

## **Inspector's Letter of 9 August 2019: NHDC response**

The Inspector has requested that North Hertfordshire District Council (NHDC) provide further information to the Examination on a range of issues. These are set out in his letter of 9 August 2019. These issues are dealt with in turn below. All references to 'the Plan' or 'the Local Plan' in this response are to the submitted Plan (LP1) as suggested to be altered by the Proposed Main Modifications issued in November 2018 unless otherwise stated. All references to the National Planning Policy Framework (NPPF) are to the 2012 version unless otherwise stated.

### **Paragraph 1: Further modifications**

*Are there any points raised in the representations that leads the Council to consider that a further modification is required, either to one of the proposed modifications or to the Plan?*

- 1.1. Yes. The Council does wish to propose a small number of further modifications to the Plan. These are proposed in light of the representations and the issues raised in the Inspector's letters of 9 July and 9 August 2019. These have been submitted in a single, consolidated schedule alongside the Council responses to both letters. Relevant answers to the Inspector's queries identify when further modifications are proposed.
- 1.2. These are only suggested changes at this stage. Should the Inspector determine that these (or any other) further proposed main modifications are required, the Council would undertake the necessary sustainability appraisal (and any other form of assessment) ahead of any future consultation exercise.
- 1.3. All of the suggested changes are included in the schedule of suggested modifications attached to this response. However, the Council is of the view that some of these changes may well be non-material and would not necessarily require further consultation. The schedule identifies the modifications that the Council considers to be non-material.

## Paragraph 2: Availability of representations

### Availability of representations

*Numerous representations say that a considerable number of representations made at the Regulation 19 stage have been lost and not published, and that people have consequently been excluded from the examination process. If so, that is a significant problem. Please can the Council explain the situation here. Have I been provided with all of the representations made? Have they all been published, or otherwise made available for other participants to see?*

- 2.1. Public consultation on the Proposed Submission Local Plan 2011 – 2031 took place between 19 October 2016 and 30 November 2016. This consultation period is also known as the “Regulation 19” consultation. Guidance issued by the Council to accompany the consultation, stated that representations could be submitted online, by email or by letter and that the Council would not accept late representations. This reflects the relevant regulations which state that representations to the Regulation 19 consultation must be received within the prescribed consultation period<sup>1</sup>.
- 2.2. This guidance was included in both the printed and online pdf versions of the Local Plan 2011 – 2031 Proposed Submission (LP1). The dates of the consultation were also contained in relevant letters and notifications. The Consultation Statement Annex submitted alongside the Plan (LP9) replicates various guidance and notifications issued as part of the Regulation 19 consultation.
- 2.3. During the consultation period, the Council received 5,666 representations from 2,551 individuals or organisations. The Council also received nearly 200 representations after the consultation period had finished.
- 2.4. The Council submitted the Local Plan 2011 – 2031 to the Planning Inspectorate for examination on 9 June 2017. As required by the Regulations, the Council also submitted a copy of the Regulation 22 Consultation Statement (LP6) and a paper copy of each of the representations submitted during the consultation period.
- 2.5. LP6 sets out a summary of the representations received and additionally includes a full list of the representations which were received after 30 November 2016 in Appendix 2.

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<sup>1</sup> Regulation 20 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

- 2.6. The relevant regulations are clear that the Inspector's consideration of representations at the Examination is confined to those properly made within the Regulation 19 consultation period<sup>2</sup>.
- 2.7. A number of the representations made in respect of the Main Modifications state that a number of people made representations at the Regulation 19 stage but that these were not published by the Council or sent to the Planning Inspectorate. In the majority of cases this claim is made as a general assertion without any specific supporting evidence. The Council has only identified one representation, (Representation ID 8213, dated 21 February 2019) that provides a specific list of 74 names and asserts that these people have been improperly removed from participating in the Local Plan process. The list that was provided in this representation has been attached to this response as Appendix A.
- 2.8. The Council has cross-checked the list of 74 names given in Rep ID 8213 against the list of late representations received after 30 November 2016 set out in Appendix 2 of LP6. All of the names listed in the representation are listed as late representations. Extracts from Appendix 2 of LP6 with the relevant names highlighted are attached to this response as Appendix B.
- 2.9. The issue of late representations was not raised before the Inspector at the Matter 1 examination hearing session when there was the opportunity to discuss "other legal requirements" as set out in the Inspector's Matters and Issues (ED10). There has been no request from the Inspector to view or otherwise consider the late representations as set out in Appendix 2 of LP6.
- 2.10. The Council is satisfied that all of the representations properly received during the consultation period have been logged, submitted to the Planning Inspectorate as an integral part of the examination and have been published on the Council's website. It is also satisfied that any representations which were received after the consultation period and / or from individuals who are alleged to have been improperly excluded from the Examination process have been accounted for in Appendix 2 of LP6.
- 2.11. The Council considers the claims made in the relevant representations to the Main Modifications consultation are misleading and false in this regard.

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<sup>2</sup> Regulations 23 and 24 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

### Paragraph 3: The settlement hierarchy (Policy SP2)

*Draft main modification MM010 amends the settlement hierarchy in Policy SP2. It removes five villages from the 'category A villages' tier of the hierarchy and identifies them as being villages "for growth". The modification also assigns housing figures to each of the five villages concerned. Many representations object to this draft modification. For the avoidance of doubt, I ask the Council to prepare a short paper briefly explaining the actual effect of this change, and why it considers the modification necessary for soundness. Given the nature of this modification and for reasons of fairness, I have decided that a hearing session will be needed on this point.*

- 3.1. The Local Plan Examination Hearing on Matter 2 held on 13 November 2017 (ED53, ED138) discussed the appropriateness of the proposed settlement hierarchy and spatial distribution set out in Policy SP2.
- 3.2. The modification to SP2 is necessary for soundness as the Inspector, in the Local Plan Examination Hearing on Matter 2, deemed Policy SP2 as submitted to be ineffective. The Inspector indicated that he did not consider that the policy accurately reflected the settlement hierarchy in the Plan and the level of proposed development for the settlements. The hearings determined that the breadth of Category A villages in the submitted Local Plan was too broad in terms of scale of anticipated growth and needed to be altered to reflect what the plan proposed as the Category A villages ranged from relatively small villages with no proposed allocations (such as Hexton) to the largest village, Knebworth, with three substantial proposed extensions and more than 700 new homes proposed.
- 3.3. The proposed changes therefore merely reflect in a clearer way what the plan proposes. It does not bring about any material changes to the plan. The new "Villages for Growth" category is a factual reflection of the five settlements outside of the towns where more than 200 homes are anticipated to be delivered over the Plan period. The sum total of individual allocations (along with existing completions and permissions) which have been examined is demonstrated in Modification MM010:

- **Barkway (209)**
- **Codicote (367)**
- **Ickleford (210)**
- **Knebworth (736)**
- **Little Wymondley (306)**

- 3.4. MM010 does not confer any new 'status' on any settlement which it is necessary to examine. The suitability or otherwise of the Council's approach to site identification was covered in Matters 5 and 9; infrastructure at Matter 6; demonstration of exceptional circumstances to adjust Green Belt boundaries in Matter 7. Individual proposed allocations have been considered at length in the relevant Matter 10 and 11 hearings.

- 3.5. The modification does not result in a more (or less) permissive approach to windfall development. It does not allow for further growth to sites or additional sites to be developed than previously identified in the Local Plan or when these sites were identified as 'Category A' villages.
- 3.6. There will be no change to the previously examined settlement boundary as a result of their re-categorisation while areas beyond the settlement boundary will remain rural areas or Green Belt land as already proposed and examined.
- 3.7. Villages for Growth is a necessary modification as it provides greater detail, including percentages for the anticipated proportion of development to be directed to these locations, which the Inspector requested for soundness. The five 'villages for growth' contain the significant majority of all development that was directed to the Category A villages (as submitted).
- 3.8. The Council's reasoning for implementing main modification MM010 to Policy SP2 was for effectiveness, to better explain the spatial strategy of the Local Plan. The implementation of Modification MM010 does not rely on any new evidence and is a presentational change only. It does not change the policy environment in which development proposals will be considered. The Council therefore does not agree that an additional hearing is required.

#### Paragraph 4: London Luton Airport

*It appears that plans for London Luton Airport have progressed since the hearing sessions were closed. London Luton Airport Ltd has announced its preferred option for the airport's growth – to expand the airport from its current cap of 18 million passengers per annum (mppa) to 32 mppa, which involves the construction of a second terminal to the north of the runway. How certain are these plans and what is the likely timescale involved? Are there any respects in which these plans affect the soundness of the Local Plan or the robustness of the evidence base underpinning it, for example in relation to traffic? Will it be necessary for the airport expansion plans to take account of the development included in the Plan, and the traffic associated with it?*

- 4.1. As referenced by the Inspector, a preferred option for the growth of London Luton Airport has been identified. Formal pre-application consultation is currently anticipated to take place between October and December 2019. A Development Consent Order application (DCO) is anticipated in mid-2020. This will be submitted to the Planning Inspectorate for determination as a Nationally Significant Infrastructure Project (NSIP). The timetable for any examination and decision will follow thereafter.
- 4.2. An Environmental Impact Assessment Scoping Report for this project was submitted to the Planning Inspectorate in April 2019. This confirms that relevant allocations proposed in North Hertfordshire's Local Plan – including the proposed East of Luton sites – are to be included in traffic modelling and other relevant considerations. This scoping opinion was adopted by the Secretary of State in May 2019<sup>3</sup>.
- 4.3. The DCO application has yet to be submitted. It is presently anticipated that its submission and any examination will follow after the consideration of the further modifications to this plan and in the context that the development proposed in this plan will take place including its impact on the highway network.
- 4.4. The robustness of the Council's approach to transport modelling has been discussed at length at the hearings, in particular at the two sessions considering the proposed East of Luton sites in February and March 2018. The Inspector will recall that the transport modelling for these sites is based upon the modelling undertaken to support Luton's own adopted Local Plan. In this regard, any proposals by the airport that go beyond the assumptions made for the purposes of Luton's own Local Plan will have to be considered as part of the examination into any proposed DCO. Therefore the potential cumulative impact on the transport network of the development proposed within North Herts Local Plan and any expansion of Luton

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<sup>3</sup> <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/expansion-of-london-luton-airport/?ipcsection=docs>, accessed 19 September 2019

Airport will not be left out of account but will be considered as part of the proposed DCO process along with no doubt many other issues.

- 4.5. It is therefore not appropriate for the Council to undertake further transport modelling in relation to any proposed expansion to Luton Airport as this would be to attempt to incorporate an outcome that is currently not allowed for in a statutory Development Plan and remains entirely uncertain and unknown.

## Paragraph 5: Optional Technical Standards

*Through Policies SP9 and D1, the Plan seeks to require adherence to the Government's optional national technical standards for water efficiency and the nationally-described internal space standards for dwellings. As you know, for such policies to be sound, they must be supported by clear evidence of need and evidence that viability has been considered. Following discussion at the hearings, and in the light of the representations, I remain concerned about the justification for this. Notwithstanding the Council's paper [HOU12], I am presently not persuaded that adequate evidence has been produced to support the inclusion of these aspects of Policies SP9 and D1. I therefore invite the Council to consider its position. In short, the Council should either seek to produce the evidence required, or it should propose to delete the requirements from the Plan.*

- 5.1. Sufficient information to support the Council's desire to use the optional national technical standards for water efficiency and optional nationally described space standards is already with the Inspector. This information included evidence on the district's location in an area of water-stress and the desire to reduce the amount of discharge reaching the Rye Meads plant. HOU12 was also prepared and submitted to the Inspector at the local plan examination to support the Councils desire to ensure new housing met better internal space standards. For ease of reference a summary of key points is set out below.

### Optional national technical standards for water efficiency

- 5.2. In summary, the Council relies on the expertise and support of relevant statutory consultees on this matter.
- 5.3. At the Preferred Options stage of the Plan, the Council proposed a policy limiting residential water consumption to 105 litres per person per day (l/p/d) (OLP5, Policy NE5, pp.60-61). This would have been a stricter standard than the 110 l/p/d subsequently mandated through the Optional Technical Standards and included in the Plan. In response to the Preferred Options consultation, the Environment Agency made a number of comments highlighting concerns over unsustainable rates of water abstraction. In response to proposed Policy NE5 they stated:

*"We strongly support this policy. It will help to reduce the water demand in the district to create a more sustainable water environment."*

- 5.4. In response to the same policy, Anglian Water was

*"supportive of increased water efficiency measures to reduce the impact of new development on existing water resources"*

- 5.5. Thames Water raised a series of concerns in relation to proposed sites within their operational area on the basis that the wastewater network was unlikely to be able to support demand and that upgrades would be required.



- 5.6. At the Preferred Options stage both the Environment Agency and Natural England emphasised the critical importance of updating the original Rye Meads Water Cycle Study (TI10) to ensure that water issues were properly addressed. This is relevant to those sites and areas within that works' catchment area. This includes sites in North Hertfordshire around Stevenage and Knebworth.
- 5.7. Through the Water Cycle Study update, the Environment Agency confirmed that the Rye Meads catchment falls within an area of water stress and that they would be encouraging relevant authorities to pursue the optional 110l/p/d standard (TI11, p.51, paragraphs 4.11 to 4.13). TI11's calculations and conclusions are premised upon the 110l/p/d standard being achieved.
- 5.8. The findings of the water cycle study are, in turn, a key influence upon the original Habitats Regulation Assessment (HRA) Screening Report (SOC4)<sup>4</sup>. This concludes that, with the inclusion of appropriate wording, the Plan could proceed without being likely to have a significant affect on any European Sites (SOC4, paragraph 5.1, p.12).
- 5.9. At the Regulation 19 consultation stage, Natural England (Respondent ID: 15697) concluded on the HRA that

*Natural England has some concerns regarding the methodology but does not disagree with the conclusions subject to satisfactory resolution of the issue raised in SP11 relating to capacity at Rye Meads Sewerage Treatment Works after 2026.*

- 5.10. To the same consultation Anglian Water (Respondent ID: 861) responded that:

*It is noted that Policy SP9 includes a requirement for residential development to meet the optional water efficiency standard (110 litres per person per day). We would support the optional water efficiency standard being applied within the North Hertfordshire Local Plan area.*

- 5.11. Memoranda of Understanding agreed with Anglian Water (MOU2, p.2, paragraph 4.4), the Environment Agency (MOU5, p.2, paragraph 4.4) and Thames Water (MOU6, p.2, paragraph 4.3) prior to submission of the Plan all state that:

*...the supporting evidence including water cycle studies and Infrastructure Delivery Plan provide a robust assessment of the extent and requirement of water infrastructure to support the planned growth.*

- 5.12. The Statement of Common Ground with Natural England (ED52, p.3, paragraph 4.4) sets out that, subject to inclusion of agreed modifications, the Plan provides an

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<sup>4</sup> The HRA was subsequently updated in light of more recent case law (ED164). However, the original representations and agreements identified below were made in light of this version of the report.

appropriate framework for water and wastewater infrastructure and that the original HRA Assessment Report provided an accurate assessment.

- 5.13. The inclusion of the optional water standard has been included in the Council's viability assessment as required by Paragraph 173 of the NPPF:

*For this review we have assumed that the Council would introduce the minimum level of compliance (i.e. 110 litres per person per day (lpppd)) and for that no additional cost allowance is required in our opinion*

(TI2, p.20, paragraph 2.2.3)

- 5.14. All of the documents referenced above have been with the Inspector for some considerable time. The Inspector did not raise concerns over inclusion of the optional standard for water efficiency in his original matters, issues and questions (ED10). The Council considers that there is ample evidence to include these standards and that such inclusion is justified and effective, consistent with national policy and therefore sound and they should be retained.

- 5.15. Moreover, the Council is very concerned that should the Inspector be minded to remove the water efficiency standards from the Plan, it would be necessary for the Council to revisit all of the studies, assumptions, agreements and conclusions summarised above. This could have significant implications for the progress of the examination. Statutory consultees could take a different view of the soundness and / or legal compliance of the Plan in these circumstances. The Council strongly urges the retention of these standards in the plan.

#### Nationally described space standard

- 5.16. As previously set out, the Council's position is informed by HOU12 which reviewed a small sample of schemes in the District. This showed that, of the 75 units specifically reviewed, less than half would meet the nationally described space standard. If the Council does not implement the optional standard into policy there is little reason to believe that schemes would voluntarily adhere to it on a consistent and widespread basis. This becomes a particularly acute issue when considering that the proposed Plan would lead to a significant uplift in housing delivery compared to historic rates.
- 5.17. Failing to include the standard would be inconsistent with national policy requirements on high quality and inclusive design (Paragraphs 56 and 57 of the NPPF), the creation of healthy and inclusive communities (Paragraph 69) and the delivery of high quality homes (Paragraph 50).
- 5.18. From a review of the representations at Reg.19 stage, there was very little resistance to the introduction of the standard. Inclusion of the standard has been included in the Council's viability assessment work (TI2, p.6, paragraph (xi)).

- 5.19. From a quick review of other examinations and reports, adoption of the technical standard appears a widespread approach without resort to extensive additional evidence or particularly close scrutiny.
- 5.20. The Council does not consider it necessary or proportionate to produce further evidence on this point; Put simply, NHDC's position is that ensuring the delivery of appropriately sized living accommodation through the planning system is the decent, sensible and right thing to do. It accords with national policy and can be supported without making development unviable. The Council considers that there is ample evidence to include these standards in the plan and that such inclusion is justified and effective, consistent with national policy and therefore sound and as a result they should be retained.

**Paragraph 6: Education**

*I note the comments from the County Council as the Local Education Authority ('the LEA') about education provision including, but not limited to, those about the Stevenage area. However, I am unfortunately struggling to fully understand the present position. From my reading of the representation, it appears that the LEA's calculations about the number of secondary school forms of entry required have shifted. But I am not entirely clear on this and I presently do not know the Council's reaction. I would therefore be grateful if the Council would provide a concise explanatory paper updating me on all of this, addressing all of the LEA's comments concerning education provision. This should, ideally, be drawn up with the LEA and clearly highlight the current differences between the position of the Council and the LEA. A position statement, Statement of Common (and uncommon) Ground, or a Memorandum of Understanding would be of considerable assistance. Until I fully understand the present position of the two authorities, I cannot tell whether a further hearing will be necessary on this issue – although unfortunately I suspect it likely will be.*

- 6.1. A Statement of Common Ground is currently being prepared with Hertfordshire County Council to address this matter and will be provided once this is agreed.

**Paragraph 7: Reference to an all-through school in Knebworth**

*In relation to site KB4, draft main modification MM288 clarifies that land north of Watton Road will be reserved for long term secondary education needs. Should draft modification MM178 [sic] therefore include deletion of the reference to an 'all -through' school, for consistency?*

**Note:** The second reference above is taken to mean MM293 which relates to p.178 of the Local Plan as submitted.

- 7.1. Notwithstanding their objections on this matter, this answer has been agreed with Hertfordshire County Council as the authority responsible for education
- 7.2. Yes. A modification to this effect is included in the attached schedule. (MM293)

## Paragraph 8: Education provision in Codicote

*Among other things, draft main modifications MM224 to MM227 introduce to sites CD1, CD2, CD3 and CD5 in Codicote requirements relating to the provision of land on site CD5 for the expansion of the existing school to accommodate the additional pupils arising from each of the four sites involved. In short, site CD5 must be developed first and dwellings on the other sites cannot be occupied until the land for school expansion on site CD5 is secured. Concerns have been raised that this approach leaves delivery on sites CD1, CD2 and CD3 dependent on site CD5 being developed, and that this could either prevent or delay delivery. I have some concerns in this regard. On behalf of Taylor Wimpey North Thames, the Education Impact Assessment Report (25 February 2019) by EPDS Consultants considers alternative options. The representation from Warden Developments suggests a change to the wording of the draft modification. It would assist me considerably to know the Council's position on this. It would also help to know the Council's view about whether, if land on site CD5 or elsewhere is necessary, that land should be specifically allocated for the school in the Plan. My aim here is to ensure that the most appropriate strategy is taken to the provision of school places in Codicote, and to have adequate confidence in the delivery of housing proposed.*

- 8.1. This answer has been agreed with Hertfordshire County Council as the authority responsible for education
- 8.2. NHDC acknowledge that the Inspector has previously advised that he does not wish to consider details relating to planning applications. However, NHDC does not presently anticipate that the concerns raised will prove to be an issue. A planning application on this site is currently under consideration and negotiations to secure the transfer of the land to Hertfordshire County Council (HCC) are well advanced. Notwithstanding this point, the Council acknowledges that the Plan must be effective in its own right.
- 8.3. Having considered this matter, and the suggestions made by respondents to the consultation, the Council wishes to propose further changes to the previous modifications. These are set out in the consolidated schedule. These further changes suggest a slightly less prescriptive approach for sites CD1, CD2 and CD3. They would now require an "appropriate solution" and a contribution towards expansion of Codicote Primary School to accommodate pupils arising from those individual sites. (MM224; MM225 and MM226)
- 8.4. These changes principally seek to remove the link between these sites and the physical delivery of housing within site CD5. These changes seek to address the concerns raised. They would allow for the possibility of these sites achieving permission in advance of delivery of housing on CD5 provided that some form of acceptable solution to facilitate expansion of the primary school has already been secured or is demonstrably forthcoming.

- 8.5. Secondly it directs the contribution from these sites towards the expansion of Codicote Primary School rather than expansion "...on CD5". This partly reflects the above but is also a factual change in that the land within CD5 is most likely to be used for playing fields. The additional buildings – which will be the principal cost in the school's expansion – are most likely to be within the existing school site.
- 8.6. Hertfordshire County Council, in their role as education authority, has reviewed the alternate options in the EPDS report. They advise that the alternates are far from ideal and both options would create a sub-optimal and interim solution when a permanent expansion solution is considered to be deliverable and far more cost effective.
- 8.7. NHDC is content that retaining the proposed school land within proposed site CD5 is an appropriate way forward. The first bullet point of this policy makes clear that land to the east of footpath Codicote 014 is to be reserved for expansion of the existing school. It is proposed to delete the word "broadly" for the avoidance of any doubt. In the event that Compulsory Purchase was ultimately required as the option of last resort this clear guidance obviates any risk of alternate valuations being sought. In this regard, the Council notes that it is the text of the Plan that is the statutory Development Plan Document. The policies map does not share this status. (MM227)
- 8.8. As previously set out to the examination, the Council has sought to take a consistent approach in policy terms where new or expanded schools provision is to be brought forward alongside new housing; the education requirement is set out in the associated strategic site or housing policy.

## Paragraph 9: Primary school capacity in Knebworth

*The Chair of Governors of Knebworth Primary and Nursery School has raised concerns about primary school capacity in the Knebworth area. What is the Council's position on this? Is this among the issues raised by the LEA?*

- 9.1. This answer has been agreed with Hertfordshire County Council as the authority responsible for education
- 9.2. Knebworth Primary and Nursery School's (the School) concerns and potential solutions are noted. The submitted Plan acknowledges that primary school capacity in Knebworth is strained (LP1, p.178, paragraph 13.190) and that additional provision will be needed. The requirement for a 1FE school at site KB2 in the submitted Plan was included upon the advice of the education authority.
- 9.3. This approach was supported by Hertfordshire County Council (HCC) at the Regulation 19 consultation stage (Respondent ID: 16452, p.18, paragraphs 13.41 and 13.42). This was with the caveat they would also like to explore the potential expansion of Knebworth Primary and Nursery School to 3FE using land within proposed allocation KB4. This is one of the alternate options now identified by the school.
- 9.4. The School's representations also identify the potential for further demand arising from Woolmer Green in neighbouring Welwyn Hatfield. Welwyn Hatfield's own emerging Local Plan is similarly at Examination. However, their Inspector has requested that they exhaustively explore opportunities to deliver up to 4,000 additional homes. The final outcomes of this process could impact upon the amount of future development proposed in Welwyn Hatfield close to Knebworth and, consequentially the demand for primary school places. The Council considers this is principally an issue to be dealt with through the Examination of Welwyn Hatfield's Plan and, in particular, its consideration of infrastructure requirements.
- 9.5. The proposed amendments to Policy KB2 set out in MM286 require the provision of approximately two hectares of land within this site for a primary school. A site of this size would be sufficient to accommodate a 2FE school if required. The Council proposes a further modification to delete the reference to 1FE from this policy. This reflects the School's concerns. It is also one of the suggestions made by Hertfordshire County Council in their representations to the Main Modifications consultation (Respondent ID 16753, p.15, paragraph 6.15). This change would allow the precise specification of the new school to be determined at the appropriate point in time whilst providing the necessary surety that sufficient land would be available for either a 1FE or 2FE solution.
- 9.6. The School's alternate suggestion is to allocate land within KB4 to further expand Knebworth Primary School to 3FE, as also suggested by the County Council's Regulation 19 response. NHDC would not have an objection in principle to the



existing primary school expanding to 3FE. However, if such a proposal was implemented it could be difficult to subsequently deliver further capacity over and above this in the event of future additional demand. This is a concern. In such a scenario, it might not be preferable or feasible to further expand Knebworth Primary and Nursery School beyond 3FE. There would be a risk that any residual demand over and above 3FE would then be insufficient to support and sustain in the long-term the provision of a wholly new school.

## Paragraph 10: Retail and town centres

*A number of proposed modifications, and particularly draft modification MM017, add specificity about the level and location of new retail floorspace. Some representations have suggested that greater flexibility is necessary in relation to Letchworth and Hitchin and, if I understand things correctly, that new town centre strategies are now being drawn up. I would be grateful to know the Council's stance on this, and especially whether or not it is necessary for soundness to modify the policies concerned. Does the Plan, and draft modification MM306, still reflect the Council's aspirations for Letchworth town centre, and does draft modification MM262 still reflect the Council's aspirations for Hitchin town centre? If there are uncertainties at present, might a commitment to reviewing the Plan's retail policies at an early stage be necessary for effectiveness?*

- 10.1. Policy SP4 relating to town centres was discussed in detail during the hearing Session on Matter 14, which resulted in the Council preparing a supplementary paper (ED117) for further discussion during the last hearing session held on 27 March 2018. The proposed modifications were in response to the Inspector's concerns and those raised in the representations regarding consideration of retail capacity and how the Plan proposes to meet retail needs across the plan period. The Plan and these modifications have been written in accordance with paragraph 23 of the 2012 NPPF which states, 'it is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability', and provides clarity on the quantum of retail allocations in each town centre over the three five-year period of the Local Plan. The policy wording discussed during the final hearing session was subsequently included in the schedule of proposed modifications as MM017.
- 10.2. The District Council through its proposed modifications at MM017, MM019, MM260 and MM313 has made a clear commitment to prepare and maintain up-to-date town centre strategies for each of its towns, and is prepared to progress this work following adoption of the Plan, (subject to the Inspector's final report) to monitor the need and address the changing aspirations of the retail economy over the Plan Period and therefore considers that the proposed modifications at MM306 and MM262 still reflect the District Council's aspirations for Letchworth and Hitchin town centres.
- 10.3. The supporting text at MM255 and MM306 makes reference to potential retail capacity projections for Hitchin and Letchworth respectively and allows for some flexibility with reference to national planning guidance advice in stating that the District Council will monitor such projections as part of its monitoring framework over the plan period to help inform decision making on any planning applications that include retail.
- 10.4. However, the District Council acknowledges that the retail economy can be volatile and the scale and type of development likely to be needed in its town centres

should be kept under review, and that the outcome of the town centre strategy work could result in the need for a more flexible approach to ensure the continued vitality of its town centres. These strategies could therefore be used to inform a focused early review of the retail policies in the Plan. Given the District Council's commitment to commence town centre reviews within a year of adoption of the Plan, i.e. in the case of starting with Letchworth Town Centre (MM313), it is proposed that this review would begin before the end of 2023, well within the statutory five-year review period as set out in the NPPF. As such the following further modifications to the Plan are proposed for effectiveness:

- (i) to the supporting text of Policy SP4 at paragraph 4.40 making reference to the town centre strategies being used as a focus to review the retail strategy set out in this Plan, which could result in the need for a more flexible approach to ensure the continued vitality of the town centres , and
- (ii) to the 'review' section of the Plan at paragraph 14.32 setting out the District Council's commitment to reviewing the Plan's retail policies at an early stage dependent on the nature of the outcome of the town centre strategy work.

10.5. These are included in the consolidated schedule attached to this response. (MM017 MM019 and MM xxx)

**Paragraph 11: Retail provision in 'urban extensions'**

*Draft modification MM017 earmarks 6,800 square metres gross of retail floorspace for 'urban extensions'. As I understand it from draft modification MM020, these are the 'urban extensions' to Baldock and the East of Luton. Is that correct, and is it necessary for effectiveness to add clarification either to Policy SP4 or to the text in draft modification MM020?*

- 11.1. The language in the Proposed Main Modifications identified above is inconsistent with that used elsewhere in the Plan. Both MM017 and MM020 should refer to "Strategic Housing Sites" for consistency with Policies SP8 and SP14-19 inclusive (among others). A further modification is proposed to this effect.
- 11.2. The 6,800m<sup>2</sup> in the first table of MM017 is the projected retail need. The second table contains the proposed retail distribution. This 'earmarks' 6,300m<sup>2</sup> to the Strategic Housing Sites. This distribution of this to individual sites is shown in the individual Strategic Housing Site policies or, in the case of Site NS1, its supporting text.

## Paragraph 12: Historic and natural environment

*Historic England has raised a few issues, and it would assist me to know the Council's position on each. I will say that it presently seems to me that wording proposed through draft modification MM056 for Policy SP13 does not properly reflect paragraphs 132 to 135 of the 2012 NPPF, particularly in relation to the two-pronged approach concerning substantial harm and less than substantial harm to the significance of a designated heritage asset. I ask the Council to look again at this. In my experience, this is commonly an area of difficulty, and local authorities sometimes find the best way to be consistent with national policy on this point is to repeat it.*

- 12.1. As part of the Inspector's Matters and Issues, ED10, the Inspector asked whether Policies SP13 and HE1 were consistent with the approach set out in paragraph 132 in the NPPF.
- 12.2. In response, in its Matter 20 Hearing Statement, the District Council stated that it recognised that as a strategic policy, Policy SP13 should make reference to the sequential approach detailed in paragraphs 132 – 134 of the 2012 National Planning Policy Framework (NPPF) but that the detail of the paragraphs was best expressed in the NPPF, rather than being repeated in local policy. However, the District Council did put forward a modification to Policy SP13 for the Inspector's consideration.
- 12.3. During the Hearing Session on Matter 20, the precise wording of Policy SP13 was discussed in detail, addressing the Inspector's concerns that the policy did not reflect the NPPF. The policy wording agreed during the Hearing Session was subsequently included in the schedule of proposed main modifications as MM056.
- 12.4. In their representations to the Main Modifications, Historic England state that the proposed modification does not reflect National Planning Policy Framework paragraph 193. Whilst the reference is made to the 2019 NPPF, the relevant text remains the same as paragraph 132 in the 2012 NPPF.
- 12.5. The District Council acknowledges that the proposed modification is not consistent with the language used in the NPPF and as such it would be clearer if Policy SP13 is amended to be consistent with the NPPF. The proposed amendments are included in the consolidated schedule attached to this response. (MM056)

### Paragraph 13: The extent of Forster Country

Does paragraph 4.200 of the Plan correctly identify the extent of Forster Country?

- 13.1. Forster Country is not a land designation in the North Hertfordshire Local Plan. Forster Country has no boundary either within North Hertfordshire or Stevenage that has been formally adopted for planning purposes.
- 13.2. Author EM Forster's childhood home, the Grade I listed Rooks Nest House Howards<sup>5</sup>, lies on the edge of Stevenage within Stevenage Borough. An area of land, entirely outside of North Hertfordshire and within Stevenage Borough, was added to the St Nicholas & Rectory Lane Conservation Area in 2007. This is a statutory planning designation. Stevenage's Local Plan (ORD6, p.163)<sup>6</sup> recognises that the extension of the Conservation Area was to embrace the setting of Rook's Nest.
- 13.3. The *Friends of Forster Country* group and others identify, and seek the ongoing protection of, a significantly wider swathe of countryside to the west and north-west of Rook's Nest as Forster Country. This includes the entirety of proposed site NS1 and well as the adjoining North Stevenage housing allocation included in Stevenage's Local Plan (ORD6, pp109-112) which has subsequently been adopted. In accepting that allocation, the Inspector who examined the Stevenage Local Plan considered the prospective impact of the site upon Forster Country and the Conservation Area in her report (ED6, pp.23-24).
- 13.4. NHDC is satisfied that the statement in 4.200 is factually correct under either of the interpretations in Paragraphs 13.2 and 13.3 above. However, if this considered an issue of contention, the Council would suggest removing the reference to Forster Country which itself has no planning status and relying instead upon the references to the statutory heritage assets. In these circumstances, a revised paragraph 4.200 might read (additional changes shown red):

**The site is in close proximity to a number of heritage assets. Sensitive design and layout will be required to ensure that any harm to their settings is minimised. Assessment of any impact upon the historic environment must be comprehensive and should not stop at the administrative boundary. ~~To the south-east of the site, the adjoining land w~~ Within Stevenage ~~Borough is known colloquially as 'Forster Country' in recognition of author~~ EM Forster's. ~~His~~ childhood home of Rook's Nest **House Howards** is Grade I listed with a large part of its historic landscape setting protected by ~~a~~ the St Nicholas' and Rectory Lane Conservation Area.**

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<sup>5</sup> This is the statutory address as given on listing maintained by Historic England.

<sup>6</sup> This plan has since been adopted. References are provided to the Proposed Submission version of Stevenage's Plan to prevent the need to add further new documentation to the Examination library.

This conservation area also contains and provides the setting for a Grade I listed, twelfth century church.

- 13.5. This change is not formally proposed by the Council as a further modification in this response. The Inspector is invited to determine the most appropriate way forward.

**Paragraph 14: The Chilterns AONB and the hierarchy of sites**

*Introduced through draft modification MM157, Policy NEx refers to the Chilterns AONB. Policy NE3 is specifically about the AONB. Neither explicitly refers to the great weight that national policy says should be given to conserving landscape and scenic beauty in AONBs. Should they? In addition, how do these policies distinguish between the hierarchy of international, national and locally designated sites as set out in paragraph 113 of the 2012 NPPF, to ensure that protection is commensurate with their status?*

- 14.1. Policy NE3: The Chilterns Area of Outstanding Natural Beauty (AONB) is based on the Chilterns AONB draft model policy provided by the Chilterns Conservation Board to all relevant local authorities with a request that this was used in all relevant Local Plans for consistency. The suggested model policy remains largely intact but with most of the wording within the supporting text rather than as part of the policy itself.
- 14.2. The NPPF is a material consideration in planning decisions and states in para 115 of the 2012 document that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty. The Council reads this as effectively being an instruction on how to interpret and apply weight to relevant policies and therefore does not need to be repeated in the policy itself.
- 14.3. Main modification MM050 Policy SP12: Green Infrastructure, landscape and biodiversity, includes two new bullet points within the policy to cover the AONB and the hierarchy of designations. Further modification could be made to include scenic beauty. This is included in the consolidated schedule of changes attached to this response. (MM050)
- 14.4. Further changes are also proposed to Policy SP12 (MM050) and Policy NEx: Biodiversity and geological sites and its supporting text (MM166) address the concerns relating to commensurate protection. The Council invites the Inspector to make any further changes that he considers necessary to address his concerns.



## Paragraph 15: Employment land in strategic sites

*In relation to Policy SP3 d, draft modification MM014 clarifies that an appropriate amount of employment land will be sought by the Council through the masterplanning of allocated housing sites on the edge of the district. I am not clear about the need for such a contribution to the employment land supply, or the quantum involved. In addition, I have reservations about the effectiveness of the draft modification as presently worded. Should it include at least some indication of the amount and/or type of employment uses required?*

- 15.1. Policy SP3(d), as presently drafted, applies to all “major new developments”, not just those on the edge of the district as suggested by the Inspector’s question. In the first instance, the Council proposes a modification to change this reference to “Strategic Housing Sites”. These are the largest sites which are the target of the masterplanning requirements set out later in the Plan (MM057). It also avoids any confusion with statutory definitions of ‘major development’ used for decision-making purposes<sup>7</sup>.
- 15.2. The proposed employment allocations at Baldock and Royston meet the quantitatively identified employment needs of the District over the plan period as examined in the original hearing sessions. This includes addressing unmet needs from Stevenage. In that regard there is no ‘clear need’ for further contributions to the employment land supply.
- 15.3. However, SP3(d) allows for qualitative consideration of whether it might be appropriate to incorporate some small-scale employment uses within Strategic Housing Sites. Any such provision would need to be in conformity with Policy ETC2. It would contribute towards the sustainability objectives of the Plan and / or national policy in terms of delivering mixed communities, reducing the need to travel and / or adapting to changing work-life patterns.
- 15.4. This might include (but is not necessarily limited to) facilities such as hireable meeting or desk spaces, small workshops and / or start-up business space. It may be possible or preferable to secure any such provision within or adjoining multi-purpose community centres or hubs addressing other social infrastructure requirements rather than standalone buildings. Any such provision would need to be considered on a case-by-case basis having regard to factors such as the nature of the scheme being brought forward, any opportunities to co-locate with other forms of provision, the likely profile of future occupants, other employment facilities and opportunities within sustainable travel distance.
- 15.5. The Council does not consider it possible or appropriate to (indicatively) quantify these requirements. We anticipate providing further guidance on this matter in a forthcoming Developer Contributions SPD.

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<sup>7</sup> The Town and Country Planning (Development Management Procedure)(England) Order 2015

**Paragraph 16: Waste facilities on BA10**

*Is it intended that Policy ETC1 would allow a Household Waste Recycling Centre and a depot on site BA10? If so, does it?*

- 16.1. Yes. Part (iii) of Policy ETC1 allows for employment-generating uses that would bring comparable benefits to a B-class use. Further guidance is provided in paragraphs 5.7 and 5.8 of the supporting text (LP1, p.76). There is sufficient policy flexibility in the Local Plan to allow for these facilities.
- 16.2. As a two-tier planning authority, NHDC are not the Waste Planning Authority. This role is fulfilled by Hertfordshire County Council. Under current arrangements, the Waste Local Plan would form part of the Development Plan for the purposes of determining any relevant applications.
- 16.3. Hertfordshire County Council are currently reviewing their Waste Local Plan with an aim of adopting a new waste local Plan in 2021. However, it is notable that the current Waste Site Allocations document identifies all designated employment areas within the County as Employment Land Areas of Search (ELAS) with potential for delivering waste management facilities.

**Paragraph 17: Adherence to masterplans**

*In relation to masterplans to be produced for strategic sites, draft modification MM057 says that "... the masterplan will normally be provided before or at outline application stage. It will be secured through conditions and/or a legal agreement". For effectiveness, should the latter sentence say "Adherence to the masterplan will be secured through conditions and/or a legal agreement"?*

17.1. Yes. This has been included in the schedule of proposed further changes.(MM057)

**Paragraph 18: Consistency of ETC2**

*Is there any inconsistency between the wording of Policy ETC2, proposed through draft modification MM090, and the policies for strategic allocations, in relation to employment generating uses? Should text be added to include strategic housing allocations as appropriate locations for some employment generating uses?*

- 18.1. No. The Council does not consider there to be any inconsistency. As shown in the Council's answer to Paragraph 15 above, it is envisaged any employment uses in these areas would fit within the requirements of Policy ETC2. Once the Plan is adopted, any strategic housing sites would be "within a defined settlement boundary" as required by criterion (a)(i) of Policy ETC2.

**Paragraph 19: Flood risk measures in masterplans**

*In the light of the representation from Anglian Water concerning draft modification MM057, is it necessary for soundness to ensure that the masterplans for the strategic sites include flood risk and drainage measures?*

- 19.1. The representation from Anglian Water Services Ltd on the wording of draft modification MM057 asks for soundness that the Local Plan should reference flood risk and drainage measures under the material considerations of the overall site design. Anglian Water Services Ltd suggests the proposed wording of draft modification MM057 to be amended as follows:

*Strategic landscaping, foul and surface water drainage including the provision of SuDS and open space;*

- 19.2. The Council agrees that a modification to this effect is necessary for soundness. Including flood risk and drainage measures is consistent with Paragraphs 94 and 99 of the NPPF. The provision of SuDS is an appropriate natural flood management technique that should be provided in new developments to prevent and mitigate the impact of flooding within the site and surrounding areas.

## Paragraph 20: Key Diagram

*Does the Key Diagram illustrate the proposed amendments to the Green Belt boundary?*

- 20.1. Yes. The Key Diagram shows the Green Belt boundary as proposed.
- 20.2. As its name suggests, the diagram is designed to create a broad visual illustration of key proposals discussed in the Local Plan. It is not intended to be a wholly accurate representation of the proposals for North Hertfordshire. That is the role of the Policies Map.
- 20.3. The extent of settlements and the alignment of roads are simplified for presentation purposes. Some alignments and boundaries – including the boundaries around towns, main roads and the threshold between the Green Belt and Rural Area Beyond the Green Belt have been smoothed for presentational purposes. They do not necessarily correspond exactly to their (actual or proposed) position on the ground and should not be used to plan routes or determine the policy status of a specific piece of land.
- 20.4. The Council accepts that this approach leads to some minor discrepancies on the Key Diagram when compared to the policies map. For example, a small slither of 'Green Belt' is shown on the Key Diagram inside of the Baldock bypass whilst the proposed Strategic Housing Site at the north-east of Hitchin stops south of the Hitchin-Cambridge rail branch line. The Council will amend these minor discrepancies as Additional Modifications in any final version of the Plan.
- 20.5. Villages are denoted as small circles of similar size on the Key Diagram. These circles are surrounded by the prevailing designation for the area beyond the settlement boundary (either Green Belt or Rural Area Beyond the Green Belt). This approach similarly means that there may be some discrepancy from the precise locations of the relevant boundaries. No changes are proposed as this approach is considered perfectly acceptable for the purposes of a Key Diagram.

**Paragraph 21: Site RD1, Reed**

*One representation indicates that site RD1 in Reed is subject to a legal covenant restricting its occupation. Is that right, and if so, is the site deliverable or developable?*

- 21.1. The Council has contacted solicitors acting for the Turney Trust. They have confirmed that there are no legal covenants on the title. Copies of registered title and title plans have been provided. The objects of the Trust are to provide housing for needy persons and in particular those who have been resident in the parishes of Reed or Therfield. However, the charity can develop other housing provided that the profit or proceeds or retained property are retained for the benefit of the charity. The relevant correspondence is attached as Appendix C this response.
- 21.2. The site meets the necessary requirements to be allocated for housing in the Local Plan.

**Paragraph 22: Consultation with Stevenage Borough Council**

*Draft modification MM367 introduces to Policy WY1 a requirement for consultation with Stevenage Borough Council in relation to flood risk issues. Is that necessary for soundness?*

22.1. No. A Land Registry search confirms that the Corey's Mill water meadow attenuation area located to the east of Junction 8 of the A1 (M) is owned by Anglian Water. As this asset is owned by Anglian Water, Stevenage Borough Council has no role in the management of flood risk as a risk management authority in relation to flood risk in Little Wymondley. On this basis, we acknowledge that it is only necessary for soundness that the Lead Local Flood Authority, Hertfordshire County Council to be consulted about the flood risk issues for site WY1. Therefore the proposed modification is not necessary.



**Paragraph 23: Housing figures for Little Wymondley**

*There appears to be inconsistency between draft modifications MM010 and MM366 in respect of the housing figures for Little Wymondley. I ask that this be clarified and rectified if necessary.*

- 23.1. The relevant figure in MM010 shows the anticipated number of homes to be delivered at the proposed 'growth village' of Little Wymondley (306) between 2011 and 2031.
- 23.2. The figures at MM366 are for the whole of Wymondley Parish. This point is clarified by the additional text contained in this proposed Main Modification. The total of 317 homes includes Little Wymondley but also contains the proposed Category B village of Great Wymondley and the remaining areas of the Parish where a small amount of development has occurred or is anticipated.
- 23.3. The figures are correct in each instance and no change is required.

## Paragraph 24: Publication of Local Transport Plan 4 (LTP4)

*I note that the Local Transport Plan 4 has now been published. Does this have any bearing on the soundness of the Plan, and are any modifications necessary for effectiveness in this regard?*

- 24.1. No. The publication of LTP4 does not have any bearing on the soundness of the Plan.
- 24.2. The Council has already addressed the implications of LTP4 through documents previously submitted to, and considered by, the Examination. This includes (but is not necessarily limited to) the proposed Transport Strategy (ED14) and associated revisions to the Infrastructure Delivery Plan (ED73). These reflected the shift in Hertfordshire County Council's (HCC) strategic approach to transport issues at the late stages of the Local Plan's preparation. LTP4 formalises these in encouraging more sustainable modes of transport.
- 24.3. The policy criteria relating to transport matters have been examined at length including at (but not necessarily limited to) the Hearing Sessions on Matter 6 and the individual settlement / site allocations at Matters 10 and 11.
- 24.4. A wide range of proposed Main Modifications addressing this have already been put forward and consulted upon. Many of these were set out in the Statement of Common Ground with HCC as the authority responsible for highways (ED105). ED105 stated that, with the inclusion of the specified changes, and subject to the further studies mentioned therein, HCC's objections could be considered resolved. No further Main Modifications are required.
- 24.5. With specific reference to the further alterations suggested by Hertfordshire County Council in relation to LTP4 in their response to the Main Modifications (representor ID: 16753):
  - The Council **agrees** with the suggested amendment to MM029. However, NHDC considers this would be a non-material additional amendment for factual accuracy. No further consultation is required. (listed under 'other minor amendments' in schedule of proposed further changes)
  - The Council **disagrees** with the suggested amendment to MM030. Through the Examination hearings it has been established that requiring "provision in line with" supporting documents (or equivalent wording) effectively affords those documents policy status and would necessitate their own examination for soundness. The existing wording is adequate in this regard
  - The Council **disagrees** with the suggested amendment to MM033. The present wording was agreed as appropriate by HCC in ED105 (p.8). "Improving capacity" in this context does not refer to the provision of

additional road capacity, rather the freeing up of existing capacity through use of alternate modes.

- The Council **disagrees** with the suggested amendment to MM070. The present wording was agreed as appropriate by HCC in ED105 (p.9). This supporting text relates to a proposed allocation on the edge of Stevenage so it is appropriate to make reference to documents that are locally relevant. The requirement to have regard to “the policies of LTP4 along with its supporting documents” applies District-wide and is achieved through the agreed proposed Main Modification to Policy SP6 (MM028). The need for travel plans would be assessed through application of Policy T1.
- The Council similarly **disagrees** with the suggested amendments to MM306 and MM403. There is no need for a specific reference to a Transport Plan in these site policies. The need for such a document would be assessed and secured through the application of Policy T1 when the Plan is read as a whole.

**Paragraph 25: Review of the Local Plan**

*Should draft modification MM043 be amended to reflect the national requirement to undertake a review of the Plan every five years to see if the Plan needs to be updated?*

25.1. To satisfy Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012<sup>8</sup> the Council propose that draft modification MM043 is amended and new modifications are included within Section 14 of the Plan. These would reflect the national requirement to undertake a review of the Plan every five years starting from the date of adoption. (MM043 and paragraph 14.30 on page 14 of schedule of proposed further changes)

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<sup>8</sup> As amended by The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017

**Paragraph 26: Policy LG4**

*Sport England objects to draft modification MM300 regarding Policy LG4. Is it necessary for soundness?*

- 26.1. Yes. The Council considers this modification is required for soundness.
- 26.2. Concern was expressed over the submission Plan's criteria for this site (LP1, p.182) at the Examination Hearing sessions in February 2018. In summary, it was questioned whether a site could be allocated for housing yet remain subject to criteria requiring the 'in principle' appropriateness of the site to be demonstrated.
- 26.3. In response to this, the Council provided additional information to the Examination (ED146B, Appendix M10(LR)-1, pp.2-6). This confirmed that the site had not been included in either the playing pitch or open space studies supporting the Plan (OSC1, OSC4). The evidence base did not suggest that these sites will be required to be brought back into use to meeting existing or future needs. This is contrary to the assertion made in the Sport England representation.
- 26.4. In this context, the requirement in the first bullet point of Paragraph 74 of the NPPF has been satisfied. It would be ineffective to retain a similarly worded requirement within the criteria for site LG4.

## Appendix A

The following is an extract from Representation ID No. 8213 with the names of 74 people where it is claimed that those representations were not included in those for consideration by the Inspector.

The Representor ID number has been added by the Council to help identify the names on the schedule of late representations included in the Regulation 22 Consultation Statement set out in LP7. The schedule of late representations is also shown with the corresponding names highlighted.

Representor ID Number (Added by NHDC)	Respondent
3231	A. Burton
15647	Alan Gregoriades
11213	Alice Mamier
15415	Andrew Eames
15399	Anthony Talbot
5402	Avtar Natt
15396	B. & D. Lane
16283	Cara Catlin
15408	Cassandra Bowes-Lyon
15413	Ceri Pressland
5287	Charlotte Kerr
15478	Christina Mead
16280	Clarissa Reeves
15418	D. Wilson
16284	Deanna Wright
15420	Dennis Brinkley
3772	Dennis Healey
5115	Dick Jones
16019	Dominic Buck
15419	Dorothy West
15422	E. Speirs (/Spiers?)
15406	Eleanor Bowes-Lyon
16285	Elisabeth McDowell
16289	Elizabeth Smith
7254	Esther Kasket
16319	France Harris

Representor ID Number (Added by NHDC)	Respondent
7008	Frances Bowes Lyon
3106	Giuseep Luongo
16290	J Wharton
16292	Jacqueline Carter
15414	Jan Williams
3029	Jane Foster
16316	Joe Glaziano
7355	John & Delia Ringer
4280	Karen King
10814	Karen Marriott
4361	Karl Sadlier
5367	Katargyna Miloch
3564	Kate Woode
15411	Katherine Salton
16288	Kathryn Alford
4321	Laura Beecham
16282	Louise French
4339	M. A. Sanders
5366	Marcin Miloch
7348	Mark Salton
3819	Mr & Mrs FursseDonn
15394	Mr & Mrs T Albone
14261	Mr Kenneth Foster
3177	Mr P. G. Francis
4365	Mr R. Adams
3176	Mrs D. L. Francis
15417	Mrs E. Harvey

NORTH HERTFORDSHIRE DISTRICT COUNCIL LOCAL PLAN EXAMINATION

Representor ID Number  (Added by NHDC)	Respondent
4318	Mrs J. Heath
4327	Mrs J. M. Monaco
5285	Mrs Joan Ford
15403	Mrs S. Townsend
15405	Nicola Cambridge
16291	Paul Carter
15404	Peggy Walker
4379	Peter Carr
10815	R. K. Marriott
15416	Rosalind Wilson
3315	Roy & Rosemary Cole
16293	Ruth Carter
16279	Sara Gittins-Reeves
16286	Susan Blake
15348	Terry Gittin
15348	Terry Gittin
3232	V. M. Butron (/Burton?)
15421	Victor Brinkley
15400	Werronkia
7369	Yvonne Salton

**Appendix B: Schedule of late representations**

This schedule of late representations was included in the Regulation 22 Consultation Statement, LP7. The names of people identified in Rep ID No: 8213 have been highlighted in this schedule:



## 7.2 Schedule of late representations

Schedule of late representations – received after the consultation period finished on 30 November 2016

ID No.	Respondent	Agent	Date rec'd	Support/Object	Element of Local Plan	Email/written
16279	Sara Gittins-Reeves	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
15348	Terry Gittin	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
15348	Terry Gittin	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
1095	Kathryn Balaaam	n/a	01/12/2016	Object	BA1 & BA3	email
14120	Thomas Lazarou	n/a	01/12/2016	Object	GA1	email
15647	Alan Gregoriades	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
16280	Clarissa Reeves	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
1422	Rafael Monteiro	n/a	01/12/2016	Object	Baldock	email
16282	Louise French	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
7136	Donna Muir	n/a	01/12/2016	Object	SP2 - Land between Horn Hill & Bendish Lane, Whitwell	email
4280	Karen King	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
11213	Alice Mamier	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
5115	Dick Jones	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
16281	Amanda Pickett	n/a	01/12/2016	Object	GA1 & GA2	email
14327	Neil Swinburne	n/a	01/12/2016	Object	Codicote	email
4379	Peter Carr	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
1462	Melanie	n/a	01/12/2016	Object	Baldock	email
14893	Simon Andrews	yes	01/12/2016	Support	Pirton	email
4361	Karl Sadlier	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
6813	Pamela J Skeggs	n/a	01/12/2016	Object	SP8 , Communities, SI1 & SI2	email
16283	Cara Catlin	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
16284	Deanna Wright	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
16285	Elisabeth McDowell	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
3564	kate Woode	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
16286	Susan Blake	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
16288	Kathryn Alford	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
5287	Charlotte Kerr	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
5402	Avtar Natt	n/a	01/12/2016	Object	EL1, EL2 & EL3	email

16289	Elizabeth Smith	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
16290	J Wharton	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
15478	Christina Mead	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
16019	Dominic Buck	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
3106	Giuseep Luongo	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
16291	Paul Carter	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
16292	Jacqueline Carter	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
16293	Ruth Carter	n/a	01/12/2016	Object	EL1, EL2 & EL3	email
16294	Jason Bowermsn	n/a	02/12/2016	Object	EL1, EL2 & EL3	email
1375	Steve Neufville	n/a	02/12/2016	Object	SP8 & Baldock	email
2778	Tom Brindley -parish clerk	n/a	02/12/2016	Object	KW1	email
16296	Giuseppe Luongo	n/a	02/12/2016	Object	EL1, EL2 & EL3	email
16297	Kathryn Springfield	n/a	02/12/2016	Object	EL1, EL2 & EL3	email
888	David Linsley	n/a	03/12/2016	Object	AS1	email
16298	Phillip Cox	n/a	04/12/2016	Object	EL1, EL2 & EL3	email
16299	Carol Cox	n/a	04/12/2016	Object	EL1, EL2 & EL3	email
16300	Matthew Cox	n/a	04/12/2016	Object	EL1, EL2 & EL3	email
16301	Simon Cox	n/a	04/12/2016	Object	EL1, EL2 & EL3	email
16302	John Shambrook	n/a	06/12/2016	Object	Ickleford	email
16303	William Marshall	n/a	06/12/2016	Object	PR1	email
16304	Ann Smith	n/a	07/12/2016	Object	EL1, EL2 & EL3	email
16305	Historic England	n/a	08/12/2016	Object	Strategic Policies	email
13842	Caroline Macpherson	n/a	08/12/2016	Object	BK3	email
16306	Paul Solly	n/a	09/12/2016	Object	EL1, EL2 & EL3	email
16307	Ryan Solly	n/a	09/12/2016	Object	EL1, EL2 & EL3	email
16308	Callum Solly	n/a	09/12/2016	Object	EL1, EL2 & EL3	email
16309	Steph English	n/a	11/12/2016	Object	Baldock	email
1408	Avril Frost	n/a	11/12/2016	Object	Baldock, SP3, SP8, SP6 & BA2	email
2148	David & Gill Cockman	n/a	12/12/2016	Object	BK3	email
16310	Carole Lovell	n/a	12/12/2016	Object	BK3	email
13584	Mr Coxall & Mr Edmonds	n/a	12/12/2016	Object	BK3	email
16044	Dayla Da Costa	n/a	13/12/2016	Object	EL1, EL2 & EL3	email
16311	Tara Hallett	n/a	30/12/2016	Object	GA1	email
16312	Mark Downton	n/a	01/01/2017	Object	EL1, EL2 & EL3	email

16313	Emma Bateman	n/a	04/01/2017	Object	EL1, EL2 & EL3	email
1260	Mrs Rowntree	n/a	01/12/2016	Object	AS1	written
1834	Carol Mckay	n/a	01/12/2016	Object	BK3	written
1850	Mary E Collins	n/a	01/12/2016	Object	BK3	written
1886	Jane Greening	n/a	01/12/2016	Object	Knebworth	written
2070	Roger & Shelia Ely	n/a	01/12/2016	Support	Baldock - Request for new site to be included	written
2264	Ron Austin	n/a	01/12/2016	Object	BA1	written
2484	Anne Cleret	n/a	01/12/2016	Object	BK3	written
2672	Hannah Jones	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
2673	Leah Jones	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
2674	Neil Jones	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
2675	Alex Jones	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
2773	Mr & Mrs T Liston	n/a	01/12/2016	Object	CD1, CD2, CD3 & CD4	written
3029	Jane Foster	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
3162	Adrian & Janet Cummings	n/a	22/12/2016	Object	EL1, EL2 & EL3	written
3176	Mrs D L Francis	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
3177	Mr P G Francis	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
3231	A Burton	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
3232	V M Butron	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
3315	Roy & Rosemary Cole	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
3403	Kathleen Williams	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
3404	V Williams	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
3772	Dennis Healey	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
3819	Mr & Mrs FursseDonn	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
4268	D Fensome	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
4287	Mr John L Bloxham	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
4288	Mr & Mrs G Morgan	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
4298	Mr D Cameron	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
4318	Mrs J Heath	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
4321	Laura Beecham	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
4327	Mrs J M Monaco	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
4339	M A Sanders	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
4348	Mr & Mrs G Wells	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
4349	Astrid Leiner	n/a	05/12/2016	Object	EL1, EL2 & EL3	written

4362	Sheila Daniels	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
4365	Mr R Adams	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
4385	J L Coulson	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
4952	Mr & Mrs T Clark	n/a	01/12/2016	Object	Knebworth	written
5285	Mrs Joan Ford	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
5352	Elaine Wardle	n/a	12/12/2016	Object	EL1, EL2 & EL3	written
5366	Marcin Miloch	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
5367	Katargyna Miloch	n/a	01-Dec	Object	EL1, EL2 & EL3	written
5865	Mrs S E Anderson	n/a	01/12/2016	Object	PR1	written
5891	M G Blaza	n/a	01/12/2016	Object	PR1	written
6759	Mrs J A Burkitt	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
7008	Frances Bowes Lyon	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
7254	Esther Kasket	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
7348	Mark Salton	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
7355	John & Delia Ringer	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
7369	Yvonne Salton	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
8391	Mrs E M Thurlby	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
8393	Isabelle Davis	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
8394	Helen Davis	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
8395	Jasmine Langeveld	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
8515	Jessica Davis	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
8516	Charlotte Langeveld	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
8517	Richard J Langeveld	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
8727	S & M Armitage	n/a	02/12/2016	Object	GA1 & GA2	written
9298	Toby Croft	n/a	01/12/2016	Object	Para 2.57; 490; SP7b; BA1; BA2; BA3 & BA4	written
10814	Karen Marriott	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
10815	R K Marriott	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
11386	Angola Peach	n/a	01/12/2016	Object	CD1; CD2; CD3; CD4 & CD5	written
13296	Mr K R Anderson	n/a	01/12/2016	Object	PR1	written
14261	Mr Kenneth Foster	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
14300	N Shaneed	n/a	28/12/2016	Object	EL1, EL2 & EL3	written
14528	Michael Hughes	n/a	01/12/2016	Object	Knebworth & KB4	written
15391	Jane Wass	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
15393	Clare Larsen	n/a	01/12/2016	Object	HT10	written

15394	Mr & Mrs T Albone	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15395	Dan Austen	n/a	01/12/2016	Object	Codicote	written
15396	B & D Lane	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15297	M E Barr	n/a	01/12/2016	Object	Knewborth	written
15399	Anthony Talbot	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15400	Werronkia	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15401	Maria T Glen	n/a	01/12/2016	Object	Knebworth	written
15402	Michael Pooley	n/a	01/12/2016	Object	KB3	written
15403	Mrs S Townsend	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15404	Peggy Walker	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15405	Nicola Cambridge	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15406	Eleanor Bowes Lyon	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15407	Mr Stephen Peach	n/a	01/12/2016	Object	CD1; CD2; CD3 & CD5	written
15408	Cassandra Bowes Lyon	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15409	Wendy Chamberlin	n/a	01/12/2016	Object	Codicote	written
15410	Aurthur Chamberlin	n/a	01/12/2016	Object	Codicote	written
15411	Katherine Salton	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15412	Mrs Anne Purvis	n/a	01/12/2016	Object	KB1; KB2; KB3 & KB4	written
15413	Ceri Pressland	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15414	Jan Williams	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15415	Andrew Eames	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15416	Rosalind Wilson	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15417	Mrs E Harvey	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15418	D Wilson	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15419	Dorothy West	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15420	Dennis Brinkley	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15421	Victor Brinkley	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15422	E Speirs	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
15423	Andrew Salmon	n/a	01/12/2016	Object	CD1; CD2; CD3; CD4 & CD5	written
15424	Robert Reid	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
15425	Mr W Harris	n/a	05/12/2016	Object		written
15426	Mrs W J Fensome	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
15427	Dr Robert Thurlby	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
15428	Stephen Williams	n/a	05/12/2016	Object	EL1, EL2 & EL3	written

15429	Christina Williams	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
15430	Tom Bowes Lyon	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
15688	L J Dodds	n/a	09/12/2016	Object	EL1, EL2 & EL3	written
15689	Mr N Romaya	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
15690	Miss C Romaya	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
15691	Anthony Tyler	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
15692	S L Marlow	n/a	02/12/2016	Object	EL1, EL2 & EL3	written
15693	Mr & Mrs K J Mathhews	n/a	14/12/2016	Object	EL1, EL2 & EL3	written
15746	Susan Feasey	n/a	12/12/2016	Object	EL1, EL2 & EL3	written
8998	Mr Stephen Sellek	yes	01/12/2016		Incomplete rep - no details provided	written
16287	Craig M Barry	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
16314	Susan Long	n/a	13/12/2016	Object	EL1, EL2 & EL3	written
16315	Vinnessa Willams	n/a	12/12/2016	Object	EL1, EL2 & EL3	written
16316	Joe Glaziano	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
16317	Krysiad Miclina-Nowark	n/a	05/12/2016	Object	Baldock	written
16318	Susan Jane London	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
16319	France Harris	n/a	01/12/2016	Object	EL1, EL2 & EL3	written
JD00637No Name	Name not provided	n/a	05/12/2016	Object	EL1, EL2 & EL3	written
16335	Mr & Mrs Heath	n/a	01/12/2016	Object	BA2	written
13006	C & P Bradly	n/a	06/12/2016	Object	BA1 & EL1, EL2 & EL3	written
5858	RB & PM Harwood	n/a	09/12/2016	Object	PR1	written
3790	Mr & Mrs Fisher	n/a	09/12/2016	Object	EL1, EL2 & EL3	written
1377	Tim Stokes	n/a	02/12/2016	Object	Baldock & BA1	written
15011	Mr & Mrs Foster	n/a	02/12/2016	Object	Codicote	written
8691	Mr R J Sims	n/a	02/12/2016	Object	SP6: Sustainable Transport	written
16325	Kerry Masters	n/a	02/02/2017	Object	LG4	email
13234	Barkway PC	n/a	10/01/2017	Object	Barkway	written
13234	Barkway PC	n/a	10/01/2017	Object	Barkway	written
14709	Alex Turner	n/a	23/02/2017	Object	SP1	email
16420	Kate Turner	n/a	23/02/2017	Object	SP1	email

**Appendix C: Correspondence with Tees Law re. Site RD1, Reed**



By email only     [Jamie.Alderson@north-herts.gov.uk](mailto:Jamie.Alderson@north-herts.gov.uk)  
c.c.                 [Nigel.Smith@north-herts.gov.uk](mailto:Nigel.Smith@north-herts.gov.uk)  
c.c.                 [Louise.Symes@north-herts.gov.uk](mailto:Louise.Symes@north-herts.gov.uk)

North Hertfordshire District Council  
FAO Jamie Alderson  
Council Offices Gernon Road  
Letchworth Garden City  
Hertfordshire  
SG6 3JF

Our ref:     PXP/CXP/TURNEYTRUST/185057-00001

21 August 2019

Dear Jamie

**The Turney Trust registered charity number 1097415  
Land at Blacksmiths Lane Reed**

Thank you for your contact. It was good news for the trust that the land which they retain will be included in the village envelope and for development purposes for 22 homes.

I would specifically confirm there are no covenants on the title. The land spans two titles and I enclose two copies of the registered title and title plans in which you can identify that the trust retains the land unfettered by any covenants.

The only restrictions on the title are to do with the fact that the individuals are trustees and are retaining the land for the benefit of the trust and not in a personal capacity that is to say the land or the sale proceeds of the land are to be held for the Turney Trust. The land being in trust does not preclude the development of 22 homes therefore.

Yours sincerely

**Pamela Parker  
Consultant**

Direct Dial: 01763 295851  
Email: [pamela.parker@teeslaw.com](mailto:pamela.parker@teeslaw.com)

Enc:     2 x registered title and plan



The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.



# Official copy of register of title

Title number HD32618

Edition date 17.06.2014

- This official copy shows the entries on the register of title on 15 AUG 2019 at 14:20:16.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 15 Aug 2019.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Leicester Office.

## A: Property Register

This register describes the land and estate comprised in the title.

HERTFORDSHIRE : NORTH HERTFORDSHIRE

- 1 (12.07.1960) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Land on the North side of Blacksmiths Lane, Reed, Royston.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (17.06.2014) PROPRIETOR: PAMELA ELIZABETH ROSINA PARKER, ROBERT GEORGE CHAMBERS and JEREMY HUGH WHITTON-SPRIGGS care of Limbach Banham, John Street, Royston SG8 9BG the trustees of the Charity known as The Turney Trust.
- 2 (21.01.2004) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.
- 3 (21.06.2011) RESTRICTION: No disposition by the proprietors of the registered estate is to be registered unless one or more of them makes a statutory declaration or statement of truth, or their conveyancer gives a certificate, that the disposition is in accordance with the Trust created by the Will of John Morris Turney dated 23rd January 2002 and made between (1) Christopher Charles Blount and Pamela Elizabeth Rosina Parker (2) Robert Edward Dimsdale and (3) Robert George Chambers or some variation thereof referred to in the declaration, statement or certificate.
- 4 (17.06.2014) The value as at 17 June 2014 was stated not to exceed £200,000.
- 5 (17.06.2014) RESTRICTION: No disposition by the proprietor of the registered estate to which section 117-121 or section 124 of the Charities Act 2011 applies is to be registered unless the instrument contains a certificate complying with section 122(3) or section 125(2)

Title number HD32618

## B: Proprietorship Register continued

of that Act as appropriate.

End of register

**These are the notes referred to on the following official copy**

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

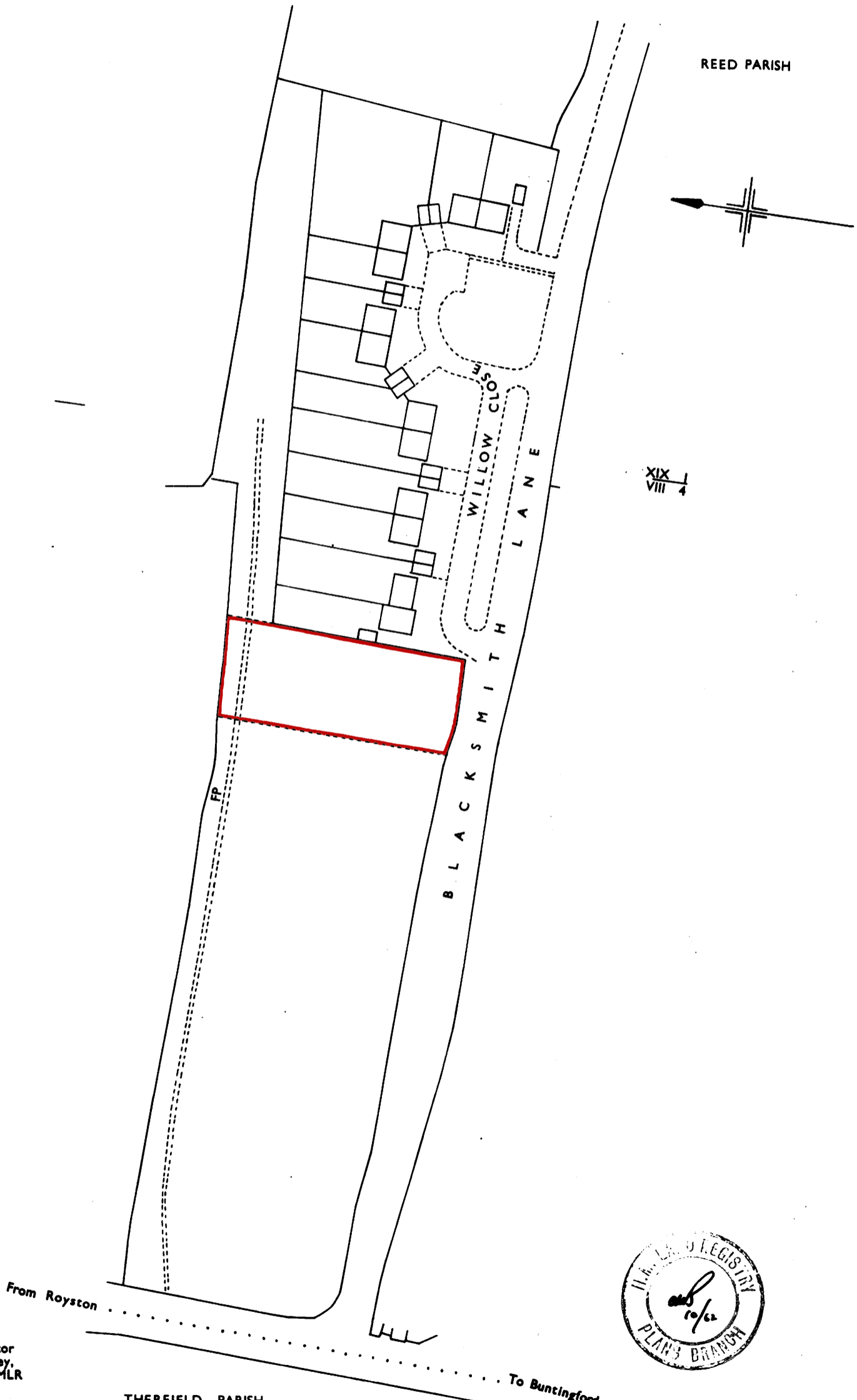
This official copy is issued on 15 August 2019 shows the state of this title plan on 15 August 2019 at 14:20:17. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. This title is dealt with by the HM Land Registry, Leicester Office .

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# H. M. LAND REGISTRY

HERTFORDSHIRE SHEET VIII 4

Scale 1/1250  
Enlarged from 1/2500

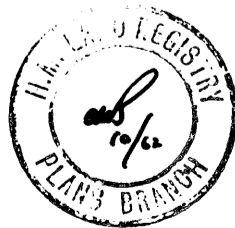


REED PARISH

XIX 1  
VIII 4

THERFIELD PARISH

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Filed Plan of Title No. **HD 326 18**

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# Official copy of register of title

Title number HD419230

Edition date 25.06.2014

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- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 15 Aug 2019.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Leicester Office.

## A: Property Register

This register describes the land and estate comprised in the title.

HERTFORDSHIRE : NORTH HERTFORDSHIRE

- 1 (04.06.2003) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being land on the north side of Blacksmiths Lane, Reed, Royston.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (17.06.2014) PROPRIETOR: PAMELA ELIZABETH ROSINA PARKER, ROBERT GEORGE CHAMBERS and JEREMY HUGH WHITTON-SPRIGGS care of Limbach Banham, John Street, Royston SG8 9BG the trustees of the Charity known as The Turney Trust.
- 2 (04.06.2003) RESTRICTION: No disposition by a sole proprietor of the land (not being a trust corporation) under which capital money arises is to be registered except under an order of the registrar or of the Court.
- 3 (21.06.2011) RESTRICTION: No disposition by the proprietors of the registered estate is to be registered unless one or more of them makes a statutory declaration or statement of truth, or their conveyancer gives a certificate, that the disposition is in accordance with the Trust created by the Will of John Morris Turney dated 23rd January 2002 and made between (1) Christopher Charles Blount and Pamela Elizabeth Rosina Parker (2) Robert Edward Dimsdale and (3) Robert George Chambers or some variation thereof referred to in the declaration, statement or certificate.
- 4 (17.06.2014) The value as at 17 June 2014 was stated to be under £200,000.

### End of register

**These are the notes referred to on the following official copy**

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

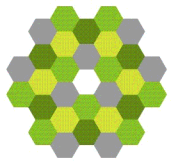
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This official copy is issued on 15 August 2019 shows the state of this title plan on 15 August 2019 at 14:23:48. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. This title is dealt with by the HM Land Registry, Leicester Office .

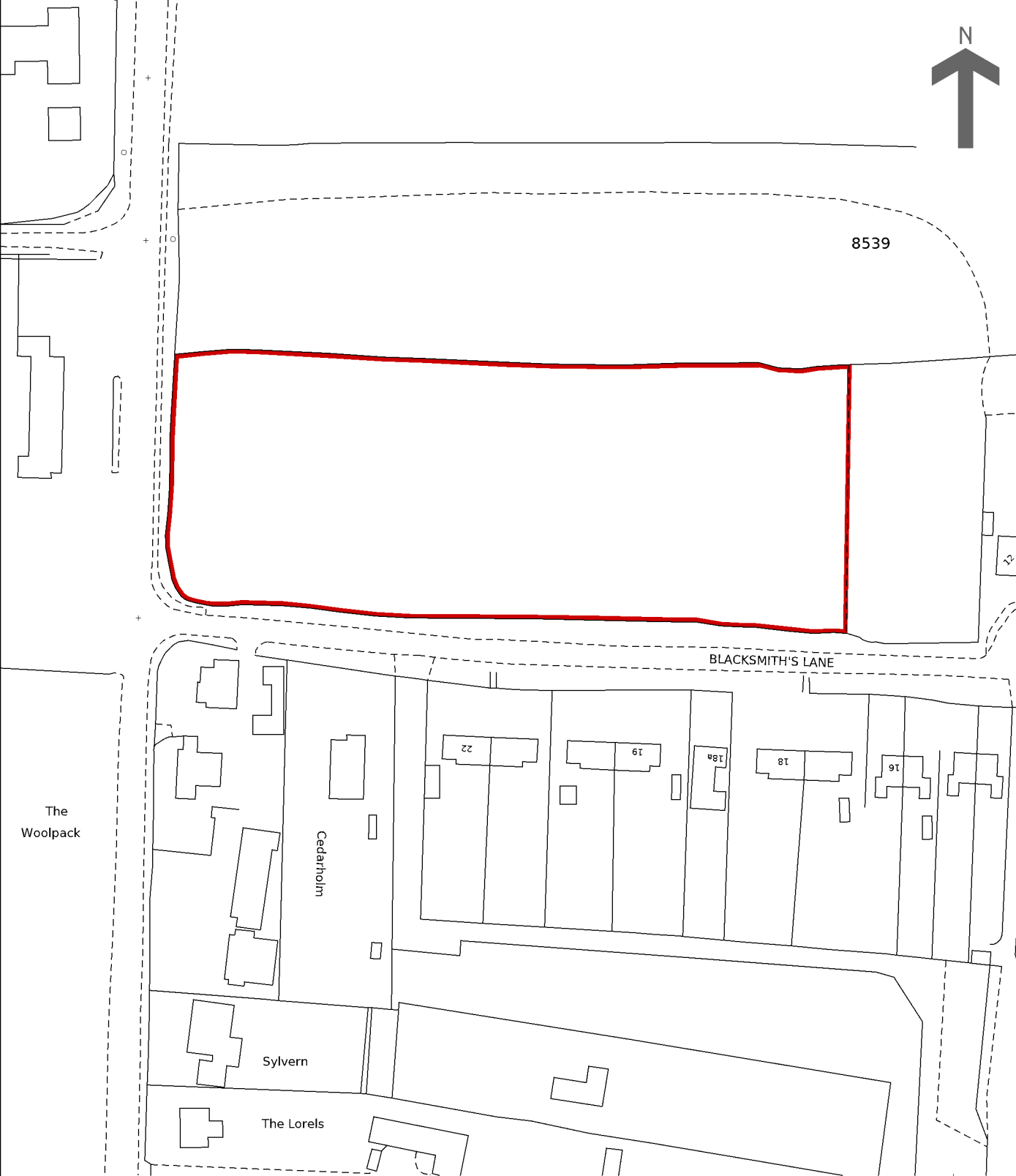


# HM Land Registry Official copy of title plan

Title number **HD419230**  
Ordnance Survey map reference **TL3536SE**  
Scale **1:1250 enlarged from 1:2500**  
Administrative area **Hertfordshire : North Hertfordshire**



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## Nigel Smith

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**From:** Pamela Parker <pamela.parker@teeslaw.com>  
**Sent:** 25 September 2019 17:13  
**To:** Nigel Smith  
**Cc:** Carol Pratt; [REDACTED] JEREMY WHITTON SPRIGGS  
**Subject:** RE: The Turney Trust Tees:00189000002707

Dear Nigel

Thank you for your e mail.

The entry you refer to is to identify that the legal owners hold the title in a representative capacity as trustees for the Turney Trust which was created by the will of the late John Morris Turney and is now a registered Charity no 1097415.

The land or any sale proceeds of the land must be utilised for the benefit of the objects of the trust. The objects of the trust is to provide housing for needy persons in particular and in priority those individuals who have been resident in the Parishes of Reed or Therfield for at least 4 years with a preference for Reed Parishioners and any former employees of the late John Turney.

The Charity permits development of actual housing for the Charity to rent at a discount and as you are aware the trust retains a significant amount of cash to develop a number of houses without the need to borrow. The Charity has power to borrow to develop houses if this is what is considered by the trustees as desirable or to negotiate a joint enterprise with a developer or housing association providing the profit or proceeds or retained property is retained for the benefit of the Charity.

As you can see the development of this land is well within the remit of the Charity and is what the Charity was set up to do.

The will is a public document and if you require a copy please request my assistant Carol to send you a full copy.

Best wishes

Pamela Parker



**Pamela Parker**  
Consultant

**DD:** 01763 295851  
**T:** 01763 242257 (Ext: 651)  
**E:** [pamela.parker@teeslaw.com](mailto:pamela.parker@teeslaw.com)



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---

**From:** Nigel Smith [mailto:Nigel.Smith@north-herts.gov.uk]

**Sent:** 23 September 2019 14:50

**To:** Pamela Parker <pamela.parker@teeslaw.com>

**Subject:** RE: The Turney Trust Tees:00189000002707

Pamela,

Thank-you for providing these documents to Jamie, who has now left the Council. From reviewing these I note that the Official Copy of the register for both titles includes the following restriction (highlighting added):

(21.06.2011) RESTRICTION: No disposition by the proprietors of the registered estate is to be registered unless one or more of them makes a statutory declaration or statement of truth, or their conveyancer gives a certificate, that the disposition is in accordance with the Trust created by the Will of John Morris Turney dated 23rd January 2002 and made between (1) Christopher Charles Blount and Pamela Elizabeth Rosina Parker (2) Robert Edward Dimsdale and (3) Robert George Chambers or some variation thereof referred to in the declaration, statement or certificate.

Obviously I don't have that document or any means of accessing it. However, might there be something in the Will which restricts the basis on which the land might be disposed of? The specific correspondence which alleges the nature of the restrictions and has led to the Government Inspector querying the availability of this land can be viewed at: <https://north-herts.jdi-consult.net/localplan/viewreplefull.php?repid=7275>

I'd be grateful if you could clarify this point or provide some reassurance that the restriction above does not inhibit the development of this land for general housing use.

Regards  
Nigel

Nigel Smith  
**Strategic Planning Manager**

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**From:** Carol Pratt [<mailto:carol.pratt@teeslaw.com>]  
**Sent:** 21 August 2019 16:50  
**To:** Jamie Alderson  
**Cc:** Nigel Smith; Louise Symes  
**Subject:** The Turney Trust Tees:00189000002707

Please direct your reply to [pamela.parker@teeslaw.com](mailto:pamela.parker@teeslaw.com)

Dear Jamie

Please see attached correspondence for your kind attention.



**Carol Pratt**  
Client Care Leader

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