



Adrien Waite, Mark Silverman & Ann Darnell
Planning Department
Hertsmere Borough Council
Civic Offices
Elstree Way
Borehamwood, Herts WD6 1WA

13th June 2019

Dear Adrien, Mark and Ann,

Thank you for Ann Darnell's email dated 23rd May 2019 'SNP SEA Screening Determination' and your offer to reconsider the SEA requirement subject to recommended modifications.

We had a Steering Group meeting last night and unanimously agreed to take our consultant Angela Koch (ImaginePlaces) and David Carlisle (AECOM)'s advice and so have decided to accept most of the proposed modifications as outlined in your letter if this would then subsequently lead to your conclusion that a SEA on the Draft Reg 16 Submission Shenley Plan is no longer required. This will help our timetable, save thousands of pounds of public money whilst at the same time we feel we will still achieve what we have set out to do with much support from our residents and elected members.

For ease, we are using your notes and indicate our response to each of your proposed modifications below (underlined/ crossed)

Your proposed modification 1 :

SH2.1 The aim of the SSPA is to strengthen the rural village function of Shenley Village by supporting and promoting appropriate high quality rural development in walking distance to key local facilities including the local school, churches, shops, pubs and parks and public transport. This in turn aims to strengthen the strategic Green Belt functions of the open countryside in the Parish for the benefit of Shenley's, Hertsmere's and neighbouring boroughs' populations.

Our response: Agreed.

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Your proposed modification 2:

SH2.2 ~~Any development within the area, marked by a red boundary in~~ Development within the Shenley Village Special Policy Area, shown on Policy Map SH2, is supported provided it ~~subject to the following criteria:~~

1. a) ~~Is in accordance with relevant policies in the NPPF and the Hertsmere Local Plan meeting all required and relevant planning policy and guidance tests set by this plan and higher level planning policies in National Planning Policy and Guidance on achieving well designed places forthcoming Design Manual (MHCLG 2019) where relevant; and~~
2. b) Is of exceptional design quality and complies with Policy SH1 Rural Character and all other relevant policies in this plan ~~including the Shenley Parish Design Principles & Code.~~

Our response: Agreed.

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Your proposed modification 2:

SH2.3 Development within the SSPA should prepare a statement setting out how it contributes to the objectives in this plan

Our response: Agreed.

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Your proposed modification 3:

SH2.4 Where any small scale development is proposed that is in accordance with the NPPF, Hertsmere Local Plan and other policies in this plan and can demonstrate a significant level of local support, the use of the Neighbourhood Development Order route to seeking planning permission is supported. Development, as defined by HBC, which comes forward under a Neighbourhood Development Order process and receives planning consent via a positive majority vote from parishioners, is encouraged.

Our response: Noted. We feel that your modification does not read well though and it is not clear what small scale may or may not mean. NDOs require significant amounts of public support and indeed Community Right to Build Orders are commonly referred to as ‘small’ NDOs. The NPPF 146 f. Specifically the latter refers to both, a Community Right to Build Order and Neighbourhood Development order.

For clarity we will use a wording much closer to the NPPF 2019 which we all need to comply with.

In accordance with the NPPF (§146), development in the Shenley Special Policy Area is also not inappropriate provided it preserve its openness and does not conflict with the purposes of including land within it. This includes development brought forward by the Parish Council under a Community Right to Build Order or Neighbourhood Development Order. In accordance with the law a resident referendum is required to ultimately determine the validity of a Community Right to Build Order or Neighbourhood Development Order. (Ref. National Planning Policy Guidance §013)

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Your proposed modification 3:

SH2.5 no change

Our response: Agreed.

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Your proposed modification 4:

Alongside changes to the policy, there is also a need to remove from the plan and design code detailed reference to the ‘vision’ for Mr McGuire’s land. We acknowledge that the plan indicates in a number of places that it is not making an allocation in respect of this site but the overt implication is that future development of this scale in this location would be desirable and acceptable. At this stage (in relation to the Local Plan – current and emerging), and in the absence of SEA, this would be premature. You could, however, include a general statement in the plan text that subject to being in conformity with the NPPF and the new Local Plan it may be an appropriate location for village expansion. If you wanted to include more detail then this could be in a separate document issued by Shenley PC.

Our response: Noted. We will take the reference to SC12 out of the Design Code and retain the general vision statement with plans in the supporting text to SH1. We trust this reflects well on our work with the community in developing the Shenley Plan and has no material policy or decision taking implications.

Next steps

Please let us know if the above meets your requirements.

We will add your letter and the above to the Consultation Statement and will submit the Plan and all relevant documents by the end of the month.

Please note that as part of our ongoing engagement work we intend to publish our plan at the village fete on Sunday 23rd June and it will go onto the Village website next week. In view of the above and with your agreement we now hope we’ll be able to proceed to Regulation 16 consultation as soon as possible and without the need for an SEA. Please confirm that this the case.

With regards to the Regulation 16 consultation:

We would like to discuss with you our intention to carry out a simple on-line survey ourselves which we will submit in addition and as part of the Reg 16 Consultation. We will use the tried and tested format from our Reg. 14 Consultation. This will in our view increase participation levels. If you have additional ideas to help this please let us know. We want to learn from Radlett and the low Reg 16 Consultations participation they experienced. Our Reg 14 Consultation participation was good and we want our Reg 16 participation to be equally as good.

Finally we wish to have a meeting with you in July. Please will you give us some dates. In our meeting in December we agreed that we would have monthly meetings and to date there has only been one (on 29th March).

We look forward to hearing from you.

Kind regards

Nicky

Nicky Beaton

**Chair Shenley Neighbourhood Plan Steering Group on behalf of the Steering Group
The Hub, London Road, Shenley WD7 9BS Mobile no: 07976 872668**