

## **East Herts Council Non-Key Decision Report**

**Date:** 28 October 2025

**Report by:** Councillor Vicky Glover-Ward – Executive Member for Planning and Growth

**Report title:** Stanstead Abbots and St Margarets Neighbourhood Plan 2017-2033 – Examiner’s Report and Referendum Decision

**Ward(s) affected:** Great Amwell and Stansteads

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### **Summary**

- This report proposes to agree the recommendations made by the Independent Examiner of the Neighbourhood Plan and to agree to proceed to Referendum.

### **RECOMMENDATIONS FOR DECISION: That:**

- A) The recommendations and modifications made by the Independent Examiner of the Stanstead Abbots and St Margarets Neighbourhood Plan, as detailed at Appendix A, be accepted; and**
- B) The Stanstead Abbots and St Margarets Neighbourhood Plan 2017-2033, as modified, and detailed at Appendix B, should proceed to a referendum.**

### **1.0 Proposal(s)**

- 1.1 To agree the recommendations made by the Independent Examiner of the Neighbourhood Plan and to agree to proceed to Referendum.

### **2.0 Background**

- 2.1 Neighbourhood Planning was introduced by the Government under the Localism Act in 2011. The Town and Country Planning England Neighbourhood Planning (General) Regulations 2012 (as amended) 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.

- 2.2 The three parish councils of Stanstead Abbots, Stanstead St Margarets and Great Amwell have worked together to prepare this Neighbourhood Plan. Stanstead Abbots Parish Council, as the lead Parish Council, is the qualifying body and submitted an application to East Herts Council for the designation of a Neighbourhood Area in June 2018. The Stanstead Abbots and St Margarets Neighbourhood Area was then designated on the 11 September 2018. It includes the entirety of Stanstead Abbots and St Margarets Parishes, together with the area of Great Amwell, known as the Folly.
- 2.3 The Neighbourhood Plan Group carried out early community engagement between 2017 and 2021 and then undertook a Pre-Submission Consultation from 6 February to the 2 April 2023 under Regulation 14 of the 2012 Regulations. The Neighbourhood Plan was then submitted to East Herts Council on the 13 December 2024 and a six-week consultation on the submission plan was undertaken from the 30 January to the 14 March 2025, under Regulation 16.
- 2.4 A neighbourhood plan can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The Stanstead Abbots and St Margarets Neighbourhood Plan has a strong vision for delivering sustainable development and this has been translated into a set of objectives and policies. It seeks to protect character, heritage and the local environment, whilst delivering new development and infrastructure to meet local needs. There is particular focus on the following areas:
- Delivering sustainable development and ensuring suitable sites are delivered within the plan period.
  - Delivering well-designed, mixed and affordable housing, including community-led housing.
  - Enhancing the rivers' unique contribution to the village.
  - Protection of non-designated heritage assets
  - Protection and enhancement of the natural environment, landscape, and character, including the designation of 16 new local green spaces
  - Supporting a vibrant economy, protecting employment areas and enhancing the High Street.
  - Promoting safe and sustainable transport links.

- 2.5 District Plan (2018) Policy VILL1 Group 1 Villages, requires Stanstead Abbots and St Margarets to accommodate at least a 10% increase in housing stock between 2017 and 2033, which amounts to 94 dwellings. The policy accepts there may be a need for a change to the Green Belt boundary, to accommodate growth. The National Planning Policy Framework (NPPF) confirms that where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through neighbourhood plans.
- 2.6 To meet the requirements of the District Plan, the Neighbourhood Plan (Policy SASM HA2) proposes 98 homes in the plan period, including a strategic site of 60 dwellings on the edge of the village, that requires changes to the Green Belt boundary.

### *Independent Examination*

- 2.7 In order to comply with relevant regulations, a neighbourhood plan must be reviewed by an Independent Neighbourhood Planning Examiner. East Herts Council and the Parish Councils 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.
- 2.8 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 7 October 2025. The IE recommended that the plan proceed to Referendum subject to modifications to the plan and concluded that the Referendum area should not go beyond the neighbourhood area.

## **3.0 Reason**

- 3.1 The Independent Examiner (IE) assesses the Neighbourhood Plan against the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan in the area;
- be compatible with European Union (EU) obligations and European Convention on Human Rights (ECHR); and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017

3.2 As explained in paragraph 3.5 of the Examiner's report, the Neighbourhood Plan is assessed against the December 2023 version of the National Planning Policy Framework (not the 2024 version) because it was submitted in December 2024, so transitional arrangements apply.

### *Independent Examiner's Report*

3.3 The IE commends the Neighbourhood Plan for being well presented and for seeking to achieve positive and sustainable development. The report states the Neighbourhood Plan is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area, to designate a series of Local Green Spaces and to support residential development to meet the strategic requirement for the neighbourhood area identified in the District Plan.

3.4 The IE summarises that the Stanstead Abbots and St Margarets Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a limited number of necessary modifications. The proposed modifications primarily relate to the following issues:

- changes to policy wording to ensure clarity and to allow consistent application by East Herts Council through the development management process.
- Changes to policy wording to ensure national policy compliance and to avoid repetition with existing development plan policies.
- Removal of a local green space because it does not meet national designation requirements.

3.5 The IE concludes in paragraph 8.3 of the report, that with the

modifications, the draft Neighbourhood Plan will meet the basic conditions and should proceed to referendum.

3.6 The IE's report can be viewed at **Appendix A**. All recommended modifications have been made to the plan alongside a number of consequential amendments resulting from the aforementioned modifications such as numbering and minor changes to the supporting text. Some minor typographical errors and factual updates have also been made. This is in line with the approach the IE has recommended in paragraph 7.143 of his report.

3.7 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.

#### *Referendum Area:*

3.8 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 Stanstead Abbots and St Margarets Neighbourhood Plan area.

3.9 The IE stated the neighbourhood area is appropriate for the referendum area, and that there is no evidence to suggest otherwise. The referendum area should therefore be based on the neighbourhood area approved as of 11 September 2018.

#### *Proceeding to Referendum:*

3.10 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.

3.11 It is recommended that the modifications proposed by the IE be accepted, and that the proposed Neighbourhood Plan for Stanstead Abbots and St Margarets should proceed to a referendum. An updated version of the Neighbourhood Plan which incorporates the IE modifications can be viewed at **Appendix B**.

## **4.0 Options**

4.1 The Council could choose not to recommend that the Stanstead

Abbotts and St Margarets Neighbourhood Area Plan proceed to referendum.

## **5.0 Risks**

5.1 If the Stanstead Abbotts and St Margarets Neighbourhood Plan does not proceed to referendum it could run the risk of a legal challenge.

## **6.0 Implications/Consultations**

6.1 The Neighbourhood Plan has been subject to multiple rounds of public consultation.

### **Community Safety**

No

### **Data Protection**

No

### **Equalities**

No

### **Environmental Sustainability**

The Stanstead Abbotts and St Margarets Neighbourhood Plan has been informed by a Strategic Environmental Assessment (SEA) and a Habitats Regulation Assessment (HRA). The Plan also contains policies that aim to protect the environment.

### **Financial**

It is the responsibility of the LPA to cover examination and referendum costs. Government grants are available when a formal decision has been made to proceed to referendum.

### **Health and Safety**

No

### **Human Resources**

No

### **Human Rights**

No

## **Legal**

The Council must make a decision on whether to send the Stanstead Abbots and St Margarets Neighbourhood Area Plan to referendum in accordance with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

## **Specific Wards**

Great Amwell and Stansteads

### **7.0 Background papers, appendices and other relevant material**

7.1 **Appendix A:** Examiner's Report

7.2 **Appendix B:** Stanstead Abbots and St Margarets Neighbourhood Plan: 2017-2033

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