

Examination of the North Hertfordshire Local Plan (2011-2031)

Examination hearing sessions

Statement of North Hertfordshire District Council

Matter 2 – Sustainable development: the settlement hierarchy (Policy SP2)

2.1 Policy SP2 sets out the Plan's settlement hierarchy. This comprises four tiers – Towns, Category A Villages, Category B Villages and Category C Settlements.

a) Is each settlement placed within the most appropriate tier?

1. The Council considers that each of the identified settlements in this policy have been placed within the most appropriate tier. The reasons for this are explained in the Council's answers to subsequent questions.

b) What factors have been taken into account when deciding which tier each settlement should be placed in?

2. The approach to determining the settlement hierarchy is set out in the Housing and Green Belt Background Paper (HOU1). In summary, the following matters have been considered:
 - Existing status;
 - Performance against sustainability criteria;
 - Presence of facilities;
 - Urban form; and
 - Green Belt
3. These factors are explained in more detail below.
4. HOU1 explains (see Section 2, pp.4-5) that a comprehensive analysis of the district's settlements was carried out to inform the proposed settlement hierarchy that was set out at the Preferred Options stage of the plan (see OLP5, Policy HDS2, p.37-39). The analysis carried out to inform the Preferred Options settlement hierarchy is reproduced in Appendix 1 of HOU1¹.
5. It is this analysis that still forms the substantive basis for the hierarchy in Policy SP2 of the Plan (though see paragraphs 19 to 24 below) and it is therefore beneficial to first expand upon the approach taken at the Preferred Options stage ("the Preferred Options analysis") of the Plan's preparation.

¹ Appendix 1 is reproduced from analysis in an earlier Housing and Settlement Hierarchy Background Paper. The section / paragraph / page numbers in this Appendix therefore do not run sequentially with the main body of HOU1.

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6. With regards to the highest tier of the settlement hierarchy, the Preferred Options analysis concluded that the identification of towns for development was "fairly uncontroversial" but that the definition and ranking of villages was "less clear cut" (HOU1, Appendix 1, Paragraph 5.2 / p.37).
7. In order to inform the most appropriate approach, the analysis carried out a comprehensive exercise to consider in particular how the villages and smaller settlements of the District should be classified. This considered:
 - The existing status of villages under the saved policies of the 1996 plan (HOU1, Appendix 1, Paragraphs 5.4 and 5.5 / pp.37-38); and
 - The 'performance' of villages against the three recognised strands of sustainability, including:
 - Social sustainability: Key considerations were parish boundaries and the presence of dominant settlements within them (HOU1, Appendix 1, paragraph 5.13 / p.38-39), and the presence of community infrastructure such as schools, village halls and shops (see particularly HOU1, Appendix 1, Figure 10 / pp.41 - 42);
 - Economic sustainability: The key consideration was the presence of commercial infrastructure reliant upon the local population for its survival, such as shops and public houses (HOU1, Appendix 1, Paragraph 5.30, p.43); and
 - Environmental sustainability: It was recognised that, perhaps counterintuitively, there was no clear correlation between the size of the District's villages and their dependence on the private car for journeys to work, which is often one of the key arguments for restricting village development on sustainability grounds (HOU1, Appendix 1, Paragraphs 5.33-5.37, p.44 and Figures 11 & 12, pp.46-47). It was also identified that a failure to allow further growth within villages could have detrimental environmental impact if this led to the closure of facilities and an increased need to travel (HOU1, Appendix 1, Paragraphs 5.38 and 5.39 / pp.44-45).
8. This led to the development of a proposed hierarchy consisting of Category A, Category B and Category C villages.
9. The presence of a school was identified as the defining factor in determining the Category A villages (HOU1, Appendix 1, Paragraph 5.41, p.48). The précis of the detailed analysis above demonstrates that the Council did not ~ as suggested by some objectors to the plan ~ identify Category A villages simply by selecting those settlements with schools. Rather that the presence of a school was likely to indicate that a village was:
 - Already of a critical mass such as to support a school in the first instance; and / or
 - The primary settlement within a parish; and / or
 - More likely to be host to other community facilities.
10. On this last point, the survey within Figure 10 demonstrates that villages with a school were more likely to have each of the other surveyed facilities present than those villages without a school. This is shown in Table A below and is discussed in general terms in HOU1 (Appendix 1, paragraphs 5.22-5.24, p.42).

Table A: Presence of facilities in villages with / without a school

Village / postal locality	Avg. facilities	% of villages / postal locality with			
		Shop	Pub	Hall	Surgery
With a school	3.5	55%	86%	91%	23%
Without a school	1.0	6%	48%	42%	0%
<i>Without a school – excluding villages with no facilities</i>	1.4	10%	71%	62%	0%

Source: HOU1, Appendix 1, Fig.10 / NHDC analysis

11. This approach led to the identification at Preferred Options stage of 22 Category A villages. These are shown in Policy HDS2 of the Preferred Options consultation (OLP5, pp.37-39) and listed at Appendix 1, paragraph 5.41 of HOU1.
12. The approach to identifying the most appropriate category for the remaining villages is set out in Appendix 1 of HOU1 at paragraphs 5.42 to 5.60 (pp.48-51).
13. The identification of Category B villages was guided by:
 - The presence of a village hall and / or pub; and
 - Presence of a clear built core within which infilling could occur without encroaching into the surrounding countryside.
14. Where necessary, the presence of a built core (versus a more loose knit urban form) was considered on a case-by-case basis to inform the decision (HOU1, Appendix 1, paragraphs 5.47 to 5.55)
15. This resulted in the identification of 14 Category B villages as listed in Policy HDS2 of OLP5.
16. Following this process, four parishes remained in the District where no towns, Category A or Category B villages had been identified. It was recognised that small-scale needs for development could still be identified in these locations as a result of:
 - Parish Council needs assessments; and/or
 - Any decision by those parishes to develop a Neighbourhood Plan (for which Parish Councils are the default body for neighbourhood planning purposes within their own administrative areas).
17. These remaining locations were therefore identified as Category C villages at the Preferred Options stage (HOU1, Appendix 1, paragraphs 5.57 to 5.60).
18. As set out above, the hierarchy proposed at the Preferred Options stage ~ and the evidence base supporting it ~ form the basis of that now proposed in Policy SP2 (LP1, pp.32-34 *and explained at* HOU1, para 2.3, p.5).
19. However, as set out in HOU1 (paras 2.4 to 2.10), it was considered necessary to make some amendments to the proposed hierarchy between the Preferred Options and Proposed Submission stages of the plan.

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20. The principal changes arise from consideration of the role of settlements in relation to the advice in Paragraph 86 of the NPPF in relation to Green Belt and the findings of the updated evidence. The Green Belt Review considers (CG1, Chapter 4, pp.67-97) the contribution of a number of the Category B villages (as proposed at Preferred Options stage) to Green Belt purposes as well as analysing their general character.
21. Following consideration of this qualitative analysis, and as set out in HOU1, three villages were moved from Category B to Category C: Clothall, Peters Green and Radwell (see also answer to Question 2.2(d) below).
22. Following submission of an additional site at Preferred Options stage, which is now included as a proposed allocation in the plan (Site LS1), Lower Stondon has been added to the settlement hierarchy within Category A.
23. Lower Stondon (which is taken to include both the original village and the area also referred to as Henlow Camp within Henlow parish) contains a range of facilities commensurate with some of the larger Category A villages within North Hertfordshire including a lower school, public house and shops.
24. The identification of Lower Stondon within the settlement hierarchy is consistent with the approach taken in other areas of the District where settlements lie partially or (currently) wholly outside of North Hertfordshire's administrative area. This includes places such as Stevenage, Luton and Oaklands (which is predominantly in Welwyn Hatfield).
25. A number of representations challenge:
- the methodology for identifying villages;
 - the ability of infrastructure within villages (including schools) to absorb the impacts of additional development; and / or
 - the categorisation of particular villages.
26. This includes responses received in relation to the proposed Category A villages of Ashwell², Preston³, Therfield⁴ and Whitwell⁵.
27. For the reasons set out above and in the relevant evidence documents quoted, the Council considers that these (and all of the) villages and the settlements in the District have been appropriately categorised.
28. Although the villages, and some of the smaller villages in Category A in particular, are inevitably less sustainable locations for development than the towns and the larger Category A villages (such as Knebworth), this does not render them unsustainable to the extent that they should not make a modest contribution to the District's significant

² Representation ID: 5667

³ Representation IDs: 5610, 5661

⁴ Representation IDs: 5194, 5427;

⁵ Representation IDs: 588, 1253, 1260, 1500, 2041, 2653, 2780, 2788, 2966, 3418, 3572, 3887, 4527, 4484, 5136, 5758, 5841, 5873, 5958,

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future housing needs (see *also* answer to 2.2(b) below and the Council's Matter 5 statement).

29. The settlements specifically identified above are all served by a range of facilities as identified in HOU1 (Appendix 1, Figure 10 / pp.41 – 42):

- Ashwell – School, shop, pub, hall, surgery;
- Preston – School, pub, hall
- Therfield – School, pub, hall
- Whitwell – School, shop, pub, hall, surgery

30. Some local facilities, particularly primary schools may be perceived as being at capacity thereby restricting the prospects of future development. Detailed schools admissions information is published annually by Hertfordshire County Council⁶. This shows that a number of the District's village schools accept children from outside of their immediate priority area. In many instances, the potential additional students generated by proposed development in Category A villages would be allocated places at the local school in preference to this more 'footloose' element of demand. This issue will be returned to as required in the Council's Matter 11 statements.

31. The appropriateness (or otherwise) of inseting Category A villages from the Green Belt is considered in the Council's Matter 7 statement. The appropriateness (or otherwise) of detailed, individual village boundaries will be considered in the Council's Matter 11 statements.

(c) Is the hierarchy supported by the Sustainability Appraisal?

32. The Council considers that the hierarchy is supported by the Sustainability Appraisal. The settlement hierarchy arises in part out of the consideration of strategic options for housing locations and distribution (see Matter 1 statement). These strategic options were appraised in the SA process. The options considered and appraised were:

- Continue current policy of focusing development on the four towns and fourteen villages, which may include limited development of greenfield sites;
- Focus development on previously developed land (PDL) within existing urban areas;
- Urban extensions on greenfield land adjoining existing towns;
- Build a new settlement; and
- Use smaller greenfield sites in the villages (LP4, Section 4.3.1, pp58-59⁷).

33. The SA also gives further consideration to the policy options for rural areas and settlement pattern policy options (LP4, Table 24, pp.63-65). The details of the SA assessment of these strategic options can be seen in Appendix 3 (LP4, pp.253-254, 270-275 & 350-368).

⁶ <https://www.hertfordshire.gov.uk/services/schools-and-education/school-admissions/research-a-school/school-admissions-previous-years-statistics.aspx>

⁷ Page references within LP4 correspond to the "NHDC Page Number" printed at the top left of each page.

34. The hierarchy in policy SP2 was appraised in the SA process. The appraisal noted (LP4, p.74):

The policy seeks to focus new development within or adjoining existing settlements, which will have a range of positive effects. Potential negative effects mainly stem from:

- *The interaction with existing residential areas, e.g. noise impacts and increasing distance to green space.*
- *The fact that much development adjoining existing settlements will be on greenfield sites which may have agricultural, ecological or amenity value.*

It will be possible to mitigate many of these impacts, particularly through design and layout considerations. No specific recommendations are made for changes to this policy as the issues will be best addressed through other plan policies.

35. The detailed assessment matrix can be seen in Appendix 10 (LP4, pp.1004-1011).

2.2 Through Policy SP2, the “majority of the District’s development” is directed to the Towns. “General development” is allowed within the defined boundaries of Category A Villages. “Infilling development which does not extend the built core of the village” is allowed in Category B Villages. “Only limited affordable housing and facilities for local community needs” are allowed in Category C Settlements.

a) Should Policy SP2 be more specific about the amount of different types of development that is anticipated in each tier of the hierarchy, or even in each settlement?

(b) Should Policy SP2 be more specific about the distribution of the “majority of the District’s development” between the Towns?

36. These two questions are answered together.

37. The Council does not consider that Policy SP2 should be more specific about either the amount of different types of development that is anticipated in each tier of the hierarchy and in each settlement or the distribution of the majority of the District’s development between the Towns. Policy SP2 is intended to set a high-level framework as to the purpose of the District’s main towns, villages and settlements over the plan period. It establishes general parameters and expectations as to their role.

38. This provides the context for subsequent policies and sections of the document which specifically deal with the spatial distribution of development, such as Policy SP8 (LP1, p.47-48). Chapter 13 of the Plan (LP1, pp.133-214) provides clarity on a settlement-by-settlement basis as to the amount of completed, permitted and allocated development.

39. Replicating similar information within SP2 would result in an unwieldy policy and detract from its primary purpose of setting the broad development hierarchy. It would be repetition to include such information in both SP2 and later sections of the plan.

40. Notwithstanding this point, the broad distribution of housing development anticipated by the Plan in each tier of the hierarchy is set out below⁸:

- Within and adjoining towns: 75%, of which:
 - Baldock: 19%
 - Hitchin: 10%
 - Letchworth Garden City: 13%
 - Royston: 10%
 - Stevenage (including Great Ashby): 11%
 - Luton: 12%
- Category A villages: 15%;
- Category B villages: <1%;
- Category C settlements: <1%;
- Currently unspecified (windfalls and other non-spatial allowances): 9%

41. By their nature, it is not currently possible to attribute future windfalls and allowances to any specific tier of the hierarchy. However, it is reasonable to assume that a significant proportion of these will be focussed within the District's towns.

42. The appropriateness of this distribution is considered under other relevant matters and these figures are provided here for general illustration only.

43. For employment and retail, all of the proposed development allocations to meet future needs are within or adjoining the towns. The policy framework in the plan, and the existing distribution of employment and retail through the district, means that a small proportion of employment and retail development is likely to occur in other locations.

44. Notwithstanding the above points, it is accepted that a broad statement within the supporting text to Policy SP2 could be beneficial. A modification is therefore proposed between Paragraphs 4.11 and 4.12 of LP1:

“Based on the policies and allocations of this plan, it is anticipated that at least four in every five new homes delivered over the plan period will be built within or adjoining the towns. The rest will be distributed across North Hertfordshire’s villages and the remainder of the District. The towns will remain the primary focus for employment, retail and other development.”

(c) What is the “general development” that will be allowed in Category A Villages – should the policy be more explicit, for effectiveness?

45. “General development” encompasses all types of development, not just housing. It should be taken to mean ‘development which is otherwise in accordance with relevant policies of this plan and other material considerations’.

⁸ This is based on the information provided in the submitted Plan and, in particular, Chapter 13 for the avoidance of confusion. A detailed table is contained in Appendix 1. More up to date monitoring information has been submitted to the examination (ED3) and will form the basis of the consideration of matters relating to five-year land supply etc. (see the Council's Matter 4 statement).

46. In contrast to Category B villages and Category C settlements, there would be no specific restrictions upon the types of development permissible in the Category A villages provided that applications can demonstrate conformity with detailed policy requirements (such as any locational criteria (including sequential testing), design, highways etc.).
47. 'General development' is considered sufficient to convey this aspiration. Alternate forms of wording (such as the interpretation in Paragraph 45 of this statement) are likely to be less, rather than more, effective.

(d) Paragraph 89 of the National Planning Policy Framework says that limited infilling in villages in the Green Belt is not inappropriate development. Is the approach to development in Category C settlements more stringent than this? If so, what is the justification for this?

48. The Council does not consider that Policy SP2 results in an approach which is more stringent than set out in national policy.
49. Paragraph 89 of the National Planning Policy Framework (NPPF) specifically refers to infilling within villages (emphasis added). Policy SP2 identifies those places listed under Category C, for planning purposes, as "settlements" rather than "villages" as is the case for those in Category A and Category B. A recent decision of the High Court confirms that it is a matter of planning judgement whether a particular settlement constitutes a village for the purposes of Green Belt policy.⁹
50. There are sound planning judgements and reasons behind the decisions to identify the seven Category C settlements.
51. Paragraphs 16 and 17 of this statement identify that four of the Category C settlements were identified in this tier of the hierarchy at the Preferred Options stage (Bygrave, Caldecote, Langley and Nuthampstead). These were considered not to meet the criteria for identification as higher-order settlements. Their identification was predicated purely on the absence of any alternate settlements within their parish.
52. Paragraph 21 identifies that Clothall, Peters Green and Radwell have been moved from Category B to Category C following qualitative consideration of Green Belt issues which justify a more restrictive approach:
- The Green Belt review identifies Clothall as consisting of "fragmented clusters and single dwellings...[with] no clear focal point" (CG1, p.75);
 - Peters Green is considered "sensitive to change because of its size" (CG1, p.79). Furthermore, Peters Green is in the same parish as Kimpton (Category A) and Blackmore End (Category B) (LP1, paragraph 13.171, p.173) where a more permissive approach to development will be followed;

⁹ R (Tate) v Northumberland County Council [2017] EWHC 664 (Admin) at paragraph 30.

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- Radwell was excluded from consideration for inseting in the Green Belt Review. It essentially comprises one street (LP1, paragraph 13.273, p.197) with clusters of development around Radwell Bury Farm.

53. In this respect, the Category C settlements would sit outside of the definition and scope of “limited infilling in villages...” in the 5th bullet point of NPPF Paragraph 89, but within the scope of “...and limited affordable housing for community needs under policies set out in the Local Plan” in the remainder of that bullet point.

54. The Council’s response to the interpretation of the detailed policies in the plan relevant to this point is set out in our Matter 15 statement.

Appendix 1: Development by settlement 2011-2031

Settlement	Settlement Hierarchy	Strategic Housing Sites (Dwelling Estimate)	Local Housing Allocations (Dwelling estimate)	Completions and Permissions (Dwellings)	Windfalls and broad locations	Total allocated, permitted and completed	Employment Allocations (ha)	Retail allocations (m ²)	Notes
Ashwell	Category A	0	33	62	0	95	0	0	
Baldock	Town	2,500	586	204	0	3,290	19.6	1,900	1
Barkway	Category A	0	173	31	0	204	0	0	
Barley	Category A	0	0	4	0	4	0	0	
Blackmore End	Category B	0	0	0	0	0	0	0	2
Breachwood Green	Category A	0	16	0	0	16	0	0	3
Bygrave	Category C	0	0	0	0	0	0	0	1
Caldecote	Category C	0	0	0	0	0	0	0	
Clothall	Category C	0	0	0	0	0	0	0	1
Cockernhoe	Category A	0	0	5	0	5	0	0	4
Codicote	Category A	0	315	49	0	364	0	0	5
Graveley	Category A	0	8	8	0	16	0	0	6
Great Wymondley	Category B	0	0	0	0	0	0	0	7
Hexton	Category A	0	0	1	0	1	0	0	
Hinxworth	Category B	0	0	3	0	3	0	0	
Hitchin	Town	700	309	638	0	1,647	0	8,500	8
Holwell	Category B	0	0	10	0	10	0	0	
Ickleford	Category A	0	199	10	0	209	0	0	9
Kelshall	Category B	0	0	1	0	1	0	0	
Kimpton	Category A	0	13	32	0	45	0	0	2
Kings Walden	-	0	0	1	0	1	0	0	3
Knebworth	Category A	0	598	65	0	663	0	0	10
Langley	Category C	0	0	7	0	7	0	0	
Letchworth Garden City	Town	900	623	594	50	2,167	1.5	11,400	11
Lilley	Category B	0	0	1	0	1	0	0	
Little Wymondley	Category A	0	300	16	0	316	0	0	7
Lower Stondon	Category A	0	120	4	0	124	0	0	9
Luton	Town	2,100	0	0	0	2,100	0	1,100	4
Newnham	Category B	0	0	0	0	0	0	0	
Nuthampstead	Category C	0	0	0	0	0	0	0	
Oaklands	Category A	0	0	0	0	0	0	0	10
Offley	Category A	0	0	73	0	73	0	0	
Old Knebworth	Category B	0	0	0	0	0	0	0	
Peters Green	Category C	0	0	0	0	0	0	0	2
Pirton	Category A	0	0	94	0	94	0	0	
Preston	Category A	0	21	17	0	38	0	0	
Radwell	Category C	0	0	6	0	6	0	0	
Reed	Category A	0	22	12	0	34	0	0	
Royston	Town	0	1,049	663	0	1,712	10.9	4,000	
Rushden	Category B	0	0	2	0	2	0	0	
Sandon	Category A	0	0	13	0	13	0	0	
St Ippolyts	Category A	0	52	34	0	86	0	0	
St Pauls Walden	-	0	0	9	0	9	0	0	12
Stevenage (inc. Great Ashby)	Town	1,500	330	0	0	1,830	0	500	6
Therfield	Category A	0	12	10	0	22	0	0	
Wallington	Category B	0	0	1	0	1	0	0	
Weston	Category A	0	40	7	0	47	0	0	6
Whitwell	Category A	0	41	0	0	41	0	0	12
Willian	Category B	0	0	0	0	0	0	0	11
Unspecified	-	0	0	5	1,600	1,605	0	0	
Total		7,700	4,860	2,692	1,650	16,902	32.0	27,400	

Notes:

Figures relate to those included in the submitted plan using monitoring data to 1 April 2016. Totals correspond to figures in Policy SP8 and housing trajectory (p.223)

The lowest administrative level at which completions and permissions data is held is generally parishes. Completions and permissions have normally been assigned to the settlement which gives the parish its name though it is acknowledged that some of this development may have taken place elsewhere. The exceptions are Cockernhoe, which is a ward within Offley parish, Lower Stondon (Ickleford parish) where a small number of completions have been identified adjoining the proposed allocation site and Wymondley.

Employment figures relate to new allocations only and not designation of existing employment areas

1. Allocation figures for Baldock include proposed development around the town in Bygrave and Clothall parishes. Site BA1 allocated for a total of 2,800 homes of which 2,500 are anticipated in the plan period to 2031.
2. Blackmore End and Peters Green are within Kimpton parish.
3. Breachwood Green is within Kings Walden parish.
4. Proposed development east of Luton is within Cockernhoe ward of Offley parish.
5. Excludes 7 Gypsy and Traveller pitches at Pulmore Water which is within Codicote parish.
6. Allocation figures for Stevenage (inc. Great Ashby) include proposed development around the town in Graveley and Weston parishes.
7. Great Wymondley and Little Wymondley are both in Wymondley parish. Completions assigned to Little Wymondley as the largest settlement.
8. Allocation figures for Hitchin include proposed development around the town in St Ippolyts parish. All completions and permissions recorded against St Ippolyts parish.
9. In relation to the NHDC plan, Lower Stondon lies within Ickleford parish.
10. Old Knebworth is within Knebworth parish. In relation to the NHDC plan, Oaklands lies within Knebworth parish.
11. Letchworth Garden City's administrative boundaries include Willian.
12. Whitwell is within St Pauls Walden parish.