

Our Ref:
REG14WallingtonNeighbourhoodPlan

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Dear Kate

Wallington Neighbourhood Plan - Regulation 14

Thank you for giving us the opportunity to comment on the Wallington Neighbourhood Plan. We recognise that a significant amount of work has been undertaken by the Neighbourhood Planning Group in preparation of the Neighbourhood Plan. The Council supports the ambition of making the Wallington Neighbourhood Plan and we will continue to work with the Parish Council to help progress the Plan.

We have provided some comments below specifically on the Neighbourhood Plan's policies and where they might conflict with the Neighbourhood Plan's own objectives, our Local Plan and the National Planning Policy Framework (NPPF).

If the Neighbourhood Planning Group needs any further support or guidance, please do not hesitate to contact me.

Local Plan

Firstly, the Wallington Neighbourhood plan refers to the Saved Policies 2 Local Plan. Our new Local Plan was adopted in November 2022, and this supersedes the Saved Policies of the previous plan. This needs to be updated throughout the document before proceeding to Regulation 16, the submission version of the Neighbourhood Plan. The Local Plan includes a number of strategic policies which policies in a neighbourhood plan should be in general conformity with to meet the "basic conditions", which form the basis of the examination.

Wallington Residents Survey

The Neighbourhood Plan refers to a housing survey and provide some statistics from responses received. There appears to be some errors in the statistics. For example the Neighbourhood Plan says that there is 54 households in Wallington. The survey had 26 respondents which in the Neighbourhood plan it says this that this equates to 62% of households. However, this equates to 48%.

In terms of the number of dwellings, paragraph 3.7 says the majority of respondents (81%) feel that the number of new properties should not exceed 10. This equates to an increase of 24% of the current housing stock. We wanted to make you aware that 10 units would equate to an increase of 16%.

On location, the Neighbourhood Plan suggests that 80% of the survey respondents feel that the conversion or replacement of existing buildings such as redundant farm buildings within the village is preferred. It goes on to say that a substantial portion of the land within the village is occupied by redundant farm buildings at Manor and Bury Farmyards which, if developed, would provide more than enough space for up to ten new properties which is the number identified in the survey. It is not clear whether these new homes would be market or affordable houses.

On tenure, the Neighbourhood Plan states that the central village has two rented social housing homes and a relatively high proportion of privately rented accommodation, accounting for 13 homes in total or 31% of the total housing stock in the built core. However, this should be 24% if all 54 residential properties included in the survey are within the built core.

For type of housing, respondents said one of the key issues was a shortage of more affordable and smaller homes (one, two and three bed homes) within the village. Smaller homes for market sale for downsizers and first time buyers and 57% of respondents thought that the provision of affordable (social) housing should be a priority.

Affordable Housing

Our understanding is that one of the overarching objectives of the Wallington Neighbourhood Plan is to provide smaller, more affordable homes to allow for young people and families to move into the village and to allow elderly residents to downsize. This objective is supported by the results of the Wallington residential local housing survey which was carried out in 2021. This objective is reflected in Policy W2.

POLICY W2: MEETING LOCAL HOUSING NEEDS

A. All new residential development within Wallington must provide a quantity of affordable housing in line with the requirements contained within the North Hertfordshire Local Plan. Affordable homes should be well integrated with market housing. The provision and mix of affordable units for new development must comply with the National Planning Practice Guidance on First Homes, which requires 25% of all affordable housing units to comprise of First Homes. The remaining tenure of affordable units should be in accordance with the Local Plan or its successor.

B. The mix of housing sizes, types, tenures, and affordability in proposed development should, in so far as is reasonably practicable and subject to viability considerations, assist in meeting the needs identified in the most recently available Wallington Local Housing Needs Assessment. Proposals that will deliver smaller one-, two-, and three-bedroom dwellings, to address the needs of single people, young couples, smaller families and the elderly will be supported, and in accordance with Policy W4 (Reinforcing Wallington's Local Character through Design) of this Neighbourhood Plan.

C. Subject to the other policies of this plan, proposals for community-led housing projects including self-build and co-operative housing will be supported.

We support the making of policies which ensure suitable housing type, size and tenure is delivered to meet the local housing need. However, criterion a) in Policy W2 could be considered as redundant as all development schemes above ten units must comply with our Local Plan affordable housing policy.

Policy HS2: Affordable housing

Planning permission for new homes will be granted provided that:

- a) Affordable housing is
 - i. provided in accordance with the following targets subject to viability:

Size of site (gross dwellings)	Target percentage of dwellings to be affordable
11 – 14 dwellings	25%
15 – 24 dwellings	35%
25 or more dwellings	40%
 - ii. delivered on-site unless robustly justified; and
 - iii. genuinely affordable to local people where rents or prices are linked to open-market values
- b) The size, type and tenure of any affordable housing meets:
 - i. the Council's expectation that 65% of the affordable housing required by criterion (a)(i) will be rented and 35% other forms of affordable housing;
 - ii. the housing needs of the area including needs identified by relevant local authority housing register data, Neighbourhood Plans and any settlement- or parish-level surveys or assessments; and
 - iii. the requirements of Policy HS3 and will contribute to an appropriate mix of housing across the site as a whole;
- c) The affordable housing is secured for first and subsequent occupiers through an appropriate condition or legal agreement providing for
 - i. the retention of dwellings through the Council, a registered provider or similar body agreed with the Council; and
 - ii. where appropriate, review mechanisms
- d) Relevant Supplementary Planning Documents, strategies or advice have been taken into account.

Where development of a site is phased or divided into separate parts, or could reasonably be considered part of a larger development which would exceed the thresholds, it will be considered as a whole for the purposes of affordable housing provision.

The reference to First Homes should be removed as most developers have cited that the delivery of First Homes is not a viable option. Our Housing Officer has advised that the likely discount across the district will only be 30% which would not be affordable to most people. If First Homes are delivered in Wallington and local people are unable to afford the properties, then they would be marketed to people across the district and ultimately outside the district if no potential purchasers. Therefore, there is a possibility that these properties would not meet the identified local housing need. There are also other restrictions that apply which may preclude local people from purchasing such homes.

The Developer Contributions SPD says that given concerns around First Homes and the transitional arrangements, the Council will not normally support the provision of First Homes as part of the affordable housing mix. Nonetheless, the Council recognises that National Planning Practice Guidance recommends a flexible approach to the delivery of First Homes and, on occasion, there may be specific circumstances where it is necessary to consider their inclusion as an affordable housing product. Therefore, the appropriateness of any First Homes will be considered on a case-by-case basis. In the proposed National Planning Policy Framework reforms, a stronger weight for social rent properties is proposed as the Government consider this to be the most affordable type of housing provision. Our Housing Officer has also advised that previous Community Development Action surveys across the district show that many local people cannot afford to buy on the open market or shared ownership homes and that often the only viable option is rented affordable housing. The Neighbourhood Plan states that respondents of the residential survey showed 48% generally supported the provision of rented accommodation and given the low number of social/affordable units within the village, we would suggest the provision of affordable

housing for both rent and shared ownership (which would be retained in perpetuity) would be beneficial to provide homes for local people and ensure sustainability of the village.

Policy W3 describes infilling development within the build core as extensions or new development in between existing residential dwellings. However, it is our view that infilling development is development that takes places anywhere within the built core including previously developed sites. We understand that Policy W2 prescribes a threshold of two units for infilling development. It is our opinion that this policy will restrict your plan's objective of achieving affordable housing within the village. As stated above, our Local Plan's affordable housing requirements are only triggered on housing schemes of 10 plus units and for S106 agreements the threshold is for ten plus units. Therefore, if future planning schemes are limited to two units there would be no requirement to provide these as affordable homes. To achieve affordable housing in Wallington and Rushden, a rural exception site could be delivered outside of the village core on greenfield land or the village would have to rely on the landowner's good will to market the land at a lower price.

From our experience, setting a size threshold on infill development can lead to an inefficient use of space. It is our view that development proposals for infilling development should be considered on a case-by-case basis to reflect the size of the land and the character of the area. As highlighted in our informal comments, Paragraphs 124 and 125 of the NPPF identifies that local planning authorities must ensure efficient development on land and to ensure developments achieve appropriate housing densities. It is our view that Policy W3 restricts future planning opportunities to provide the right type of housing to meet the identified housing need. In reality, if infill development was capped at two units and the plot of land was of a considerable size, there would be a point of contention between the Neighbourhood Plan's objectives and the NPPF. To satisfy both, it is likely a developer would build two larger homes to comply with both policies and these will be marketed at a higher rate due to their size and location. We would also point out that the residential survey identified that 66% of residents agreed that terrace housing would be suitable in the village. However, Policy W2 would preclude terraced housing as they count as three plus units.

The Neighbourhood Plan has identified Manor Farm as an ideal site for redevelopment for up to ten properties. The Council agrees with this approach of identifying suitable brownfield sites which could be redeveloped for housing or for employment use. However, brownfield sites would also have to comply with policies in the Neighbourhood Plan. If they are located within the defined village core, Policy W3 would restrict the site to providing two units under the current wording. It is also not clear from the Neighbourhood Plan if it is the intention to market these new properties at full market value or affordable and there would be no requirement under our Local Plan policy to make these homes affordable as it would bring forward under eleven units.

<p>POLICY W3: RESIDENTIAL DEVELOPMENT WITHIN THE BUILT CORE</p> <p>A. Within the built core of Wallington, the following will be supported:</p> <ul style="list-style-type: none"> i. Infilling comprising extensions or new developments, between existing residential development where infilling development is defined as the development of a small gap in an otherwise built-up frontage for no more than two dwellings; and ii. The redevelopment of brownfield and previously developed former agricultural sites; and <p>where the following criteria are met:</p> <ul style="list-style-type: none"> iii. proposals should seek to address identified local housing needs, in accordance with Policy W2; and iv. proposals are expected to preserve and enhance the local character of Wallington, in accordance with Policy W5 of this Neighbourhood Plan, following the guidance contained in the Wallington Design Guidelines and Codes⁵; and v. development must reflect the prevailing density of the village; and vi. development must not unacceptably reduce the level of private amenity space provision for existing residential properties; and vii. development must have a direct highway access; and viii. development should not adversely affect the significant heritage assets, including where relevant the special interest, character and appearance of the Conservation Area, as set out in the Conservation Area Statement; and ix. the proposal would not have significant unacceptable impacts upon the local road network, in accordance with Policy W4 (Character and Design of development); and x. the development must be capable of connecting to key infrastructure, including sewerage, power and broadband. xi. where appropriate, development proposals should incorporate sustainable drainage facilities which, where practicable, enhance wildlife and biodiversity in their immediate locality. <p>B. Proposals for development of back-land sites, including residential garden land within the built core, will not be supported where it would result in significant harm to the character and appearance of the local area.</p>

Reinforcing the Character of Wallington Village

A second objective of the Wallington Neighbourhood Plan is to reinforce the distinctive character of the village through policies which safeguard local heritage assets and establishing design principles for new developments. We would like to reassure you that any new development would be subject to an assessment to make sure there is no harm to the Wallington Conservation Area. We support and encourage the making of design codes to deliver good design that is sympathetic to the village. However, we feel that requiring all new developments to have a direct highway frontage is not necessary and it might restrict future development. We note that some homes within the villages do not have a direct highway frontage so this would not be out of character for Wallington and Rushden.

With regard to private amenity space in Policy W3, we recommend that the Neighbourhood Plan provides additional explanatory text which explains what private amenity space is and how it can be measured. We would also recommend the Neighbourhood Plan to set a percentage threshold to ensure that there is clear understanding to what is considered to be an unacceptable loss of private amenity space. The policies in Neighbourhood Plan form part of the basis for planning and development control decisions and therefore, they need to be clear and unambiguous. Otherwise, when assessing planning applications, the Planning Officer will have to interpret what is an unacceptable loss. Criterion x of Policy W3 is considered to be redundant as connecting to key infrastructure would be a requirement under Development Control.

Turning to Policy W4, criterion v, the Plan cannot set timings for when outdoor lighting should be turned off and this cannot be enforced. Instead, the plan could put in policies to ensure appropriate lighting design for rural areas such as the direction of the lighting.

POLICY W4: REINFORCING WALLINGTON'S LOCAL CHARACTER THROUGH DESIGN

- A.** Development is expected to preserve and enhance the local character of Wallington. The design of new development should take account of the local context and reflect the natural and built character and vernacular of the area, in terms of architecture and materials, to avoid building design that is inappropriate to the Plan area. Careful consideration should be given to the impact of the development on the openness of the landscape. Innovation in design will be supported, however, only where this demonstrably enhances the quality of the built form in the area.
- B.** As appropriate to their scale, nature and location development proposals should address the following criteria:
- i.** be guided by the principles included in the Wallington Design Guidance and Codes (2021)¹⁴, the Wallington Conservation Area Character Statement (2019)¹⁵ and the North Hertfordshire and Stevenage Landscape Character Assessment¹⁶; and
 - ii.** meeting the principles of Building for a Healthy Life unless alternative principles would result in a higher quality of design. Development proposals that would achieve the Building for a Healthy Life commendation will be particularly supported; and
 - iii.** for residential development, addressing the principles of Housing our Ageing Population Panel for Innovation (HAPPI)¹⁷. Such dwellings may also be suitable for younger residents and are not intended to be restricted to particular users; and
 - iv.** minimise its impact on both designated and non-designated heritage assets, in accordance with Policy W5; and
- v.** Development should not detract from the unlit environment of the Parish. Security, outside lighting, and floodlighting should be designed to be deflected downwards and switched off no later than midnight, except in the case of motion-sensitive security lighting; and
- vi.** Not have a significant detrimental impact on the local views as set out in Policy W7; and
- vii.** Make a positive contribution to the visual appearance of the main highway approaches into the settlements: Wallington Road and The Street, which should include adding tree planting or the provision of roadside green verges; and
- viii.** Ensuring safe pedestrian, and where feasible cycle, access to link up with the existing footpath network; and
- ix.** Ensuring that traffic generation and parking does not adversely affect vehicular and pedestrian safety. The use of sustainable transport modes should be promoted by providing space for cycle parking and provision of electric vehicle charging points. Residential parking provision should be in accordance with the NHDC Parking standards¹⁸, with priority given to adequate off-road parking for residents, visitors and service vehicles; and
- x.** Ensuring that areas requiring service and maintenance including watercourses are accessible at all times.

The Council supports the designation of non-designated heritage assets and the requirement of producing Heritage Statements to ensure new development does not impact the identified heritage assets within the village. To assist with this, it is recommended a catchment buffer is added to Policy W5 to trigger the requirement of Heritage Statements.

POLICY W5: HERITAGE ASSETS IN WALLINGTON

A. The Neighbourhood Plan identifies the following five buildings and structures (as detailed in Appendix D) as a non-designated heritage assets:

1. Village Hall
2. Village bus shelter
3. Well Pond structure
4. 11 – 13 The Street
5. Village Pump

B. Development proposals affecting heritage assets – including the non-designated heritage assets - either directly or indirectly, should enhance the significance and setting of the asset. This could include, where appropriate, the delivery of development that will make a positive contribution to, or better reveal the significance of, the heritage asset, or reflect and enhance local character and distinctiveness with particular regard given to the prevailing styles of design and use of materials in a local area. Proposals are expected to be accompanied by a Heritage Statement.

C. Development proposals should demonstrate that they have taken into account the potential impact on above and below ground archaeological deposits to ensure that evidence which could contribute to the understanding of human activity and past environments is not lost. Where a scheme has a potential impact on archaeological remains (below or above ground) a Heritage Statement or similar should be prepared in support of planning applications.

Preserving the natural setting

A third overarching objective of the neighbourhood plan is to preserve the existing natural environment through maximising biodiversity and safeguarding valued green spaces within the village.

POLICY W9: LOCAL GREEN SPACES

The following 13 spaces, as shown on Figures 7.2 and 7.3, are designated as Local Green Spaces:

1. Mutcheaps Field
2. The Chase Meadow
3. Village Hall playground
4. The Wick
5. The Park
6. Plough Paddock and adjacent roadside space
7. St Mary's Wallington Churchyard
8. Kitt's Piece
9. Wallington Village Pond
10. The Well Pond and surrounding area, including the Church bankside opposite
11. Carter's/ Parsons Pond
12. The Spinney
13. The Common

Inappropriate development will not be supported except in very special circumstances.

Generally, we support the designation of Local Green Spaces. To designate Local Green Spaces conditions found in paragraphs 101 to 103 of the NPPF need to be met. Paragraph 102 of the NPPF sets out a criterion for designating Local Green Spaces. The Neighbourhood Planning steering group must be confident that each site satisfies the following criterion:

- a) in reasonably close proximity to the community it serves;
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- c) local in character and is not an extensive tract of land

It is advised that the Neighbourhood plan should include confirmation that the land owners of the proposed sites agree to this designation as this type of designation would give the land the same safeguarding protection as Green Belt, in accordance to paragraph 103 of the NPPF. This means development cannot take place on this site except in special circumstances.

In appendix F, it is acknowledged that LGS1 is a privately owned garden. It is our view that this land is an important space in the Wallington Conservation Area. However, it does not meet the criterion set out in paragraph 102 of the NPPF as it does not say that it has any community use and therefore value to the community. Unless the land owner confirms to the designation, we feel that this site does not meet the requirements.

For Plough Paddock, car parking is included within the information about this site. We advise that this use does not meet the conditions of paragraph 102 of the NPPF. If the Neighbourhood Plan wants to protect the space for car parking, we would suggest the plan includes a policy specifically for this purpose.

Developer Contributions

We understand that the Parish Council is keen to influence the way in which developer contributions should be spent. This is set out in section 10 of the Neighbourhood Plan. We would like to make the Parish Council aware that the threshold for section 106 agreements is 10 units under one application. In this instance, it is unlikely that developer contributions will be received in Wallington as there are no allocations for housing in the Local Plan and it is considered that only infilling development is acceptable within the village core that would be unlikely to exceed this threshold based upon the draft policies.

However the west of the Parish (in particular) will be close to the significant developments that are being proposed by the Council around Baldock. If there are projects or improvements that the Parish Council might wish to see (partially) funded by this development these could be identified. Any projects or funding would need to meet the legal requirements of being necessary and sufficiently related to the proposed development to justify any requests.

Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008, as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. This charge would apply to all housing development. If CIL were to be implemented, then it is likely that the village could receive some modest contributions.