

HUTCHINSONS

Planning & Development Consultants

Representations on

Behalf of

Save Rural Codicote

North Hertfordshire District Council

Local Plan 2011-2031

Schedule of

Further matters, Issues and Questions

Matter 26

HUTCHINSONS

15 Castle Gardens, Kimbolton, Cambridgeshire. PE28 0JE

1 INTRODUCTION

- 1.1 These representations are submitted on behalf of Save Rural Codicote in respect of Matter 26 – villages ‘for growth’ contained in the Inspector’s Schedule of Further Matters, Issues and Questions issued in January 2020 and which is to be considered at the further hearings for the Examination in Public scheduled for the morning of the 26 March 2020.

2 INSPECTOR’S QUESTIONS

- 2.1 SRC consider that its previous objections submitted in respect of allocations and the growth of Codicote have not been addressed and remain outstanding.
- 2.2 With regard to the specific questions raised by the inspector in respect of matter 26, SRC consider that removing Codicote from the Type A village category and reclassifying it as one of five growth villages will place pressure on the village to accept further growth in the future and over the lifetime of the Local Plan. While it is noted that the modification was suggested by the Inspector, it is considered that the wording of Policy does not convey the intentions set out in the Inspector’s questions.
- 2.3 It is noted also that the Council claims that the changes simply reflect in a clearer way what the Local Plan as submitted already proposes, and does not confer any sort of new ‘status’ on the five villages but SRC take a different view. It clearly does confer new status on the village.
- 2.4 The original submitted Local Plan had two tiers of villages. It now has three tiers of villages with Codicote (and 4 others) raised in the hierarchy to between towns and Category A villages. They have a new identified and stated status in the Local Plan as being for growth which they did not have before. The policy and therefore that growth is for the duration of the plan period i.e up to 2031. The Plan is aimed at increasing housing development within the district and it is clear that further growth is anticipated/allowed beyond the figure contained in the allocations as the following footnote has been added to the policy into the Main Modifications which states:

The figures shown in this policy for individual settlements are the total of

planned, permitted and completed development for the period 2011-2031 as shown in Chapter 13 of the submitted plan. These figures are not a target and do not necessarily represent the maximum number of new homes that will be built.

- 2.5 As a consequence, whilst it may have been the intention that the modification does not result in a more (or less) permissive approach to windfall development, and does not allow for further growth at the five villages than if they were identified under the 'category A villages' tier, as stated by the Inspector in his MIQ, it is considered that the introduction of a separate tier where growth is to be allocated and allowed does not support this contention.
- 2.6 It is not considered therefore that the policy says what the Inspector sets out in his understanding. Certainly it is not the way that SRC understand it and it is unlikely to be the way that future developers will interpret the policy. The 11% of housing is a notional percentage achieved, as we have already highlighted in previous objections, by a calculation of low housing density which is unrealistic and not endorsed by developers. Labelling a village as one for growth indicates that it is capable of accommodating growth for the duration of the plan. The plan does not limit this growth to the development of the allocated sites. These are likely to come forward in the early stages as applications have been submitted (for more housing than the allocation numbers) on 3 out of the 4 sites. As a consequence, Codicote will be regarded as a village where growth is expected and encouraged by the Local Plan for the duration of the Local Plan. This will apply to windfall sites. It is clear that, as modified, the Local Plan does not preclude further development in these villages and the footnote specifically confirms that the figures shown for villages for growth in this policy (i.e. 11%) are not a target and do not necessarily represent the maximum number of new homes that will be built.
- 2.7 SRC consider therefore that the policy needs to be amended to achieve what the Inspector considered to be necessary.
- 2.8 Whilst SRC do not agree with the proposed allocations, it considers that the main modification does alter the level of new housing that may be delivered at Codicote. It is considered that the policy needs to be clarified to make clear that the policy is not intended to result in a more (or less) permissive approach to

windfall development within the identified growth villages and that they are identified as villages for growth purely on the grounds of the scale of the allocations for each of the 5 villages.

2.9 The reason why this is necessary is because, regardless of the intentions of the Council or the Inspector, once adopted, the Local Plan will be interpreted as a standalone document without reference to extrinsic material which are neither incorporated into nor referred to in the LP: see Phides v SSCLG [2015] EWHC 827 (Admin) at para. 56. Therefore, even if neither the Inspector nor the Council intends for the phrase “Village for Growth” to confer a special status on Codicote, if this is not spelled out in the plan, there is a risk that developers will rely on it in the future.

2.10 Given this, to make the plan sound, it is necessary to add text (either as a footnote to the policy or in the supporting text to clarify the purpose of the change in the plan itself. SRC suggests the following text (which is adapted from the Inspector’s MIQ (and in turn which reflects text provided by the Council):

“The title “Village for Growth” does not confer any sort of enhanced ‘status’ on the five villages. It does not result in a more (or less) permissive approach to windfall development, and does not allow for further growth at the five villages than if they were identified under the ‘category A villages’ tier.”