



[www.north-herts.gov.uk](http://www.north-herts.gov.uk)

## **North Herts Council – Officer Response to the Codicote Neighbourhood Plan 2021 – 2031**

### **Regulation 14 Consultation Draft**

**March 27<sup>th</sup>, 2024**

The Council welcomes the publication of the Regulation 14 draft of the Codicote Neighbourhood Plan and appreciates the significant amount of work undertaken by the Neighbourhood Plan Steering Group and the Parish Council in reaching this stage in the preparation of the Neighbourhood Plan.

At this stage, we have framed our representations as comments for consideration, rather than as supporting representations or objections to the Neighbourhood Plan. We hope that you will find them constructive when considering any amendments to your Neighbourhood Plan and if you need any further information about our comments or would like to discuss any issues arising, please contact us.

#### **General comments**

In places throughout the document, there are significant pieces of text which detract from the issues and policies that the Neighbourhood Plan is trying to address. In redrafting the Plan for submission, it maybe that some of this text could be deleted and some more illustrations added to show Codicote in its best light? There are many photographs in the appendices which feel hidden away.

Overall the Neighbourhood Plan and the Design Code feel as though they are very focused on the village of Codicote rather than the wider Parish. There are a number of hamlets across the Parish, acknowledged in 3.1.2, as well as the wider rural areas within the Green Belt where policies in the Neighbourhood Plan will be used in determining development proposals, are there any specific considerations for these locations which should be included in the Plan?

There is no reference of Gypsy and Traveller provision although both of the District's allocated sites are within the Parish. Although there is no need for the Neighbourhood Plan to replicate policies or allocations that are in the Local Plan, or set additional policies, this is an issue which we think merits recognition, even if it is to signpost this as a matter which is addressed in the Local Plan.

The Green Belt is not shown on the Policies Map, nor is it clearly referenced within the Neighbourhood Plan that all areas outside the identified settlement boundary and the

allocated Gypsy and Traveller sites are designated Green Belt with the associated protections in national policy and the Local Plan. Making this relationship clearer might assist in the interpretation of the policies. Some of the policies which relate to new development could benefit as being framed as “within the settlement boundary” to differentiate between any approach.

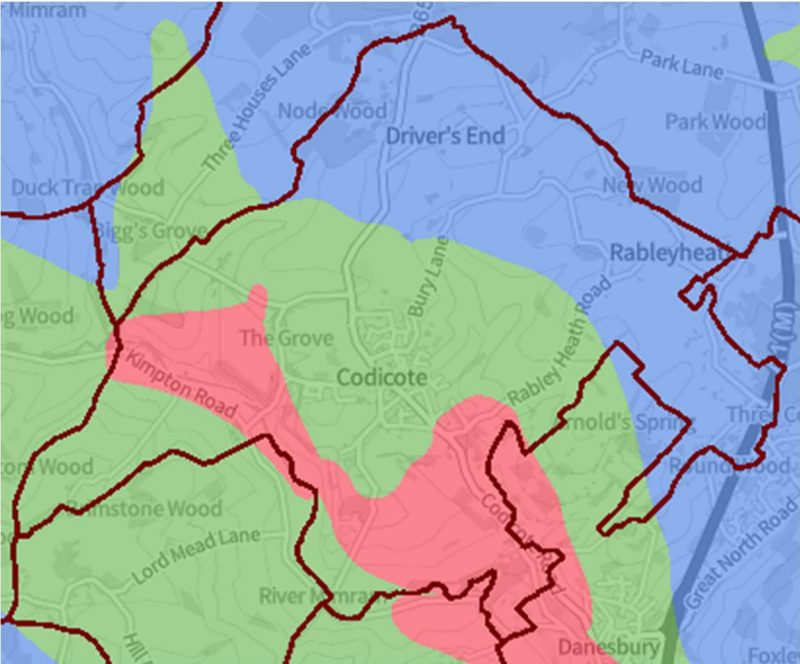
### Design Codes and Guidance

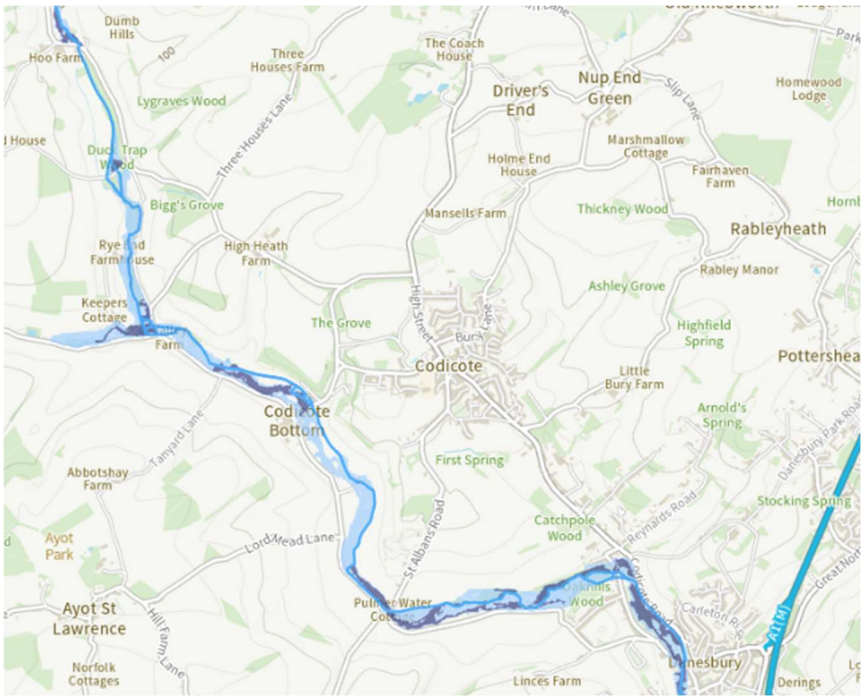
The Design Code does reference the character areas within the village but there are no character areas referenced in the wider neighbourhood planning area.

There are some unresolved, circular references in the Neighbourhood Plan and in the Design Code which refer to each other. For example, page 27 refers to the character areas identified in the Neighbourhood Plan, whereas the Neighbourhood Plan refers back to the Design Code. This should be resolved to ensure that each document is clear.

Page No. & Policy or Paragraph No.	Comments
<b>Section 1 : Introduction</b>	
Page 6 Para 1.1.3	The reference to <a href="#">paragraph 30 of the NPPF</a> is not accurate and should be amended in the submission version of the Neighbourhood Plan. The paragraph states:  <i>“Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.”</i>
Page 8 Para 1.4.2	There are a couple of minor errors in the following paragraphs: <ul style="list-style-type: none"> <li>• is there a word missing at the start of the 1<sup>st</sup> sentence; and</li> <li>• there is a rogue reference to the September version of the NPPF.</li> </ul>
<b>Section 2 : Visions and Objectives</b>	
Page 10 Paras 2.1.1 – 2.1.6	We would suggest updating these paragraphs to reflect the adoption of the North Herts Local Plan and that planning permission has been granted for most of the development that was allocated.  The tone of the paragraphs introducing the vision and objectives of the neighbourhood plan feels quite negative, we feel that they could be re-worded to be more forward thinking and positive about living and working in the Parish.

Page No. & Policy or Paragraph No.	Comments
	<p>As set out above in our general comments, the vision outlined in paragraph 2.1.6 is focussed on the village, rather than the Parish as a whole.</p> <p>The statement in paragraph 2.1.5 is partially correct but the explanation conflates affordable housing with home ownership (“buyers”), whereas the majority of secured affordable housing is normally for rent to those on the Council’s housing register.</p>
<b>Section 3 : Parish Portrait</b>	
<p>Page 13 Para 3.1.1</p>	<p>There is a reference in the final sentence to Codicote being classed as a Category A village which is not the case. Paragraph 4.15 in the Local Plan describes Codicote as one of five villages which can support higher levels of growth than the Category A villages.</p> <p>We would suggest that it is simpler to delete the reference to Category A villages and re-phrase the sentence to describe the role of Codicote in providing facilities for the surrounding villages.</p>
<p>Page 14 Section 3.2</p>	<p>Some of the commentary in this section is conjecture rather than analysis of the information presented, e.g. paragraphs 3.2.5, 3.2.6 and 3.2.9.</p> <p>Figure 4 is unclear, as the graphic is missing either numbers or percentages for the number of dwellings.</p> <p>Further clarification or research on housing needs could add genuine value in terms of identifying housing mix requirements in the Parish.</p> <p>In terms of the paragraph on car ownership, the information is a projection if current patterns are replicated, but it may be that some homes will be occupied by existing residents or there could be some concealed households which would not add to car ownership figures.</p>
<b>Section 5 : Design Policies</b>	
<p>Page 19 Section 5.2</p>	<p>As explained in paragraph 5.2.1 of your Neighbourhood Plan, the Design Code will be an integral part of the Plan. To simplify the Neighbourhood Plan, some of the text which describes the contents of the Design Code could be deleted from the Plan as the two documents should be read together when preparing or considering a development proposal.</p>
<p>Page 20</p>	<p>Whilst the draft policy wording makes reference to the Design Code, the Conservation Area Statement and higher-level design guidance,</p>

Page No. & Policy or Paragraph No.	Comments
Policy COD 1 Designing with Design Codes	<p>it does not set out any criteria which developers and decision makers should consider in preparing or making decisions on development proposals in the Parish.</p> <p>It might be worth looking at the design policy in the <a href="#">Ickleford Neighbourhood Plan</a> as an example of a design policy which has been drafted with the benefit of a Design Code in place.</p>
Policy COD 2 Designing for Net Zero	<p>The introductory paragraphs to the policy discuss energy efficiency measures but as the policy is worded, it only asks developers to have consideration to the latest guidance. We would suggest that the policy be re-framed to set out what type of energy efficiency provisions should be made in new development. It could also be included in a re-framed design policy.</p>
Policy COD 3 Designing for Flood Resilience	<p>It is not appropriate for development to achieve zero run-off through infiltration in Codicote. Parts of the parish are covered by source protection zone 1, this means that there is less than 400 days for infiltrated water to reach a potable water source. Infiltration in these areas could result in significant contamination.</p>  <p>This policy makes no reference to the River Mimram that runs through the Parish, nor does it address Flood Zones 2 and 3 that are associated with the River Mimram. Consideration to these matters should be included in the Policy.</p>

Page No. & Policy or Paragraph No.	Comments
	 <p data-bbox="491 1066 1326 1137">The policies map doesn't show the full extent of the flood zones within the neighbourhood plan area.</p>
<p data-bbox="204 1176 384 1303">Policy COD 4 Designing for Biodiversity</p>	<p data-bbox="491 1176 1385 1444">Whilst we appreciate that this is a well-meaning policy, expecting bat and bird boxes in every new build scheme may not be the best use of resources. The essential factor in success is having appropriate habitat to provide connectivity between roost / nest sites and foraging areas. Bats particularly will rely on navigable features such as hedgerows and tree lines. We would suggest amending the wording to include a final sentence:</p> <p data-bbox="491 1460 1385 1534"><i>'Siting of swift bricks and bat roosts to be guided by ecological input to ensure suitable locations are selected.'</i></p>
<p data-bbox="204 1572 625 1608"><b>Section 6 : Amenities Policies</b></p>	
<p data-bbox="204 1646 359 1736">Page 24 Section 6.2</p>	<p data-bbox="491 1646 1385 1870">This section gives details about the amenities in the Parish, but it feels unbalanced for a Neighbourhood Plan; there is a significant amount of detail about how the school and health services work but less detail about those services which might be influenced by policies in the Neighbourhood Plan. There is also little detail about the amenities in the wider Parish area.</p>
<p data-bbox="204 1908 347 1998">Page 30 Para 6.3.5</p>	<p data-bbox="491 1908 1289 1982">We have suggested some alternative wording to simplify this paragraph:</p>

Page No. & Policy or Paragraph No.	Comments
	<p><i>“The Local Plan identifies 13 local centres, including Codicote, across the District where the District Council will promote, protect and enhance the provision of shops, services and eateries. In those local centres, Policy ETC6 states that planning permission will be granted for new shops and services of less than 500 square meters gross, at ground floor level, where this would continue to provide a range of uses to meet day-to-day needs and maintain the vitality and viability of the centre. A map of the Codicote Local Centre, defined in the Local Plan is reproduced at Appendix K.”</i></p>
<p>Page 30 Policy COD 5 Existing Businesses in the Retail Area</p>	<p>As the policy is currently drafted, this policy does not add any more detail to the requirements set out in the Local Plan, including appendix 3, and therefore should be deleted.</p>
<p>Page 30 Policy COD 6 Village Car Park</p>	<p>We appreciate that there are car parking issues in Codicote High Street, but this policy should be re-worded. As drafted, criterion (I.) is an ambition rather than a planning policy, it either needs to be revised to state that proposals for a village car park will be supported or it should be included as a specific project in the project plan in appendix E.</p> <p>In terms of criterion (II.), contributions towards the provision of a car park for the village can only be sought where they would assist in mitigating otherwise unacceptable development to make it acceptable in planning terms. <a href="#">Paragraph 002, Reference ID: 23b-002-20190901</a> sets out when planning obligations can be sought by the local planning authority.</p> <p>A policy could be included in the Neighbourhood Plan setting out criteria which could then be used to assess a planning proposal for a village car park.</p>
<p>Page 30 Para 6.4.2</p>	<p>Consideration should be given to the wording of the third sentence of this paragraph to frame it more positively. The NPPF (<a href="#">paragraphs 88 and 89</a>) is clear that planning policies should enable the development and diversification of agricultural and other land based rural businesses.</p>
<p>Page 31 Policy COD 7 New Commercial Space</p>	<p>Both the Codicote Road Business Area and the Nup End Business Park are located in the Green Belt.</p> <p>As worded, does the policy add any further local considerations which are not covered by paragraph 154 of the NPPF or the Development Management policies in the Local Plan?</p>



Page No. & Policy or Paragraph No.	Comments
	<p>If the policy is to be amended and retained in the Neighbourhood Plan, could it be simplified by deleting criterion (II.) but adding the following wording to the start of the policy:</p> <p>“Within the defined Codicote Road Business Area, as shown on the Policies Map, proposals for new business space or expanding existing businesses premises will be supported where it is well designed, is proportionate to existing buildings, respects local character, residential amenity, highway safety and complies with North Herts parking standards.”</p> <p>The policy does not identify the Nup End Business Park, should the policy apply to this area as well?</p>
Page 31 Para 6.5.1	The word “District” in the 2 <sup>nd</sup> sentence should be replaced with “Local Plan”.
Page 31 Para 6.5.2	The first sentence could be deleted.
Page 32 Policy COD 8 Valued Community Facilities	<p>Policy HC1 in the Local Plan sets out the requirements which must be considered where a development proposal involves the loss of community facilities. The provisions set in criterion (I.) duplicate these requirements and therefore, this part of the policy should be deleted.</p> <p>There are some commercial premises listed as community facilities in criterion (II.) It should be noted that there may be circumstances where these uses could change through the Use Class Order; allowance for change of use within the same class, without planning permission, may make some of these uses redundant as community facilities.</p> <p>Elsewhere in the Neighbourhood Plan, the Peace Memorial Hall is described as the Village Hall. It would be useful if this is consistent throughout the document to avoid any confusion.</p>
Page 32 Policy COD 9 New and Improved Community Facilities	<p>The first sentence of the policy refers to “...multi-use community facilities” will be supported provided that...”. This could read that single use community facilities would not be supported. We don’t believe that this is the actual intention of the policy, and you may wish to consider rewording this element of the policy.</p> <p>The reference to village residents in criterion (b) should be deleted. New community facilities should be accessible to any user of the facility by a range of transport modes.</p>

Page No. & Policy or Paragraph No.	Comments
Page 33 Policy COD 10 Protected Recreational Open Spaces	It appears that there are labels missing from the Policies Map for PRO1, PRO2 and PRO4.  Are there other protected recreational areas outside of Codicote that should be recognised, for example in the smaller settlements within the neighbourhood planning area?
Page 33 Para 6.7.1	The paragraph number for the reference to the NPPF should be 106, rather than 105.
Page 33 Paras 6.7.3 & 6.7.4	These paragraphs set out the guidance given in the Planning Practice Guidance, it would simplify the text if this was given as a link to the website, rather than reproduce it here.
Policy COD 11 Local Green Spaces	We have no objections to the proposed designation of the Local Green Spaces in the Neighbourhood Plan. However, the Parish Council should ensure that the landowners have been consulted about the proposed designations included in the Neighbourhood Plan.  The maps in the Appendix are helpful but it appears that there are labels missing from the Policies Map for LGS9, LGS10, LGS 11 and LGS12.  Are there other spaces which should be designated as Local Green Spaces in the wider Parish area?
<b>Section 7 : Infrastructure Policies</b>	
Section 7	This section of the Neighbourhood Plan is negatively worded. There are opportunities to frame the commentary around a more objective and succinct assessment of the context, as in the Design Code and refer to the following documents, either in terms of proposals or commitments they already contain or as the appropriate point of reference for addressing some of the issues raised. These could include:  <a href="#">Local Cycle and Walking Improvement Plan (LCWIP)</a> ; and  <a href="#">Rights of Way Improvement Plan</a> .
Page 35 Paras 7.2.2 & 7.2.5	These paragraphs may need to have some general updates to reflect the current stages of development, as they can be read as a challenge to lawful planning permissions which have been assessed within the regulatory framework and have been deemed acceptable.



Page No. & Policy or Paragraph No.	Comments
Page 36 Para 7.2.7	Measurements to support any formal air quality management designation or measures would be taken from the façade of the nearest residential properties. These would not be directly comparable with the measurements and locations quoted in Appendix P which appear to include readings from roadside locations, bus stops etc.
Para 37 Policy COD 12 Traffic Congestion and Road Safety	<p>As currently drafted, the policy duplicates the provisions of Policy T1 in the Local Plan in that transport assessments are required and that applicants are required to demonstrate how a development scheme will be served by public transport, provide routes for pedestrians and cyclists and how those links will be secured. It should be deleted.</p> <p>As described previously in these comments, S106 contributions can only be secured where they would assist in mitigating otherwise unacceptable development to make it acceptable in planning terms. <a href="#">Paragraph 002, Reference ID: 23b-002-20190901</a> sets out when planning obligations can be sought by the local planning authority.</p>
Page 38 Policy COD 13 Public Transport	This policy should be deleted from the Neighbourhood Plan. The requirements set out in Criterion (I.) duplicate the provisions of Policy T1 in the Local Plan and are unnecessary here. Criteria (II.) and (III.) are not issues which can be addressed through planning policies.
Page 38 Para 7.2.18	In the 3 <sup>rd</sup> sentence, “Ordinance” should be replaced with “Ordnance”.
Page 40 Policy COD 14 Encouraging Active Travel & Policy COD 15 Safe and Accessible Active Travel Routes	We appreciate that the Neighbourhood Plan would like to promote active travel and travel routes. There is an opportunity to merge these policies together and set out a series of criteria which should be addressed in development proposals.
Policy COD 16 Sustainable Water Supply	<p>The policy should be positively worded, for example planning permission will be granted for developments that achieve....</p> <p>Part II of the policy goes beyond the regulatory powers of the planning system and duplicates other regimes which are in place. This should be deleted from the policy.</p>
<b>Section 8 : Natural Environment Policies</b>	

Page No. & Policy or Paragraph No.	Comments
Sections 8.3 & 8.4 Biodiversity and Wildlife & Green Corridors	The paragraphs in these two sections could benefit from some accompanying mapping or diagrams which illustrate the points being made, which might result in a reduced amount of text.
Policy COD 17 Landscape Character and Important Views	<p>The word “only” should be deleted from the 1<sup>st</sup> sentence in criterion (I.) and in the last sentence of criterion (III.).</p> <p>The wording of criterion (III.) could be simplified by deleting “using an appropriate methodology”. It is not clear what an appropriate methodology is and this could be open to interpretation.</p> <p>View 1 –UCR should be spelt out in full to ensure that the policy is clear.</p> <p>Are there other views in the wider neighbourhood planning area which should be identified in the Neighbourhood Plan?</p>
Page 43 Para 8.3.8	Biodiversity Metric 4.0 should now be referred to as the Statutory Metric, as such amend wording to read <i>Development should conserve and enhance biodiversity and deliver a net biodiversity gain, calculated using the Statutory Metric.</i>
Policy COD 18 Biodiversity and Ecological Connectivity	<p>National policy does not need to be repeated, as such, we would suggest amending the wording of criterion (I.);</p> <p><i>Development proposals should conserve and enhance biodiversity and deliver net biodiversity gains of a minimum of 10% in accordance with the requirements of national legislation and guidance as quantified in the current best practice Biodiversity Impact Calculator. The nature conservation value of Local Nature Reserves, Ancient Woodland, Traditional Orchards Local Wildlife Sites, and other significant habitats will be protected from any harmful impacts of development, in accordance with their status.</i></p> <p>We understand the intention of the policy, but it needs further consideration. The Policies Map is designed to guide decisions on habitats, rather than to provide a zonal approach or fixed guidance for the assessment of development proposals. The “green areas” include, for example ancient woodland which are subject to more stringent policy protections than the “where avoidable” in the policy.</p>
Pages 44 – 45 Paras 8.4.1 – 8.4.5	Although paragraphs 8.4.1 and 8.4.2 provide some context, they do not help the reader to understand the role of green corridors in Codicote Parish and should be deleted from the Neighbourhood Plan.

Page No. & Policy or Paragraph No.	Comments
	The paragraphs that follow (8.4.3 onwards) clearly set out where the green corridors are in the Parish and their importance.
Policy COD 19 Green Corridors for Wildlife	The policy is welcomed in acknowledging the value and fragility of chalk streams.  Has the label for GC1 on the Policies Map “slipped” underneath the turquoise and star shading for the River Mimram corridor?
Page 46 Para 8.5.1	There are many pollinators beyond bees and butterflies, suggest amending the wording to read ' <i>Fruit tree blossom is an important source of nectar for pollinating insects</i> '
Policy COD 20 Climate Change Resilience	We welcome this policy and its recognition of the importance of habitat connectivity.
<b>Section 9 : Heritage Assets Policies</b>	
Pages 48 - 50 Para 9.2.5	The paragraph states that opportunities to address the issues of on-street and pavement parking in the Conservation Area will be addressed using CIL.  The Council does not have CIL and Section 106 contributions cannot be used to solve pre-existing issues. This should be amended in the text. Should this be reflected as a separate item in the Project Plan outlined in Appendix E or is it included in the public car park initiative?
Page 49 Policy COD 21 Designated Heritage Assets	The policy should be deleted from the Neighbourhood Plan as it does not provide any additional policy guidance beyond that which is set out in the NPPF and the Local Plan for decision makers when considering development proposals and the effect that they might have on designated heritage assets.  In addition, the 2 <sup>nd</sup> sentence of criterion (I.) is an aspiration rather than a planning policy which could be included in the supporting text and the final sentence which relates to key views in the Conservation Area is a statement, rather than a policy.  Criteria (III.) is unnecessary as heritage assets which are not yet known about are undesignated heritage assets and, therefore, should be included within Policy COD22, Non-designated Heritage Assets.
Page 49 Paras 9.3.1 & 9.3.2	The tone of the introductory part of the paragraph feels very negative in its approach to the non-designated heritage assets in

Page No. & Policy or Paragraph No.	Comments
	the Parish, which could be addressed through some re-wording of the paragraphs to emphasize the importance of these assets to the local community.
<p>Page 50</p> <p>Policy CD22 Non-designated Heritage Assets</p> <p>Appendix A &amp; Appendix O</p>	<p>It would be helpful if “High Street” could be added to the bullet points for the Peace Memorial Hall and the Village sign for those readers less familiar with the Parish.</p> <p>The two gardens identified in the policy, Node Park and Codicote Lodge, could be added to the list of non-designated heritage assets and criterion (III) could be amended to reflect how development proposals should consider these assets.</p> <p>The map in Appendix A and the illustrations and descriptions of each of the non-designated heritage assets included in Appendix O are informative and helpful in understanding the significance of the buildings and heritage features. Consideration should be given to pulling together the map labelled as A1 in Appendix A together with the information provided in Appendix O so that the information is in one place. This would be helpful to people using the Neighbourhood Plan who may not be so familiar with the Parish.</p>
<b>Section 10 : Implementation and Spending Priorities</b>	
<p>Page 51</p> <p>Policy COD23</p> <p>Spending Priorities</p>	<p>Criterion II) of the policy states that funding should directly benefit Codicote’s residents. Given that there are a number of small hamlets and settlements in the wider Parish, this should be amended to the Parish’s residents.</p> <p>The policy refers to the project plan in Appendix E. In the longer term it would be helpful if this could be made available as a separate document on the website.</p>
<b>Appendices</b>	
<p>Appendix F</p>	<p>There is a considerable amount of information provided in this Appendix. We would suggest that a standard proforma based on the various categories is used and one proforma produced for each site, with photographs, maps and commentary included.</p> <p>There is a column in the table labelled “Very Special to the Community” but there is no evidence to support this. The proforma with some commentary would help to address this concern.</p>
<p>Appendix N</p>	<p>Reference is made to Hertfordshire Ecological Network Mapping and the use of colour coding. It would be helpful for this map to have a key.</p>

Page No. & Policy or Paragraph No.	Comments
<b>Policies Map</b>	
Policies Map	<p>It would be helpful to link the Policies Map Key to the relevant policy numbers by including these in the key. The features on the map could also be grouped together as areas covered by one policy, e.g. all the sites identified in Policy COD 18 could be shown with one map notation.</p> <p>It would be helpful if the Green Belt was shown on the Policies Map, or the settlement boundary made clearer.</p>