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03 February 2015

Dear Sir/Madam,

**North Hertfordshire District Council
Local Plan Preferred Options 2011 - 2031**

Thank you for the opportunity to comment on the above. This letter relates to the services of the Environment Department only and you may receive separate correspondence relating to other of the County Council's services.

Transport

Highways

There have been previous consultations with the Highway Authority on following documents:

- 2008 : Land Allocations Issues and Options Consultation
- 2009 : Land Allocations Additional Suggested Sites
- 2013 : Housing Options
- 2013 : Housing Additional Location Options

As part of these the Highway Authority provided comments on number of individual sites, which form part of this draft Plan. Safety Comments were also provided with regards to the proposed means of access, as requested by the District, for the following sites:

1. Land west of Claybush Road, Ashwell – Ref 3 (33 dwellings)
2. Land south of Bygrave Road, Baldock – Ref201 – AECOM Modelling

3. East of Clothall Common, Baldock – ref B/r03 (40 dwellings)
4. Land at North Road, Baldock – B/r23 – AECOM Modelling
5. Land South of Cowards Lane, Codicote – ref 29 (73 dwellings)
- (6&7)North East Stevenage – ref 226 (500 dwellings) and ref 227 (425 dwellings)
8. Highover Farm, Hitchin – ref 39 (484 dwellings)
9. Land at junction of Grays Lane and Crow Furlong, Hitchin – ref H/r14 (41)
10. Land at Lucas Lane Hitchin – ref H/r24 (26 dwellings)
11. Land at junction of Grays Lane and Lucas Lane, Hitchin – ref H/r25 (12)
12. Land south of Oughtonhead Lane, Hitchin – ref H/r30 (37 dwellings)
13. Land at Hall Lane, Kimpton – ref 42 (36 dwellings)
14. Land west of Hall Lane, Kimpton – ref 44 (17 dwellings)
15. Land at Deards End, Knebworth – ref 52 (227 dwellings)
16. Land at Gypsy Lane, Knebworth – ref 53 (303 dwellings)
17. Land north of Old Lane, Knebworth – ref 55 (84 dwellings)
18. Land south of Swangley's Lane, Knebworth – ref 57 (112 dwellings)
19. Land off Croft Lane, Letchworth – ref L/07 (94 dwellings)
20. North Letchworth – Strategic Site – AECOM modelling
21. Holwell Turn, Pirton – ref 214 (47 dwellings)
22. Land south of Stevenage Road, St Ippolyts – ref SI/r3 (32 dwellings)
23. Land off Hitchin Road, Weston – ref 228 (25 dwellings)
24. Land South of Little Wymondley – ref 232 (300 dwellings)
25. Land north of Green Walk Royston – ref R/r07 (44 dwellings)
26. Land south of Green Walk Royston – ref R/r06 (56 dwellings)

There are no changes to the highway comments on those previously provided for individual sites identified. However, the Highway Authority has following comments on the NHDC's Preferred Options Transport Modelling and Public Transport provision.

NHDC's Preferred Options Transport Modelling work

General

The updated SHUM 2031 forecast model has been used for assessment of the cumulative impact of the draft Plan development sites. This model and methodology has been signed off as being suitable for assessment by both the Highways Agency and the County Council. The underlying assessment methodology is therefore sound.

However, the model area is focussed on the Stevenage and Hitchin urban areas along with part of Letchworth and the A1(M) corridor. It does not provide a means of fully assessing the detail of the impact on the highway network in other areas of North Hertfordshire such as Royston, Baldock and Northern Letchworth. The draft Plan proposes masterplanning work for the key sites which will include the consideration of access arrangements and the impact on the wider road network. It is also essential that a consideration of the transport impacts and mitigation measures from the smaller sites in the areas such as Royston are fully considered in Transport Assessments.

The modelling work was undertaken prior to the Government's Autumn Statement on transport funding. This committed funding to a scheme to develop 3 lane running on the A1M between junctions 6 – 8. The widening was not allowed for in the modelling work and it should be recognised that if widening reduces congestion on this section there is the potential for more traffic to be attracted to the A1 corridor which could potentially put additional pressure on the A1(M) junctions and approach roads. We would expect a sensitivity test to be undertaken on the implications of this change.

With full draft Plan development in Stevenage and North Herts it is estimated from the model that there will be over 20,000 additional trips on the network in 2031 compared with the 2008 base year model in the AM peak (representing a 58% increase) – see Table 4.4. Much of this is due to background growth (due to rising incomes, car ownership etc, already committed housing development and growth in adjoining areas) however approximately 8,500 of these trips are due to the draft Plan development (18% trip increase).

The work clearly identifies the pinch points on the network within the modelled area. The threshold to define these is, however, set as 'where there are still more than 100 vehicles queuing at the junction at the end of the AM or PM peak hour' which means that only the worst congested locations are picked up. The County Council has been involved in the modelling process and as part of this have been provided with network stress plans as additional detail to the Transport Modelling technical note. These identify additional locations in the North Herts modelled area where the highway is expected to be at capacity by 2031. These are:

AM peak

- A505 Moormead Hill approach to Willow Lane junction, Hitchin
- Willow Lane approach to A602 Parkway, Hitchin (although it is recognised from earlier UTP work that improving this route may increase rat running)
- Whitehill Road & Oakfield Avenue approaches to A602 Stevenage Road, Hitchin

PM peak (additional locations to above)

- B656 / Drivers End Lane (north of Codicote)
- B656 London Road St Ippolyts
- B197 through Knebworth and Woolmer Green

There are also additional locations in Stevenage borough which come under stress.

It should be noted that no mitigation measures have been considered for these locations and these will need to be considered as part of masterplanning / transport assessment work as appropriate.

The technical report identifies capacity issues at A1(M) junctions 7, 8 & 9 but does not present any solutions as it is anticipated that more focussed studies will be taking place as part of the A1(M) consortium work led by the County Council. As part of this work detailed modelling and design work has already been commissioned around junction 7 which will identify appropriate mitigation measures to

accommodate Stevenage and North Herts growth. There is, however, an ongoing need to understand the implications of development at the key sites in Baldock and North Letchworth on junctions 8 & 9 as part of the masterplanning process before further design work can be undertaken at these locations. Any schemes at motorway junctions will be subject to high cost and this will need to be taken into account in the IDP and any financial viability work.

The scheme proformas developed for the pinchpoints give useful information in terms of indicative designs and cost estimates and give a sufficient level of detail to feed into the Local Plan and IDP at this stage and should provide a basis for more detailed design work to be taken forward as part of the planning process.

General Comments on developments outside the modelled area

The model area is focussed on Stevenage and Hitchin and the A1(M) corridor. Although parts of Letchworth and Baldock are on the edge of the model area the level of zoning and network representation is limited and does not allow a proper assessment of the highway impact on these towns. Royston is currently well outside the model area and therefore the impacts of development cannot be assessed at all using this tool. There is therefore a gap in being able to assess the implications of development outside the key modelled area which will need to be picked up as part of the ongoing masterplanning/detailed site assessment work. The key locations affected are as follows.

North of Letchworth

The draft Plan assumes that there are 1000 dwellings north of Letchworth which is outside the core modelled area. This development would be expected to have a key impact on Letchworth but no issues / mitigation measures are identified within the town, presumably because it has been assumed that only half of the trips would enter the model area and the model network is skeletal in this area. The access assumptions for this site will also be critical.

Key current congestion issues in the town include the area around Letchworth Gate and the A505 / A6141 junction and the County Council would need some understanding / assessment of the potential impact on these areas as part of the proposed masterplanning work.

Baldock

The draft Plan now includes a much larger development north of the town than previously noted (with 2,800 dwellings on site BA1 north of the town and 3,425 dwellings in emerging sites overall). Baldock is on the periphery of the model area with limited link representation (eg North Road is not included) and therefore the impacts of this development on Baldock itself have not been identified so far.

Although with the opening of the bypass, there is potentially some room for traffic growth within the town, the Whitehorse Street / Station Road / Royston Road signalised junction is currently running close to capacity and will be unable to accommodate additional development flows with its current configuration.

The draft Plan recognises the constraint at this junction and proposes an additional railway bridge providing a new link to Royston Road. The impact of this will need to be modelled as part of the ongoing masterplanning work.

Additional mitigation measures would therefore be required at this location which have not been identified or costed for.

Royston

The draft Plan includes a number of development sites in Royston (totalling over 900 dwellings in emerging sites) and as these are outside the transport modelled area no account has been undertaken of the local impacts of these.

There is a need to cooperate with South Cambridgeshire and consider how best to assess the implications of the cumulative impact of development in Royston and the Melbourn area. The Cambridgeshire's Infrastructure Delivery Study (2012) identified A10 (Royston in the southwest) as a congested link.

Existing pressure points on the network which will require consideration are Old North Road, the Baldock Street, Kneesworth Street and Melbourn Street junction and London Road / Melbourn Road and the junctions with the A505.

Knebworth

The draft Plan includes over 400 dwellings in emerging sites in Knebworth. The stress plans provided as part of the detailed modelling work indicate capacity issues in the PM peak on the B197 to the south of the town and there are current issues with congestion through the middle of the village centre.

The Stevenage Road / Station Road is potentially a pinchpoint shown as approaching capacity on the stress plans and needs to be assessed for potential improvement.

Knebworth is effectively bisected by the railway line and to cross the railway vehicles and pedestrians have to make use of one of three crossings these are as follows:

- the over bridge at Deards End Lane, which has no provision for pedestrians,
- the bridge at Station Road, which has poor advanced visibility for vehicles and is very narrow. This leads to an un-formalised give/take scenario in most situations. The situation is worse for pedestrians who have to use the substandard width footway where pedestrians are often forced into the road to walk around each other.
- The bridge at Gun Road. Again, the approaches to the bridge have poor visibility and the carriageway under the bridge is narrow. Similarly the footway is also narrow.

Any development on the west side of the village is likely to put extreme pressure on these access points. There appears to be limited scope to improve these crossing

points because of the proximity of properties and the associated electrical sub-stations.

Knebworth Railway Station enhancements will be necessary to accommodate additional capacity required in view of the potential developments.

Passenger Transport Provision:

In terms of passenger transport there are concerns that need to be addressed in relation to the following sites.

Baldock BA1 is of significant size (circa 2,800 dwellings) and is located to the north of the main town centre and will include a 'master plan'. This will need to include new/enhanced passenger transport provision (local bus) and improved access/links to key destinations such as rail/employment/leisure.

Baldock BA2 (circa 260) and *BA3* (circa 214) combined located to the east of Baldock will require enhancements to public transport provision (i.e. local bus) in Clothall parish.

Baldock BA10 (circa 8 hectares) is identified for employment. Existing access by non-car modes is poor, introduction of pedestrian links to Yeomany Drive would assist in providing access to local bus services and provide opportunity for strengthening these services.

Great Ashby GA1 (circa 357) is located to the north of Stevenage. The site partially falls outside accessibility criteria to local bus services and it is therefore important that good, direct pedestrian links are provided.

Great Ashby GA2 (circa 500) is located on the northern extent of Great Ashby and falls outside accessibility criteria to local bus services. Size is of sufficient critical mass to warrant local bus service provision to be included.

Hitchin HT1 (circa 484) is located at the northern town boundary. Local bus service is mainly commercial with possible diversion to meet accessibility criteria.

Knebworth KB1 (circa 227) is located to the east of town. Location is in reasonable proximity to rail station/amenities, etc. Pedestrian access to Old Knebworth Park Lane is required to allow access to local bus services as well as stopping provision necessary.

Knebworth KB2 (circa 184) is located to the east of town. The majority of site falls outside accessibility to rail and bus criteria. Good pedestrian access to Old Knebworth Park Lane is required to allow access to local bus services as well as bus stopping provision. Improvement/enhancement required to pedestrian/cycle links to town centre including rail access.

Letchworth LG1 (circa 1,000) is located at the northern edge of the town. Existing local bus services are currently commercial and will require diversion to adequately serve the site. Early discussion will be necessary to provide for efficient operation of

these. Rail access is remote from location and greater emphasis on sustainable modes of travel is of high importance.

Royston RY1 (circa 311) located west of Ivy Farm. Site currently falls outside accessibility criteria for rail/bus* access. Local bus access will be required. (* Restricted to two return journeys).

Royston RY2 (circa 300) located north of Newmarket Road. Site currently falls outside accessibility criteria for rail/bus access. Local bus provision will be required.

Stevenage North NS1 (circa 1,000) area of undeveloped farm land in parish of Graveley and will include a 'master plan'. This area will be developed jointly with Stevenage and will need to include new/enhanced passenger transport provision (local bus) and improved access/links to key destinations such as rail/employment/leisure.

Wymondley WY1 (circa 300) located in Little Wymondley. Local bus services commercial but access/infrastructure enhancements will be necessary.

Natural, Historic and Built Environment

The County Council supports the policy intentions of the Local Plan covering landscape, ecology and the historic and built environment and provides the following comments to help strengthen these policies and their supplementary text.

Landscape

1. Introduction

Evidence base

The draft Plan consultation web page does not list the relevant landscape evidence base, in particular the landscape character assessment. The NPPF paragraphs 158 and 165 establish a requirement for up to date and relevant evidence about environmental characteristics.

2. Vision and Objectives

The enhancement of the natural environment (including landscape) is fully supported. The objectives for landscape (Figure 1) should be strengthened to reflect the delivery of local character and 'sense of place', green infrastructure, high quality design, public health, a thriving economy, climate change mitigation and adaptation and the provision of ecosystem services.

3. Economy and Town Centres

Paragraph 3.1 - whilst there is reference to the Local Plan positively and proactively encouraging sustainable economic growth, there is no reference to the provision of Green Infrastructure as a significant driver for economic growth and investment.

The Landscape Institutes position statement on GI states that *“quality green space can have a major positive impact on land and property markets, creating settings for investment and acting as a catalyst for wider regeneration. High quality connected environments attract skilled and mobile workers that, in turn, encourage business investment.*

There is limited reference to the rural economy. With the exception of Policy ETC5 Tourism, policies that promote local food production are strongly encouraged. Allotments, community gardens and orchards increases access to healthy food, provides educational and business opportunities, contributes to food security and reconnects communities with their local environment.

Paragraph 3.30 - the provision of Green Infrastructure could help deliver sustainable tourism. Furthermore, it could help deliver sustainable transport and wider access to the countryside (paragraph 3.32).

4. Countryside and Green Belt

Paragraph 4.16 - the recognition of rural buildings, contributing to local character, is fully supported.

Paragraph 4.17 - the definition of ‘harm’ needs expanding to include negative impacts upon local character and amenity, thereby promoting the enhancement of local distinctiveness through the use of local materials, etc.

5. Transport

A reference to Green Infrastructure (GI) is missing. GI is integral to the delivery of sustainable transport and is a key concept for increasing connectivity for more sustainable modes of transport, cycling and walking.

6. Housing and development strategy

Paragraph 6.18 - there is an opportunity in this paragraph, and elsewhere in this chapter, to emphasise the delivery of new Green Infrastructure.

Paragraph 6.24 - with regard to category B villages and the built core, any assessment should take account of important and valued local landscapes, open spaces and features as discussed under policy HC2: Green Space paragraph 8.6.

7. Design

In line with NPPF paragraph 62, there is an opportunity to also reference the Hertfordshire Design Review Panel within this chapter, alongside the existing reference to Building Futures and the Sustainable Design Toolkit. This reference is supported.

9. Natural Environment

Paragraph 9.4 - care should be taken in referring to natural landscapes, as the ELC definition of landscape implies, landscape encompasses a range of natural, man-made, urban and rural areas.

The reference to areas of remoteness is fully supported. The feeling of tranquillity is also a perceptual aspect of the landscape that should be protected wherever possible. Tranquillity provides relief from urban areas and benefits health and well-being, protecting any pockets of tranquillity is especially important in close proximity to highly developed areas.

Paragraph 9.8 - the reference to the current local level landscape character assessment is fully supported. There should also be reference to the 'Historic Landscape Character Assessment.'

At a National level, Natural England has produced National Character Areas (NCAs). Each area profile includes "*a description of the natural and cultural features that shape our landscapes, how the landscape has changed over time, the current key drivers for ongoing change, and a broad analysis of each areas characteristics and ecosystem services. Statements of Environmental Opportunity (SEOs) are suggested, which draw on this integrated information. The SEOs offer guidance on the critical issues, which could help to achieve sustainable growth and a more secure environmental future.*" (NE website)

The importance of landscape character, and the underlying ecosystems that support the landscapes, are fundamental to achieving a sustainable approach to land use planning and management and should run throughout the Local Plan.

There is no reference to the requirement for 'Landscape and Visual Impact Assessments.' These help to assess the significance of impact upon the landscape and inform the development of mitigation and enhancement strategies, ensuring that development has minimal impact upon landscape character and visual amenity. The 'mitigation hierarchy' should ensure that priority is given to the avoidance of impacts. Where impacts cannot be avoided they should be reduced as far as possible and where appropriate compensated for.

Paragraph 9.9 - it is recommended that the character and quality of the natural environment should be *conserved* and enhanced. The term 'conserve' is consistent with NPPF wording and implies *action for positive change*.

In addition to sensitive features, *important* landscape features should be protected where they are highly valued. Guidance for establishing value is set out in the Guidelines for Landscape and Visual Impact Assessment (3rd Edition).

Policy NE2 Green Infrastructure

The County Council supports the policy on Green Infrastructure.

Policy NE5: Delivering sustainable water supply

From the 6th April 2015 the existing planning system will be strengthened to secure the provision of SuDS in all new major developments, where deemed appropriate. This would be for major development of 10 dwellings or more; or equivalent non-residential or mixed development (as defined within the Town and Country Planning Order 2010).

The County Council as the Lead Local Flood Authority, and statutory consultee, will be updating the SuDS Policy Statement and SuDS Local Design Guidance to reflect the new arrangements.

There is an opportunity to emphasise that SuDS should deliver multiple benefits for biodiversity and amenity.

Policy NE6: Reducing flood risk

Refer to comments outlining new arrangements for SuDS under Policy NE5: Delivering sustainable water supply.

Policy NE8: Water Framework Directive and wastewater infrastructure

The River Basin Management Plans are currently out for consultation until April 2015 and may have implications for local policy.

Ecology

1. Introduction

1.2. The 26% increase in dwellings will attract additional population pressure on a range of resources for a variety of reasons, including the natural environment which is already under pressure from changing land uses. Policies must recognise this context and seek to conserve and expand habitats where possible as part of the overall development process. The County Council recognises the policies of the Plan have sought to support this approach.

3. Economy and Town Centres

The majority (93%) of the District remains outside of the towns but nowhere in this Chapter is any mention of the importance of the rural economy in helping to sustain character – including associated biodiversity. This issue needs to be addressed either here or elsewhere in the Plan, where appropriate.

4. Countryside and the Green Belt

The statements in this chapter should recognise the NPPF encourages planning positively for the beneficial use of the Green Belt, including to retain and enhance landscapes, visual amenity and biodiversity.

9. Natural Environment

This chapter should more correctly refer to HMWT Nature Reserves, and also Wildlife Sites which is the standard term accepted throughout Hertfordshire for non-statutory sites of recognised biodiversity importance.

The statements in this chapter should also refer to:

- protected and important species across the District that should be considered in development proposals.
- the role of ecosystem services (e.g. pollination, water and nutrient cycling) and recognise their wider benefits (provisioning, regulating, supporting and cultural services).

The chapter also needs to recognise planning for landscape scale biodiversity resources and the mapping of known sites, networks, corridors and stepping stones, as well as areas for restoration and creation, including priority habitats and species, to ensure net gains are delivered in accordance with the aims of NPPF.

Reference should also be made to the role of the Hertfordshire Environmental Records Centre in providing the evidence base of ecological resources required to inform policies and their implementation, as promoted by NPPF. This is a similar role to that of the Historic Environment Record, which is described in 10.10 and 10.12.

There are currently no indicators for monitoring within the Plan, although several species groups in Hertfordshire benefit from regular volunteer monitoring, information on which is held by HERC.

The chapter could better describe the implications of the hierarchy of site status. The NPPF states that site protection is commensurate with status, with appropriate weight given to their importance and contribution to ecological networks when considering development.

11. Infrastructure & Delivery

In support of implementation, the County Council considers reference should be made to the advisory services which LPAs, including NHDC – have collectively supported within Hertfordshire to enable appropriate advice to be provided in specialist disciplines, such as ecology and archaeology.

The County Council is supportive of the following policies as they relate to the natural environment and biodiversity.

Policy SD1: Presumption in favour of Sustainable Development

Policy CGB2: Rural Areas Beyond the Green Belt

Policy HDS4: Density. Lower density of development on the edges of settlements also allows for a better transition ecologically between urban and countryside areas.

Design Policy D3: Protecting living conditions. The County Council supports this Policy particularly in avoiding harm from light pollution.

Policy HC1: Community, leisure, recreation and cultural facilities

Policy HC2: Green space. No reference has been made to the Accessible Natural Greenspace Standard (ANGSt). This is a recognised measure of accessibility to such areas and their relative provision to local populations. The County Council considers some reference to it should be made, either within the Green Space or Green Infrastructure statements / policies.

Policy NE1: Landscape and Environmental Protection. In practice this will involve supporting both habitat creation to improve connectivity and appropriate management activities. Protecting sites by avoiding damaging development will not in itself protect the quality of the natural environment, which is also dependant on appropriate management. The County Council considers this issue should be recognised within the Plan to enable it to be addressed where planning opportunities allow.

In respect of the policy, the terms 'maintain and enhance' the natural environment are better, as these reflect what the policy is seeking rather than how.

Policy NE2: Green Infrastructure

The supporting text does not recognise the role of agriculture or local food in supporting the management of GI and this should be addressed as these can have an impact on provision of biodiversity.

Policy NE3: Biodiversity

With regard to the wording of Policy NE3: Biodiversity, it is unclear as to why Local Wildlife Sites are referred to as managed. SSSIs and LNRs also need to be managed. This term is unnecessary in this context and should be removed.

The policy should begin by including the principles outlined within the NPPF.

The County Council considers that the wording of the final paragraph needs improving for clarification:

Development proposals should also demonstrate that where ~~if there are~~ existing wildlife habitats such as trees, hedgerows and woodlands ~~they~~ will be retained, they will be safeguarded and managed during and after development in the appropriate manner.

Policy NE2: Green infrastructure

Policy NE4: Renewable energy development

Policy NE5: Delivering sustainable water supply.

Policy NE6: Reducing flood risk. 'Greenfield' sites can vary hugely in their existing capacity to influence hydrology depending on their nature. The policy could be

improved...to mimic natural drainage patterns and processes as far as possible. This should have positive implications for biodiversity.

Policy NE7: Water quality and environment

Policy NE9: Contaminated land

Historic Environment

Whilst the Plan has sought to address the historic environment by the inclusion of Chapter 10, this chapter and particularly Policy HE1: Heritage Strategy has failed to adequately and fully address the protection of the historic environment. The County Council therefore considers the Plan in its current form to have fallen short of providing the context and policy framework provided in the NPPF to ensure the conservation and enhancement of the historic environment. The County Council recommends the following changes are made to the Plan.

The section on Vision and Objectives notes NPPF, para 156. This says local planning authorities should set out the strategic priorities for their area in the Local Plan. Paragraph 2.1 Vision and Objectives notes that the NPPF para 156 also says this should include conservation and enhancement of the natural and historic environment. However the Local Plan Objectives fail to mention the historic environment. The County Council would wish to see this omission addressed.

The Evidence Base does not appear to include any specific references to a historic environment strategy (paragraph 1.4); the supporting text to Policy SD1: Presumption in favour of sustainable development does not refer to the historic environment, nor does Policy ETC5: Tourism, despite noting that several historic assets are important attractions for visitors to the district. Again the County Council would wish to see these omissions addressed.

Chapter 10, Historic Environment is unclear, confusing and not compliant with the NPPF and guidance. Paragraph 126 of the NPPF notes local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment. Whilst this chapter addresses heritage assets such as listed buildings, listed buildings at risk, conservation areas, historic parks and garden and scheduled monuments and archaeology, it does not address nor give any protection to undesigned heritage assets with archaeological interest.

The County Council suggests Chapter 10 is redrafted to address this omission, to include a new policy to give protection to undesigned heritage assets with archaeological interest and needs to be addressed. A new policy could be worded as follows:

'Archaeology

Where an application site includes, or is considered to have the potential to include, heritage assets with archaeological interest, it must be accompanied by an appropriate desk-based assessment and, where desk-based research is insufficient to properly assess the interest, a field evaluation.

There is a presumption against any harm to Scheduled Monuments and heritage assets with archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments. Where the loss of the whole or a material part of a heritage asset's significance (archaeological interest) is justified, planning conditions will be included in any permission to ensure that an adequate record is made of the significance of the heritage asset before it is lost. This will be secured through an archaeological written scheme of investigation (WSI) which must include provision for appropriate publication of the evidence, deposition of any archives with NHDC Museums and appropriate public engagement.'

Paragraph 10.2 should say Currently identified Heritage Assets and the final bullet point should note that Over 10,000 records of archaeological interest are currently recorded by the Historic Environment Record.

Paragraph 10.3 should note that heritage assets include historic buildings.

Paragraph 10.4 should say this section of the Local Plan also includes policy(ies) to conserve the historic environment of the district, as well as containing the Heritage Strategy.

This chapter should include reference to the Natural, Historic and Built Environment advisory service which NHDC use and support to enable appropriate advice to be provided in specialist disciplines, such as archaeology.

Paragraphs 10.11 and 10.12 should be re-written in order to fully represent heritage assets with archaeological interest. For example, they should note that the District's archaeological heritage includes heritage assets up to the 20th century, in particular the world's first Garden City in Letchworth, as well as the significant prehistoric landscape at Therfield Heath near Royston. It should also be noted that it is likely that heritage assets will be identified in the future as being of comparable significance to those that have been designated and these will also be treated as such.

With reference to Areas of Archaeological Significance the following should be included:

- Many other sites of interest are known which are un-designated and new sites are identified on a regular basis. Because of this, a finite list of sites and their areas cannot be identified.
- Areas of Archaeological Significance (AASs) are places within the District deemed to be of moderate or high archaeological potential, based on evidence from known heritage assets (buildings, sites, features and finds) held by the Hertfordshire Historic Environment Record (HER). This does not mean that areas outside the AASs are without archaeological potential.
- The HER is an dynamic dataset, which is updated constantly, to reflect new discoveries within Hertfordshire. From time to time alterations to existing

AASs, or identification of new AASs will be required based on new data or understanding of significance.

Paragraph 10.13 is unclear and needs re-writing.

Paragraph 10.14 - the same criteria must not be used for the purposes of Local Listing and the determination of planning applications. To do so would be acting against the policies of NPPF, and damaging to the interests of undesignated heritage assets with archaeological interest, as it fails to address the issue of archaeological interest. NPPF describes this as follows:

Archaeological interest: There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.

PPS5: Planning for the Historic Environment PRACTICE GUIDE (which DCMS has confirmed is still active) expands:

107. Many heritage assets have a significance that is a combination of historic, architectural, artistic and archaeological interest. However, some will hold only an archaeological interest, in that nothing substantial may be known about the site and yet there is a credible expectation that investigation may yield something of strong enough interest to justify some level of protection.

The County Council recommends that the reference to determination of planning applications should be removed from this section and a separate section used for planning applications. This section also needs revising in order to properly represent heritage assets with archaeological interest.

Minerals and Waste

The preferred development sites for housing and employment have been checked against the Hertfordshire Waste Local Plan (comprised of the Waste Core Strategy and Development Management Policies document 2011-2026, adopted November 2012 and the Waste Site Allocations document 2011-2016, adopted July 14) and the Hertfordshire Minerals Local Plan 2002-2016, adopted 2007 including the Minerals Consultation Areas Supplementary Planning Document (SPD), 2008. In addition, the proposed sites have been checked in relation to existing waste sites that we believe to still be operational at this time.

The following table shows which proposed housing sites and employment areas are on the same land designated as having potential for mineral or waste uses which the District Council should be mindful of in order to avoid any conflict with the Development Plan.

Site in North Herts Local	Allocation in Waste Site Allocations 2011-	Allocation in Mineral Consultation Area	Existing operational waste site
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Plan 2011-2031 Preferred Options	2026 adopted Document	SPD	
IC2	-	Falls mostly within the buffer of North of Hitchin mineral resource block	-
HT8	-	Southern part falls within buffer of Hitchin Rail Aggregates Depot	-
BE2	ELAS201 Royston Road	-	-
HE1	ELAS196, ELAS197, ELAS198 , ELAS199 Wilbury Way & ELAS200 Cadwell Lane/Wallace Way	-	CM925 5 Hunting Gate (Waste Recycling Facility) & CM913 Metal&Waste Recycling Ltd Wallace Way (ELV & metal recycling)
HE2/HB3	-	-	CM864 Hitchin Waste Transfer Station, Burymead Road (WTS)
HE3	ELAS193 Station Approach, Hitchin	-	-
LE1 & LE2	Falls mostly within ELAS026 Works Road/Blackhorse Road, Letchworth	-	-
LE2	See above	-	CM497 HWRC Letchworth, Blackhorse Road (HWRC)
LE3	ELAS026 Icknield Way East (Southwest), Letchworth	-	-
LG12	ELAS026 Works Road/Blackhorse Road, Letchworth	-	-
RE1	ELAS028 Orchard Road (West)	-	CM455 HWRC Royston, York Way (HWRC)

CM – County Matter site number
 ELAS – Employment Land Area of Search
 HWRC – Household Waste Recycling Centre
 WTS – Waste Transfer Station

Minerals

Whilst North Herts is not located within the sand and gravel belt there are mineral resource blocks in North Herts which the County Council would not wish to be sterilised by future development. These are sites outside of the British Geological Survey Mineral Assessment Report Areas which have been found to contain sand and gravel within pockets in the northern part of the county which lie outside of the sand and gravel belt.

IC2 is a proposed housing site in Ickleford which abuts the 'North of Hitchin' mineral resource block and falls within the buffer of the mineral resource block. The site is therefore in very close proximity to a mineral resource which the County Council would not wish to be sterilised. Geological data indicates that the superficial geology is glacial sand and gravel with bedrock geology of Gault formation and upper Greensand formation with mudstone, sandstone and limestone of the early-late Cretaceous epoch. The buffer around the resource has been designated to safeguard the full extent of the mineral resource that has been identified as a viable economic reserve that should be extracted. This is a Mineral Consultation Area as defined in the Mineral Consultation Areas SPD.

A Mineral Consultation Area is an area where significant mineral reserves may occur, which the County Council as Minerals Planning Authority aims to protect by seeking the extraction of any workable minerals reserves that may lay within it, prior to other development taking place. The identification of Mineral Consultation Areas based on Mineral Safeguarding Areas is in line with the NPPF and Mineral Sterilisation Policy 5 in the adopted Minerals Local Plan. The NPPF in paragraph 143 requires that '*known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development.*' The County Council would therefore expect to be consulted upon any planning application for development that falls within a Mineral Consultation Area, other than applications for 'excluded development' as described in Section 3 of the SPD. These are as follows:

- i) applications on land already built upon (except for major applications - that is, applications for residential development consisting of 10 or more dwellings, or if the number of dwellings is not known, where the site area is 0.5ha or more; and in the case of other development, where the floorspace to be created is 1000 sq metres or more, or if the site area is 1ha or more. Such applications **will** be subject to the consultation procedures);*
- (ii) applications for infilling development in towns and villages (subject to the same exception as above);*
- (iii) applications for domestic extensions or garages and similar structures within the curtilage of an existing dwellinghouse;*
- (iv) applications for development which is in accordance with the provisions of an adopted local plan or other development plan document and which relates to an allocation, or to an area action plan designation;*
- (v) 'reserved matter' submissions pursuant to an outline permission;*
- (vi) applications for temporary dwellings or other similar structures; and*
- (vii) advertisement applications.*

It is the responsibility of the County Council to ensure the future protection of valuable mineral resources and therefore would wish to see mineral extracted prior to any other development taking place. This requirement is written into Minerals Policy 5: Minerals Sterilisation within the adopted Minerals Local Plan, adopted 2007 which seeks to protect mineral resources within the County from sterilisation, by encouraging extraction prior to development taking place. These are considered to be on sites where significant mineral resource would be sterilised. When the County Council is consulted on planning applications for development within a mineral consultation area, it will object to any development proposals within them which would prevent or prejudice future mineral extraction, unless it is clearly demonstrated that:

- the land affected does not contain potentially workable mineral deposits and/or
- there is an overriding need for the development; and
- the mineral cannot practically be extracted in advance.

The County Council requests that there is reference to the 'North of Hitchin' mineral resource block and buffer in regards to IC2 in the Local Plan. Further assessment of the mineral resource is required to ascertain the amount of sand and gravel that is within this resource block area and potentially within the proposed site of IC2. Consideration should be taken of the timing of any land coming forward for housing and any potential for the mineral to be extracted from the resource block. It may however be more pertinent in this case that the site may give rise to 'opportunistic' use of some limited or poorer quality minerals that could be utilised in the development itself. Examination of these opportunities would be consistent with the principles of sustainable development and any future developer should be made aware of this.

Rail Aggregate Depots

The Mineral Consultation Areas SPD also provides for the protection of depots for transporting aggregate minerals by rail. These depots have an important long-term role to play in meeting society's needs for these minerals, and it is therefore important that they are not lost unnecessarily to other forms of development.

Proposed site HT8 falls partly within the buffer of Hitchin Rail Aggregates Depot as identified in the Mineral Consultation Areas SPD. Whilst Hitchin Rail Aggregate depot is not currently operating it remains safeguarded under Minerals Policy 10: Railheads and wharves. This policy expects the retention of existing and disused railheads and wharves unless:

- a) The existing or disused facility can be satisfactorily relocated within the development proposals in terms of operational requirements and environmental criteria; or*
- b) It can be demonstrated that the site is no longer viable for use as a rail aggregates depot or wharf; or*
- c) The facility has been or will be replaced in an appropriate alternative location.*

The County Council would not wish to see any development adjacent to the Hitchin rail aggregate depot that would prejudice the future use of this site for the exportation and importation of minerals and secondary and recycled aggregates.

Waste

In terms of national policy, the National Planning Policy for Waste (NPPW) obliges non-waste planning authorities to consider waste planning issues when discharging their function as the determining authority for non-waste planning applications. Section 8 of the NPPW specifically outlines this. The Local Plan acknowledges that waste management is a strategic priority for preparing Local plans as detailed in the NPPF and included in figure 1, paragraph 2.1 of the Preferred Options document.

Employment Land Areas of Search

The above table shows a number of employment area designations that are also Employment Land Areas of Search within the Waste Site Allocations document.

As you may be aware the County Council is currently in the process of producing an Employment Land Area of Search SPD which should be referred to for additional information in respect of individual ELAS sites.

Employment Land Areas of Search have been allocated within the Waste Local Plan as they show 'in principle' acceptability for waste management development and how this will go towards fulfilling the waste capacity shortfalls outlined in the Waste Core Strategy and Development Management Policies document and the associated Strategic Objectives. These have been allocated as the area is suitable for accommodating B2/B8 uses which are compatible with waste uses. As such the County Council would not wish to see employment uses or non-B uses permitted on these sites that are not compatible with potential waste uses that have been considered suitable in these areas as detailed in the general waste brief for ELAS in the Waste Site allocations document and any further detail which is in the draft ELAS SPD.

The County Council is pleased to see the areas which are designated as ELAS in the Waste Site Allocations document retained as employment areas within the Local Plan. The retention of designated employment areas for uses within use Class B, as stated in paragraph 3.19, is welcomed.

Economy and Town Centres Policy ETC3: Appropriate Uses in Employment Areas seeks to protect the B uses, and the County Council supports the policy in respect of the presumption against the loss of existing employment land and premises in these areas and also the presumption against any new development proposals which are not in these use classes. It is noted that in exceptional circumstances there could be other non-employment uses permitted on these sites. The Waste Planning Authority would oppose any other non B uses if they were to prejudice the continued operation of existing waste sites, or to prejudice the coming forward of waste sites within the Employment Land Areas of Search in the Waste Local Plan.

The Waste Planning Authority would however suggest that additional text is inserted in Policy ETC3 which highlights the fact that employment areas in Letchworth Garden City and Baldock are situated within Waste Core Strategy and Development Management Policies Area of Search D for Local Authority Collected Waste Treatment and Transfer facility. This means that the proposed designated employment areas would be suitable for waste treatment and transfer facilities that will cater for local authority collected waste or any other type of waste management facility that would fulfil the capacity shortfalls in the adopted Waste Core Strategy and Development Management Policies document, November 2012.

Existing waste sites

With regards to the existing operational waste uses that are currently taking place on some of the sites and land where planning permission exists but development has not yet been implemented, these are safeguarded under Policy 5: Safeguarding of Sites in the Waste Core Strategy and Development Management Policies document. These serve a valuable waste management function within the County and should not be lost unless there is a replacement facility provided or there was a proven reason that there is no longer a need for the facility.

Sites and information regarding waste to support new development

Waste is an essential part of the infrastructure required to support any level of growth and should where possible accord with the proximity principle.

Regarding the design of developments it is essential to design these to reduce waste creation during construction. It is encouraging to see in para 7.7 that the reuse and recycling of materials to reduce the creation of waste during construction. In addition the County Council would wish to see wording that encourages developers to consider the creation of waste during the lifetime occupation of developments. Not only is it important that provision is made for the storage and collection of waste and recyclables at new development sites, but also that sufficient land should be available on larger scale developments for the provision of neighbourhood recycling centres.

Site Waste Management Plans (SWMP) are a useful tool to assist with the management of waste on construction sites. Whilst the revocation of the SWMP Regulations means there is no longer a legal obligation for developments over £300,000 to be accompanied by a SWMP, Policy 12: Sustainable Design, Construction and Demolition in the Waste Core Strategy and Development Management Policies document requires completed SWMPs to support relevant developments and to be passed onto the Waste planning Authority to collate the data. The Waste Planning Authority still considers this to be relevant as SWMPs can significantly contribute to the implementation of the waste hierarchy on developments that take place within the district.

The County Council considers that there is justification to include the requirement for the designing out of waste and the use of sustainable materials in new developments either in Design Policy D1: Design and Sustainability or the Design SPD.

General considerations

To ensure the full coverage of minerals and waste in relation to potential development sites, signposting to the Minerals and Waste Local Plans would be useful.

In terms of Infrastructure and Delivery Policy ID2: Masterplans, it is considered that this should have additional bullet points which cover minerals and waste matters. The County Council would be very happy to engage with North Herts District Council in relation to developing masterplans for the larger sites to ensure that these matters can be fully incorporated into the design and delivery of the development.

Yours sincerely,

Paul Donovan
Environment Department
Hertfordshire County Council