

# **Stevenage District Plan Second Review Proposed Modifications**

## **Schedule of Responses To Representations Received**

<b>Chapter</b>	<b>Policy/Para:</b>	<b>Ref. No:</b>	<b>Representor</b>	<b>Summary of Representation:</b>	<b>SBC</b>
TW	TW2	203/197/ E	West Stevenage Consortium Represented by Barton Willmore Planning Partnership	The policy should make provision for land which may be needed for development purposes, indicating that any loss should be compensated for or suitable mitigation put in place.  Policy TW2 should be amended to reflect the comments above.	No change proposed to meet this objection.  With regard to compensation or suitable mitigation measures, these are set out in specific policies elsewhere in the plan and which are referred to in Policy TW2.  The revisions to policy TW2 were considered at the local plan inquiry. The Inspector considered evidence from all parties and made his recommendations in his report of August 2003. The Borough Council has considered the recommendations and has accepted them, it does not therefore propose to make any further changes to the Plan.
H	3.2	203/215/ E	West Stevenage Consortium Represented by Barton Willmore Planning Partnership	Consequent upon our objection to the proposed caveat for Policy H2, we object to the proposed changes to new paragraph 3.2.12 and request that the original wording be reinstated.	No change proposed to meet this objection
H	3.2.11	203/217/ E	West Stevenage Consortium Represented by Barton Willmore Planning Partnership	Consequent upon our objection to the proposed caveat for Policy H2, we object to the proposed changes to paragraph 3.2.11 and request that the original wording be reinstated.	No change proposed to meet this objection

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H            H2  
                 203/198/  
                 E  
                 West Stevenage Consortium  
                 Represented by  
                 Barton Willmore Planning Partnership

**Summary of Representation:**

Object to the caveat proposed to be added to Policy H2 regarding reconsideration and acceptance of the strategic re-justification for West Stevenage on the following grounds:

1. Policies 5 and 8 of the Hertfordshire Structure Plan 1998 make provision for the development west of the A1(M) at Stevenage. Policy 9 of the Structure Plan requires local plans within Hertfordshire to make provision for the dwelling provision identified in that policy including provision, within Stevenage District, of 2,600 dwellings west of the A1(M). None of the policies of the Structure Plan which provide for West Stevenage are in any way contingent nor do they provide for any form of reconsideration of the principle of the development before provision is made for that development in local plans or before planning permission is granted.

2. Stevenage Borough, in preparing a review of its local plan, are required by section 36(4) of the Town and Country Planning Act 1990 to ensure that its local plan is in general conformity with the Structure Plan.

3. The proposed modification of policy H2 of the Stevenage local plan review whereby provision for development west of the A1(M) becomes contingent on a "strategic review" is in fundamental conflict with the clear and unequivocal policies of the adopted Structure Plan. Therefore, were the District Council to adopt the local plan review within policy H2 as proposed to be modified it would

**SBC**

No change proposed to meet this objection. The Plan clearly identifies land for development west of the A1(M), following the recommendation from the Inspector in his report of August 2003, who, in paragraph 3.60 of the report, states "In order to be in general conformity with the adopted Structure Plan I consider this Local Plan should identify the land necessary to provide about 1,000 dwellings as required by the Structure Plan".

The caveat in the policy has been recommended by the Inspector to reflect the "considerable uncertainty over the strategic justification for that development". This is covered in Paragraph 3.64 of the Inspectors report in the summing up of this issue.

The merits of the suggestion that the decision is based upon an 'unsound analysis' of urban capacity have still to be resolved by EERA or the First Secretary of State. The decision to await strategic justification for the proposed development stems from PPG3 and the appraisal of sites for new housing development. This not only refers to urban capacity, but also the sustainability appraisal of green field sites.

The Inspector considered evidence from all parties and made his recommendations in his report of August 2003. The Borough Council has considered the recommendations and has accepted them.

It does not therefore propose to make any

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not be adopting a plan that meets the requirement of section 36(4) of the 1990 Act to be in general conformity with the Structure Plan and would thereby be acting unlawfully. The proposed modification should accordingly not and cannot in law be made.

further changes to the Plan.

4. Further, or alternatively, as evidence to the West Stevenage "called in" inquiry has demonstrated, the County Council's urban capacity estimates are flawed and a proper approach to the estimates of urban capacity demonstrates that West Stevenage is required on a countywide basis as well to meet the district requirements in the Structure Plan to 2011. The Stevenage Local Plan Inspector's recommendation is therefore based on an unsound analysis in this respect and there is no proper support in any event for making the proposed modification.

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H

H3

257/4/E

Mr. Roy Warren

Sport England

**Summary of Representation:**

The principle of allocating the Fairview Road Playing Field site for residential development is accepted. The objection is made to the lack of any associated proposed modification to the reasoned justification (relating to Policy H3) which sets out how adequate compensatory provision for the loss of the playing fields will be made.

To address this objection, a new paragraph should be added to the reasoned justification after 3.3.12, which clarifies that a requirement of the development of the Fairview Road Playing Field site will be that compensatory provision for the loss of the playing fields will need to be made in accordance with criterion C of policy L12 of the plan.

**SBC**

No change proposed to meet this objection.

Criterion C of Policy L12 does not name individual sites. Therefore, it covers the loss of all playing fields and other outdoor sports facilities. An application for development on Fairview Road Playing Fields (and the subsequent loss of the facility) would therefore be judged against this policy. In order to avoid unnecessary duplication in the Plan, it is not proposed to name Fairview Road Playing Fields specifically.

Negotiations are already well advanced on this issue with regard to the application for development at Fairview Road Playing Fields. These negotiations have not been hampered by the lack of reference in the Plan to the issue raised by Sport England in this objection. Policy L12 is being applied to the application.

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H H11 203/199/  
E  
West Stevenage Consortium  
Represented by  
Barton Willmore Planning Partnership

The policy as worded does not provide developers with any certainty and there is no opportunity to comment on need assessments during the plan period. The policy in its current form is too prescriptive.

The policy should reflect the guidance provided in PPG3 on housing mix.

The policy should not rely on the reference of an up to date assessment of need as the basis for a housing mix policy.

No change proposed to meet this objection.

The first paragraph of this objection appears to be suggesting the policy as worded provides no certainty, and is too prescriptive. These two comments are at odds with each other.

The Inspector supports the more general nature of this policy (amplified in other, related policies on different types of housing), as it provides flexibility to meet the changing needs over the plan period.

The Inspector is satisfied that the policy as worded is in line with PPG3.

PPG3 paragraph 11 clearly states that Plans should have regard to assessments of local housing needs. It is entirely correct, therefore, to refer to this in the policy.

H H16/B 203/201/  
E  
West Stevenage Consortium  
Represented by  
Barton Willmore Planning Partnership

The policy as worded does not reflect the guidance set out in paragraph 9A of Circular 6/98.

Criterion B should be amended accordingly.

No change proposed to meet this objection.

The Inspector has specifically referred to paragraph 9A of Circular 6/98 and has amended criterion B to be in accordance with it.

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H H16/C 203/200/  
E  
West Stevenage Consortium  
Represented by  
Barton Willmore Planning Partnership

The proposed wording does not reflect the guidance set out at paragraph 19 of Circular 6/98 and it is inappropriate in the context of planning policy. The availability and eligibility of occupants is a housing matter and in the context of the cascade approach should be considered as part of a condition or planning obligation.

Criterion C should be deleted.

No change proposed to meet this objection.

The Inspector has modified criterion C to reflect paragraph 19 of Circular 6/98, and has made specific reference to this in his report. The policy as worded is now in line with the principles of 6/98. The Inspector does not consider this inappropriate in the context of planning policy.

E 4.5.12 251/45/E  
Arlington Property Developments Ltd  
Represented by  
RPS Group Plc

Policy E3 set out criteria for the Strategic Employment Sites. Policy E3 has now been deleted and the previous Strategic Sites are included under Policy E4. The criteria for the Strategic Sites was similar to that set out in Policies E5 and E6.

Policies E5 and E6 will apply to all the sites listed under E\$, but it would be helpful to expressly state this and therefore this change is proposed.

That the final sentence of amended paragraph 4.5.12 be amended to read as follows:

" These sites have therefore been identified in Policy E4 for particular types of employment development to reflect these needs and Policies e5 and E6 will also apply to these sites."

No change proposed to meet this objection.

Policies E4, Acceptable Uses in Employment Areas and E5, Retail and Leisure Proposals in Employment Areas apply to all development proposals within the employment areas - there is no need to re-state this in the reasoned justification.

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TR

TR4

557/1/E

HCC (Corporate Services) & North Herts  
& Stevenage Primary Care Trust

Represented by

Vincent and Gorbing Planning

**Summary of Representation:**

The County Council and the Primary Health Care Trust object to the proposed modification 506/1377/E/TR4 for the following reasons:

1. As worded, it would seem to imply that the community users must relocate to another site without the option of remaining in situ.
2. It is inconsistent with Policy TR11 of the draft plan (as proposed to be modified) which allows generally for relocation of community uses outside of the town centre where "it can be proven that the facility can be provided elsewhere equally conveniently for users."
3. It is inconsistent with the Stevenage Town Centre SPG (adopted July 2002) which states at page 22: "The County Council and the other public sector bodies located in Town Centre South will need to consider the business case for the modernisation of their facilities and re-provision elsewhere or on-site as part of the scheme."
4. Neither the County Council nor Primary Care Trust was consulted on this proposed change.
5. No reasoned justification has been put forward to support the requirement that relocation of community uses may only be to another site within the town centre. In a number of cases, other sites within the urban area with good levels of accessibility will be equally suitable for the community uses in the Town Centre South area.

In order to overcome the objection, the County Council and primary Care Trust

**SBC**

No changes proposed to meet this objection.

The Inspector considered all the evidence in relation to Policy TR4 and TR11 (TR2 and TR8 in the plan to be adopted) at the public local inquiry and made his recommendations in his report of August 2003. The Borough Council has considered the recommendations and has accepted them, it does not therefore propose to make any further changes to the Plan.

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request that the relevant wording in the "Priorities in Development" section to replicate in the Town Centre SPG set out above.

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<b>Chapter</b>	<b>Policy/Para:</b>	<b>Ref. No:</b>	<b>Representor</b>	<b>Summary of Representation:</b>	<b>SBC</b>
TR	TR8	203/202/ E	West Stevenage Consortium Represented by  Barton Willmore Planning Partnership	<p>The wording of the proposed modification does not reflect the Pre-Inquiry Change as set out under the heading "Proposed Modification".</p> <p>We agree with the revised policy wording however, it would appear that there is a typographical error in the wording of the Pre-Inquiry Change and object to the sentence as it currently reads: 1. Add a paragraph to indicate that retail developments in Stevenage west would have to adhere to Policy TR8..</p>	<p>No change proposed to meet this objection.</p> <p>The Pre-Inquiry Change referred to by the objector was superseded by the Further Proposed Changes proposed by the Borough Council before the public local inquiry. The Inspector considered all the evidence in relation to Policy TR8 at the local plan inquiry and made his recommendations in his report of August 2003. The Borough Council has accepted the recommendations and proposes no further changes. Policy TR8 (TR5 in the plan to be adopted) will read as follows:</p> <p><b>PROPOSALS FOR FURTHER RETAIL DEVELOPMENTS OUTSIDE THE TOWN CENTRE POLICY AREA, NEIGHBOURHOOD CENTRES AND OLD TOWN WILL NOT BE PERMITTED UNLESS IT CAN BE DEMONSTRATED THAT THERE IS SUFFICIENT RETAIL NEED.</b></p> <p><b>RETAIL DEVELOPMENTS AT STEVENAGE WEST WHICH ACCORD WITH POLICY SW14 WILL NOT BE SUBJECT TO THIS POLICY.</b></p> <p><b>IN THE EVENT THAT A RETAIL NEED EXISTS DEVELOPMENT WILL BE PERMITTED WHERE:</b></p> <p><b>(A) A SEQUENTIAL APPROACH TO SITE SELECTION HAS BEEN TAKEN, WHEREBY SITES WITHIN THE TOWN CENTRE POLICY AREA ARE THE MOST PREFERRED, FOLLOWED BY EDGE-OF-CENTRE SITES AND NEIGHBOURHOOD CENTRES AND THE OLD TOWN, AND LASTLY OUT-OF-CENTRE SITES;</b></p>

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(B) IT CAN BE DEMONSTRATED THAT THE INDIVIDUAL OR CUMULATIVE IMPACT OF A PROPOSAL WILL NOT HARM THE VITALITY AND VIABILITY OF RETAIL USES IN EXISTING CENTRES; AND  
(C) IT WILL NOT GIVE RISE TO UNACCEPTABLE TRAFFIC CONDITIONS OR PREJUDICE ROAD SAFETY; AND  
(D) IT WILL NOT HAVE AN UNACCEPTABLE ENVIRONMENTAL IMPACT; AND  
(E) IT IS LOCATED IN A POSITION WHICH ALLOWS ACCESS BY A CHOICE OF MODES OF TRANSPORT AND RELATES WELL TO OTHER OUT OF CENTRE RETAILING ALLOWING FOR LINKED TRIPS BY TRANSPORT MODES OTHER THAN THE PRIVATE CAR; AND  
(F) IT DOES NOT TAKE LAND DESIGNATED FOR OTHER USES.

Policy SW14

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**Chapter Policy/Para:**

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EN

EN10

467/35/E Mr Peter Vosper

Environment Agency

**Summary of Representation:**

The Agency objects to the proposed modification which reads:  
"Development proposals which would be harmful to the character of green links will not be permitted....."  
In the response to the District Plan Further Proposed Changes, dated 14 November 2002, the Agency stated that the change of wording from "have an unacceptable adverse impact on" to "would be harmful to" would not be sufficient for the objection to be withdrawn. The reasons are stated in the letter.

The following change to the wording of paragraph 4 of Policy 32 is suggested:  
"Development proposals which have an adverse impact on the character of green links will not be permitted".

**SBC**

No changes proposed to meet this objection.

The revisions to Policy EN10 were considered at the local plan inquiry. The local plan Inspector considered all the evidence and set out his recommendations in his report of August 2003. The Borough Council has considered these recommendations and has accepted them - no further changes are therefore proposed.

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EN

EN32

467/36/E Mr Peter Vosper

Environment Agency

**Summary of Representation:**

The Agency objects to the proposed modification of paragraph 4 of Policy EN32 which reads:

"Developments will be required to incorporate appropriate surface water management techniques which will seek to maintain existing hydrological conditions and which will not have material adverse effects upon the aquifer and the existing natural water cycle."

This wording is very similar to the proposed wording suggested by Buchanan Consulting Engineers & to which the Agency commented on. The Agency therefore objects for the same reasons as stated in the letter and suggest the following changes to the wording of paragraph 4 of Policy EN32:

"Developments will be required to incorporate appropriate surface water management techniques, which will attenuate surface water discharge to greenfield run off rates and not have an adverse effect upon the recharging of the aquifer and the existing natural water cycle."

**SBC**

No change proposed to meet this objection.

The revisions to Policy EN32 were considered at the local plan inquiry. The Inspector considered evidence from all parties and made his recommendations in his report of August 2003. The Borough Council has considered the recommendations and has accepted them, it does not therefore propose to make any further changes to the Plan.

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L L18

203/204/  
E

Object to the word "required".

No change proposed to meet this objection.

West Stevenage Consortium

The policy should be amended accordingly.

Represented by

Barton Willmore Planning Partnership

The revisions to Policy L18 were considered at the local plan inquiry. The Inspector considered evidence from all parties and made his recommendations in his report of August 2003. The Borough Council has considered the recommendations and has accepted them, it does not therefore propose to make any further changes to the Plan.

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SC

SC9

375/4/E

Mr Rob Grinter

Hertfordshire County Council

**Summary of Representation:**

It is unreasonable to require that redundant school buildings should be either retained or replaced to meet a demonstrated need in the neighbourhood for the provision of indoor community facilities.

Local plan policies concerning other land uses do not require provision to be made for unmet community needs before other development can be considered. For example:

Policy SC1 states that it is expected that existing social and community facilities will be retained unless (inter alia) the facility has been or will be replaced in an appropriate alternative location.

Policy E8 does not require provision for identified social or community needs before development proposals resulting in the loss of existing employment uses in residential areas can be considered.

Policy L4 allows the loss or reduction of existing leisure facilities, provided certain criteria are met. The criteria do not include provision for other social and community needs.

The suitability alone of school buildings to house other uses should not alone be sufficient to justify a policy presumption that excludes other uses. To justify such a policy, the plan should show that the following issues have been addressed:

1. Evidence of the need for additional facilities. Can the need be quantified, where is it based, how is it expressed, what type of facilities are considered to be lacking?
2. Is the "need" really a demand. Should such needs / demands take precedence

**SBC**

No changes proposed to meet this objection.

The Inspector considered evidence in relation to Policy SC9 at the public local inquiry and set out his recommendations in his report of August 2003. The Borough Council has considered these recommendations and has accepted them. No further changes are therefore proposed to Policy SC9.

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over other needs, e.g housing?  
3. Why should educational buildings be singled out to bear the burden of providing for leisure and community needs?

The County Council should be able to consider redevelopment of redundant school buildings or re-use for any purpose which is in conformity with other policies in the plan, without automatically having to give priority to identified social and community needs.

The policy should revert to the wording as set out in the May 2001 revised deposit draft.

SW	12.4.1	203/208/ E	West Stevenage Consortium Represented by Barton Willmore Planning Partnership	Consequent to the objection to the proposed caveat for Policy H2 - object to the proposed changes to Policy SW1 and request that the original wording be reinstated.	No change proposed to meet this objection.
SW	12.4.2	203/209/ E	West Stevenage Consortium Represented by Barton Willmore Planning Partnership	Consequent to the objection to the proposed caveat for Policy H2 - object to the proposed changes to Policy SW1 and request that the original wording be reinstated.	No change proposed to meet this objection
SW	SW1	203/210/ E	West Stevenage Consortium Represented by Barton Willmore Planning Partnership	Consequent to the objection to the proposed caveat for Policy H2 - object to the proposed changes to Policy SW1 and request that the original wording be reinstated.	No change proposed to meet this objection.

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Chapter Policy/Para	Ref. No	Representor	Summary of Representation	SBC
SW 12.7.2	203/211/ E	West Stevenage Consortium Represented by Barton Willmore Planning Partnership	The preparation of design development principles as supplementary planning guidance is unnecessary.	No changes proposed to meet this objection.  The revisions to paragraph 12.7.2 were considered at the local plan inquiry. The local plan Inspector considered all the evidence and set out his recommendations in his report of August 2003. The Borough Council has considered these recommendations and has accepted them - no further changes are therefore proposed.
SW 12.8.5	203/212/ E	West Stevenage Consortium Represented by Barton Willmore Planning Partnership	Meadway is the only access point which will lead to the heart of the development and the main mixed use centre. Further to which it has been agreed with the Highway Authority that this is the most appropriate location for the principal access.  The original wording should be reinstated.	No changes proposed to meet this objection.  The revisions to paragraph 12.8.5 were considered at the local plan inquiry. The local plan Inspector considered all the evidence and set out his recommendations in his report of August 2003. The Borough Council has considered these recommendations and has accepted them - no further changes are therefore proposed.
SW SW7	203/207/ E	West Stevenage Consortium Represented by Barton Willmore Planning Partnership	Meadway is the only access point which will lead to the heart of the development and the main mixed use centre. Further to which it has been agreed with the Highway Authority that this is the most appropriate location for the principal access.  The original wording should be reinstated.	No changes proposed to meet this objection.  The revisions to Policy SW7 were considered at the local plan inquiry. The local plan Inspector considered all the evidence and set out his recommendations in his report of August 2003. The Borough Council has considered these recommendations and has accepted them - no further changes are therefore proposed.



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**Chapter Policy/Para:**

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MAP MAP

203/214/  
E

West Stevenage Consortium

Represented by

Barton Willmore Planning Partnership

**Summary of Representation:**

Clarification is sought as to the area to be deleted as part of the Principal Open Space allocation at meadway Park and the reallocation of the same area as part of the Gunnels Wood Employment Area.

**SBC**

No changes proposed to meet this objection.

The revisions to the Proposals Map were considered at the local plan inquiry. The local plan Inspector considered all the evidence and set out his recommendations in his report of August 2003. The Borough Council has considered these recommendations and has accepted them - no further changes are therefore proposed.

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<b>Chapter</b>	<b>Policy/Para:</b>	<b>Ref. No:</b>	<b>Representor</b>	<b>Summary of Representation:</b>	<b>SBC</b>
EN	EN22	203/203/ E	West Stevenage Consortium Represented by Barton Willmore Planning Partnership	Support the modification to delete the Landscape Conservation Area west of the Langley junction on the A1(M) which we expect to relate to the whole Landscape Conservation Area west of the A1(M) in the Borough.	Support noted
MAP	MAP	203/213/ E	West Stevenage Consortium Represented by Barton Willmore Planning Partnership	Support the modification to amend the green belt boundary to follow the line of "Todds Green Lane" if this is the road is also classified as the C20 which provides the appropriate green belt boundary in this area.	Support is noted.