.1.4.7 The policy for Dwelling Mix Strategy requires an assessment to be carried out by developers of how the mix they propose meets with local needs, within the whole of Bishop's Stortford, for schemes above a certain size. The assessment should be part of the Design and Access statement and will be reviewed as part of the East Herts Council's formal decision making process for planning applications, taking into account local factors such as affordability and availability of market homes and the trend of affordable housing waiting lists. To avoid the 'leakage' of affordable properties back into the open market, only schemes that allow the retention of affordable homes through buyback by providers, or other appropriate measures will be supported.

4.1.4.8 The Self-build and Custom Housebuilding Act 2015 obliges Planning Authorities to keep a register of those seeking to acquire land to build a home. It is expected that the register for East Hertfordshire will be used as a guide to the demand for such land when assessing the proportion of market housing allocated for this type of building in new developments as they come forward.

HDP4 – Dwelling mix strategy

25

Examination Copy

a) On schemes where there is a net gain of five or more homes, developers are required to submit a Dwellings Mix Strategy as part of the Design and Access Statement with any planning application. The strategy must clearly demonstrate how the proposed development addresses the objectively identified needs within Bishop's Stortford. This must cover all needs including those for all forms of market and 'affordable' housing.

~~b) On all such schemes, affordable housing will, other than in exceptional circumstances, be provided on-site as part of the residential development. Exceptional circumstances will principally relate to those where on-site provision will clearly compromise the deliverability of the scheme, in which case developer contributions would be sought towards off-site provision of affordable housing.~~

~~e) b) On all such schemes the affordable housing will be expected to be provided with a tenure mix of 60% social/affordable rented and 40% intermediate/shared ownership⁷.~~

~~d) c) Schemes of any size must consider the unfulfilled demand for bungalows, particularly for sites close to similar dwellings, for example the East of Manor Links site. Developers must justify on firm evidence, for reasons other than just viability, why a site is not suitable for bungalows. On sites that come forward without provision for bungalows, at least 20% of the housing that would have been allocated to four and five bedrooms homes under whatever version of the SHMA recommendation is effective at the time, must be allocated by the developer for bungalows,~~

⁷ Policy HOU3 of the draft District Plan stipulates a higher social/affordable proportion for schemes below 200 homes.

~~with an average of two bedrooms, before that scheme will be supported.~~

e) All schemes shall consider alternative types of purchase funding such as self-build for market housing. The Self-build Register should be used to assess the level of demand in an area to determine the proportion of land given over to such type of building, along with other relevant factors such as the size, position, accessibility and terrain of the site.

~~f) d) To secure the benefits of affordable housing for first and subsequent occupiers, only schemes that allow the retention of such affordable housing will be supported.~~

4.1.4.9 As a commuter town primarily for London, but also for Cambridge, Bishop's Stortford sometimes suffers from a lack of "community". Provision of 'Lifetime Homes' above the 15% specified by the Local Plan is a way to encourage stability and social cohesion by making it easier to avoid unnecessary uprooting of households to 'upsize' or 'downsize'. Wheelchair adaptable housing standards, applied through building regulations M(2), have ~~superceded~~ superseded the Lifetime Homes definition, and the Preferred Options draft District Plan advocates a flexible approach to the proportion of homes built to this standard. However, the case for building a significant proportion of wheelchair adaptable homes remains, ~~and the proportion of 20% of new homes built to this standard, as accepted for Lifetime Homes by the Independent Examiner for the Silver Leys and Meads Neighbourhood Plan, should~~

continue.



4.1.4.10 Although there is no evidence that the proportion of disabled households in the Neighbourhood Area differs significantly from that of the East Herts Council average, there is evidence from engagement with disabled groups within the town that it is difficult to find suitable accommodation for those with specialist needs.⁸ It is therefore important that opportunities arising from developments make a contribution to this provision through S106 or CIL contributions.

4.1.4.11 Integration of such accommodation into residential areas is encouraged to promote security, diversity, inclusion and community cohesion, as recommended during consultation with housing providers.

HDP5 – Building for the community

~~a) New housing shall be of a type and size which is capable of meeting the changing needs of residents over their lifetimes, is accessible to those with limited mobility and capable of adaptation for residents who are wheelchair users. At least 20% of homes shall be built to be 'Wheelchair Adaptable' as defined by Building Regulations M(2) or whatever standard supercedes it.~~

~~b) a) Housing for Older and Vulnerable People will be expected to be:-~~

⁸ Information received Consultation February 2014.

- In a suitable location where access to a choice of sustainable travel options is available;
- Within walking distance, on a safe and level route or within easy reach by passenger transport, to town centre shops and services;
- Well integrated with existing communities through the sharing of space and public access to services;
- Of a non-institutional, safe and stimulating design, which meets not only the needs of its future residents, but also the staff who work there and the visitors who may use it as a community resource.

e**)** Where new community facilities are being constructed in association with residential development the timing of their commissioning should ensure they are available for the new and existing community from the start of occupation or, where it can be clearly demonstrated that this is not viable or practicable, in accordance with an agreed phasing policy which will deliver facilities at the earliest stage at which it would be viable.

HDP6, HDP7, HDP8 – There are no policies with these numbers

4.1.4.12 In order to maintain policy numbering consistent with that for the Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards, these policy numbers have been omitted from the current plan.

4.1.5 Objective: Protect and enhance newly discovered archaeological sites

4.1.5.1 Bishop's Stortford has numerous archaeological sites dating from the early prehistoric through to the Later Iron Age,

Roman and Medieval periods. Existing Local and emerging District Plans have the policies to ensure that new development sites with archaeological potential can be investigated to determine if important archaeological remains ('heritage assets') are present. These policies are considered sufficient to enable appropriate mitigation measures (further surveys, excavations, etc.) to be put in place.

4.1.5.2 Bishop's Stortford Museum should take priority on exhibiting any remains found, unless the find is of such scale and importance that it needs its own premises to conserve and display the finds.

HDP9 – Archaeology

a) Should new archaeological finds occur then a contribution should be sought from developers towards the cost of whatever methods are deemed most appropriate to curate the finds by H.C.C's Historic Environment Section. Should new archaeological finds occur, that are worthy of reclamation or display, an appropriate contribution will be sought from the developers towards the costs of whatever methods are deemed by Hertfordshire County Council to be most appropriate to curate the finds, where it meets the legal requirements for section 106 contributions

4.2 CONTRIBUTIONS TO COMMUNITY INFRASTRUCTURE CONTRIBUTIONS TO COMMUNITY INFRASTRUCTURE

4.2.1.1 Bishop's Stortford has a range of infrastructure needs and on-going requirements. In order to make sure there is a consistent approach to community

infrastructure and to ensure that the objectives within the Neighbourhood Plan are supported with any future development proposals, financial contributions should be made accordingly.

CI – Contributions to Infrastructure and Community Facilities

a) Where policies in this plan require contributions to provide new or improved community infrastructure or community facilities, they will be made through planning obligations in accordance with Policy IMP1 of the East Herts Local Plan 2007 Second Review 2007 or a successor policy in the emerging East Herts District Plan where they comply with the Community Infrastructure Levy Regulations 2010 and any subsequent amendments to them.

4.2.4.3 GREEN INFRASTRUCTURE

4.2.4.3.1 Introduction

4.2.4.3.1.1 The Neighbourhood Area includes a wide variety of rich green space resources and this is appreciated by the residents; in the 2014 Neighbourhood Plan questionnaire, residents considered that parks and green spaces were the third most popular aspect of the town with 57% rating them as excellent or good. There was also very strong support for the future use and protection of green spaces in and around the town.

4.2.4.3.1.2 New development should protect existing green spaces, other than those specifically identified as development sites, improve biodiversity and should take the opportunity to create and enhance new green infrastructure and leisure facilities whilst minimising environmental risks. The Southern Country Park is an example of 'best practice' for the creation and management of a 'new' green space, especially in the way the local residents are involved. The River Stort is an important chalk stream habitat for wildlife but is also an under-used asset for the residents of the town.



4.2.4.3.1.3 Bishop's Stortford is subject to a number of environmental risks. The river presents a flood risk for parts of the town

centre and recent major housing and retail developments have decreased the natural absorption of rainwater. These, along with further proposed development, are likely to increase the risk of flooding.

4.2.4.3.1.4 The rapid expansion has also put the environment of the town under pressure. The town is not self-sufficient in water which must be pumped in from outside sources. Sewerage facilities are stretched. Any major new development must therefore take these factors into account, manage the environmental risks and improve the area's resilience to climate change.

4.2.4.3.2 Objectives

4.2.4.3.2.1 The objectives underlying the policies in this chapter are organised under the headings below.

- Enhance and protect green spaces; utilise appropriately for leisure
- Protect and enhance wildlife and biodiversity, including the River Stort
- Improve access and connections to green spaces and the surrounding countryside
- Provide essential community facilities
- Maintain and enhance the flood mitigation function of green spaces

4.2.4.3.3 Objective: Enhance and protect green spaces; utilise appropriately for leisure

4.2.4.3.3.1 There are five major tracts of land in the Neighbourhood Area which act as green lungs. These are vital in maintaining the balance of green space and development that has been so important to Bishop's Stortford evolution. These five areas should be protected.

4.2.3.4 4.3.3.2 Major housing development, if not carefully planned, could cause the loss of important green spaces, suffocation of the southern and eastern sides of the town,



reduce connectivity and permeability of the landscape for wildlife and people, and would restrict access to green space by existing and new residents.

4.2.3.4 4.3.3.4 The park is extremely diverse in what it offers to park users. The Eastern side contains the Thorley Lane car park, children's play area and a large open area of grass that is used for keep fit classes, ballgames, flying kites and model aircraft and exercising dogs. On the western side there is a dog-free picnic area, fishing lake, spring-fed pond and Spellbrook Spel-Brook. There is also a large wildflower area on a chalk bank. Across the whole park there are a wide variety of wildlife habitats.

4.2.3.5 4.3.3.5 Thorley Wedge is a long narrow area of public space, which incorporates three children's play areas and an allotment site, together with community football club pitches. It extends across



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4.2.3.4 4.3.3.3 The first of the five lungs is Southern Country Park which lies to the south of Bishops Stortford and is approximately 23 ha in size. A volunteer group called ' Friends of Southern Country Park ' works closely with East Herts Council and the Countryside Management Service to maintain and improve the park. This partnership has led to the park's Green Flag status which makes it welcoming, safe and well maintained, with strong community involvement and good management of wildlife assets.

approximately two kilometres from east to west in southern Bishop's Stortford, from Thorley Hill road to St James Way, where it is called 'Northern Park'.

4.2.3.6 4.3.3.6 From its western end, which abuts farmland (across St James Way) Thorley Wedge provides the following functions:

- Wildlife corridor
- Green lung
- Linkage route for pedestrians and cyclists
- Dog walking zone

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- Childrens play area, both formally and informally
- Formal sports area – community football club
- Informal sports area
- Leisure space
- Storm water containment
- Utility provision

~~4.2.3.7~~4.3.3.7 Birchanger Wood lies partly within the Neighbourhood Area and consists of 28 hectares of ancient coppiced woodland. The wood is maintained entirely by volunteers in accordance with a management plan drawn up by professional ecologists and the Forestry Commission for the benefit of the local community. Recently created are 5.3km of all-weather and wheelchair-friendly paths.

~~4.2.3.8~~4.3.3.8 The Spinney is a narrow area of heavily wooded public space, which borders the western end of the Bishop's Stortford High School site. The Spinney provides:

- A wildlife corridor
- A green lung
- An un-paved surface, linkage route for pedestrians and cyclists
- A dog walking zone
- Children's informal play area

There is potential for:

- Development of a paved green route for pedestrians and cyclists from the land south of Whittington Way, via Thornbera Gardens into Thorley Wedge and for pedestrians via Thorley Park Road and Marlborough Close, twenty metres of paved public footpath and Mulberry Court to South Road.

- Blending any open space provision from development on the Bishop's Stortford High School site into the eastern side of The Spinney to increase its width and wildlife amenity value.

~~4.2.3.9~~4.3.3.9 The Firs, an avenue of Lime & Pink Chestnut trees, remains an important wildlife corridor, enjoyed and appreciated by a large number of people using it as a pedestrian route, including school children. Supported by EHDC there is a community Friends group who actively work to enhance & maintain this important wildlife habitat. The Firs is an integral part of The Five Parks Walk linking Southern Country Park, Northern Park, College Fields & Thorley Wedge.

~~4.2.3.10~~4.3.3.10 There are a number of other smaller green spaces which should be retained as they are and are listed under policy GIP1. Should offsite ecological compensation be required from development, the areas identified below could provide opportunities to site required ecological measures. In addition, there are very many verges which must be well maintained and could be planted with wild flowers for improved biodiversity.

GIP1 – Local Green Spaces and other green areas

a) The following five areas within the Neighbourhood Area will be designated 'Local Green Spaces'. Development that is incompatible with the importance of these spaces as attractive publicly accessible informal recreation areas will not be allowed unless there are very special circumstances where the benefit of the development clearly outweighs any harm. Development which adjoins these areas must preserve and enhance wildlife corridors to a width to allow sufficient bio-diversity and habitat

conservation having regard to best practice and advice from Natural England and/or other appropriate expert organisations.

- Birchanger Wood
- The Firs
- The Spinney
- Thorley Wedge – from Thorley Hill to St James Way (Northern Park)
- Southern Country Park

b) There are a number of other green spaces in the area. In recognition of their value as green space, any development of these spaces in accordance with their final allocations in the District Plan must have regard to their intrinsic value as a green space and to their purpose.

- Apton Road pond
- Cox's Garden on Havers estate
- The Green: a square bounded by Audrey Gardens, Mary Park Gardens and Bishops Avenue
- Thorley Lane Verge which runs from Bishops Avenue up Thorley Lane to Pynchbek and to the roundabout and then alongside the oak wooded copse (still bordering old Thorley Lane which is now renamed Obrey Way) up to the turn into Thorley Lane East. It is used regularly as a horse riding route.
- Green leisure space south of New Path, adjacent to Holy Trinity Church
- Nettleswell Gardens at Rhodes Centre
- Old Cemetery and New Cemetery
- Parsonage Field
- Area adjacent to Rushleigh Green and the Ridings
- Thorley Cricket Ground

- Established mature woodland between Thorley Lane East and Broadleaf Avenue
- The green area adjacent to Ward Crescent
- The green area adjacent to Waytemore Road



[4.2.3.11](#)[4.3.3.11](#) Thorley Wedge and the riverside are the main areas for leisure activities for residents.

[4.2.3.12](#)[4.3.3.12](#) The proposed development on the Goods Yard site provides an opportunity to improve the riverside south of the town centre. The river is a great asset for the town but under-used as a central feature and for leisure use; this issue has been raised consistently in all consultation events. The document: 'A Vision for the Future': Bishop's Stortford Waterspace & Landscape Strategy, sets out excellent proposals for people to 'live, work and enjoy the River Stort Navigation' and is supported. In addition, it is proposed that occasional 'laybys' be introduced along the towpath to allow for extra green planting of native species to improve biodiversity. Residents are also asking for cycle paths along the river.



~~4.2.3.13~~ **4.3.3.13** There are important fishing lakes adjacent to the river in the Neighbourhood Area which are well used by fishing clubs and must be preserved and well maintained.

~~4.2.3.14~~ **4.3.3.14** The green space south of the proposed development on the Goods Yard site and bordering London Road should be taken into responsible management and opened up for public use to be funded by the developers of the Goods Yard site.

~~4.2.3.15~~ Zoning is a method of delineating specific green space areas for specific uses, e.g. play, sport, wildlife. This is already in place in Southern Country Park and its introduction will be supported on the Thorley Wedge and on any new green spaces created by development.

GIP2 – Improve areas for leisure

a) Proposals that seek to improve the use of existing and new open spaces will be supported. This would include:

- Provision of seating, preferably from natural products
- Improved signage
- Weather-protected information boards
- Facilities to support guided visits for schools, e.g. mooring points, hides and study centres

b) Initiatives by the Canal & River Trust and the Environment Agency to improve leisure usage of the River Stort Navigation will be supported, subject to other applicable policies, though wildlife needs to be protected from over-use. Proposals to improve the towpath south of the town centre with an appropriate surface (or artificial if a cycle track is provided) will be supported, together with better access, improved signage plus management and biodiversity enhancement initiatives.

GIP3 – Green space management and zoning

a) Developers will be expected to cooperate with the establishment of appropriate long-term arrangements for the management of open spaces which form part of any development scheme of over 10 dwellings. The developer will be required to provide financial contributions to support initial costs and/or transfer land to an appropriate body, by agreement with the planning authority.

b) ~~a)~~ The use of 'zoning' to delineate green space areas will be supported. Developments which create zoning of newly-created green spaces will be supported.

4.2.4.4.3.4 Objective: Protect and enhance wildlife and biodiversity, including the River Stort

~~4.2.4.1~~ **4.3.4.1** The protection of wildlife was a key concern expressed at the Focus Group on Green Spaces held in November 2014 and at the Neighbourhood Plan Consultation Day held on 27th June 2015. Biodiversity, as a measure of the variety of organisms present in an ecosystem, must be maintained and improved. Ancient hedgerows such as that running alongside the Hertfordshire Way on the Whittington Way site connecting Obrey

Way and Thorley Street, providing attractive views back to Thorley Wood and Spellbrook, need to be protected as they provide critical wildlife corridors. ~~Support~~ **There is a longer-term aspiration to create** ~~will be given to the developer funded creation of~~ a wildlife corridor running from Southern Country Park to the river Stort.

~~4.2.4.24.3.4.2~~ Wildlife sites such as the Southern Country Park reed bed must be protected and well maintained. It contains some very unusual bird species for the area, such as Snipe, Water Rail, Bearded Tit, Reed Bunting, Sedge Warbler, Reed Warbler, Willow Warbler and Common Tern.



GIP4 – Protect wildlife and increase biodiversity

a) In any new development, mature trees and hedgerows shall be retained as far as practical. New planting and other initiatives shall be incorporated as an integral part of the scheme to promote biodiversity. New hedgerow planting should contain a ~~minimum~~ **variety of** 10 species appropriate to the area. Woodland planting must accord with the appropriate National Vegetation Classification (NVC). Existing mature trees should continue to be part of any development proposal unless it is demonstrated that it is necessary for them to be felled or an arboricultural survey clearly demonstrates that they are not worthy of retention. ~~When felling mature trees, monoliths and log piles should be retained where practicable as these habitats have~~

~~significant wildlife benefits.~~ Replacement tree planting should be undertaken on a minimum of a one-for-one basis. Native species must always be given preference as plants of local origin tend to establish and survive better and support more wildlife. Monocultures should be avoided.

b) Watercourses are a vital asset and therefore must be retained as part of any development affecting them, and enhanced for biodiversity. Proposals must show how the watercourse is to be incorporated as a vital asset within a development but must also ensure that wherever possible an appropriate buffer zone ~~of 12m~~ is incorporated between the built form and the watercourse unless circumstances dictate otherwise. Only native species may be planted in the buffer zone. Where possible, the re-naturalisation of modified watercourses will be expected. A new development that may result in deterioration of an existing watercourse will not be supported.

c) Where significant new development restricts natural habitats, corridors for wildlife movement will be protected or created in order to benefit local biodiversity. The design of wildlife corridors will have regard to current best practice and advice from Natural England and/or other appropriate expert organisations.

~~d) Support will be given to the developer-funded creation of a wildlife corridor running from Southern Country Park to the river.~~

~~e) Green spaces created as part of a major new development should include wildflower meadow areas. These must be accompanied with a suitable management plan and funding to ensure long-term benefits for wildlife.~~

~~f) d)~~ In order to protect and enhance wildlife in the area and to increase biodiversity, opportunities to incorporate new wildlife

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habitats (for example bat and bird boxes) into significant new developments must be sought. Features for bats and birds must be integrated into the fabric of buildings of new development to ensure permanent gains. All building bordering green space will be expected to incorporate integrated features for wildlife. Guidance should be sought from Natural England where habitats of wildlife and protected species (e.g. badgers) are affected.

~~g) All major development, and where appropriate, minor development, must result in a neutral or positive ecological unit score as defined by the NE and DEFRA endorsed Biodiversity Impact Assessment Calculator. If this cannot be achieved onsite, offsite provision with the appropriate legal agreement and funding will be required to ensure in perpetuity provision. All ecological information must be presented in accordance with BS42020 2013.~~

4.2.5.4.3.5 Objective: Improve access and connections to green spaces and surrounding countryside

~~4.2.5.14.3.5.1~~ **4.3.5.1** The Neighbourhood Area provides many opportunities for walking, riding and cycling but the existing green spaces are not as well known, or used as much as they could be. The Focus Group on Green Spaces held in November 2014 identified a



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Examination Copy

need for improvement of existing footpaths and cycle paths, a requirement to improve the linkages or connections between them across the town and into the countryside, and also a need for improved signage and promotion. These connections utilise existing Public Rights of Way (PROW), plus potential new or other paths or routes. Opportunities should be sought to develop new connections between developed areas, green spaces and the surrounding countryside. New initiatives should complement the Rights of Way Improvement Plan (ROWIP) prepared by Herts [County Council](#) Rights of Way Service.



~~4.2.5.24.3.5.2~~ **4.3.5.2** An example of good practice can be found in 'Southern Country Park & Beyond – Management Plan 2013 – 2018', which establishes and promotes linking routes on foot between five East Herts Council owned parks in Bishop's Stortford, namely Southern Country Park, Northern Parkland, Thorley Wedge, Bishop's Park and The Firs. This principle should be adopted for all the Green Spaces identified in this Neighbourhood Plan.

GIP5 – Enhancement of footpaths, bridleways and cycle paths

a) Working with local and national associations such as the Bishop's Stortford & District Footpaths Association, East Herts Ramblers, East Herts Footpaths Society and the British Horse Society, proposals to ensure

that existing footpaths and bridleways are well maintained and signposted and that new footpaths are created and officially designated will be supported.

b) The character of existing public rights of way (PROWs) must be protected in terms of safety, directness, attractiveness and convenience. No new obstructions to PROWs should be introduced and any amendments should follow the guidelines in the relevant Department of Environment, Food & Rural Affairs (DEFRA) circular.

c) Bridleways for horse riders should be protected and proposals should seek, where possible, to create new cycle paths so as to provide safe and effective routes across the Neighbourhood Area. New and existing cycle tracks should be linked with the National Cycle Network where possible.

d) Footpaths across the Neighbourhood Area should provide an accessible and safe way for all residents and visitors to enjoy the rural hinterland of Bishop's Stortford. Footpaths should use surfaces appropriate to the habitat: tarmac in well-used routes (e.g. main path through Northern Park); well-drained and overlaid with bark for more rural settings (e.g. Southern Country Park) and none for casual paths across grassy spaces.

e) As part of any major development proposal, financial contributions or direct provision of new infrastructure will be sought to secure improvements to PROW and other links within the area surrounding a site that would be used by future occupiers.

f) Proposals for the improvement of access to public green spaces will be supported (including access for those in wheelchairs and scooters, those who are frail and unable to walk in a robust manner and those with babies in buggies). Measures to regrade paths

through the green spaces for this purpose will be supported.

4.2.6.4.3.6 Objective: Provide essential community facilities

4.2.6.1.4.3.6.1 Allotments in Bishop's Stortford are currently managed by Bishop's Stortford Town Council. Residents must wait up to eighteen months for a plot on the more popular sites in the Neighbourhood Area, despite efforts over recent years to manage demand by reducing plot size and evicting tenants who do not tend plots adequately.

4.2.6.2.4.3.6.2 New development will cause the demand to increase which must be matched by increased supply. Allotment holders and considerations of sustainability favour allotments close to the communities they serve.

4.2.6.3.4.3.6.3 Town Council policy BSP010 sets out the rationale and standards for developer contributions and the justification for the rate of contribution. This rate caters for the demand expected from the new build only (based on the rate of demand actually experienced elsewhere in the Town) and does not attempt to deal with the existing deficiency.



GIP6 – Improving/expanding allotments

a) To support the population increase arising from new developments, developers of 10 residential units or more will be required to either:

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- Provide space with appropriate facilities for new allotments or
- Contribute towards the expansion and/or improvement of existing allotments.

b) For developments in excess of 500 dwellings (or groups of adjacent developments which together amount to more than 500 dwellings) it will be expected that land either on or immediately adjacent to the development site is provided and is prepared by the developers (including facilities, fencing, land preparation, soil improvement if required) and transferred to the allotment authority (currently the Town Council) at no cost. The provision of space for new allotments will be at the rate of 0.24ha per 1,000 population. Vehicular access will be required and the site must be chosen accordingly.

c) For smaller developments it will normally be expected that contributions will be made towards existing allotments. Where there is available land – particularly where it is part of the proposed development area – this could include the expansion of the existing allotments. Financial contributions will be calculated based on the cost of acquiring and

facilitating space at the same rate as for on-site provision.

4.2.74.3.7 Objective: Maintain and enhance the flood mitigation function of green spaces

4.3.7.1 While the River Stort provides a wide variety of opportunities for leisure activities and is a key feature of the town, it also creates a flood hazard which must be well managed especially at a time of climate change.

GIP7 – Flood mitigation

d) Building a development will only be permitted in Flood Zones 2 or 3 (illustrated on the Environment Agency map reproduced in Figure 3) where it has been demonstrated that it meets the requirements of the NPPF in relation to the Sequential Test and the Exception Test and a site specific flood risk assessment, or other tests specified in the Local Plan have demonstrated that the risk of flooding has been minimised and reduced where possible and that any residual flood risk can be safely managed.

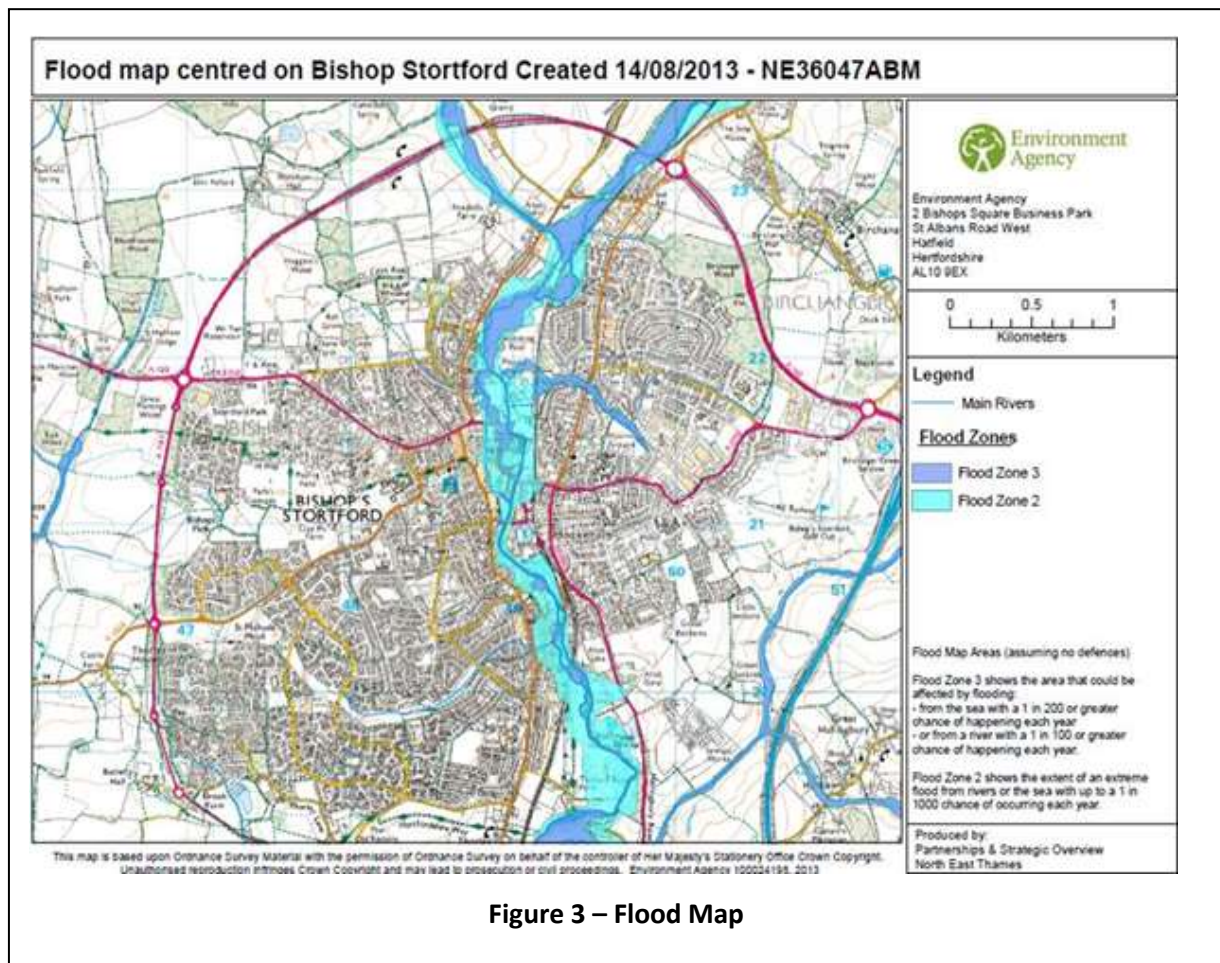


Figure 3 – Flood Map

4.3.4.4 TRANSPORT

4.3.1.4.4.1 Introduction

4.3.1.1.4.4.1.1 Transport has a vital role to play in facilitating the future sustainable development of Bishop's Stortford. With significant housing and population growth forecast for the Plan period it is essential that this Neighbourhood Plan, along with the District Plan and Hertfordshire County Council Transport Plans collectively address the challenges that this will bring.

4.3.1.2.4.4.1.2 The construction of the fourth (South-East) quadrant of the Bishop's Stortford by-pass has been extensively proposed and supported by the public and is viewed as essential infrastructure to address congestion and air quality issues as the town and surrounding areas grow to meet housing and development targets. This Plan acknowledges that such major infrastructure will require substantial funding through sources beyond developer contributions, however the realisation of this scheme remains a key aspiration for the town.

4.3.1.3.4.4.1.3 High levels of car ownership and an underdeveloped sustainable travel network have contributed to a reliance on car transport in the area and resulting congestion at peak periods. In addition to concerns over traffic volumes, community feedback has also highlighted key concerns about pedestrian and cyclist safety, parking and public transport provision. Whilst this plan contains policies to improve sustainable travel, the overall aspiration is to improve movement by all transport modes including walking, cycling, public transport and private car.

4.3.2.4.4.2 Objectives

4.3.2.1.4.4.2.1 The objectives underlying the policies in this chapter are to:

- Support solutions to congestion
- Create and promote sustainable travel networks
- Provide adequate car parking
- Manage traffic speeds and promote road safety
- Improve town centre access, connectivity, amenity and vitality

4.3.3.4.4.3 Objective: Support solutions to congestion

4.3.3.1.4.4.3.1 The use and congestion of roads in and around Bishop's Stortford is determined by the growth in both local and neighbouring populations. Historical and physical development of the town has led to a constrained road network with a number of routes and hotspots that experience high levels of congestion at peak times.

4.3.3.2.4.4.3.2 Major developments within the Neighbourhood Area, elsewhere in the town, and in the adjacent District of Uttlesford, the southernmost settlements of which look to Bishop's Stortford as the local shopping, leisure, transport and education hub, will significantly increase the demand on the road network

4.3.3.3.4.4.3.3 As an historic market town, Bishop's Stortford has a road network not designed for such volumes of vehicular movement. County policy includes a goal of *improving* average morning peak hour journey times within 'defined towns' including Bishop Stortford and achieving this or something close, is necessary to realise the vision for the Neighbourhood Area.

	2008/09*	2015/16	2020/21	2025/26	2030/31
Minutes per mile	2.87	2.80	2.75	2.70	2.65
MPH	20.9	21.4	21.8	22.2	22.6

* Actual, Hertfordshire

Figure 4 – Herts County Council targets for average peak-hour journey times

4.3.3.4.4.3.4 Herts County Council has established targets for average peak-hour journey times within specified urban areas including Bishop's Stortford⁹ (excluding weekends and school holidays) set out in Figure 4.

4.3.3.5.4.3.5 The current average morning peak hour journey speed within Bishop's Stortford or the Neighbourhood Area is not known, but the average speed on several key routes within the Neighbourhood Area is 19 mph¹⁰, i.e. worse even than the 2008/09 County figure and substantially worse than the target.

4.3.3.6.4.3.6 Aside from inconvenience, congestion compromises the vitality of the town centre. Residents, particularly those on the periphery of the town, will choose to travel to surrounding shopping centres or shop online if they cannot conveniently access the facilities in the town.

4.3.3.7.4.3.7 Taking the above into account it is vital that the design of new development

and the associated mitigations are strongly challenged to ensure that the best viable design is created and unnecessary impacts avoided. Particular attention must be paid to the congested routes and innovative solutions (including infrastructure, modal shift and the location of key facilities) fully explored. If this does not take place the future expansion of the town will be frustrated by inadequate design of earlier developments in the plan period and the vitality of the town centre compromised by poor access.

4.3.3.8.4.3.8 Congestion in Bishop's Stortford town centre routes is worsened by 'transit' traffic that does not originate or terminate in the town centre area, but is passing through. Through-traffic also uses routes along South Street, Potter Street and North Street which are the main retail areas in the town centre. Opportunities to intercept and redirect traffic away from the town centre, especially at peak time should be explored.

4.3.3.9.4.3.9 Local residents can play a vital role in identifying and suggesting specific measures to enhance sustainable travel opportunities in the area where they live. The planning process should therefore encourage developers to tap into this local knowledge to help inform Travel Plan packages submitted with their planning applications.

⁹ LTP3 Volume 1 Page 46, Indicator N167/
<http://www.hertsdirect.org/services/transtreets/ltplive/strategy/challenges?page=2>, Herts County Council

¹⁰ Source – Planning Application 3/13/0075/OP Transport Analysis Routes 7-16

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~~4.3.3.10~~4.4.3.10 The objective of the Neighbourhood Plan is to ensure that the best possible design, within the bounds of viability, is achieved in respect of congestion management and that all design options are thoroughly explored.

~~4.3.3.11~~4.4.3.11 The threshold for applying the following policies (particularly TP1 and TP2), which concerns development affecting congested routes and Hockerill Junction which is a designated Air Quality Management Area has been the object of careful consideration for both the adopted Neighbourhood Plan for Silverleys and Meads Wards and this Plan. Whilst transport modelling and assessment is used to predict the traffic impacts of development, some tolerance should be made for modelling uncertainty. Verbal advice from the Highways Agency (now highways England) during the development of the Silverleys and Meads Wards Plan indicated that a threshold of 5% increase in delay or journey time has frequently been applied to broadly similar circumstances in the past. At this time Hertfordshire Highways suggested that the threshold should be set at 'a notable increase' however several consultees questioned the use of undefined terms of this nature. The Neighbourhood Plan for Silverleys and Meads Wards was ultimately adopted with a 5% threshold. Consultation with Hertfordshire Highways during the development of this plan has secured their verbal agreement to the application of these thresholds although it is acknowledged that the Highways Authority has the flexibility to vary these threshold where it is deemed necessary.

~~4.3.3.12~~4.4.3.12 The intention of the Neighbourhood Plan is not to be prescriptive in respect of how mitigation is to be achieved, rather it is to be clear as the circumstances in

which mitigations must be considered and included within proposals.



TP1 – Tackling traffic congestion

a) All significant¹¹ proposed developments will be supported by a Transport Assessment which must demonstrate predicted levels of generated traffic and the impacts of this on key roads and junctions within the town. This will include, in particular, the routes within the bypass set out in paragraph f) and other routes designated by the Highways Authority.

b) In the event that the Transport Assessment shows a predicted increase in congestion or average journey times on any of these routes which exceeds 5%, or such other figure designated by the highways authority, mitigating works shall be identified and implemented to bring predicted journey times back to pre-development levels unless it can be demonstrated that this is not viable through a thorough assessment of the options and viability or other means.

c) Travel plans will be required for major developments in accordance with adopted

¹¹ Defined as developments for which Transport Assessments in accordance with Hertfordshire County Council's Roads in Hertfordshire – Design Guide, 2011 (or as subsequently superseded by the local highway authority).

Local Plan and Hertfordshire County Council's Local Transport Plan.

~~d)c)~~ c) Statements of Community Involvement must provide evidence to show that the Travel Plan has been subject to public consultation and that there is clear public support for the measures contained within the Travel Plan.

~~e)d)~~ d) Any transport modelling work undertaken as part of the Transport Assessment process will take due account of actual local conditions and patterns of traffic movement and will include identification of key assessment periods for combined development and background traffic levels (which may on occasion fall outside of the traditional morning and evening peak hours).

~~f)e)~~ e) The restrictions and traffic carrying capacity of present highways into/out of town (Rye Street, Hadham Road, Stansted Road, Great Hadham Road/Windhill, London Road, Thorley Street, Haymeads Lane, Dunmow Road, Hallingbury Road) and on the Causeway and Hockerill Street must be recognised and appropriately modelled under a range of normal and adverse conditions. Models will need to be tested. If it can be demonstrated that the impact on individual routes in this list is negligible, the modelling of that route may be omitted.

~~g)f)~~ f) Where appropriate, due to the location or impact of a development, the following routes must also be considered as though they were specified in paragraph f): Beldams Lane, Linkside Road, ~~Haymeads Lane~~, Pig Lane, South Street, Station Road, Dane Street, other roads in the vicinity of the development.

~~h)g)~~ g) In the event that the condition as described in b) is met, the approval of the application will be conditional upon the establishment of monitoring and review

mechanisms contained within appropriate planning conditions. Prior to the first occupation of the development, the developer will be required to submit a Monitoring Report for approval to Herts County Council in consultation with East Herts District Council. The monitoring Report should be based on the Transport Assessment submitted with the application. A schedule of traffic surveys to be conducted at incremental levels of the development's occupancy will also be agreed. Where the traffic survey reveals that the number of motor vehicle movements arising from the development exceeds the forecasts identified in the Monitoring Report by more than 10%, the developer will be expected to pay a pre-agreed sum of money from a mitigation contingency fund (also pre-agreed). The provisions in this policy are subject to agreement with the Highway Authority.

~~4.3.3.13~~ 4.4.3.13 Air Pollution is a public health issue. Hockerill junction has been designated as an Air Quality Management Area (AQMA) since 2007. Nitrogen Dioxide levels are almost twice the prescribed limit in the European Union Air Quality Directive and is therefore in breach of its obligations to comply with this standard. This Air Quality Management Area encompasses commercial and residential properties around the junction of Dunmow Road, Hockerill Street, London Road and Stansted Road. The area is also a key movement corridor for pedestrians and cyclists accessing the town centre, railway station and local schools. Consequently, impact on air quality is a material consideration and should be given significant weight in determining whether:

- a) Proposed mitigation is capable of achieving no further deterioration in air quality at Hockerill junction.

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- b) Planning permission should be refused.

~~4.3.3.14~~ **4.3.14** New technology such as hybrid and electric vehicles are a key contributor to improving air quality.

TP2 – Improving air quality

a) In the event that the Transport Assessment associated with a new development predicts increases in congestion at the Hockerill junction exceeding ~~5%~~ **2.5%**, an assessment of the predicted impacts on the Air Quality Management Area (AQMA) will be carried out and mitigating actions (which may be at the junction or elsewhere) identified to bring levels of predicted pollutants back to pre-development levels. The scope and content of the assessment will be agreed between the planning authority and the applicant having regard to national guidance and the East Herts Air Quality Planning Guidance Document.

b) The above will also apply to any other AQMA designated during the Plan period.

~~c) Evidence of mitigation measures will be required at the pre-submission stage of the application.~~

~~d)~~ **c)** If significant adverse impacts on air quality at Hockerill are incapable of being overcome by Conditions or Planning Obligations then development will not be permitted.

~~e)~~ **d)** The measurement criterion for the above is:

- Levels of recorded and predicted pollutants at receptors related to the Hockerill junction (and future designated AQMAs).

~~f)~~ **e)** Mitigation measures will also be expected where the impacts of a proposed development are likely to raise concentrations of pollutants in any location within the

Neighbourhood Area to levels that would breach air quality objectives.

~~g)~~ **f)** The responsible planting of trees which reduce or absorb air pollution from traffic will be supported throughout the Neighbourhood Area.

~~h)~~ **g)** New developments should not contravene East Herts Council's Air Quality Action Plan or render any of the measures unworkable.

~~i)~~ **h)** New developments should make provision for electric vehicle charging infrastructure, to stimulate the use of hybrid and electric vehicles.

4.3.4.4.4 Objective: Create and promote sustainable travel networks

~~4.3.4.1~~ **4.4.1** Access to a wide range of community facilities will continue to be critical for Bishop's Stortford residents as the town grows. The proximity of facilities and travel options available to access them will significantly influence whether people use their cars or choose to travel more sustainably.

~~4.3.4.2~~ **4.4.2** Whilst it is not always possible to ensure that every new resident is an acceptable distance from the full range of facilities, a sustainable development will ensure that the majority of residents are close to the majority of facilities. This supports Paragraph 38 of the NPPF.

~~4.3.4.3~~ **4.4.3** For entirely new neighbourhoods, where the facilities are an integral part of the development, this may be largely a matter of layout and masterplanning. For lesser developments which use facilities already present, care must be taken to ensure that pedestrians can follow the shortest possible path rather than necessarily following

vehicular paths which are frequently circuitous. This may involve the creation or retention of pedestrian 'cut throughs' for example.

TP3 – Create walking and cycle friendly neighbourhoods

a) Any development proposals should where possible increase the attractiveness of enhance the attractiveness of walking and cycling and all significant developments should by:

- Including walking and cycle routes as part of the layout and design;
- Providing direct routes between housing and community facilities;
- Connecting with adjacent routes and key destinations;
- Ensuring routes are accessible for people using wheelchairs or mobility scooters.

b) To ensure new communities are walkable, development proposals, where possible, should apply the following Department for Transport (DfT) guidelines for reasonable walking distances¹² between housing and new and/or existing community facilities:

- Bus Stops – 400m
- Food Store – 800m
- Primary School – 800m
- Doctors – 800m
- Local Play Areas – 800m
- Secondary School – 1000m

¹² WebTag (January 2014) Unit A4.2 paragraph 6.4.5, Department for Transport. "These walking catchments should be based on, where possible, established walking routes used by the community and not 'crow-fly' distances."

c) Developers will be expected to outline any deviation from these guidelines and justify such deviation and the impact of the design on sustainability.



4.3.4.4.4.4 Despite the relatively compact nature of the town, cycling and walking are underused modes. This is due to poor cycling infrastructure, narrow streets and pavements, high traffic flows resulting in perceived safety issues, the topography of the town and high levels of car ownership.

4.3.4.5.4.4.5 The results of The Neighbourhood Plan survey 2014 suggest that there is a desire on the part of local residents to travel sustainably but only if conditions are right. For example, of the 1578 respondents, 36% said that they would leave the car at home if there were new/improved cycle paths and walkways. A further 38% of respondents said that they might not drive if new/improved cycle paths and walkways existed. This left only 26% who stated that they would still drive.

4.3.4.6.4.4.6 Community feedback during focus groups and consultation days highlighted safety concerns as a principal barrier to cycling in the town and so in order to give people real choice about travelling sustainably, cycle routes will need to feel safe throughout an entire journey. Whilst promotion of cycling and walking through Smarter Choices Campaigns is important we

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also need to build a safe and convenient cycling and walking infrastructure throughout the town.

~~4.3.4.7~~4.4.4.7 The provision of routes and paths that connect people with key destinations throughout the town will make a significant contribution to mitigating traffic and congestion challenges as the town's population grows as well as bringing health and environmental benefits. Therefore, an ambition for the Town is that all key destinations are connected by a direct, legible and integrated network of walking and cycling routes. The policies that follow seek to maximise opportunities to achieve this.



TP4 – Develop a connected town for pedestrians and cyclists

a) Any major development must deliver pedestrian and cycle improvements, appropriate to the size, scale and location of the scheme, that enable people to travel from the development to key destinations around the town such as the town centre, railway station, main employment areas and schools.

b) Where barriers such as busy roads, the river or railway tracks hinder significant movement by foot or cycle, applications that include measures to navigate these barriers through solutions such as underpasses, tunnels, bridges and other crossing facilities will be encouraged.

c) There will be a strong presumption against development which results in the loss of any existing cycle or pedestrian crossing over a road, railway or river unless a suitable alternative is provided or the benefits of development in terms of sustainable development clearly outweigh the loss.

d) Where possible cycle routes should be traffic free or segregated physically or by line markings. Routes should aim to keep road crossings and changes in level to a minimum and cycle routes should avoid unnecessary gradients. Routes should normally be suitable for those with wheelchairs, frames, buggies or other mobility aids.

e) Cycle routes should be built to high quality design standards such as the NCN (National Cycle Network) Standards or London Cycle Design Standards and to the extent that is consistent with the viability of the development, include the following features:

- All season use.
- Sealed surface.
- Width in keeping with recommended guidelines and standards as mentioned above.
- Suitable for leisure and utility use.
- Lighting.
- Suitable for wheelchair and mobility scooter users
- Clear signage and communication of routes.
- Integrated with public transport nodes.

f) Major development schemes should allow for the early implementation of sustainable travel infrastructure or initiatives that influence behaviour to enable green travel

patterns to become established from the outset of occupation.

g) Development that seeks to support or contribute to the following proposals will be encouraged:

- Safe and connected routes from the Thorley area to the town centre and station (potential to include use of The Firs and Thorley Wedge routes).
- Safe and connected routes from Manor Links to the town centre and station.
- Improved permeability through the Goods Yard and improved pedestrian routes between the railway station and local schools.
- Improved signage and route quality for pedestrians from the station to the town centre.
- Safety improvements to the pavements on the South side of the river bridge in Station Road, so that pedestrians can pass each other safely and without having to step into the road.
- Provide safe pedestrian and cyclist crossing facilities at or near to Hockerill junction.
- Improved connections to the River Stort.
- Improvements to the River Stort footpath/towpath including the enhancement of this route for both leisure and utility use.
- Town centre pedestrianisation schemes to improve pedestrian priority and amenity.
- Identify and maximise routes that improve access to employment areas such as the town centre, Twyford Road, Woodside, Raynham Road Industrial Estate, Stortford Hall Industrial park, Millside Industrial Estate and Southmill Trading Estate.

- Recommended routes and improvements identified through cycle and pedestrian route studies and research¹³.

~~4.3.4.8~~4.4.4.8 Community feedback¹⁴ has highlighted concerns with bus service provision in Bishop's Stortford. Problems relating to reliability, routing, cost, lack of real time information, congestion on roads causing bus delays and unconnected train and bus timetables impacts on the ability to offer bus travel as a meaningful alternative to the car and also impacts on those who do not have access to a car. Additionally a number of bus stops are poorly located, for example the bus stop on South Street is positioned close to a bend and traffic lights making it difficult for vehicles, cyclists and pedestrians to navigate this area. It also contributes to increased congestion in this town centre location.

~~4.3.4.9~~4.4.4.9 To increase bus use in Bishop's Stortford, the community has said that it is necessary to provide a regular, reliable service, close to where people live, with real-time information. For major developments, this is considered to be a fundamental requirement. These have the capacity to contribute significantly towards bridging transient funding gaps, particularly where existing services can be diverted.

¹³ e.g. Bishop's Stortford Cycle and Walking Network Masterplan Study - 2016

¹⁴ Neighbourhood Plan Questionnaire 2014 and transport focus groups



~~4.3.4.10~~4.4.4.10 It is important that Bishop's Stortford has an effective transport interchange between the train and other modes of transport. Developing the bus and train station into a vibrant transport hub equipped for passengers in all weathers would present a modern gateway to the town, attractive to residents and visitors alike.

TP5 – Better bus travel

a) Significant¹⁵ developments should normally be served by a regular bus service to the town centre. Where existing routes do not already serve the proposed development area, new development may be expected to fund an expanded service. Developers will provide, through a planning obligation or otherwise, such subsidy as is necessary to ensure that the service runs for a time period commencing and ending at points during the development to be agreed with the planning and highway authorities. ~~Vehicles serving such developments shall be either of 'hybrid' type or meet the latest 'Euro' or UK emissions regulations and developer contributions may be required to secure this.~~

b) Bus stops, the location of which shall conform to policy TP3 above, shall be of an appropriate high standard of design and shall

be 'all weather' and fitted for the display of Real Time Information.

c) Facilities provided under this policy shall have regard to the bus strategy published by Hertfordshire County Council.

d) For the purposes of paragraph b) 'high standard of design' includes but is not limited to:

- Having seating and shelter.
- Being accessible for people with disabilities.

e) Where the encouragement of public transport use is proposed as a mitigation measure for any development, the use of developer contributions to enhance the following important bus corridors, for example by the provision of bus lanes and other appropriate priority bus measures, will be supported:

- London Road including the section of the B1529 south of Whittington Way known as Thorley Street.
- Dunmow Road.
- Station Road.
- South Street.
- South Road.

~~4.3.4.11~~4.4.4.11 2010 School Census data¹⁶ indicate that the main mode of travel to school among primary age children is walking. For secondary school children the main mode of transport is bus. Nevertheless 35% and 23% of journeys to primary school and secondary school respectively are made by car and it is noticeable that congestion levels

¹⁵ See glossary

¹⁶ 2010 School Census data (Urban Transport Plan- Stage 1 report, Steer Davies Gleave)

around the town are higher during school term periods. Cycling mode share is low and only marginally increases between primary (1.8%) and secondary school (2.8%).

~~4.3.4.12~~ **4.4.12** Local Authorities have a duty to promote the use of sustainable travel and transport¹⁷. The vision for Hertfordshire County Council is to increase opportunities for children and young people to make journeys to schools and colleges by sustainable means.

~~4.3.4.13~~ **4.4.13** Within the Neighbourhood Area there are a number of important school pedestrian travel routes that are perceived as having poor and unsafe crossing facilities and/or excessive traffic speed: Hockerill junction; London Road/Hallingbury Road and Crescent Road area; Dunmow Road and the Goods Yard area.

~~4.3.4.14~~ **4.4.14** The developers of significant residential developments are expected to work with local schools to identify appropriate traffic mitigation measures and support school travel plans.

TP5a – Safer, sustainable school travel

a) For significant and larger major developments, developer contributions specified within appropriate Planning Obligations such as S106, will be sought to ensure that the residents of new developments can travel safely by sustainable modes to schools that serve their area. Proposals that include any or all of the designated elements below will be encouraged. There will be a strong presumption against development that does not include or does not provide funding for any or all of these designated elements where

¹⁷ Department for Education Home to School Travel and Transport Guidance, July 2014

it is reasonable to expect (given the location and nature of the development) and viable to do so.

- Street design measures in the vicinity of schools to improve safety of children traveling to school on foot and by bike.
- ~~Provision of 20mph speed limits in the vicinity of schools. Operating times of the speed limits should be investigated and agreed for each site.~~
- Safe school drop off and pick up zones.
- Funding or part funding of new or diverted school bus or school shuttle services especially if there is a lack of alternative sustainable travel choice.
- Improvements to enhance the safe passage of pedestrian and cycle traffic through:
 - Hockerill junction.
 - London Road/B1529/Hallingbury Road/Crescent Road.
 - London Road/Thorley Street.
 - Dunmow Road.
 - Goods Yard area.

TP6 – There is no policy with this number

~~4.3.4.15~~ **4.4.15** In order to maintain policy numbering consistent with that for the Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards this policy number has been omitted from the current plan.

~~4.3.4.16~~ **4.4.16** Many residents of Bishop's Stortford commented through the engagement process that, if they cycle to the town centre or to work, there is a lack of places for them securely to park their bicycle. It is therefore important, as part of a package of transport measures designed to maximise modal shift to non-car modes, that such

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secure parking is provided to accompany new developments and, where possible, in existing centres.

TP7 – Cycle parking

a) Sufficient, secure and waterproof cycle and, where appropriate, powered two-wheeler storage facilities shall be provided for users of developments for new residential, educational, health, leisure, retail, employment and business purposes (to be determined on a site specific basis). These should be positioned in easily observed and accessible locations.

b) Significant developments are also expected to make financial contributions towards the provision of cycle parking at key destinations such as schools, the railway station, the town centre and leisure centres, where they substantially increase the demand for cycle parking.



4.3.5.4.4.5 Objective: Provide adequate car parking

4.3.5.14.4.5.1 Community feedback highlights that parking is a problem in the town. There are a range of issues:

- Lack of town centre parking, particularly for access from the south of the town.
- Increased demand for parking as the town grows.

- Sub-optimal use of parking spaces, for example allocated contract car parking spaces for commuters are often unused and unavailable to the public at weekends.
- Concentration of car parks and access to them in the north of the town centre which worsens congestion in key hotspots.
- Inefficient entry and exit arrangements that contribute to congestion problems, for example Jackson Square exit on to Adderley Road.
- Insufficient off-road parking on developments leads to parking on roads impacting on traffic flow and pedestrian/cycle safety.
- Commuter and town centre workers parking in residential streets can cause problems. Residential Parking Zones and restricted parking schemes are being considered to address this. However workers still need to have sufficient long stay parking access.

4.3.5.24.4.5.2 The dimensions of garages are often too small to accommodate a car, together with bicycles and some storage space. Many planning and highways authorities recognise this and require specified minimum dimensions for a garage to be counted as a parking space.¹⁸

4.3.5.34.4.5.3 Parking courts have proved unpopular and, where poorly designed, lead to a poor visual appearance due to ambiguous responsibilities for maintenance, unattractive expanses of hard surfacing or cars, and a poor

¹⁸ For example Essex 7m x 3m

Basingstoke: 6m x 3m

Burgess Hill: 7m x 3m

street scene. Residents have complained about the inconvenience created by a separation between parking and the corresponding property, particularly when heavy objects must be transported.

TP8 – Residential parking

a) Proposals for new developments will have adequate off-street car and cycle parking provision to meet current and reasonably assessed future needs. Developers will normally be expected to provide parking equal to the level set out as a maximum in the Local Plan 2007. These are as follows:

Bedrooms	Zone 2	Elsewhere
1	0.75	1.25
2	1	1.5
3	1.5	2.25
4	2	3

b) Where the level of provision deviates materially from these numbers developers will be required to justify the level of parking provision in relation to:

- Local car ownership levels.
- The type, mix and use of the development.
- The accessibility of public transport to a range of destinations which users can reasonably be expected to visit.

c) Garages may be counted as parking spaces provided they have a minimum clear internal dimension of 3m*6m or larger as recommended in the current edition of Roads in Hertfordshire or subsequent design guides.

d) Off-street parking which is contiguous with, and part of, each numbered property is strongly preferred. Parking courts may be permitted provided that they:

- Are built to Secured by Design standards or equivalent and adequately lit.
- Serve a small number of properties, for example no more than five, except in the

case of flats where a single block or two closely adjacent blocks may be served.

- Are overlooked by surrounding dwellings.
- Are clearly visible and easily accessible from the property served.
- Are aesthetically pleasing and complement the street scene both when full and partially empty.
- Have a sense of place and are designed to encourage ownership.
- Have regard to any design guide published in association with this plan.

e) The road layout at the approaches to parking courts must be designed so that residents will be encouraged to use them in preference to parking on the street. This will normally be achieved by ensuring that:

- The entrance to parking courts precedes the dwelling when approached from the distributor road or other access serving the development.
- The distance to be travelled from the distributor or access road to the parking space is comparable with or less than the distance to the 'on street' parking opportunity nearest to the property.
- Access to the parking court is easy to negotiate and that parking spaces are sufficiently wide that they are easy to use.
- The walking distance between the vehicle and the dwelling to which it belongs (or to the relevant entrance to the block in the case of flats) must normally be no more than 20m via a paved route.

f) A reasonable level of car parking must also be provided for visitors to residential developments. Developers will normally be expected to provide 0.5 visitor car spaces per dwelling in addition to the above unless they

can show that the demand is likely to be materially different.

g) Applications for conversions of garages into living accommodation will be supported where it can be demonstrated that adequate off road parking is provided for the sole use of the property in accordance with the standards referred to in part a).;

~~Alternative off road parking is provided for the sole use of the property and this meets the policy standards as detailed in the table above and~~

~~g) Where the conversion is likely to lead to an increase in on-street parking (either under current or future ownership/occupancy of the property), the location must be deemed suitable by the Highways Authority so as not to result in a materially adverse impact on the safety of road users including pedestrians and cyclists.~~

h) Development that includes a reliance on parking on existing streets shall not be permitted if this would result in a material adverse impact on the safety of road users including cyclists and pedestrians.



~~4.3.5.4~~4.4.5.4 The NPPF places significant emphasis on measures to stimulate town centres and enhance their viability. The future increase in the town's population and housing growth within and beyond the East Hertfordshire boundary will inevitably put pressure on already stretched parking

availability in the town centre for workers, commuters, shoppers and visitors. A balance is therefore required that results in adequate parking provision to maintain and enhance the vitality of the town centre whilst at the same time encouraging the use of sustainable travel modes.

~~4.3.5.5~~4.4.5.5 The EHDC Local Plan 2007 second review recognises that, where town centre development would result in a loss of publicly available car parking spaces, this should be assessed against the town's existing and future parking needs. Where a shortfall would arise as a result of the development, developers will be required to provide for publicly-available car parking as part of their proposals. The following policy seeks to reinforce this intention.

TP9 – Parking in and around the town centre

a) Developments resulting in the net loss of public car parking spaces in the Neighbourhood Area which are designed to serve the town centre will be permitted only where an appropriate level of mitigation measures are provided which encourage modal shift away from car use or otherwise result in a reduction in demand resulting from the development. Reductions in the number or significant changes in the location of car park spaces should be justified by past and forecast usage statistics provided by the car park owning authority or other owner.

b) Developments leading to the increase of public parking provision on existing parking sites within the Neighbourhood Area (for example by over- or under-ground multi-decking) will be supported provided:

- They are designed to be in keeping with the surrounding area or as a piece of quality architecture in their own right

contributing positively to the aesthetics of the building stock in Bishop's Stortford and

- There is a demonstrated need, based principally on considerations of town centre vitality, which will not realistically be fulfilled by modal shift.
- c) Developers may be required to contribute to accompanying measures to encourage modal shift, which will be agreed between the developer and the planning authority.
- d) Short period free parking places, sponsored by or integral to retail developments, will be encouraged, where appropriate. Similarly, reserved places for disabled parking close to shops and other facilities should be an integral part of any development which includes parking spaces.
- e) Where a proposal for a -private car park in or near the town centre for non-domestic use is approved, ~~proposed it may~~, East Herts District Council will assess whether it should also be available for shared public use having particular regard to the needs of the primary user be subject to a condition requiring public use, possibly at defined times, where this does not conflict with the needs of the use for which it is provided.
- f) Proposals to provide parking space to commuters and town centre visitors which is situated and accessible from the south of the town centre without the need to travel on any of the roads within the town centre will be strongly supported subject to compliance with other policies in this plan.

4.3.6.14.4.6 Objective: Manage traffic speeds and promote road safety

~~4.3.6.14.4.6.1~~ 4.4.6.1 Throughout the consultation process road safety has been raised as a concern by residents. Speeding traffic, narrow or non-existent pavements and a lack of

suitable crossing points act as barriers to pedestrian and cycle movement and also add constraints for those with reduced mobility.

~~4.3.6.2~~ 4.4.6.2 Given the high levels of car ownership and use in the area, creating safe neighbourhoods with safe traffic speeds and a safe road layout is fundamental and this is recognised in the Manual for Streets and the Roads in Hertfordshire Design Guide.

TP10 – Traffic speeds within new developments

a) New residential developments shall include a readily understandable street hierarchy with a design speed of not more than 20mph for roads outside main access routes, unless there are overriding reasons for accepting higher speeds. It must also enable their use by refuse, emergency and delivery vehicles. In order to achieve this, the use of alternative strategies is encouraged, including the use of shared spaces and speed-activated signage. Traffic calming and other measures should be designed to permit safe passage by cyclists.

~~4.3.6.3~~ 4.4.6.3 The potential addition of significant new housing developments at Land South of Bishop's Stortford, the Goods Yard and Manor Links as identified in the emerging District Plan will require careful design to create a safe environment for all road users. In addition, the increase in traffic volumes generated by these developments may potentially have a detrimental impact on road safety in key areas which form part of the wider travel network. This policy seeks to highlight and address danger spots identified by local residents.

TP11 – Promote road safety

a) Development proposals that are likely to have a significant detrimental effect on road safety must include, in their transport assessment or elsewhere, an analysis of the impact together with mitigating works to bring

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safety back to pre-development levels. Where appropriate due to the location and travel patterns the analysis should consider in particular the effect on safety hotspots identified in paragraph b.

b) The safety hotspots are as follows:

Location	Safety Risk
Pig Lane	Collision between different road users. This is a narrow lane bordered by tall hedgerows, often without pavements and with some housing that fronts directly on to the lane. At peak times of the day it is a busy cut-through route used by drivers to access the east of the town and the motorway. The lane is also used by walkers, cyclists and horse riders to access the countryside and the River Stort.
Whittington Way/ London Road junction	No pavement on the west side of London Road between Oxcroft and The Bishop's Stortford High School. No safe pedestrian crossing point to enable access to the pavement on the east side of London Road.
London Road and Thorley Street	Speeding traffic.
Northern section of Obrey Way	Unsafe pedestrian route as pavement is very narrow. Poor visibility around the roundabout where Obrey Way meets Whittington Way.
Station Road bridge	High pedestrian flow between the station and town centre at peak times – very narrow pavement. Pedestrians often have to step into the road to pass each other.
Hockerill junction	Busy vehicle and pedestrian route at peak times. No safe

	pedestrian crossing facility.
Goods Yard/ Railway Station/ London Road and Dane Street	Limited safe crossing facilities. The railway station and Goods Yard area is negotiated by high number of students walking to local schools, e.g. Hockerill Anglo-European College and Herts and Essex High School.
South Street	Unsafe bus stop location- just after the left hand turn from Station Road making it difficult for road users to navigate this area.
Beldams Lane/ Linkside Road/ Haymeads Lane	At peak times of the day this is a busy 'cut through' route that avoids Hockerill Junction. Residents are concerned about speeding traffic and impact on safety.

4.3.7.4.4.7 Objective: Improve town centre access, connectivity, amenity and vitality

4.3.7.14.4.7.1 It is important that the planning system contributes to the role of Bishop's Stortford town centre as an attractive place to live, work, play, visit and shop. This community space will need to thrive and adapt to meet the needs of a growing population.

4.3.7.24.4.7.2 Access to and movement around the town centre has a vital function in its economic health and vitality. Currently, traffic has access to the heart of the town centre along the main shopping areas of North Street, Potter Street and South Street. The close proximity of vehicles, including HGV's can at times make the town centre experience uncomfortable and impact on amenity value.

4.3.7.34.4.7.3 There is support from the community to create a more pedestrian and cycle friendly town centre with an improved public realm and sense of place. In May 2016

East Herts District Council started working with Allies and Morrison, an urban design practice, to set a vision, strategy and framework for Bishop's Stortford town centre. The outputs from this study will also provide proposals to improve access to the town centre and pedestrian permeability.

4.3.7.4 **4.4.7.4** Given that the cumulative impact from development will place additional demands on the town centre for improved access and ease of movement, the policy below seeks developer contributions to necessary infrastructure to achieve this.

TP12 – Contributions to improve town centre access and movement

a) Financial contributions that are appropriate to the size, scale and viability of a development will be sought for improvements to access and movement in and around the town centre for pedestrians and cyclists. Contributions may be sought for but are not limited to the following:

- Recommended improvements and schemes identified through studies carried out by Bishop's Stortford Town Council, Hertfordshire County Council or East Herts District Council included but not limited to:
 - Bishop's Stortford town centre Framework study conducted by Allies and Morrison on behalf of East Herts District Council (2016).
 - Bishop's Stortford Cycle and Walking Masterplan Study conducted by Sustrans (2016).
 - Destination Stortford Study
 - Town centre cycle parking provision.
 - Pedestrian and cycle access to the town centre from the River Stort tow path.
 - Park and ride and/or park and stride schemes.

- Pedestrianisation schemes.
- Provision of electric bike and electric schemes.
- Schemes to deliver the South- East quadrant of the by-pass.

4.4.5 EDUCATION

4.4.1 4.5.1 Introduction

4.4.1.1 **4.5.1.1** Schooling in Bishop's Stortford is generally recognised to be high quality. Over 80% of respondents to the Neighbourhood Plan 2 questionnaire rated the quality of education as either good or excellent, the highest proportion of positive responses of all areas of the questionnaire. When respondents were asked to grade the quantity of provision by tier, 'secondary schools' were rated highest, with 'primary schools' second highest. Playgroups and day nurseries were ranked in the middle. Adult and vocational education and training received the lowest scores.

4.4.1.2 **4.5.1.2** Recurring concerns about education in Bishop's Stortford were:

- There are not enough school places to feel confident that one's child can get into the nearest school (primary) or the preferred school (secondary).
- There is insufficient Adult education and Vocational training in the town.

4.4.1.3 **4.5.1.3** The current provision in the Neighbourhood Area includes the following schools. There is also a small quantity of Adult education and Vocational training:

Primary schools:

- All Saints Church of England Primary School
- Manor Fields Primary School

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- Richard Whittington Primary School
- Thorn Grove Primary School
- Thorley Hill Primary School
- St Michael's Church of England Primary School
- Summercroft Primary School
- Windhill

Secondary schools:

- Birchwood High School
- The Hertfordshire & Essex High School and Science College
- Hockerill Anglo-European College
- The Bishop's Stortford High School

Nursery schools and Pre-schools:

- All Saints Nursery
- Appletree Pre-school
- Busy Bees Nursery
- The Blues
- Bishop's Stortford Montessori Nursery
- Doodle Do Day Nursery
- Early Birds and Night Owls
- Little Acorns

- Nuffy Bear
- Sycamore House Day Nursery
- Thorley Pre-school
- Windhill Children's Centre

4.4.1.4 [4.5.1.4](#) The location of primary and secondary schools in the town is shown in figure 5 overleaf.

4.4.1.5 [4.5.1.5](#) Three of the four secondary schools are comprehensive schools which draw children primarily from the local community. Hockerill is partly a boarding school, taking day-boarders as well as full-boarders. Just over half its intake consists of day pupils.

4.4.1.6 [4.5.1.6](#) The area is well served in relation to the number of secondary school places available. However, their high quality leads to high popularity and many families outside the town seek secondary school places in Bishop's Stortford. Hertfordshire County Council data indicates that 52% of the 2015 student intake to Bishop's Stortford schools (excluding Bishop's Stortford College, which is an independent fee-paying school), totalling 441 pupils, were residents of the town.

4.5.1.7 Currently, all primary and secondary schools are at, or near capacity in Bishop's Stortford and current forecasts suggest that demand is likely to increase in line with housebuilding. It is likely that one or more new primary and secondary schools will be built in Bishop's Stortford to accommodate the increased population which will arise.

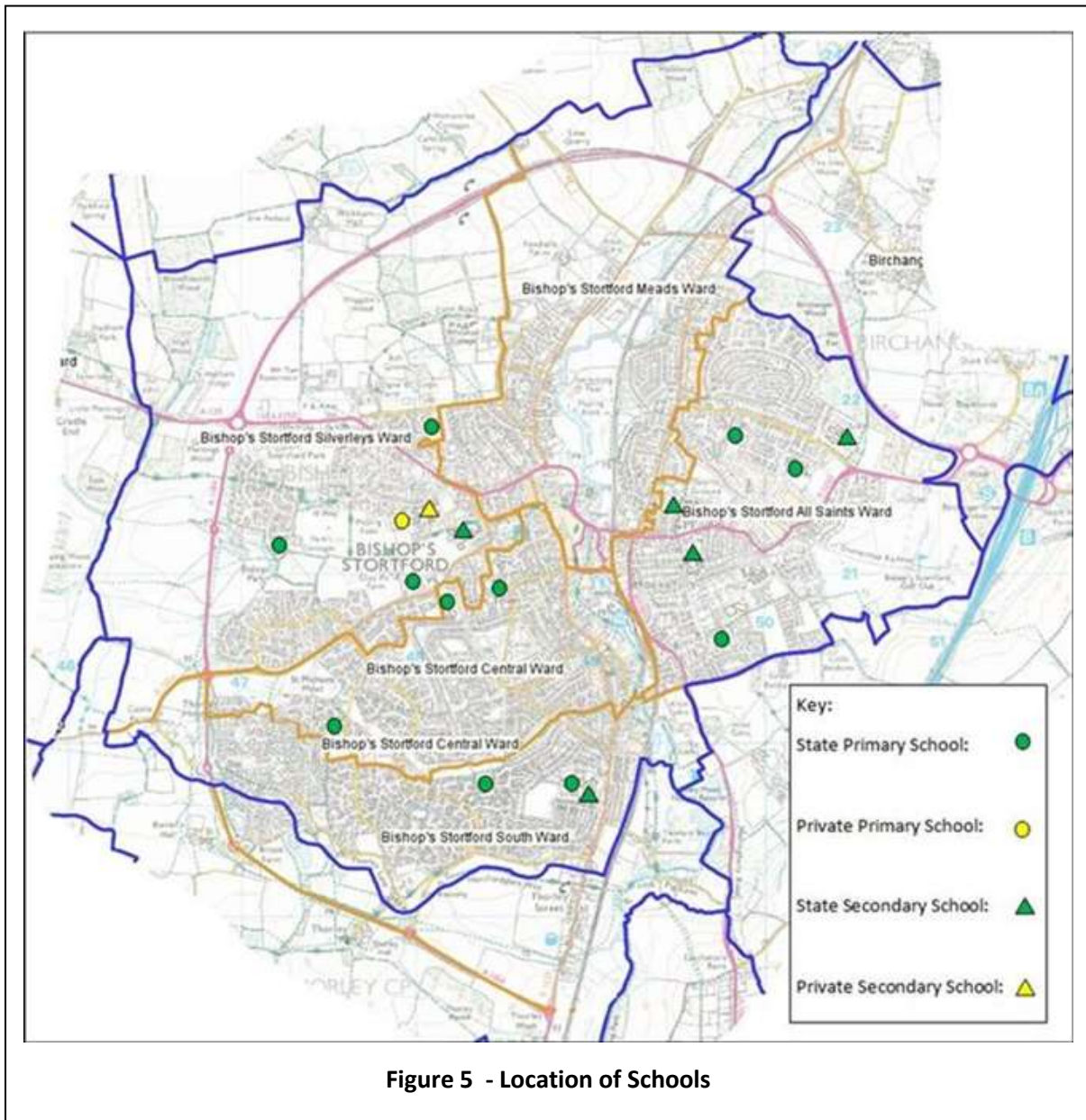


Figure 5 - Location of Schools

4.4.2.1 **4.5.2 Objectives**

4.4.2.1 **4.5.2.1** The policies in this section seek to achieve the following objectives:

- Support the creation of sufficient new school places to accommodate population growth.
- Maintain or improve current high standards of education in the Neighbourhood Area.
- Enable the provision of vocational training, adult education and wide community use.

4.4.3 **4.5.3 Objective: Support the creation of new school places to accommodate population growth**

4.4.3.1 **4.5.3.1** At present there is both a perceived and an actual shortage of primary and secondary school places in the area, although, the perceived shortage is greater than the actual shortage. Any new development must take the need for extra school places into account and these must be made available in a timely fashion.



4.4.3.2 **4.5.3.2** The geographical locations of new primary and where possible secondary schools, and of other education provisions, must allow for close links to the community and must be accessible to all. Primary schools in particular must be made available in the locality of the new developments.

4.4.3.3 **4.5.3.3** The location of new schools locations together with the access arrangements should minimise vehicular congestion and traffic impact. New developments must be informed by travel plans which include measures to encourage the use of transport other than private cars.

4.4.3.4 **4.5.3.4** Finally, new all-through schools and primary schools must incorporate pre-school settings.

EP1 – School availability

a) New developments will only be acceptable if primary school places are made available for all additional children within an appropriate distance of the development as set out in policy TP3 and secondary school places are made available in Bishop's Stortford in schools that are reasonably accessible from the proposed development location.

EP2 – New secondary school places

a) Proposals for developments which create new secondary school places to serve new developments, taking account of guidance from Hertfordshire County Council, and which are easily accessible, will be welcomed.

EP3 – New primary schools

a) Proposals for new primary schools to serve new developments, taking account of guidance from Hertfordshire County Council will be welcomed.

b) School places should be available ahead of residential occupancy and in any case no later than the academic year in which 25% occupancy is anticipated.

EP4 – Pre-school and early years

a) Proposals which provide pre-school and/or early years' places will be welcomed.

EP5 – Travel plans

a) The location and access arrangements of new schools should minimise vehicular congestion and traffic impact. Proposals which incorporate travel plans that include measures to encourage the use of transport other than private cars will be supported.

4.4.4.4.5.4 Objective: Maintain or improve current high standards of education in the Neighbourhood Area

4.4.4.1.4.5.4.1 Planning should enable new schools and existing schools to maintain the high standards currently enjoyed by Bishop's Stortford. In part, this means that existing schools must be able to maintain high quality buildings.

4.4.4.2.4.5.4.2 The aesthetic design of any new school buildings should take into account other prominent buildings and geographical features. The design and appearance of new schools or improvements to existing schools should be in keeping with the innovative, creative and important work which occurs inside them.

EP6 – High quality design

a) Proposals for new or renovated educational buildings must complement local features and demonstrate a high quality aesthetic. They must be fully accessible to all and incorporate full consideration with respect to sustainability.

4.4.5.4.5.5 Objective: Enable the provision of vocational training, adult education and wide community use

4.4.5.1.4.5.5.1 Consultation feedback indicates dissatisfaction with the level of adult and vocational training available in the area and new development provides the

opportunity to ensure that the appropriate facilities are available.

4.4.5.2.4.5.5.2 Space is precious. Therefore developments must include, within their building design, opportunities for multiple- and flexible use.

EP7 – Adult and Vocational Education and Community use

a) Proposals for new school accommodation will be required to be designed to accommodate adult and vocational education and/or community use outside of school hours unless it can be demonstrated that this is either not practical or not viable. Any new proposal in relation to a school must set out how, and to what extent, the facilities will be made available to providers for adult and vocational education. This must include consideration of any building design features necessary to make subsequent lettings financially attractive. New planning applications for vocational education facilities will be welcomed.

EP8 – Wide community use

a) Any new proposal in relation to a school must set out how, and to what extent, the facilities will be made available to providers for community use. This could include activities such as sports and the arts.

4.5.4.6 HEALTH

4.5.1.4.6.1 Introduction

4.5.1.1.4.6.1.1 Primary health care in the town is already stretched and while praising the quality of the medical care provided, many residents complain about difficulties with getting timely appointments with GPs. There are also concerns about a lack of mental health services, A&E facilities and care for the elderly. The expansion of the town and the ageing population will put additional strain on these facilities. These views were reinforced by the questionnaire survey carried out at the end of 2014: health came almost last in residents' assessment of provision of services in the town. 71% of residents rated the provision of healthcare average, poor or very poor. However, the Health Profile published in June 2015 by Public Health England showed that the health of people in East Herts is generally better than the England average.

4.5.1.2.4.6.1.2 The Focus Group on health held in March 2015 considered that in the three GP practices in the town, residents rate the quality of the doctors and nurses very highly. This is evidenced in the annual patient surveys carried out by the practices (e.g. Church Street). Patients were however unhappy with the numbers of GPs available, the state of the premises of Church Street and South Street, and with the appointments systems.

4.5.1.3.4.6.1.3 In terms of the location of GP practices, the questionnaire survey at the end of 2014 did not provide much evidence for the need for the main practice to be in the town centre. 58% of respondents stated that they would be happy for the practice to be elsewhere in the town or outside the town. The impending development of 2500 houses

on the ASRs and the possible developments on Land South of Bishop's Stortford and the Goods Yard will also impact on the decision-making process regarding location.

4.5.1.4.4.6.1.4 Responsibility for the three practices in Bishop's Stortford lies with the Stort Valley and Villages Locality Group¹⁹ which is also responsible for two in neighbouring areas. Public health is the responsibility of Herts County Council and the East Herts Draft Health and Wellbeing Strategy may be viewed on the East Herts District Council web site.

4.5.2.4.6.2 Objectives

The policies in this section seek to achieve the following objective:

- Provide reasonable access to health services for residents of all ages

¹⁹ www.enhertscg.nhs.uk/localitygroups

4.5.3.4.6.3 Objective: Provide reasonable access to health services for residents of all ages

4.5.3.14.6.3.1 The 2014 report from Herts Healthwatch contained an analysis of the GP/Patient ratios for the five GP practices in the Locality Group. For the three practices in

problems in recruiting new GPs and it is clear that progress needs to be made on this issue for them to be able to offer an improved service.

4.5.3.24.6.3.2 The South Street practice, in 2012, made a proposal to move its main surgery to the Silverleys sports complex site

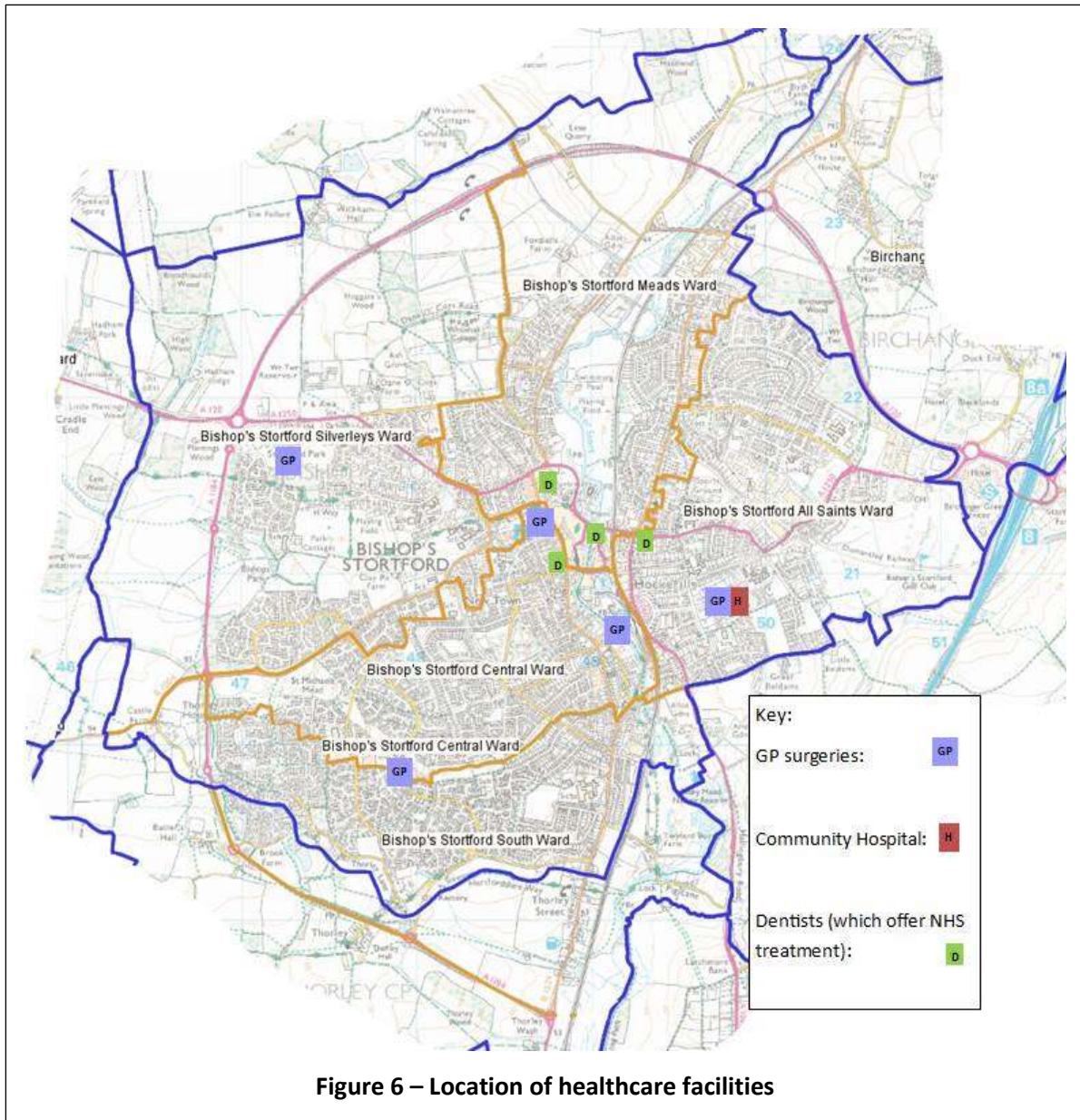


Figure 6 – Location of healthcare facilities

Bishop's Stortford, the average ratio was 1:2019, well above the national average of 1:1800. The practices have reported their

but this was not approved, mainly due to issues of sustainability. An alternative proposal was made by a developer to move

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the main practice to Tanner's Wharf and this was approved by EHDC but was not a favoured option for the practice.

~~4.5.3.3~~4.6.3.3 The local practices are in joint discussions to identify possible strategies for the future which will improve the service to patients and will cope with the increased demand arising from new development all around the town, while allowing for the reality of constrained NHS budgeting. Feedback from residents confirms the view that some of the present GP premises are not fit for purpose and that purpose-built premises will be required in the future, including for any major new development.

HP1 – Accessible GP practices

- a) Any new development of 10 residential units or more must, by means of financial contributions or otherwise, support the provision of facilities so that new residents have access to a GP practice within a reasonable distance, subject to agreement with the healthcare provider and unless the existing services are already capable of providing this service to the new residents.
- b) For developments of over 500 dwellings appropriate provision must be addressed as part of the development proposal. Applicants must engage with the relevant health authorities at the earliest possible stage.
- c) Contributions should take account of East Herts policies for community infrastructure contributions and the effect of contributions on the viability of development.
- d) Development of a new central location for South Street and Church Street practices, preferably on the Haymeads site, will be supported subject to other applicable policies.

~~4.5.3.4~~4.6.3.4 In addition to GP services, there is a need for high quality specialised

provision for care of the elderly, the mentally ill, and the mentally and physically disabled. Most of the elderly residential services are provided by private care homes which where possible should be sited in residential areas and specifically built for purpose.

~~4.5.3.5~~4.6.3.5 Residents have stated a need for an Urgent Care Centre at the Herts & Essex Hospital to alleviate some of the pressure on A&E at Princess Alexandra Hospital in Harlow and to provide an improved service to residents of Bishop's Stortford. NHS England is aiming to ensure that through working with health and social care colleagues they can provide integrated care and problem solving for individual patients, thereby keeping people out of acute hospitals and reducing the reliance on urgent care services.

HP2 – Services for the elderly, disabled and for mental health

- a) Proposals for development which improve specialist care for the elderly, the physically and learning disabled and mental health services will be encouraged.

4.6.4.7 SPORT, LEISURE & COMMUNITY

4.6.1.4.7.1 Introduction

4.6.1.1.4.7.1.1 Access to a variety of high quality sport, community and leisure facilities, both indoor and outdoor, enhances the integration and sustainability of communities, and is a vital ingredient in the development of good physical and mental health of residents.



4.6.1.2.4.7.1.2 Unfortunately, the current level of provision of sport, leisure and community facilities within the town are seen by many involved in the organisation of such activities, to be less than adequate. Organisations and clubs, however, prosper within the town, due in no small part to the enthusiasm of members and supporters and the high standard of coaching which is available in many sports.

4.6.1.3.4.7.1.3 Any expansion of the town needs to ensure that all facilities, both existing and new, are developed to be both accessible and adequate to meet the needs of the towns increasing numbers of residents. The Neighbourhood Area contains various indoor and outdoor facilities of varying degrees of accessibility and quality.

4.6.2.4.7.2 Sport

4.6.2.1.4.7.2.1 Although just over 40% of the respondents to the Neighbourhood Plan Survey indicated that they considered sports facilities in the town to be of a good standard,

over 20% considered them poor, with the balance considering them 'average'. Only Healthcare, Arts Facilities, Shopping and Leisure facilities, scored a substantially higher disapproval rating.

4.6.2.2.4.7.2.2 Additionally over 60% of those surveyed considered that the provision for the main team sports of rugby, football and cricket to be 'just about right' and perhaps even 'too much', with similar responses in respect of gym facilities and studio fitness classes. High numbers of those surveyed specifically considered that the provision of facilities for cycling and swimming as well as other minor sports, were less than adequately catered for.

4.6.2.3.4.7.2.3 The Focus Group on Sport, attended by many of the towns' sports clubs, provided a view somewhat in contrast to the findings of the surveys. Both the Rugby club and the Community football club complained about a lack of available pitches, a point seemingly already identified in a 'Playing Pitch Strategy and Outdoor Sports Audit' undertaken by Knight Kavanagh & Page on behalf of East Herts Council in July 2010.

4.6.2.4.4.7.2.4 Other sports clubs also mentioned a lack of facilities and having to adapt and improvise in sports halls which were not really fit for purpose with many indoor courts being smaller than those recommended by Sport England. The size of the pool and the viewing facilities at the Grange Paddock complex were specifically criticised by the Swimming Club.

4.6.2.5.4.7.2.5 The local topography and the nature and size of the town's future expansion suggest that if the community's needs are to be met then the surrounding Green Belt must be used to accommodate sports facilities, with suitable restrictions to ensure that the essential openness of the Green Belt is still preserved.

4.6.3.4.7.3 Leisure and community

4.6.3.4.7.3.1 Just over 30% of the respondents to our NP Survey indicated that they considered the town's leisure facilities to be good to excellent. The bulk of those surveyed (41%) considering them average. The remaining balance, just over 28%, considered such facilities 'poor' or worse. Although over 60% of respondents considered the town's 'Parks and Green Spaces' favourably, nearly 70% considered the town's 'Art Facilities' only average to poor.

4.6.3.4.7.3.2 The Focus Group on Leisure and Community expressed concern over the size and scope of local facilities, given the town's pending expansion.

4.6.3.4.7.3.3 A partial solution to these concerns may materialise if local schools that are looking to develop or expand facilities to

meet their own needs, do so in a way which also allows community use. This may also have educational benefits arising from the participation of pupils in the management of such facilities.

4.6.3.4.7.3.4 Expansion of the town will involve the building of new local community centres and create a clear need for the town's arts facilities to be further developed by increasing the capacity of existing facilities (within the constraints of listed building consent) or building a new and larger capacity arts facility.

4.6.4.4.7.4 Objectives

4.6.4.4.7.4.1 The policies in this section seek to achieve the following objectives:

- Provide standards-compliant community facilities to meet the needs of the residents
- Encourage appropriate use of Green Belt

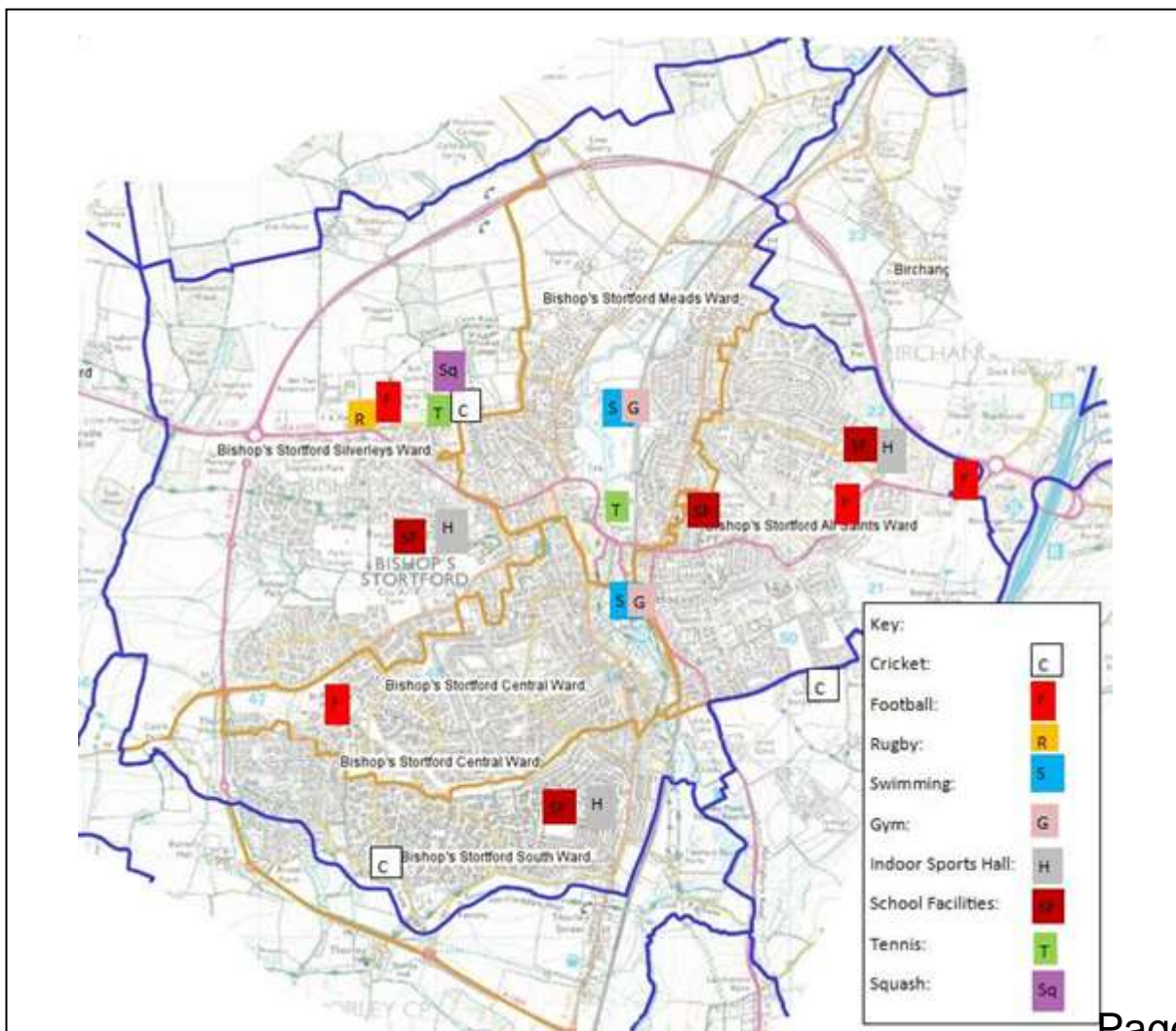


Figure 7 – Location of principal sports facilities

for sensitively designed outdoor sport, leisure and community facilities

4.6.5 4.7.5 Objective: Provide standards-compliant community facilities to meet the needs of the residents

SLCP1 – Provision of outdoor sporting and leisure facilities

a) Contributions to new or enhanced outdoor and indoor sports, leisure and community facilities (including appropriate ancillary buildings) will be required as set out in policy of LRC3 of EHDC Local Plan or successor policy.

b) The provision of facilities under this policy will have regards to any Bishop's Stortford or neighbourhood strategy that is in place at the time and the balance between manageability, which favours centralised facilities, and locality, which favours distributed facilities.

c) The mix of facilities (in terms of sports provided for) will be determined in consultation with the local planning authority, Bishop's Stortford Town Council, Thorley Parish Council (if appropriate), local sports clubs and other stakeholders.

d) Any proposals for new or enhanced community sports facilities must be inclusive (i.e. suitable for residents with disabilities) and comply with Sport England design guidance, be accompanied by an adequately-sized car park having regard to the likely modes of transport to and from the venue as well as nearby parking availability. Sites which are accessible by public transport, walking and cycling will be more strongly supported.

SLCP2 – Development or expansion of multi-purpose facilities

a) Proposals for developments in sustainable locations that enhance existing facilities, whether indoor or outdoor, by way of

increasing their utilisation or capacity for multiple use and/or level of public access, will be strongly encouraged, where they do not conflict with other neighbourhood, local or national planning policies.

b) Provision for shared use must be considered in any such development, unless this has a material adverse effect on the viability.

c) New community halls should comply with design guidance set by both Sport England and the Charity Commission (Sport England: Village and Community Halls Design Guidance Note, reference 1038, January 2001 and Charity Commission: Village Halls and Community Centres, reference RS9, December 2004) or updated guidance that supersedes it unless a clear justification for departing from it is provided in terms of viability, the nature of the site, or user needs is provided.

d) Any proposals that result in the loss of buildings or land currently allocated for sports use will not be supported unless:

- an assessment has been undertaken which clearly shows that the facility is no longer needed in its current form; OR
- the resulting loss would be replaced by an enhanced facility in terms of both quality and location; OR
- the site is to be used for an alternative community facility, the need for which clearly outweighs the loss.

SLCP3 – Development and enhancement of specified facilities

a) The development of a new or improved swimming pool complex and the expansion or enhancement of additional facilities that are needed to serve the town's population, will be encouraged where they do not conflict with other neighbourhood, local or national planning policies.

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b) Proposals by educational establishments to construct or expand sports and leisure facilities with the specific intention of making such facilities available for use by all the community will be supported. The conversion or adaptation of facilities to increase their availability and alternative uses throughout the year will be encouraged.

SCLP4 – Community leisure and arts facilities

a) Proposals for a new and larger capacity arts facility at an accessible and preferably central location will be supported as should any proposals which enhance existing arts facilities within the constraints of listed building consent, subject to other applicable policies.

b) Any proposals that result in the loss of buildings or land currently allocated for community use will not be supported unless:

- an assessment has been undertaken which clearly shows that the facility is no longer needed in its current form; OR
- the resulting loss would be replaced by an enhanced facility in terms of both quality and location; OR
- the site is to be used for an alternative community facility, the need for which clearly outweighs the loss.

4.6.6 ~~4.7.6~~ Objective: Encourage appropriate use of Green Belt for sensitively designed outdoor sport & leisure facilities



SLCP5 – Development of sports facilities in the Green Belt

a) Except in areas designated as 'Local green Spaces' the development of outdoor sports facilities in the Green Belt will be permitted provided:

~~b) a) The facilities are open to the general public during early mornings, evenings and weekends or at such other times (being a material proportion of the total opening hours) as agreed by the planning authority.~~

- The demand for such facilities is clearly established.
- The design, massing and materials are such as to create a harmonious relationship with the surrounding landscape and environment.

4.7.4.8 BUSINESS AND EMPLOYMENT

4.7.4.8.1 Introduction

4.7.4.8.1.1 Bishop's Stortford is a relatively small market town but is the largest town in East Hertfordshire, in close proximity to Stansted Airport and the M11. It is well served by rail to London and Cambridge and by road in most directions. It has excellent schools, a thriving community and good employment opportunities both in the town and through commuting. The main employment in the town itself is in distribution services, light industry, office-based, leisure services and retail. Bishop's Stortford is in the heart of the London-Stansted-Cambridge corridor. Research published by the LSCC Growth Commission in 2016 showed that the economic growth rate of the corridor was 20% higher than nationally 1997 - 2014. Two recent studies by Wessex Economics and DTZ have concluded that Bishop's Stortford has the greatest potential of all the settlements in the District in terms of employment growth particularly in terms of B1 office space and land.

4.7.4.8.1.2 The Bishop's Stortford Town Plan (2010) identified the need to improve professional and white collar job opportunities. 'Business Stortford' was established as an outcome of the Town Plan to attract companies from the UK, Europe and



beyond to Bishop's Stortford in order to bring more of these types of jobs to the area. The initiative was set up by Bishop's Stortford Chamber of Commerce and includes a 'Welcome Programme' to fast-track a company's relocation or expansion to Bishop's Stortford.

4.7.4.8.1.3 Bishop's Stortford is due to change over the plan period therefore a degree of flexibility regarding use of land and buildings will be increasingly required. Reasonable proposals for change of use of existing facilities should be supported to ensure modernisation opportunities ensure an up to date and sustainable employment provision.

4.7.4.8.1.4 The location of industrial areas both new and existing needs to be carefully considered. Existing industrial areas such as Raynham Road, Southmill Road and Pig Lane were originally near the edge of town however with subsequent development and expansion of Bishop's Stortford these sites are now located more within the town and often bounded by residential areas.

4.7.4.8.1.5 Consideration should be given to development of new business areas on the edge of or outside the current boundaries of the town and conversion of the existing sites to residential development. Support for a change of use proposal would be based on a suitable alternate location of employment facility being available prior to the change of use to match or exceed the existing location. Any proposed new industrial areas towards the East of the town may need to be developed in conjunction with input from both Uttlesford District Council and Essex County Council.

4.7.4.8.1.6 There is a clear demand for high-quality office and retail premises around the town however several existing properties have often remained empty for months or

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years in some instances. Retention of these properties as business is preferred as the economy improves. Approval of change of use would require full justification.

4.7.1.7**4.8.1.7** Retail activity throughout the nation is changing fast with an increasing use of on-line purchasing and preference for larger, high variety shopping centres. In addition, the town has seen a shift in emphasis from traditional independent type shops to service based retail such as hairdressers and cafes.



4.7.1.8**4.8.1.8** New retail facilities being planned at the Causeway and the Goods Yard locations in the town centre will result in increased competition for existing retailers. Where this competition has a detrimental effect, a possible change of use proposal for such properties should be supported where appropriate. The NLP report referred to below suggests that the Goods Yard is considered to have the potential to accommodate further retail development within Bishop's Stortford, and could absorb any residual capacity.

4.7.1.9**4.8.1.9** Proposed development in the Neighbourhood Area should enhance business and employment diversity and aligned with the 'Bishop's Stortford' construction aesthetic provide both a contemporary place to work along with a building that suits the surroundings. A healthy and thriving retail

environment in the town centre is paramount to the town's success as a living community and any mechanism to support this cause is to be supported.

4.7.2**4.8.2** Objectives

4.7.2.1**4.8.2.1** The policies in this section seek to achieve the following objectives:

- Create new employment opportunities for local residents while protecting amenities for residents
- Create a welcoming, prosperous and dynamic town centre through attractive, integrated refurbishment and development
- Support development in the town and commercial areas to ensure sustainable employment diversity

4.7.3**4.8.3** Objective: Create new employment opportunities for local residents while protecting amenities for residents

4.7.3.1**4.8.3.1** The need for a business incubation hub has been identified through consultation with the local business community. In Bishop's Stortford and the Neighbourhood Area self-employment is in line with the district, county and national average (6%, source: 2011 Census) and for many, the need to have small, cheap business premises which offer the opportunity to network with other business professionals is crucial to the ongoing success of their business. It will be important that a variety of stakeholders contribute to the identification of a suitable location.

4.7.3.2**4.8.3.2** The purpose of creating new employment opportunities is to provide employment for local people and bring workers into the Neighbourhood Area. Access

to supporting facilities from their place of work will enable people to link work and other activities minimising additional trips outside of the working day. This contributes to sustainability and an improvement in amenity by reducing the need to undertake additional car journeys.

BP1 – Provision of a business incubation centre

a) Proposals for the provision of a business incubation centre will be supported. This should be similar to a scaled down version of the Harlow Enterprise Hub providing a centrally located managed facility with 10-20 rooms including meeting rooms. It should seek to address the following considerations:

- On-site parking facilities, good public transport links, cycle storage and links to the pedestrian and cycle network.
- The facility should be appropriate for the needs of small 'start-up' type business activity including street level access.

~~4.7.3.3~~ 4.8.3.3 Thorley Centre, in the Thorley Park Estate, is an example of a thriving local centre which is amply supported by the community. The provision of similar types of retail facilities to support commercial as well as residential developments where they are presently unavailable would be of benefit to the community.

BP2 – Local retailing facilities

a) Proposals for local retail facilities which provide services to large-scale residential development will be supported. These local centres must provide for an appropriate mix of A1 to A5 use classes. ~~with 6-10 business units and residential above~~ Residential accommodation above the shops should be provided if possible residential above, located centrally within the residential development. Any proposed development would be aligned with STC1 of the Local Plan 2007 or its

successor policy but must not be at a scale that detracts from the offer in Bishop's Stortford town centre.



BP3, BP4 – There are no policies with these numbers

~~4.7.3.4~~ 4.8.3.4 In order to maintain policy numbering consistent with that for the Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards these policy numbers have been omitted from the current plan.

~~4.7.3.5~~ 4.8.3.5 There is a need to improve digital connectivity within Bishop's Stortford, both for businesses and residents. The investment in the business infrastructure can create opportunities that are of wider benefit to the community and therefore such opportunities to provide collective benefits should be taken where they arise.

BP5 – Provision of business communication infrastructure

a) Up to date business communication infrastructure for the town is paramount and developers must ensure the following in any new development:

- ~~Optimal speed broadband must be available in all locations.~~ That the necessary infrastructure is provided to enable new houses and development to connect to the highest broadband speed available in the area.

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- In edge of town areas consider supporting the installation of public Wi-Fi internet facility for the benefit of all new development.

b) Installation of mobile communication equipment is to be supported when installed in such a manner as not to be prominent.

c) The provision of electric car charging points will be encouraged in all new business developments and will be a requirement for all major business developments should be incorporated into new business sites.

4.7.4.4.4 Objective: Create a welcoming, prosperous and dynamic town centre through attractive, integrated refurbishment and development

4.7.4.1.4.8.4.1 Bishop's Stortford town centre is described in the East Herts 2007 Local Plan as a "Minor Sub-Regional Centre" and as the "main shopping centre in East Hertfordshire". However, most residents of the town want it to remain as a historic town centre, whilst expecting it to be improved in terms of quality, diversity and use of resources, such as the river.

4.8.4.2 Whilst the town centre buildings are relatively well maintained and a somewhat limited range of shops and enterprises present, there are some vacant premises and evidence of churn that present challenges for the appearance of the town centre. Evidence from the online town centre survey of shops and businesses carried out in November 2013 suggests that increasing the range and scale of good quality retail shops, particularly, is the best way to encourage footfall and bring the revenue needed to maintain the fabric of the town centre.

4.7.4.2.4.8.4.3 It is also important that the retail offering for the town centre remains located where the main shop frontages are now and does not lose vitality and accessibility by being distributed over a wider area. Most of the recognised town centre is within the Bishop's Stortford conservation area and this should provide a useful reference point for maintaining the character and standard of buildings generally within the town centre. Issues of parking in the town centre are addressed in the Transport Policies section.

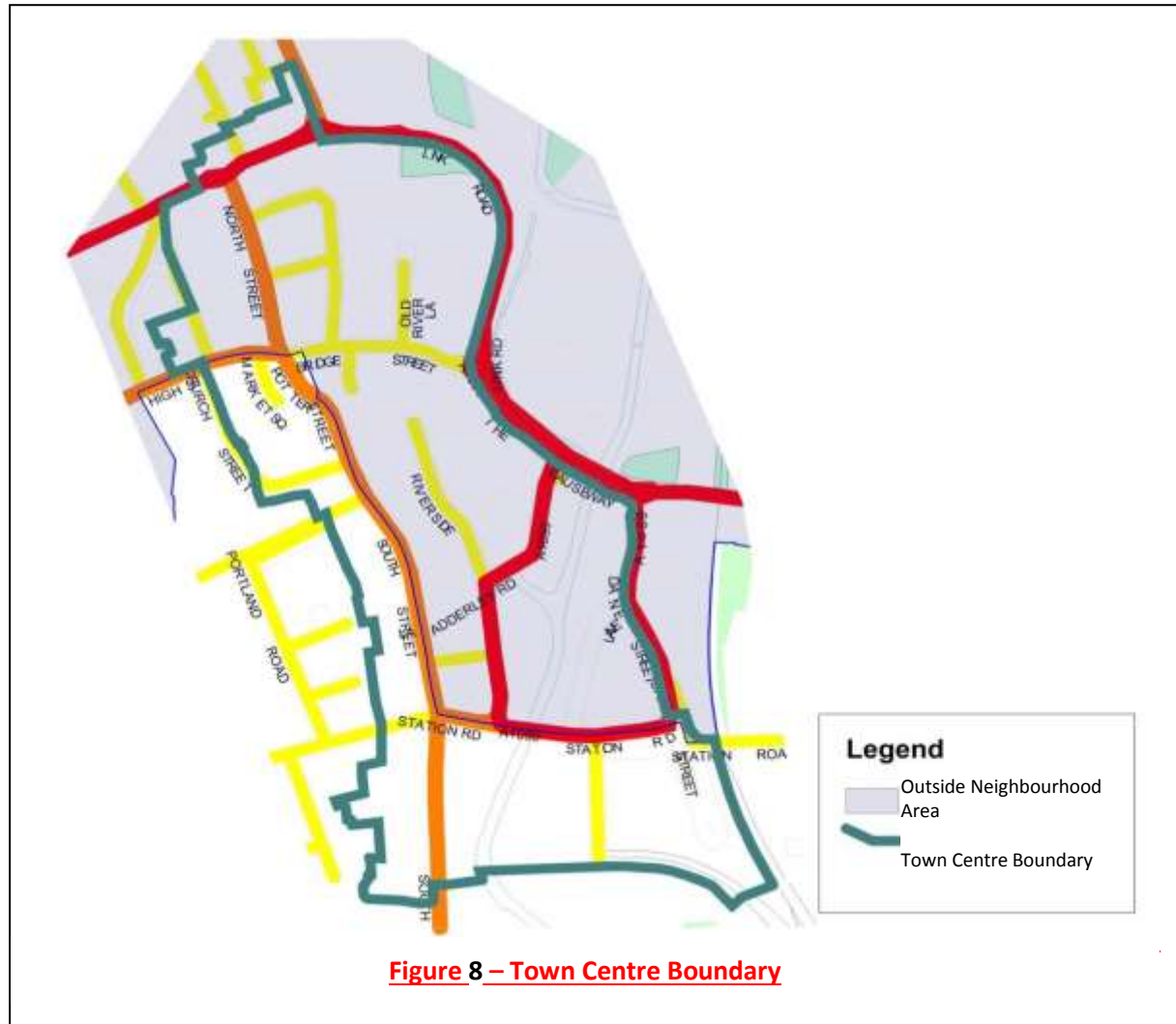
4.7.4.3.4.8.4.4 National policy aimed at reversing the decline of town centres over recent years is likely to bring opportunities and challenges to the nature of our town centres. Any new development must be appropriate for the town as a whole and for the town centre in particular.

4.7.4.4.4.8.4.5 The town centre has attracted a number of large blocks of flats in recent years, still not fully occupied. So, whilst residential dwellings can be advantageous in bringing more people to the town centre, this type of imposing building is not liked by residents of the town and will not be favoured.



4.7.4.5.4.8.4.6 The primary shop front area of the town centre is bisected by a through route for vehicle traffic along South Street, Potter Street and Market Street. This leads to a barrier to pedestrian movement and

undesirable levels of noise and air pollution as well as discouraging use of the street market.



4.8.4.7 The town centre with its many listed buildings, narrow pavements and hills is not easily accessible and has poor facilities for those of reduced mobility. There is a need to go beyond the statutory minimum, and East Herts Council policy, provision for such individuals when considering the merits of new developments.

4.7.4.6 **4.8.4.8** [Figure 8 above shows the part of the town centre to which the policies in this Plan relate.](#)

BP6 – Future development of the town centre

a) Significant²⁰ commercial or retail development which lies within the Neighbourhood Area will be considered against the following criteria:-

- New retail uses close to, or adjoining, existing primary retail frontages will be supported as will changeable modular structures.

²⁰ See Appendix 4 – Glossary for definition.

- Proposals within or adjacent to the Conservation Area will be expected to harmonise with the aesthetic character of existing buildings. Elsewhere in the Neighbourhood Area, more innovative styles can be adopted with emphasis on light and space.
- Proposals that seek to reduce the volume of traffic flow and instances of stationary traffic along South Street will be encouraged. Contribution towards transport improvements should be in line with [Hertfordshire County Council](#)'s recommendation's and seek to promote sustainable modes, encouraged through effective travel planning.
- Developments that go beyond the minimum provision for those of reduced mobility, for example by including disabled toilets under the Disability Rights UK 'Radar' scheme, or by providing suitable premises for motorised scooter hire, will be favoured.

BP7 – Prosperity and character of the existing town centre

a) A flexible approach to change of use will be encouraged to secondary shopping frontages as per STC3 of the Local Plan 2007. Where it contributes to a range of services aimed at supporting a strong base of quality retail shops concentrated, as far as possible, close to the primary retail frontages.

b) In order to maintain the shopping function of the primary retail frontages (as defined in Table 1 and as per STC2 Local Plan 2007) the introduction of new non-retail uses such as banks and building societies, cafes, restaurants and the like (Classes A2, A3, A4 and A5) will be restricted at ground floor level to a maximum of 50% of the sum total of the length. Community services such as the

library, post office, tourist office, CAB, GP surgery etc. will ~~also~~ be encouraged to remain in the town centre area.

c) Temporary concessions will be considered for 'pop-up shops' and similar short term or seasonal enterprises, providing they do not conflict with the character of the town centre and of the time of the application support the vitality of the high street, aimed at meeting a target of at least 90% occupancy.

d) The street market operating two days a week in North Street, Market Square, Potter Street and South Street should be supported wherever possible as a valuable contribution to the vitality of the town centre.

Table 1 – Bishop's Stortford Retail Frontages

Primary Frontages	Secondary Frontages
1-3, 3a-13, 13a, 17 Bridge Street (Odd)	12-22 Bridge Street (Even)
2, 2a-10 Bridge Street (Even)	12-18 Church Street (Even)
2 High Street (Even)	1-25 Church Street (Odd)
1-19 Jackson Square (All)	1-13 Devoils Lane
14-16 Market Square (Even)	1-15 Florence Walk (All)
1-9 Market Street (Odd)	1-4 Hadham Road (All)
2-4, 10-34 North Street (Even)	4-10 High Street (Even)
1-23 North Street (Odd)	1-7 High Street (Odd)
9-15 Palmers Lane (Odd)	2-12 Market Square (Even)
1-35 Potter Street (Odd)	1-3 Market Street (Odd)
	5-9 Newtown Road

2-34 Potter Street (Even)	(Odd)
1, 1b-37 South Street (Odd)	38-42 North Street (Even)
2a, 2b, 2c-12, 12a-16, 16b-32, 32a-34 South Street (Even)	25-31 North Street (Odd)
	2-5 Riverside Walk (All)
	2-10 South Street Centre (All)
	39-45, 45a-47, 47a- 79, 79a South Street (Odd)
	36-92, 92a-96, 100- 102, 102a South Street (Even)
	1-5 Station Road (Odd)
	2-16 Station Road (Even)
	1-12, 12a-14, 19 Sworders Yard
	6 The Causeway
	1-5 The Dells

- Developments and refurbishments that modernise existing employment facilities without detracting from the local building style.
- The regeneration or redevelopment of existing industrial sites to commercial business facility.
- ~~The conversion of first floors and higher from retail to residential provided that the retail/employment space is recorded as unlet for a minimum of 12 months.~~

BP9 – Edge of town development

a) The following will be supported where possible and subject to applicable policies:

- the development of new industrial and/or commercial business centre uses at the edge of the town.
- the re-location of current industrial areas within the town or near the town centre to the edge of town, with access from the bypass (A120 and A1184), to enable change of use of those areas to residential

4.7.5 4.8.5 **Objective: Support development in the town and commercial areas to ensure sustainable employment diversity**

BP8 – Mixed developments

a) The following will be supported subject to other applicable policies:

- Proposals which seek to enhance the employment opportunities in the town by providing a diverse mix of retail and commercial facilities.

4.8.1.4.9 THE GOODS YARD

4.8.1.4.9.1 Introduction

4.8.1.4.9.1.1 The Goods Yard site has been an area of undeveloped brownfield land on the edge of the town centre between the railway and River Stort that has provided much needed station parking for a number of years. Until recently the site was divided by a spur of fenced off railway track that prevented any meaningful use of the site other than for a number of fragmented car parks forcing circuitous routes for pedestrians using the bus, railway station or nearby facilities.

4.8.1.4.9.1.2 The site was allocated for potential development in the East Herts Local Plan (2007) as BIS15 and is being revisited in the emerging District Plan. Although several proposals for development have been made in recent times, the removal of the railway track spur in 2014 and the current, favourable economic conditions for infrastructure investment, mean there is a realistic prospect for development taking place.

4.8.1.4.9.1.3 Planning of the site should be addressed in a comprehensive manner, generally following 'Building for Life' and 'Active Design' good practice guidelines as mentioned in HDP2 and HDP3, but more specifically policies set out in this chapter.

4.8.1.4.9.1.4 Sensitive re-development presents a huge opportunity to provide a welcoming gateway to Bishop's Stortford and to greatly improve the accessibility of the town centre from the southern side of the town. Coupled with improvements to surrounding areas there is the chance to transform the site from a barren vista of cars into a vibrant contributor to the life and soul of the town. This was one of the most important findings from the Focus Group

session about the development of the Old Goods Yard site held in February 2015.

4.8.1.5.4.9.1.5 There are considerable challenges, not least because of the shape and location of the site, proximity to road, rail and river and the variety of dominant, largely unattractive architectural forms nearby. It should be recognized that the development can only go ahead if it is viable and sustainable, especially when taking into account the need to increase current parking levels and other potential developments within the town centre, notably that of the Old River Lane site.

4.8.1.6.4.9.1.6 Many passengers already drive from the Essex and Hertfordshire villages and park at the station. The Herts County Urban Travel Plan for Bishop's Stortford 2012 includes a map which shows the distribution of season ticket holders using Bishop's Stortford station. This is included in the Evidence Base as it shows car parking needs to cater for those coming from well outside Bishop's Stortford itself.

4.8.1.7.4.9.1.7 The two maps below show the location and detail of the site.



Figure 9 – Goods Yard Map Location



Figure 109 – Goods Yard Detailed



4.8.1.8 4.9.1.8 The long term vision for the site is that it should provide an attractive and innovative Gateway to Bishop's Stortford, recognising its contribution to the heritage of the town.

4.8.2 4.9.2 Objectives

4.8.2.1 4.9.2.1 The policies in this chapter which support that vision are grouped under the objectives below.

- Create a welcoming and pleasant public realm, enhancing the river environment and acknowledging the longstanding links of the area with travel and transport



Figure 10 – Goods Yard Plan

- Provide a transport interchange to promote better connections between all means of transport
- Improve vehicle access routes to the site and connections with the rest of the town
- Provide sufficient car and cycle parking for users throughout the period covered by the Neighbourhood Plan
- Provide easy and safe pedestrian and cycle links to and from the site

4.8.2.2 Policies elsewhere in this document, most notably (but not exclusively) in the sections related to Housing and Design,

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Examination Copy

Green Infrastructure, Transport, also apply to this site and contribute towards achieving these objectives.

4.8.2.3 Each policy in this section addresses each objective as part of an integrated approach to re-development of the whole site and cannot be used in isolation. Furthermore, the scale of the objectives is such that schemes using only part of this site, other than as part of a comprehensive masterplan for the development of the whole site to be implemented in full, will not be supported.

4.8.3.4.9.3 Objective: Create a welcoming and pleasant public realm, enhancing the river environment and acknowledging links with travel and transport

4.8.3.4.9.3.1 Visitors to Bishop's Stortford arriving at the train or bus station are currently faced with an unappealing scene of parked cars surrounded by a variety of large buildings of uncertain use. New development should seek to transform this current landscape into one that is attractive and encourages people to stay whilst being easy to pass through en-route to the town centre or other parts of the town.

4.8.3.4.9.3.2 Full use should be made of the river and towpath with moorings to improve their connection, as well as views towards St. Michael's Church and the old Maltings buildings across the river to enhance the ambience of the area. The development should call on themes that reflect the historic links of the area with travel and transport, particularly the railways, but also acknowledging association with the river and canal, the nearby coaching route through Hockerill and the present day connection with Stansted Airport.

4.8.3.4.9.3.3 There is a contrast in surrounding buildings between the part of the site to the north of the Stort footbridge where large, ugly commercial buildings and the dull John Dyde flats dominate, compared to the southern end opposite the Maltings where a very traditional flavour is present. Building style should recognize this disparity, and use appropriate styles as described in policy GY1 generally in accordance with the character management principles described for the AECOM Character Assessment, a summary of which appears in Appendix 5. The Oct 2015 focus group mentioned 'The Weave' building in York as an impressive example of

innovative, modernistic styling that could be suitable for the northern end of the site. The curved forms and woven styles echo local themes in a way that could be done for a landmark building in Bishop's Stortford drawing on the transport and industrial heritage of the area. South of the Stort footbridge, building height must be in keeping with existing building height and to keep sight of the river.

4.8.3.4.9.3.4 The low lying nature of the site and its proximity to the river mean any development must be subject to a full flood risk assessment in accordance with Government and District Plan policies in force at the time to protect the improved public realm.



GY1 – Improved public realm

a) Schemes that address all of the following under a comprehensive masterplan for development of the whole site will be supported. A phased approach to the development of the whole site will be considered, provided that infrastructure improvements associated with each phase be completed first ~~and within a timescale not exceeding 7 years from the start of construction.~~

- An attractive and welcoming appearance, particularly to those arriving in the town in the train station area, providing a memorable gateway to Bishop's Stortford **taking account of the important** with clear

~~sightlines~~ views from the railway station entrance towards the old Maltings buildings, the river and St Michael's Church and maintaining a clear sightline to one or both of these buildings if at all possible having regard to the development as a whole. Development must be of a high quality that demonstrates an understanding of local history and acknowledges the vernacular style and materials to the south of the Stort footbridge, as well as the scale of nearby buildings to the north of it.

- People friendly features within the built environment such as seats, tree and shrub planting, water features, sculptures, informal meeting places etc. to enhance the appeal of public places and thoroughways. Such features should reflect the historic links of the area with the river and railway industry and their contribution to the town's heritage using a common palette of materials, street furniture and signage.
- Green spaces to improve existing unmanaged scrubland to the south of site, preserving and enhancing existing riverside habitats. A sensible balance should be sought between managed leisure areas, such as pocket parks or play areas, and a lightly maintained natural environment. Mature trees should be kept wherever possible or, if feasible, lifted for use elsewhere.
- Continuous public access to an active river frontage with features such as cafes, recreational areas and moorings to encourage engagement with the river.
- Downwards gradation of building height towards the river/towpath ~~and no building within 12 metres of the river bank~~ to avoid

canyoning of river bank within the site and to maximise sunlight at ground level. South of the Stort footbridge, buildings should be generally lower than on the northern part of the site. ~~not exceed three storeys.~~

- A full implementation of all flood protection and mitigation measures recommended as the result of the required flood risk assessment to avoid long term adverse impact on the improved public realm.
- Use of the concept of 'shared space' between pedestrians, cyclists and motorists, where appropriate, and with traffic calming, to improve safety and create a relaxed introduction to the town.
- An attractive area including greenery, cafés, public space and small scale retail allowing passers-by to pause and relax. Possible locations for such an area are opposite the Leisure Centre forecourt or the railway station forecourt.
- Suitable surfaces and gradients should be used to enable reasonable wheelchair and motor scooter-access to all areas combined with pedestrian and cycle routes wherever possible.

b) North of the Stort footbridge bold, innovative styling acknowledging local heritage can be used. An iconic building(s) with height using modern materials to create interesting forms would be permissible, providing this graded towards, and did not overshadow, the river.

c) A small scale development to further improve the existing train station facilities that does not increase its existing area by more than 50% will be considered provided it conforms with other policies in this Plan and allows development of the whole site.

~~4.8.3.5~~4.9.3.5 Bishop's Stortford is already the primary retail centre for East Hertfordshire. The primary shop front areas are in North Street, South Street and Jackson Square. In contrast, the Goods Yard site with large numbers of people passing through (the railway station had almost 3 million users in 2012/3) and close to flatted residential areas will be able to support a balanced offering of small scale retail outlets, service shops and more informal cafes and restaurants.

~~4.8.3.6~~4.9.3.6 Residential use is essential if development of the site is to be viable but, although the existing Local Plan policy BIS11 specifies a minimum of 700 homes (of which 250 have already been built), the 2014 Town Survey suggest little appetite amongst towns people for further significant residential development in this area. The outstanding requirement of 450 new homes is still considered excessive, mainly because of the additional car parking required and impact on local traffic and air quality, ~~so a lower maximum of 250 homes (closer to that of the 200 currently advised by the emerging District Plan) is recommended.~~ However, in order to maintain consistency with the emerging District Plan, a minimum of 400 homes must be planned for.

~~4.8.3.7~~4.9.3.7 It is inevitable that the majority of housing on the site is flats and it has been seen from the popularity of the recent Churchill development of retirement flats in nearby South Street that this type of provision is well liked by older people. The Goods Yard development is close to the town centre as well as public transport connections and will have its own service/retail offering and communal areas making it attractive to those looking for a smaller property with easy access to most amenities. For the same reasons, those of all ages with mobility issues could find a home in the development suitable

and appealing for them. Other groups, such as young professionals, wanting an attractive, high quality home less than an hour from the centre of London would also find such homes attractive. Both market housing and affordable housing should be built to a high standard suitable for both older and disabled residents.

~~4.8.3.8~~4.9.3.8 A number of attempts have been made to re-locate the South Street surgery which is in unsuitable premises for a modern practice and the presence of an easily accessible local medical centre within the development is suggested. Significant numbers of people attending the consultation days suggested this location as a suitable new site for the practice, although the NHS decision making body may favour another location, yet to be confirmed. Re-locating the surgery with an associated pharmacy within the development would, however, increase footfall outside of the busy commuter times and help viability of the scheme.



~~4.8.3.9~~4.9.3.9 The Business & Employment study (Wessex Economics, Town Wide Employment Study for Bishop's Stortford, for East Herts Council 2013) shows there is a demand for high quality office space close to the town centre as older, unsuitable premises are converted to other uses or replaced. However, although the current Local Plan in force strongly recommends office space as a use of the site, the continued availability of the Charringtons offices suggest a

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conservative approach to further large scale provision of new office space without clear justification. Bishop's Stortford no longer has a major hotel and its position close to Stansted airport and other transport links suggest that a modest hotel operation could be viable. Hotel use would increase activity outside the busy travelling time and contribute to the sustainability of the development. Light industrial uses are no longer suitable for this site due to the poor road access and adverse impact on the nearby river and homes.

~~4.8.3.10~~ 4.9.3.10 Results from the Bishop's Stortford Neighbourhood Plan All Saints, Central, South and Part of Thorley Questionnaire showed that 55% of respondents would increase their usage of the town centre were more public conveniences available. Thus, the provision of public conveniences in a development as large as this, is considered very important.



GY2 – Site Uses

a) Only comprehensive schemes that include and address all of the following will be supported:-

- Residential use up to at least 400 ~~maximum of 250~~ dwellings, or whatever lower limit supersedes this in the draft District Plan once it is made;

- Built to a high standard with easy access for those of all ages and abilities;
- Dwellings to be sited away from the railway line and any busy vehicle access points allowing for suitable noise and air pollution mitigation;
- Shop premises aimed at secondary shop front uses such as small scale retail, service and food outlets for both passing trade and local patronage.

b) Schemes that include the following will also be supported, unless further evidence based investigation by developers can demonstrate they are unsuitable or unnecessary:-

- Office space (B1 Business) of high quality;
- Local medical centre, not a main hub;
- Hotel, located close to the transport interchange;
- Buildings that, because of their scale, position or mix of uses ~~communal nature~~, can benefit from a renewable energy source;
- Public conveniences available to all.

~~4.8.4~~ 4.9.4 Objective: Provide a transport interchange to promote better connections between all means of transport

~~4.8.4.1~~ 4.9.4.1 The railway station is the sixth busiest in the Hertfordshire commuter belt, just behind Elstree and Harpenden, with almost 3 million journeys starting or finishing there in 2012/3 (HCTS 2012 Appendix D 53). It is on the main line between Cambridge and London which also services Stansted Airport and use will grow substantially with the large scale residential developments planned in Bishop's Stortford and over the adjacent Essex border.

4.8.4.24.9.4.2 The hive of activity and traffic congestion seen around the station in the morning and evening peak periods indicate that movement between the different modes of travel could be far more efficiently organised and encourage greater use of sustainable means of transport. Currently, the bus standings are separated from the train station entrance with both having poorly defined and restricted pedestrian and cycle connections to them, crossing or close to taxi and car park traffic.

4.8.4.34.9.4.3 It is strongly recommended that the area close to the railway station forecourt is formally recognised as a transport interchange and the development of the site which includes this area provides just such an opportunity. Transport for London, who have had to deal with the same challenges many times within the capital, have a template guide 'Interchange Best Practice Guidelines' that could be used during the design and delivery process to tailor the best possible solution for Bishop's Stortford.

4.8.4.44.9.4.4 Schemes are normally tailored to meet the following criteria:-

- Efficiency – operational use, movement to and within, sustainability
- Usability – accessibility, safety and security
- Understanding – wayfinding, information, legibility
- Quality – built design, urban realm, sense of place

All four criteria should have equal importance in the design of proposed solutions.

GY3 – Transport interchange

a) Only schemes that follow best practice (e.g. the TFL 'Interchange Best Practice Guidelines' reference guide) will be acceptable. The interchange must be safe and efficient to use for all types of users and usages.

b) The catchment area when assessing current and future needs for those arriving in vehicles (private cars, taxis and buses) is defined as that bounded by points halfway between Bishop's Stortford railway station and the next nearest mainline station with dedicated parking for rail users of more than fifty cars. The catchment area for pedestrians is defined as within the town boundary, extending to 10 miles for cyclists.

c) Developers will be required to establish current and future usage through an independent assessment, taking into account additional use due to all relevant development schemes within the catchment area that at the time of assessment:-

- have planning approval but await execution, or
- are under planning application, or
- are specified as likely to be delivered within the lifetime of the District Plans of East Herts and Uttlesford.

d) The transport interchange must be close to the train station entrance and allows easy movement between the different modes of transport, notably bus, train, taxi, cycling and walking (including wheelchairs and mobility scooters) with the following features:-

- be safe, well lit, and have high quality, weather proof waiting areas as well as a generally open layout to enhance the user's perceptions of personal security;
- be configured in such a way to enable the introduction of intelligent transport systems, e.g. dynamic bus stand allocation, with up-to-date real time information and timetables that are well positioned and accessible remotely using mobile devices;
- have signage provided in a position and format that is easily read by all, including

the partially sighted and those unable to stand;

- have dedicated space for efficient taxi rank operation, separate from private car access to parking;
- have cycle parking/storage as near as possible to the train station entrance;
- have private car drop-off/pick-up points to site at London Road and Dane Street train station exits, and at the proposed new southern car access point.

4.8.5.14.9.5 Objective: Improve vehicle access routes to the site and connections with the rest of the town

4.8.5.14.9.5.1 Currently, the only access to and from the site for private vehicles (approximately 1,000 spaces for public and residential parking plus set down and pick up), buses in and out of the bus station and taxis to and from the railway station, is via two entrances/exits onto Station Road within less than 100 metres of each other, one of which is a narrow one way street with alternating, traffic light controlled flows. Congestion, particularly in the evening as trains arrive, is routine and, although it does eventually subside outside the peak morning and evening periods, the restricted access greatly exacerbates the situation.

4.8.5.24.9.5.2 Furthermore, cars approaching the town centre from the south have only two reasonable options when looking for parking, one via South Street onto Adderley Road or via the Hockerill junction onto the Causeway or Station Road, both of which enter or cross the one-way system. The Hockerill junction is already an air quality monitoring area where recognised acceptable levels of pollution are regularly exceeded.

Unless an additional access to the site is made, the additional traffic load created by increased use of the Goods Yard development plus large scale residential developments elsewhere in the town and surrounding districts will increase standing traffic and pollution levels at all the known pinchpoints. It should be noted that the NPPF Planning Practice Guidance states that air quality is relevant to planning decisions where a development would 'Significantly affect traffic in the immediate vicinity of the proposed development site or further afield', which is almost certainly the situation here.

4.8.5.34.9.5.3 Fortunately, the extent of the site southwards to London Road at Tanners Wharf provides an opportunity to mitigate the impact of the increased traffic flows by creating a new two way access point to parking on the site. This would avoid the need to use the Hockerill junction and Station Road for vehicles coming from the South. Failure to provide such an access away from the town centre road system would effectively mean any development of the site would not be acceptable due to the resulting increase in congestion and air pollution.

4.8.5.44.9.5.4 Notwithstanding the above recommendation, sound traffic modelling, as described in TP1, must be used to inform any decisions about changes to road layout and junctions around the site.

GY4 – Vehicle connections to and from the site

a) Sound traffic modelling, in accordance with TP1, shall be used to determine the changes to road configurations and connections around the development.

b) Unless such traffic modelling can demonstrate wait times and pollution levels will be within the limits set in TP1 at all

junctions affected by the development, only schemes that provide the following access solution will be acceptable:

- Two-way southern car access to the site for parking from London Road near Tanners Wharf, minimising interruption to traffic flow on London Road.
- Two-way car access to the site for parking from Station Rd, minimising interruption to traffic flow on the one-way system.

c) Schemes that additionally have a north-south throughway link for taxis and buses between London Road and Station Road will be preferred.

d) Schemes that restrict or prevent full development of the site or future access to the site from London Road near Tanners Wharf will not be supported.

4.8.6.4.9.6 Objective: Provide sufficient car and cycle parking for users throughout the period covered by the Neighbourhood Plan

4.8.6.14.9.6.1 In the Bishop's Stortford Neighbourhood Plan Questionnaire 2014 improved car parking was top of the improvements that would encourage people to visit the town centre more and better cycle parking was a significant reason for people to want to leave their cars at home when making journeys within the town.

4.8.6.24.9.6.2 Although the car and cycle parking currently on or around the Goods Yard site are for those using the station, it is essential that increased needs for car parking stemming from the development are fully accommodated and that car parking demand particularly is not pushed out into the other town centre car parks.

4.8.6.34.9.6.3 The catchment area when assessing both car and cycle parking must cover a reasonable area for both types of use and take account of future developments within those areas.

GY5 – Car and cycle parking

a) Only development schemes that address the need for car and cycle parking now and in the foreseeable future as determined in accordance with Policy GY3 parts b) and c) will be acceptable:-

b) ~~The catchment area when assessing current and future needs for car parking is defined as that bounded by points halfway between Bishop's Stortford railway station and the next nearest mainline station with dedicated parking for rail users of more than fifty cars. The catchment area for cyclists is within a 10 mile radius of the train station.~~

c) ~~Developers will be required to establish the current and future need for car and cycle parking through an independent assessment, taking into account additional use due to all development schemes within the relevant catchment area that at the time of assessment:~~

- ~~have planning approval but await execution, or~~
- ~~are under planning application, or~~
- ~~are specified as likely to be delivered within the lifetime of the District Plans of East Herts and Uttlesford.~~

d) ~~b)~~ During the construction phase of development for the site, car and cycle parking capacity must be maintained at the current level and, if any part of the scheme comes into use such that demand increases, capacity must be increased accordingly within that phase.

e) ~~c)~~ Suitable cycle parking must be provided in accessible and secure locations

within the development for those visiting its facilities, ideally close to where cycle links already exist or are proposed.

f)d) Car parking must be attractive and of good quality (not exposed steel girder construction). It should also be of a design that feels safe and secure to use even at quiet times of the day with clear separation between cars and those on foot, particularly at vehicle entrance and exit points.

g)e) All possible steps should be taken at the design stage to ensure that the car entrance and exits operate efficiently and do not cause unnecessary delays.

h)f) Schemes that additionally include car parking that uses the noise blighted area alongside the railway line will be particularly welcome.

i)g) Depending on the siting of car parking, and unless traffic modelling can demonstrate they are unnecessary or unsuitable, elevated vehicle access to car parking should be provided from

- Station Road bridge over the railway line and
- London Road between the Tanners Wharf traffic lights and the mini roundabout junction with Hallingbury Road.

4.8.7.4.9.7 Objective: Provide easy and safe pedestrian and cycle links to and from the site

4.8.7.14.9.7.1 There is already a high level of pedestrian traffic to and from the railway station, bus station and other nearby facilities, such as the leisure centre, as well as the area being a through route for school children coming from one side of the town to nearby secondary schools (as noted in the Feb 2015 Focus Group).



The towpath running from Sworder's Field through to Twyford Lock and beyond is also a popular route for both leisure and those walking to the town centre from the south particularly. Existing safe cycle access is limited apart from the River Stort cycle and footbridge. It is essential that these routes are maintained and improved to make development of the site acceptable and to encourage modal shift towards sustainable forms of transport.

4.8.7.24.9.7.2 Although just outside the Neighbourhood Area, every opportunity must be taken to link with the proposed new footbridge over the river alongside Station Road.²¹ Other key connection points are marked on the map below (Fig 10). It is recognized that some of these points are just outside the site boundary and do not always have good onward routes to the main destinations within the town. As such, they are good candidates for improvement using S106 developer contributions to mitigate increased pollution from additional traffic as the result of development.

²¹ HCC Planning Reference ITP13060 Station Road Bridge Widening scheme.



GY6 – Pedestrian and cycle links

a) Only schemes that address and include the following will be supported:-

- Pedestrian/cycle throughway from the train station forecourt in Dane Street (shown as 1 in Fig 10.11) to the River Stort cycle footbridge (2 in Fig 10.11).
- Pedestrian/cycle route along tow path following the river bank from southern tip of site (3 in Fig 10) towards the John Dyde flats and Station Road Bridge (4 in Fig 10.11), keeping an appropriate soft edge to the riverbank.
- Pedestrian/cycle throughway from the train station forecourt in Dane Street (1 in

Fig 10.11) towards London Road/Hockerill (5 in Fig 10.11).

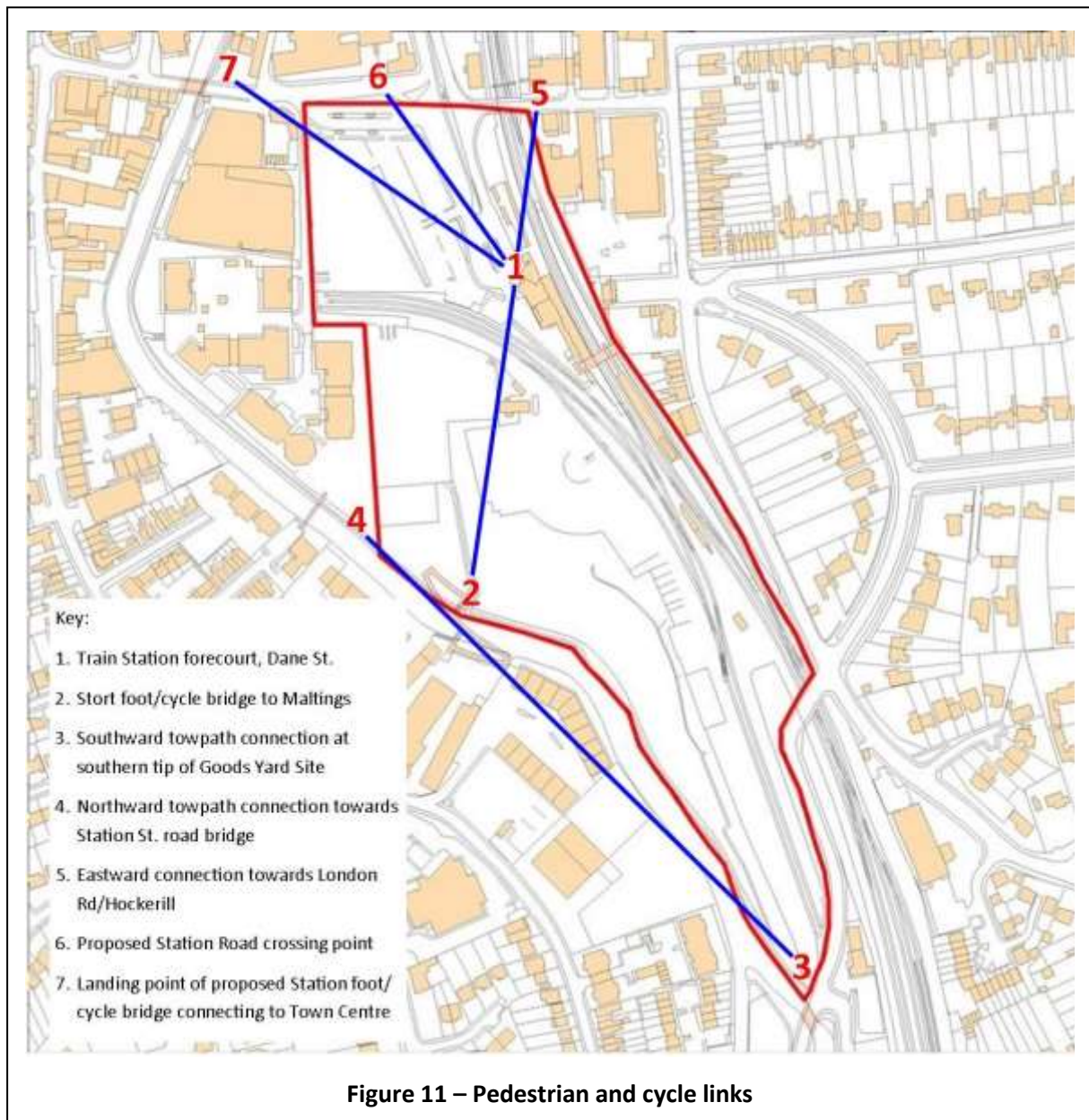
- Pedestrian/cycle way from the train station forecourt in Dane Street (1 in Fig 10.11) to a point on Station Road opposite 'The Fountain' (6 in Fig 10.11).
- Pedestrian/cycle throughway from the train station forecourt in Dane Street (1 in Fig 10.11) to town centre using an enhanced riverside pathway under the Station Road river bridge linking to the proposed new footbridge over the river alongside Station Road (7 in Fig 10.11), unless further evidence based investigation by developers can demonstrate this is not feasible.

b) Schemes that do not provide pedestrian links that are capable of convenient connection ~~fail to connect with~~ to the ~~the proposed new Station Road footbridge, or detract from its effective use~~ will not be supported.

c) In keeping with TP3, schemes that follow circuitous routes, or that pass through car parking or its access space will not be supported.

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d) Schemes that do not comply with the standards defined in TP4 will not be supported. It is expected that developer contributions will be forthcoming to improve footpath and cycle way routes outside the site to mitigate the inevitable adverse impact on traffic and hence pollution in the surrounding area.



4.9.10 LAND SOUTH OF BISHOP'S STORTFORD

4.9.1.1 Introduction

4.9.1.1.1 The area referred to in the emerging District Plan as 'Land South of Bishop's Stortford' (also colloquially known as 'Bishop's Stortford South' is currently designated as Metropolitan Green Belt and is used for Grade 2 arable land. It lies predominantly within Thorley Parish. The site is bounded by the London Road/Thorley Street main access route into Bishop's Stortford to the east; St James Way ring road to the south; Whittington Way access road to Twyford and Thorley Park estate to the north and Obrey Way - a narrow link road from Thorley Park to St James Way on the west. Both the London Road/Thorley Street and St James Way are busy roads into and out of Bishop's Stortford town.

4.9.1.2 The site has open views to the east/south east looking towards the Hallingburys and drops 20 metres from Obrey Way to London Road/Thorley Street. This site is the first view of the 'gateway' to Bishop's Stortford on the left when approached from the south and if it is developed it should give a favourable impression of the town's character. New roads should ensure existing views and vistas are maximized – for example the views to the east and south east and views towards the church at Thorley.

4.9.1.3 Immediately adjacent to the site, separated by Obrey Way, lies the Green Flag Southern Country Park. This is a very well used recreational facility for all ages and includes a teenage activity area, dog agility equipment area, fishing lake, marshland bird sanctuary, conservation areas for wildlife and many different pathways used for health walks and the public in general. It attracts

people from a wide area and can be accessed by car in Thorley Lane East off Obrey Way.

4.9.1.4 The Hertfordshire Way right of way runs across the site and has open uninterrupted views to the east and south east. There is also a footpath which runs between Obrey Way and Thorley Street. The site includes ancient hedgerows and a small brook river that runs from Obrey Way to the London Road/Thorley Street into the River Stort flood plain and area of Special Scientific Interest. Both the hedgerows and the footpaths have established trees and flora with the expected wildlife in both.

4.9.1.5 The emerging District Plan proposes that the Green Belt be amended to exclude this site and that the land be allocated for the development of 1,000 dwellings plus a primary school or 750 homes uses dwellings, a secondary school and a primary school. Supporting infrastructure, access and a business park are also proposed.

4.9.1.6 As this site is at the southern edge of Bishop's Stortford and the nearest community facilities at Thorley Neighbourhood Centre are more than the DfT's guidelines for reasonable walking distances it would be necessary to incorporate such facilities to promote social cohesion and encourage walking and to reduce car usage.

4.9.1.7 In September 2012 the Secretary of State upheld refusal of development of the land (for a scheme involving two schools) on the basis that the special circumstances required to justify inappropriate development of the Green Belt had not been demonstrated. In his conclusions the Planning Inspector also found that there would be a significant adverse effect on the Hertfordshire Way.

4.9.1.8 In September 2015 East Herts Green Belt Technical Review undertaken by

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Peter Brett Associates showed 'the site suitability of release for potential development to be low'.

~~4.9.1.9~~**4.10.1.9** A decision by the District Council to amend the Green Belt boundaries would be controversial and throughout the consultation process the proposed development of Land South of Bishop's Stortford has been consistently unpopular with the majority of the town's residents. However the Neighbourhood Plan has no influence over this decision. It can deal only with the consequences should it occur.

~~4.9.1.10~~**4.10.1.10** As there is a state of uncertainty in regards to the outcome of the emerging District Plan, this Neighbourhood Plan provides for the two possible outcomes namely either that the land in question is removed from the Green Belt, or it is not. Certain policies in this plan apply only if the land is removed from development as part of the emerging District Plan process and in this case the Neighbourhood Plan and focuses on shaping any possible development to ensure that growth complements and enhances the surrounding area and does not undermine the integrity of the Green Belt that surrounds it.

4.9.2.4.10.2 Objectives

~~4.9.2.14~~**4.10.2.1** The policies in this section seek to achieve the following objectives:

- Ensure that any development is in keeping with surrounding areas, presents a graduated edge to the surrounding Green Belt areas, includes inclusive community facilities and has adequate traffic planning
- Ensure any development does not have a negative impact on the local features of the natural landscape and neighbouring green spaces

~~4.9.2.24~~**4.10.2.2** Policies elsewhere in this document, most notably (but not exclusively) in the sections related to Housing and Design, Green Infrastructure, Transport, also apply to this site and contribute to achieving these objectives.

BSS1 – Conditional Policies

- a) Policies BSS2-BSS5 apply only in the circumstance that a significant development becomes possible on all or part of the site known as Land South of Bishop's Stortford²²
- b) In the absence of the circumstance in a), policies in force at National, District and Neighbourhood Plan level, including in particular policies related to Green Belt, will continue to apply to the site.
- c) ~~It should be noted that nothing in this Neighbourhood Plan should be read as advocating the circumstance specified in a).~~

~~4.9.34~~**4.10.3 Objective - Ensure that any development is in keeping with surrounding areas, presents a graduated edge to the surrounding Green Belt areas, includes inclusive community facilities and has adequate traffic planning**

BSS2 –Setting and character of buildings

- a) Housing around the periphery is to be no higher than two storeys with styles and palettes to complement the local landscape

²² The most probable scenario in which this circumstance would arise is if the policy changes envisaged in the emerging District Plan, over which this Neighbourhood Plan has no control, come into force.

and adjacent developments at Thorley Park, Twyford estate and Thorley Street.

b) The interior area of the housing development is to be predominately two storeys and no higher than 2.5 storeys except around the central community facilities where well designed 3 storey houses would be permitted.

c) Design and layout should ensure that views of the open countryside to the east and south are maintained from some key focal locations (for example major community facilities) near the centre of the development unless it can be clearly demonstrated that this is not realistically practicable.

d) Proposals encompassing the creation of discrete neighbourhoods of distinct character for a planned development of this size would be supported.

e) Only development proposals that include suitable technologies for energy efficiency will be supported.

f) The design, height, massing and materials of any envisaged community and commercial buildings must be in keeping with the area, particularly housing in Thorley Street, and have adequate parking.

g) To mitigate loss of amenity to houses to the west of London Road, Thorley Street – especially the listed buildings – a buffer zone with suitable screening would be expected.

h) Any secondary school, if constructed on the site, should form an attractive visual feature of the site and be no higher than three storeys.

BSS3 – Community facilities

a) This site is detached from the nearest community facilities at Thorley Neighbourhood Centre and more than the Department for Transport's guidelines for reasonable walking distances. Any proposals

for the development of this site must enable social interaction and public services for the local community: local shops, a community hall, outdoor and indoor meeting places, allotments, health services and facilities that are accessible to all. They should be in suitable locations, served by a choice of sustainable travel and be of an appropriate scale and flexible design to enable multiple uses throughout the day.

b) Proposals must include inter-connected green spaces/recreational areas within the site which should be commensurate with and proportional to the numbers and types of occupants anticipated.

BSS4 – Access/egress to site

a) The developer must consult with Hertfordshire Highways Department for travel plans and a traffic study to ensure the extra traffic associated with this site does not impact unfavourably on the surrounding areas.

b) Access points should be modelled and designed to minimize extra traffic flows through the residential area of Thorley Park.

c) To avoid extra junctions on St James Way the principal vehicular access to the site should ~~be via~~ include the use of the existing roundabouts at the east and west ends of the site unless traffic modelling shows that this is not feasible. Cyclists and pedestrians should have access to development from Whittington Way.

d) The developer will be expected to construct or pay for the construction of safe, level access across Obrey Way to the Southern Country Park and to the footbridge to St James Church, Thorley.

e) The access road to any possible business park should be separate from access to the

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housing area to avoid any extra traffic within the housing area.

f) The location and access to new educational facilities should not cause congestion within the development and surrounding areas. ~~Any secondary school should be accessible directly from St James Way without traversing the residential areas.~~ Buses, coaches and cars must have an adequately sized, dedicated off road drop-off and pick-up area.

4.9.4.10.4 Objective: Ensure any development does not have a negative impact on the local features of the natural landscape and neighbouring green spaces

BSS5 – Hertfordshire Way and green spaces

a) The Hertfordshire Way crosses this site and its open aspect and ~~all~~ some views to the open countryside must be maintained. This is used as a Bridleway and the minimum width should be 3m. Fencing adjacent to the footpath, if any, must be low visual impact and the design and layout of the site such that the open aspect is maintained and views not obstructed by built structures. To protect the existing flora & fauna a 10m wildlife corridor either side of the right of way ~~would~~ should be maintained unless it is demonstrated that other appropriate measures would be more effective in terms of ~~be required to protect~~ ing and ~~and~~ enhancing biodiversity.

b) Maintenance of the Hertfordshire Way would be the responsibility of the developer for the first 10 years after which the developer must agree with the Planning Authority responsibilities for maintenance thereafter.

c) The ancient hedgerow to the south of the site and two copses of mature trees must also be preserved.

d) Water courses should not be culverted and treated as a feature above ground and must be protected to conserve the SSSI east of London Road and any wildlife in situ.

4.10.4.11 BISHOP'S STORTFORD HIGH SCHOOL SITE

4.10.1.14.11.1 Introduction

4.10.1.14.11.1.1 The governors of the Bishop's Stortford High School have expressed an interest in moving to the Land South of Bishop's Stortford site, should this site be approved for development and this proposal received formal support from Hertfordshire County Council on 11th July 2016.

4.10.1.24.11.1.2 Should the Bishop's Stortford High School site be vacated during the life of this plan then subject to a future planning application 200–250 houses could be built on this vacated site. This site is bounded by existing mature housing estates on three sides and the main London Road on the other.

4.10.2.14.11.2 Objectives

4.10.2.14.11.2.1 The policies in this section seek to achieve the following objectives:

- Ensure new housing is in keeping with surrounding area
- Ensure the inclusion of sustainable leisure, recreational and other public facilities on site

4.10.2.24.11.2.2 Policies elsewhere in this document, most notably (but not exclusively) in the sections related to Housing and Design, Green Infrastructure, Transport, also apply to this site and contribute to achieving these objectives.

4.10.3.14.11.3 Objective: Ensure new housing is in keeping with surrounding area

BSHS1 – Setting and character of buildings
 a) New housing should be no higher than two storeys with styles and palettes to complement the local landscape and adjacent housing.

4.10.4.14.11.4 Ensure the inclusion of sustainable leisure, recreational and other public facilities on site

BSHS2 – Community Connectivity facilities
 a) Proposals for development of this site must ensure good pedestrian and cycle links to the surrounding development enable social interaction for the local community.
 b) The existing woodland area and path alongside the existing playing field (The Spinney) must be retained as a green pedestrian and cycle through-route and to maintain a buffer area between new and existing houses. Consideration must be given to enhancing connectivity at either end to exploit opportunities for developing the Spinney as a sustainable route from the southern edge of town into the town centre.

4.11.14.12 BISHOP'S STORTFORD EAST OF MANOR LINKS

4.11.14.12.1 Introduction

4.11.1.14.12.1.1 According to the 2007 Local Plan policies, this area is designated Metropolitan Green Belt. One part of the area is scrubland, used as a buffer between the Golf Club and existing residential development and a wildlife refuge (including at times used by protected species), the other is a Golf practice area used by members of the Golf Club.

4.11.1.24.12.1.2 Within the The emerging District Plan it is proposed that proposes that the Green Belt boundary be is amended and an area currently within the Green Belt is allocated for development to exclude this site and that the land be allocated for the development of 150 50 dwellings.

4.11.1.34.12.1.3 A decision by the District Council to amend the Green Belt boundaries would be controversial. However, the Neighbourhood Plan has no influence over this decision and can deal only with the consequences should it occur.

4.11.1.44.12.1.4 The areas of Manor Links, Cecil Close and Shortcroft which directly adjoin the proposed development consist of large low rise mature bungalows and two-storey houses on large plots with open aspect to the proposed development site and a sense of space broken by a selection of mature trees. Mayes Close and Norris Close would experience traffic and footfall should the development proceed.

4.11.1.54.12.1.5 With 150 50 new houses and up to 500 extra people in this area there will be extra pressure on the existing already busy surrounding roads. This pressure

is due to school traffic twice a day plus traffic to and from the town centre and to the M11 and airport along the Dunmow Road. The household recycling centre in Woodside Industrial Estate plus industrial vehicles to this site also generates considerable traffic

4.11.1.64.12.1.6 As there is a state of uncertainty in regards to the outcome of the emerging District Plan, this Neighbourhood Plan provides for the two possible outcomes namely either that the land in question is removed from the Green Belt, or it is not. Certain policies in this plan apply only if the land is removed from development as part of the emerging District Plan process and in this case the Neighbourhood Plan focuses on shaping development to ensure that growth complements and enhances the surrounding area and does not undermine the integrity of the Green Belt that surrounds it.

4.11.24.12.2 Objective

4.11.2.14.12.2.1 The policies in this section seek to achieve the following objective:

- Ensure any development sits comfortably within the surrounding area, presents favourable vistas, provides community facilities which include open spaces and play areas and has adequate traffic planning and mitigation.

4.11.2.24.12.2.2 Policies elsewhere in this document, most notably in the sections related to Housing and Design, Green Infrastructure, Transport also apply to this site and contribute to achieving this objective.

4.11.2.34.12.2.3 In accordance with HDP1 the development should be designed and built on Garden Village/City principles to blend with other adjacent developments and to create a soft edge between it and the surrounding Green Belt area.

~~4.11.2.4~~4.12.2.4 In accordance with HDP5 there is an opportunity to supply much needed bungalows capable of being adapted if necessary. There is also a need to provide easily accessible sheltered and supported housing.

4.11.34.12.3 Objective: Ensure any development sits comfortably with the surrounding area, presents favourable vistas, provides community facilities which include open spaces and play areas and has adequate traffic planning and mitigation

BSEM1 – Conditional Policy

a) Policy BSEM2 applies only in the circumstance that a major development becomes possible on all or part of the site known as east of Manor Links²³

~~b)~~In the absence of the circumstance in a) policies in force at National, District and Neighbourhood Plan level, including in particular policies related to Green belt, will continue to apply to the site.

~~c)~~b) It should be noted that nothing in this Neighbourhood Plan should be read as advocating the circumstance specified in a).

BSEM2 – Master-planning, setting and character

a) Housing is to be no higher than two liveable storeys with styles and palettes to complement the local landscape and adjacent development of Manor Links, Shortcroft, Mayes Close, Cecil Close and Norris Close. Properties immediately adjacent to

²³ The most probable scenario in which this circumstance would arise is if the policy changes envisaged in the emerging District Plan, over which this Neighbourhood Plan has no control.

Manor Links should be a single liveable storey to meet community needs and to form a smooth transition to the adjacent ~~G~~green ~~B~~belt.

b) The design and layout of the site must:

- ~~include open spaces to enable social interaction for the local community~~
- ~~be sympathetic to wildlife and maintain natural ditches and culvert; Consideration should be given to maintaining some of the existing scrubland as a wildlife haven immediately adjacent to the existing development of Manor Links, Cecil Close and Shortcroft.~~
- be sympathetic to wildlife and maintain natural ditches and culvert. There should be opportunities for preserving and enhancing on-site assets and maximising opportunities to link into existing assets and enhance biodiversity. Consideration should be given to maintaining some of the existing scrubland as a wildlife haven. ~~immediately adjacent to the existing development of Manor Links, Cecil Close and Shortcroft.~~
- Preserve the route of the disused railway line to protect wildlife.

c) The access point to the site must be selected following appropriate traffic modelling to ascertain the safest route. Manor Links, Shortcroft, Dunmow Road and Parsonage Lane and schools' traffic must be specifically considered.

d) Unless traffic modelling shows that it is impractical the developer must construct or fund a formal crossing suitable for pedestrians and cyclists at Dunmow Road where Manor Links exits to provide a safe route for pedestrian traffic from this development.

5 Monitoring and Review

5.1 MONITORING THE PLAN

5.1.1 Monitoring

5.1.1.1 This plan covers the period 2016–2031. Development will take place during this time, both in the Neighbourhood Area and outside it. This will have an impact on the area and on its relationship to the town as a whole. In addition during the currency of the plan the current saved policies of the Local Plan will be superseded by the new District Plan. During the compilation of this Neighbourhood Plan the Town Council has had regard to the emerging District Plan as well as the extant Local Plan, so this is not expected to be a significant issue, nevertheless it is important that the effectiveness of the plan is monitored in the light of these developments.

5.1.1.2 The monitoring framework must answer two questions, namely:

- Are the policies being applied effectively?
- Are the policies achieving the objectives of the plan?

These will be monitored principally by the Town Council as a part of the process for review of planning applications. The Town Council already tracks and comments on all applications made and furthermore tracks the determinations made by East Herts Council and compares them to recommendations made by the Town. This process can be extended to track cases where decisions rest on or are influenced by policies in the Neighbourhood Plan, and thereby whether the policies are being applied effectively. This will be monitored approximately on an annual basis and reported through the appropriate Town Council committee (currently the

Planning Committee). The monitoring period may be adjusted based on initial results.

5.1.2 Review

5.1.2.1 If monitoring shows that the policies in the plan are not being applied effectively or the Plan is failing to achieve its objectives, action may be necessary to address the shortfall. This action could include:

- working with the East Herts Council and other partners to establish measures to make policies more effective
- negotiating with developers to secure the plan objectives and influence the shape of development, acting as a broker between landowner, developer and community
- supporting partner bids for funding to deliver key facilities
- supporting the creation of forums for strategic planning, for example for sports and leisure facilities
- a partial or whole review of the Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley Parish
- merging this plan with the Bishop's Stortford Neighbourhood Plan for Silverleys and Meads wards.

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Appendix 3 – Policy Context and Background

The following plans and documents support the policies in the chapters identified

Housing and Design

- National Planning Policy Framework (para. 47 to 68)
- East Herts Local Plan Second Review 2007 (the East Hertfordshire Local Plan)
- East Herts draft District Plan (2015)
- Hertfordshire County Council Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (Adopted) November 2012
- Hertfordshire Minerals Local Plan Review 2002-2016 (Adopted 2007)
- East Herts Council's Affordable Housing and Lifetime Homes Supplementary Planning Document (Local Plan Second Review 2007)
- Bishop's Stortford Draft Conservation Area Appraisal & Management Plan', prepared in August 2012
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Bishop's Stortford Neighbourhood Plan Questionnaire, December 2014
- Strategic Land Availability Assessment 2015 (SLAA)
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- Building for Life 12: Third Edition – January 2015
- West Essex and East Hertfordshire Strategic Housing Market Assessment (Sept 2015)
- Town and Country Planning Association: Creating Garden Cities and Suburbs Today (2012)
- Secured by Design (Guidance owned by the Association of Chief Police Officers)
- East Herts District Council Strategic Housing Market assessment January 2010 and update March 2013
- East and South East Operating Area Housing Market Report (August 2014)
- EHDC Housing Needs Survey 2014/15
- Neighbourhood Plan for Silverleys and Meads Wards 2014–2031
- DCLG Technical Housing Standards – nationally described space and water efficiency standard (March 2015)
- AECOM Bishop's Stortford Heritage and Character Assessment (Feb 2016)

Green Infrastructure

- National Planning Policy Framework (para.73–78, 79–90, 94, 109–125)
- East Hertfordshire Local Plan Second Review 2007 (the East Hertfordshire Local Plan) & East Herts draft District Plan 2014/15

- Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards 2014
- Bishop's Stortford Neighbourhood Plan Questionnaire 2014
- Local Plan and the Open Space, Sports and Recreation Supplementary Policy Document, 2009 (www.eastherts.gov.uk/openspacespd)
- East Hertfordshire Council's draft 'Parks and Open Spaces Strategy' 2013-2018
- East Herts Green Infrastructure Plan 2011
- Everyone Matters – A Sustainable Community Strategy for East Hertfordshire 2009-2024
- Hertfordshire Biodiversity Action Plan 2006
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Bishop's Stortford Draft Conservation Area Appraisal & Management Plan', prepared in August 2012 – see green spaces elements
- Southern Country Park & Beyond – Management Plan 2013 – 2018
- A Vision for the Future – Bishop's Stortford Waterspace & Landscape Strategy 2009
- British Plant Communities Volume 3: Grasslands and Montane Communities
- British Plant Communities Volume 1: Woodlands and Scrub
- British Standards Publication BS 42020: 2013. Biodiversity – code of practice for planning and development
- Bishop's Stortford Heritage and Character Assessment, February 2016, AECOM
- Thames River Basin Management Plan (TRBMP), Oct 2015
- East Herts Strategic Flood Risk Assessment (SFRA) 2008
- Defra: Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services, Aug 2011
- Defra: Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2 October 2009

Transport

- National Planning Policy Framework (para. 29, 30–32, 35, 36, 39, 40)
- East Herts Local Plan Second Review 2007
- Supplementary Planning Document, Vehicle Parking Provision at New Development, June 2008
- Hertfordshire Local Transport Plan - see 1.1, 1.2, 2.1, 3.2
- Hertfordshire County Council Bus Strategy 2011–2031, June 2011
- Hertfordshire County Council Rail Strategy, April 2011
- 'Roads in Hertfordshire', Highway Design Guide 3rd Edition
- Urban Transport Plan - Stage 1 Report, Steer Davies Gleave 2010
- East Herts Air Quality Planning Guidance Document (2016)

- Hertfordshire Air Quality Management Plan (Policy 13.9)
- Travel Plan Guidance for Business and Residential Development, Hertfordshire County Council (Emerging document, Consultation January 2014)
- Neighbourhood Plan Questionnaire 2014
- Hertfordshire Travel Survey 2012 Report
- Hertfordshire County Council Local Transport Plan Live www.hertsdirect.org/ltp
- Hertfordshire County Council Corporate Plan 2013-2017
- Sustrans Design Manual 'Handbook for Cycle-friendly Design' April 2014
- London Cycle Design Standards (March 2015)
- HCC Active Travel Strategy April 2013
- Manual for streets 2007
- Department for Transport Cycling and Walking Investment Strategy (March 2016)
- Herts Traffic and Transport Data Report 2014
- Department for Education Home to School Travel and Transport Guidance, July 2014

Education

- National Planning Policy Framework paragraphs 38 and 72
- BS Town Council NP for Silverleys and Meads Wards 2014–2013
- East Herts Local Plan Second Review 2007
- East Herts draft District Plan January 2014
- Bishop's Stortford Neighbourhood Plan Questionnaire 2015

Health

- National Planning Policy Framework (paras.69 & 70)
- East Herts Local Plan Second Review 2007
- East Herts draft District Plan (Preferred Options Consultation) January 2014
- East Herts Draft Health and Well-being Strategy
- East Herts Health Profile 2015
- <http://www.hertsdirect.org/your-council/hcc/partnetwork/hwb/>
- East and North Herts Trust Priorities: <http://www.enherts-tr.nhs.uk/>
- Princess Alexandra Hospital NHS Trust Priorities: <http://www.pah.nhs.uk/>
- Bishop's Stortford Neighbourhood Plan Questionnaire, December 2014

Sport, Leisure and Community

- National Planning Policy Framework (para.73)

- East Herts Local Plan Second Review 2007
- Bishop's Stortford Neighbourhood Plan for Silverleys and Meads 2014
- East Hertfordshire District Council Bishop's Stortford North S106 Sports Investment Strategy December 2015
- East Herts District Council Sport Investment Strategy Report findings
- 2009 Supplementary Planning Document 'Open Space, Sport and Recreation'
- East Herts Playing Pitch and Outdoor Sports Audit 2010
- East Herts Assessment of Sports Facilities 2011
- Sport England: Village and Community Halls Design Guidance Note, reference 1038, January 2001)
- Charity Commission: Village Halls and Community Centres, reference RS9, December 2004

Business and Employment

- National Planning Policy Framework (paras.19, 20, 21, 23, 42-43)
- East Herts Local Plan Second Review 2007
- East Herts Draft District Plan 2014 policies RTC-1 to 5, BISH-3, BISH-7, BISH-10, BISH-11, ED-1 and ED-
- Wessex Economics, Town Wide Employment Study for Bishop's Stortford, for East Herts Council (2013)
- DTZ Economic Development and Employment Growth report for East Herts Council 2012.
- Nathaniel, Litchfield & Partners Retail and town centre Report, September 2013
- Peter Brett Associates, town centres and Retail report October 2014
- Bishop's Stortford Neighbourhood Plan Questionnaire 2014
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- The A10/M11 Growth Area Economy, Hertford LEP, June 2015
- The London-Stansted-Cambridge Corridor: Economic Characteristics and Performance report - January 2016
- Business Stortford www.businessstortford.com

The Goods Yard

- National Planning Policy Framework (chapters 2 and 4)
- East Hertfordshire Local Plan Second Review 2007 (the East Hertfordshire Local Plan) & East Herts draft District Plan 2014.
- Bishop's Stortford Neighbourhood Plan Questionnaire 2014
- Wessex Economics, Town Wide Employment Study for Bishop's Stortford, for East Herts Council (2013)

- TFL Transport Interchange Guide
- Herts County Urban Travel Plan for Bishop's Stortford (2012?)
- Herts County Travel Survey 2012
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Bishop's Stortford Draft Conservation Area Appraisal & Management Plan', prepared in August 2012.
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- Building for Life 12: Third Edition – January 2015
- EHDC Goods Yard Development Brief
http://www.eastherts.gov.uk/media/pdf/t/i/Agreed_Goods_Yard_Brief_-_July_2011.pdf
- Communities and Local Government Planning Policy Statement 25 (2006) 'Development and Flood Risk'
- East Herts Strategic Flood Risk Assessment
- AECOM Bishop's Stortford Heritage and Character Assessment (Feb 2016)

Land South of Bishop's Stortford

- National Planning Policy Framework
- Planning Practice Guidance Note (PPGN - paras 044 and 045)
- Bishop's Stortford Town Council Neighbourhood Plan Questionnaire, December 2014
- Bishop's Stortford Heritage and Character Assessment Draft AECOM 2016
- Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards 2014
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- British Standards Publication BS 42020: 2013 Biodiversity – code of practice for planning and development
- Building for Life 12: Third Edition – January 2015
- DCLG Technical housing standards – nationally described space standard
- Defra: Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2 October 2009
- East and South East Operating Area Housing Market Report (August 2014)
- East Hertfordshire Council's draft 'Parks and Open Space Strategy' 2013 – 2018
- East Herts Local Plan Second Review 2007 (the East Hertfordshire Local Plan)
- East Herts Adopted Local Plan (April 2007)
- East Herts Council's Affordable Housing and Lifetime Homes Supplementary Planning Document
- East Herts District Council Housing Needs Survey 2014/15

- East Herts District Council Local Plan and Open Space, Sports and Recreational Supplementary Policy Document
- East Herts District Council Strategic Housing Market assessment January 2010 and update March 2013
- East Herts District Council Strategic Land Availability Assessment (SLAA)
- East Herts District Green Belt Review September 2015
- East Herts Draft District Plan Jan 2014
- East Herts Green Infrastructure Plan 2011
- East Herts Health and Wellbeing Strategy 2013-2018
- East Herts District Council Appeals by governors of Bishops Stortford High School and the Hertfordshire and Essex High School and Science College, Hertfordshire County Council and Countryside properties report by David Wildsmith, Inspector for the Secretary of State for Communities and Local Government Feb 2012
- The Secretary of State for Communities and Local Government's Decision September 2012
- Hertfordshire Biodiversity Action Plan 2006
- Hertfordshire County Council Waste Core Strategy & Development Management policies
- Hertfordshire Infrastructure and Investment Strategy Nov 2009
- Hertfordshire Infrastructure and Planning Partnership (HIPP)
- Hertfordshire Minerals Local Plan Review 2002-2016 (Adopted 2007)
- Secured by Design (Guidance owned by the Association of Chief Police Officers)
- Southern Country Park & Beyond – Management Plan 2013 – 2018
- Sport England Village & Community Halls
- The Office of National Statistics - Neighbourhood Statistics - Land South of Bishop's Stortford
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Town and Country Planning Association: Creating Garden Cities and Suburbs Today
- Uttlesford District Council's Local Plan Issues and Options Consultation (22 October – 4 December 2015)
- West Essex and East Hertfordshire Strategic Housing Market Assessment (Sept 2015)
- Gov.uk Public Rights of Way – landowner responsibilities

Bishops Stortford High School Site

- National Planning Policy Framework
- Planning Practice Guidance Note (PPGN - paras 044 and 045)

- Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley Questionnaire, December 2014
- Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley, Draft December 2015
- Bishop's Stortford Heritage and Character Assessment Draft AECOM 2016
- Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards 2014
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- British Standards Publication BS 42020: 2013 Biodiversity – code of practice for planning and development
- Building for Life 12: 3rd Edition – Jan 2015
- DCLG Technical housing standards – nationally described space standard
- Defra: Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2 October 2009
- East and South East Operating Area Housing Market Report (August 2014)
- East Hertfordshire Council's draft 'Parks and Open Space Strategy' 2013 – 2018
- East Herts Local Plan Second Review 2007 (the East Hertfordshire Local Plan)
- East Herts Adopted Local Plan (April 2007)
- East Herts Council's Affordable Housing and Lifetime Homes Supplementary Planning Document
- East Herts District Council Housing Needs Survey 2014/15
- East Herts District Council Local Plan and Open Space, Sports and Recreational Supplementary Policy Document
- East Herts District Council Strategic Housing Market assessment January 2010 and update March 2013
- East Herts District Council Strategic Land Availability Assessment (SLAA)
- East Herts District Green Belt Review September 2015
- East Herts Draft District Plan Jan 2014
- East Herts Green Infrastructure Plan 2011
- East Herts Health and Wellbeing Strategy 2013-2018
- East Herts District Council Appeals by governors of Bishops Stortford High School and the Hertfordshire and Essex High School and Science College, Hertfordshire County Council and Countryside properties report by David Wildsmith an Inspector for the Secretary of State for Communities and Local Government Feb 2012
- The Secretary of State for Communities and Local Government's Decision September 2012
- Hertfordshire Biodiversity Action Plan 2006
- Hertfordshire County Council Waste Core Strategy & Development Management policies

- Hertfordshire Infrastructure and Investment Strategy Nov 2009
- Hertfordshire Infrastructure and Planning Partnership (HIPP)
- Hertfordshire Minerals Local Plan Review 2002–2016 (Adopted 2007)
- Secured by Design (Guidance owned by the Association of Chief Police Officers)
- Southern Country Park & Beyond – Management Plan 2013–2018
- Sport England Village & Community Halls
- The Office of National Statistics - Neighbourhood Statistics
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Town and Country Planning Association: Creating Garden Cities and Suburbs Today
- Uttlesford District Council's Local Plan Issues and Options Consultation (22 October–4 December 2015)
- West Essex and East Herts Strategic Housing Market Assessment (Sept 2015)

East of Manor Links

- National Planning Policy Framework
- East Hertfordshire Local Plan Second Review 2007 (the East Hertfordshire Local Plan) & East Herts draft District Plan 2015
- Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards 2014
- Bishop's Stortford Neighbourhood Plan Questionnaire 2014
- Hertfordshire Local Wildlife Partnership – Site Ref: 35/002/01 Bishop's Stortford Golf Course Grassland December 2014 (date of survey 11.08.14)

Appendix 4 – Glossary

Term	Definition
Affordable Housing	Housing made available, based on the evidence of need, to people who are unable to afford housing at market prices. Affordable housing includes social, rented and shared ownership housing, provided to eligible households whose needs are not met by the market, and that specifically excludes low cost market housing.
Air Quality Management Area	An area where air pollution is likely to exceed National Air Quality Objectives under the Environment Act (1995), particularly due to road traffic emissions. The area is subject to a programme of assessing air quality against national targets and the development of remedial measures to improve air quality.
Ancient Woodland	Woodland known to have existed continually in a location since before 1600.
Brownfield Site	Land that has been previously developed on.
Business Incubation Centre	A facility which provides micro business the opportunity to work in an office/ workplace environment within the same building as others. All occupants have access to shared facilities such as reception, Wi-Fi, telephony and meeting rooms along with the ability to meet informally and discuss business matters not necessarily in the same industry.
Conservation Area	An area designated under Section 69 of the Town and Country Planning Act 1990 as being of 'special architectural or historical interest', the character and appearance of which it is desirable to preserve and enhance.
Construction Management Plan	A plan detailing how construction will be managed in order to ensure the effects of construction on residents and businesses is kept to a minimum.
Developer Contributions (or S106 Contributions)	Contributions required under a Section 106 agreement from development to be set aside for future works and services directly related to the development.
Development Plan	Statutory Plans, including Local or District Plans and Neighbourhood Development Plans which are used to determine planning applications.
Exception Test	See Sequential and Exception Tests.
Floodplain	An area of land liable to flood from a watercourse, defined by the Environment Agency.
Garden City	The Town and Country Planning Association characterises a Garden City or Suburb as having generous green spaces linked to the wider natural environment, including a surrounding belt of countryside, with a well-managed network of public parks, private gardens, tree-lined streets and open spaces. It should have beautifully and imaginatively designed homes with gardens, combining the very best of town and country living to create healthy homes in vibrant communities. Furthermore, it should

	enjoy strong local cultural, recreational and shopping facilities in walkable neighbourhoods and have integrated and accessible transport systems. Communities should be fostered by long term stewardship of assets, such as allotments, and be sustainable through having a variety of employment opportunities within easy commuting distance of homes. A variety of mixed-tenure homes and housing types that are affordable for ordinary people should also be available.
Green infrastructure	A network of green spaces and other features, such as parks, open spaces, woodlands, playing fields, allotments and gardens providing a range of quality of life benefits for the local community.
Greenfield Site	Land where there has been no previous development.
Housing Associations	Independent, not-for-profit organisations that work with councils to offer flats and houses to local people on the Housing Register.
Infrastructure	Basic services necessary for development to take place, for example, roads, electricity, sewerage, water, education and health facilities.
Lifetime Homes	The 'Lifetime Homes' standards seek to make homes more flexible, convenient, safe, adaptable and accessible than most new homes, as defined in the EHDC Affordable Housing & Lifetime Homes Supplementary Planning Document.
Listed Building	Any building or structure which is included in the list of 'buildings of special architectural or historic interest' as defined in the Planning (Listed Building and Conservation Areas) Act 1990.
Local Referendum	A direct vote in which electors in the Neighbourhood Area (or larger area if recommended by the Independent Examiner) will be asked to either accept or reject the Neighbourhood Development Plan.
Major Development	A development defined as major development in The Town and Country Planning (Development Management Procedure) (England) Order 2010 i.e. Development involving any one or more of the following— (a) the winning and working of minerals or the use of land for mineral-working deposits; (b) waste development; (c) the provision of dwellinghouses where — (i) the number of dwellinghouses to be provided is 10 or more; or (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i); (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or (e) development carried out on a site having an area of 1 hectare or more;
Mitigation	Measures taken to reduce adverse effects of a development.
Modal Shift	The trend that sees more journeys made by a sustainable form of transport, usually away from cars and towards walking, cycling or public

	transport.
National Planning Policy Framework	Sets out national policy and how this is expected to be applied.
Neighbourhood Area	Area to which a proposed Neighbourhood Development Plan or Neighbourhood Development Order will relate.
Neighbourhood Plan	A local plan prepared by a parish council and community representatives for a particular neighbourhood area, which includes land use topics. If accepted by an independent examiner and passed by a simple majority at referendum, the Plan carries equal weight to other adopted local plans.
Objective	An aim or a goal to assist in achieving the overall vision for the area.
Open Space	All open space of public value including land, rivers, canals and lakes which offer important opportunities for recreation and can act as a visual amenity.
S106 Contributions	See Developer Contributions.
Secured by Design	The official flagship initiative of the Association of Chief Police Officers, supporting the principles of 'designing out crime'.
Sequential and Exception Test	The methodology recommended by the National Planning Policy Framework to ensure that new developments are sited in the most appropriate locations.
Shared Equity Housing	Shared equity is where more than one party has an interest in the value of the home, with the aim of reducing the cost of occupancy, e.g. an equity loan arrangement or a shared ownership lease.
Shared Space	Shared space is a design approach that seeks to change the way streets operate by reducing the dominance and speed of motor vehicles. No particular class of usage within the space has priority over any other when moving around and responsibility for safe and free movement is shared by all.
Sheltered Housing	Housing which is purpose built or converted exclusively for sale to elderly people with a package of estate management services and which consists of grouped, self-contained accommodation usually with communal facilities and normally with a warden.
Significant Development	A development of a scale sufficient to trigger the requirement for a Transport Assessment in accordance with Roads in Hertfordshire: Highway Design Guide 3 rd Edition i.e.: Residential development in excess of 80 units Non-food retail development of more than 1,500m ² Gross Floor Area (GFA) Class B1 Business of more than 2500m ² GFA Class B2 General industrial of more than 4,000m ² GFA Warehousing (use class B8) of more than 5,000m ² GFA
Social Housing	Subsidised housing for rent allocated on the basis of need.
Supplementary Planning Document	Documents which add further detail to the policies in the Local or District Plan. They can be used to provide further guidance for a

	development of specific sites or a particular issue.
Supported Housing	As for 'Sheltered Housing', but designed for those with physical or learning disabilities rather than just the elderly.
Sustainable Communities	Places where people want to live and work, now and in the future.
Sustainable Development	Development that allows change without damaging the environment or natural resources and that meets the needs of the present, without compromising the ability of future generations to meet their own needs.
Vision	A series of statements describing how an area would like to be at some time in the future.

Appendix 5 – AECOM Character Assessment Summary

This Appendix contains a summary of the AECOM Heritage and Character Assessment for the Neighbourhood Area divided up to describe the land and townscape features of each sub-area. As developments arise in any sub-area, it is expected that the Key Character Management Principles applicable for that sub-area will guide developers in designing suitable buildings, streets and spaces for their location.

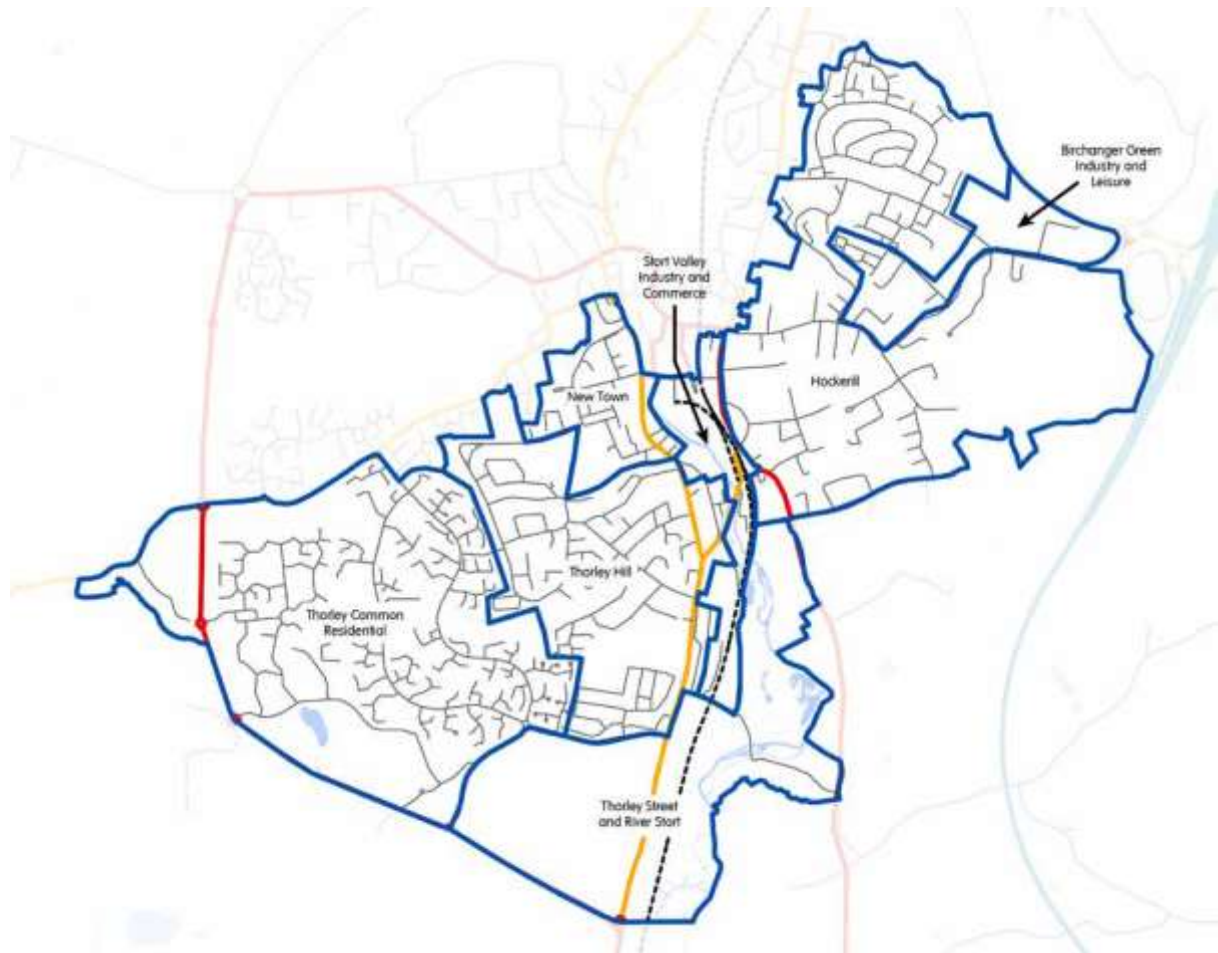


Fig 11 – Map showing the seven Townscape Character Sub-areas

- TCA01 – Hockerill
- TCA02 – Birchanger Green
- TCA03 – Stort Valley
- TCA04 – Newtown
- TCA05 – Thorley Common
- TCA06 – Thorley Hill
- TCA07 – Thorley Street and River Stort

Sub-area ID	Name	NP Policy Reference	Key Character Management Principles
TCA 01	Hockerill	HDP2/BSEM1	Future development adjacent to Green Belt should provide a buffer of green space on the edge
		HDP2/BSEM1	Proposals which retain or enhance well-vegetated front gardens that demonstrate a strong relationship with the street are more likely to be acceptable than proposals to introduce substantial areas of paving for parking
		HDP2	Views along Parsonage Lane and Warwick Lane towards the town centre and higher ground to the west of the town should be retained
		HDP2/BSEM1	New residential development should respect the existing proportions of the street, with building frontages set back behind generous front gardens, and scale of adjacent buildings and the shape and continuity of the roof lines
		HDP2/BSEM1	Development in the north should seek to strengthen the existing structure of the landscape and retain the wooded backdrop to longer distance views
		HDP2	The setting of historic buildings which are locally distinctive, such as the Nags Head Public House, should be protected and enhanced
		GIP1	Birchanger Wood should be protected and enhanced through active management
		HDP1/GI	A strategy for street tree management and replanting to increase the age structure and range of species to ensure continuous contribution of tree cover to streets, increased diversity and resilience to environmental change
TCA 02	Birchanger Green	HDP2/BP8	Future development should consider opportunities to introduce a mix of uses
		HDP2	The scale of new buildings should be minimised and should be no taller than the surrounding residential development around the boundaries of the area
		HDP2	Mature trees, woodland and hedgerows, which divide the area and enclose development, should be reinforced and enhanced

		TP4	Routes across the area for pedestrians and cyclists should be improved to enhance permeability and legibility
		BP10	A strategy should be developed to manage traffic and on-street parking within the area
		BP8	A strategy to reduce the visual impact of signage within industrial estates should be considered
TCA 03	Stort Valley	HDP2/GY1	Proposals for new development should be of high architectural quality, should demonstrate an understanding of the history and context of the area and make reference to vernacular style and materials and the scale of adjacent buildings
		GY1	Development within the northern part of the area should sustain and reinforce the historic and cultural links between the town and river
		HDP2/GY1	Development should be set back from the River Stort and the intervening space should be publicly accessible and include generous areas of public green space
		GY1	Development should not exceed four storeys in height to maintain views across the town from the east and west and with landmarks
		GY1	Opportunities to create a more active edge to Station Road and Anchor Road should be explored to improve the quality and vibrancy of the public realm
		GY1	A common pallet of materials, street furniture and signage should be developed to enhance the quality and legibility of the public realm
		GY2	Links between the town centre and railway station should be enhanced through a comprehensive public realm scheme
		GY6	Connectivity to the River Stort green corridor for pedestrians and cyclists should be enhanced
TCA 04	New Town	HDP2/BP6	Future development should maintain views from green space and along streets in the west of the St Michael's Church and across roof tops within the town centre. Development proposals in excess of four storeys are not likely to be acceptable
		HDP2/BP6	Development along South Street and Potters Street north of Station Road should incorporate active frontage and

			improvements to the quality and appearance of shop fronts should be supported
		HDP2/BP6	Future development within the Conservation Area should retain and enhance original shop fronts.
		HDP2	The high quality public realm in the northern parts should be extended to enhance legible connections and permeability of the area
		HDP2	In streets where front gardens are common, proposals which retain or enhance well-vegetated front gardens that demonstrate a strong relationship with the street are more likely to be acceptable
		HDP2	Development proposals south of Station Road between South Street and the River Stort should create physical connections with the river and enhance its setting and accessibility to the public
		HDP2	The junction of South Street and Station Road should be enhanced through development and public realm improvements to reinforce this key node between the station and the town centre
TCA 05	Thorley Common	HDP2	The strong landscape framework which encloses and divides the area should be protected and sustained
		HDP2	Proposals which retain or enhance well-vegetated front gardens that demonstrate a strong relationship with the street are more likely to be acceptable than proposals to introduce substantial areas of paving for parking
		HDP2	Development should protect and enhance existing blocks and belts of woodland and incorporate new planting to further enhance the quality of the area
		HDP2	Development should sustain views across green space to local landmarks and wooded hills beyond to maintain legibility
		HDP2	A strategy should be developed to improve legibility through the residential estates in this area and provide connections between adjacent residential areas for pedestrians and cyclists
		GIP1	Active use of the green spaces on the edges of the area should be encouraged to deter fly tipping

TCA 06	Thorley Hill	HDP2	Proposals which retain or enhance well-vegetated front gardens that demonstrate a strong relationship with the street are more likely to be acceptable than proposals to introduce substantial areas of paving for parking
		HDP2/BSHS1	Infill development should reflect the scale, density and roof line of adjacent buildings, and arrangement and offsets of buildings from the street and should include front gardens
		GIP1	A strategy for street tree management and replanting should be developed to increase the age structure of tree stock and range of species to ensure continuous contribution of tree cover to streets, increased diversity and resilience to environmental change
		GIP2	Public green space within the residential estates should be protected and enhanced
TCA 07	Thorley Street and River Stort	HDP2/BSS1	Future development in the south of the area should provide a clear transition between town and countryside and incorporate new green spaces and wherever possible, integrate existing vegetation
		BSS1	A buffer of green space should be provided along Thorley Street to protect the setting of the area and the many listed buildings along London Road
		GIP2	The semi-natural character of the River Stort corridor and Rushy Mead Nature Reserve should be protected and enhanced through active management
		BSS1	The materials proposed for any new development should be responsive to the vernacular style and materials of the area
		GIP?	A strategy for street tree management and replanting along London Road should be developed to increase the age structure of tree stock and range of species to ensure continuous contribution of tree cover to streets, increased diversity and resilience to environmental change
		TP4/BSS14	Opportunities to increase and improve connections between Thorley Street, the River Stort and Rushy Mead Nature Reserve should be maximised
		BSS1	Proposals which retain or enhance well-vegetated front gardens are demonstrate a strong relationship with the

			street are more likely to be acceptable than proposals to introduce substantial areas of paving for use as driveways
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Appendix 6 – Potential Encroachment of Plan Allocations on Consultations Zones

HSE Reference Number	TRANSCO Index Number	Pipeline Operator	Pipeline / Location Name	Location Map Reference (Start)	Location Map Reference (Finish)	Inner Zone (Metres)	Middle Zone (Metres)	Outer Zone (Metres)
7547	1804	National Grid Gas PLC	Thorley / Bishops Stortford (1TNO)	TL 480198	TL 491205	15	15	15

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