

Three Rivers District Council

**Sarratt Parish  
Neighbourhood Plan  
2018-2037**

**Independent Examiner's Report**

By Ann Skippers MRTPI FHEA FRSA AoU

29 July 2025

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## Summary

I have been appointed as the independent examiner of the Sarratt Neighbourhood Development Plan.

Sarratt village is about four miles north of Rickmansworth. The whole of the Parish falls within the Green Belt, including Sarratt village. Part of the Chilterns National Landscape falls within the Parish. There are two Conservation Areas and a number of listed buildings. The village is served well by a number of services and facilities. The M25 also crosses the Parish.

The Plan covers a number of different topics. A Design Code has been prepared and a Housing Needs Assessment supports the policies on housing. Other policies cover the historic environment, transport and Local Green Spaces.

I found it necessary to go back to the Parish Council with a number of concerns including about the adequacy of key supporting documents. As a result, further work was carried out. Public consultation was undertaken. Whilst this delayed the progress of the Plan, the work now carried out has, I believe, resulted in a much better Plan which will achieve the local community's aspirations over the coming years.

It has been necessary to recommend some modifications. In the main these are intended to ensure the Plan is clear and precise and provides a practical framework for decision-making as required by national policy and guidance. These do not significantly or substantially alter the overall nature of the Plan.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore pleased to recommend to Three Rivers District Council that the Sarratt Neighbourhood Development Plan can go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers MRTPI  
Ann Skippers Planning  
29 July 2025



## 1.0 Introduction

This is the report of the independent examiner into the Sarratt Parish Neighbourhood Development Plan (the Plan).

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

I have been appointed by Three Rivers District Council (TRDC) with the agreement of the Parish Council, to undertake this independent examination.

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over thirty years experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and experience to carry out this independent examination.

## 2.0 The role of the independent examiner and the examination process

### *Role of the Examiner*

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions<sup>1</sup> are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained European Union (EU) obligations<sup>2</sup>
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

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<sup>1</sup> Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

<sup>2</sup> Substituted by the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018/1232 which came into force on 31 December 2020

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to in the paragraph above. Only one is applicable to neighbourhood plans and was brought into effect on 28 December 2018.<sup>3</sup> It states that:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

The examiner is also required to check<sup>4</sup> whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

I must also consider whether the draft neighbourhood plan is compatible with Convention rights.<sup>5</sup>

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case TRDC. The plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

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<sup>3</sup> Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

<sup>4</sup> Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act and paragraph 11(2) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended)

<sup>5</sup> The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

## ***Examination Process***

It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) and paragraph 11 of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended).<sup>6</sup>

Planning Practice Guidance (PPG) confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.<sup>7</sup>

In addition, PPG is clear that neighbourhood plans are not obliged to include policies on all types of development.<sup>8</sup> Often representations suggest amendments to the submitted policies or new policy areas or put forward other alternative suggestions. It is my role only to consider the submitted plan and not whether any new policies should be included. Where I find that the submitted policies do meet the basic conditions, it is not necessary for me to consider if further amendments or additions are required.

PPG<sup>9</sup> explains that it is expected that the examination will not include a public hearing. Rather the examiner should reach a view by considering written representations. Where an examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, then a hearing must be held.<sup>10</sup>

I set out my interim findings to both Councils on 5 September 2023 alongside some questions of clarification. This note is attached to this report as Appendix 2.

The interim findings stage highlighted a number of matters which are detailed in Appendix 2. In summary, there were concerns about the adequacy of the Consultation Statement and the Basic Conditions Statement; the adequacy of supporting evidence for three of the draft policies (Policies 3, 7 and 11); and various queries of a more common nature on some of the policies.

After further work to the Plan, its supporting documents and its evidence base, it was decided to hold a further period of consultation which was held between 23 July – 11 September 2024.

The examination then resumed, but unfortunately there were still some outstanding matters. I sent some further questions of clarification on 29 November 2024 which are attached to this report as Appendix 3. In essence, the Plan and its supporting documents were further reviewed and updated by the Parish Council. This led to a further Regulation 16 period of consultation being held between 28 February – 13 April 2025.

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<sup>6</sup> Paragraph 11(3) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended) and PPG para 055 ref id 41-055-20180222,

<sup>7</sup> PPG para 055 ref id 41-055-20180222

<sup>8</sup> Ibid para 040 ref id 41-040-20160211

<sup>9</sup> Ibid para 056 ref id 41-056-20180222

<sup>10</sup> Ibid

It is this suite of most recent documents (dated February 2025) which are the ones I assess in this report.

In 2018, the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) published guidance to service users and examiners. Amongst other matters, the guidance indicates that the qualifying body will normally be given an opportunity to comment upon any representations made by other parties at the Regulation 16 consultation stage should they wish to do so. There is no obligation for a qualifying body to make any comments; it is only if they wish to do so.

The Parish Council were given an opportunity to comment on the representations received during all three submission periods of consultation and made comments which I have taken into account.

This examination has been unusual in the length of time and the holding of three submission periods of consultation. I am very grateful to both Councils. Marko Kalik and Aaron Roberts at TRDC have helped to ensure that, despite its complexities, the examination has reached a satisfactory conclusion. I am also mindful, and must acknowledge, the work of the Parish Council and the establishment of a new sub-committee to take this work forward for the Parish Council following the very sad death of the Chairman of the Neighbourhood Planning Working Group in November 2023. I am very grateful for the work carried out over a long period of time by the sub-committee and the patience and dedication shown to achieve a robust Plan.

I made an unaccompanied site visit to familiarise myself with the Plan area on 29 April 2025.

During this course of the examination, the Government published a new NPPF on 12 December 2024. Transitional arrangements set out in the document<sup>11</sup> explain that the policies in the updated NPPF will only apply to those neighbourhood plans submitted from 12 March 2025 onwards. As a result, this examination has continued with the NPPF updated in December 2023.

### ***Modifications and how to read this report***

Where modifications are recommended they appear in a bullet point list of **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics*** in the bullet point list of recommendations. Modifications will always appear in a bullet point list.

As a result of some modifications consequential amendments may be required. These can include changing policy numbering, section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.

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<sup>11</sup> NPPF December 2024, para 239

I regard these issues as primarily matters of final presentation and do not specifically refer to all such modifications, but have an expectation that a common sense approach will be taken and any such necessary editing will be carried out and the Plan's presentation made consistent.

### **3.0 Neighbourhood plan preparation**

A Consultation Statement was submitted, but I found this did not satisfy the requirements (see Appendix 2 of this report for more details). The Consultation Statement (dated February 2024) was therefore revised and resubmitted and reconsulted upon in 2024. However, unfortunately due to some administrative errors, this still did not meet the necessary requirements and so the Consultation Statement was further revised and updated and is now dated February 2025. This document has been subject to a further period of public consultation.

Work began on the Plan in late 2018 and built on earlier work on a Parish Plan. From the outset, the Parish Council was keen that the Plan should not be solely perceived as a Parish Council initiative and set up a Working Group.

As part of the commendable engagement strategy outlined in the Consultation Statement, one of the first actions was to obtain local views based on the Parish Plan survey through direct engagement with a cross section of stakeholders and businesses.

A leaflet delivered to every household in the Plan area outlined draft policy ideas and two well-attended public meetings were held on 6 and 11 September 2021. They were publicised in the Sarratt Church magazine (Spotlight) delivered to all properties in the Plan area. A stall was taken at the Freshers Fair. Feedback from these activities helped to redraft the Plan.

Throughout, Working Group meetings were held in public, posters advertised meetings and events, updates were published regularly in Spotlight, delivered to every household, and leaflets were delivered. A dedicated neighbourhood plan website was set up.

Pre-submission (Regulation 14) consultation took place between 13 September – 31 October 2021.

A second pre-submission consultation was then held between 12 August – 25 September 2022. This was conducted online.

I consider that the consultation and engagement carried out is satisfactory.

Submission (Regulation 16) consultation was carried out between 27 June – 8 August 2023. This Regulation 16 stage resulted in 12 representations.



As I outline in the previous section, a second period of submission (Regulation 16) consultation was carried out between 23 July – 11 September 2024. The second Regulation 16 stage resulted in five representations.

Then, a third period of submission (Regulation 16) consultation was held between 28 February – 13 April 2025. This stage resulted in 10 representations.

I refer to some of the representations by name in my report and not others. However, I have considered all of the representations and taken them into account in preparing my report.

A representation from Bidwells on behalf of the St Albans Diocesan Board of Finance raises concern about the consultation process. Given the nature of the Plan, the amount of engagement carried out and the opportunities presented to interested parties as well as the five stages of consultation carried out at pre-submission and submission stages, which is unprecedented in my experience, I consider there has been ample opportunities for interested parties to put forward their views.

I note that a representation from the Defence Infrastructure Organisation explains that development can form a physical obstruction to the safe operation of aircraft and the creation of environments attractive to large and flocking bird species can pose a hazard to aviation safety in identified safeguarding zones. As a result the Ministry of Defence should be consulted on certain applications within the safeguarding zones. This is primarily a matter for development management at TRDC level.

## **4.0 Compliance with matters other than the basic conditions**

### **Qualifying body**

Sarratt Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This requirement is satisfactorily met.

### **Plan area**

The Plan area is coterminous with the administrative boundary for the Parish. TRDC approved the designation of the area on 22 July 2019. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. The Plan area is shown on pages 8 and 9 of the Plan.

### **Plan period**

The Plan period is 2024- 2039. This is shown on the front cover of the Plan and helpfully confirmed in the Basic Conditions Statement. This requirement is satisfactorily met.

## **Excluded development**

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement.

## **Development and use of land**

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. If I consider a policy or proposal to fall within this category, I will recommend it be clearly differentiated. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.<sup>12</sup>

## **5.0 The basic conditions**

### ***Regard to national policy and advice***

The Government revised the National Planning Policy Framework (NPPF) on 19 December 2023 and updated it on 20 December 2023. This revised NPPF replaces the previous NPPFs published in March 2012, revised in July 2018, updated in February 2019, revised in July 2021 and updated in September 2023.

The NPPF is the main document that sets out the Government's planning policies for England and how these are expected to be applied.

In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the delivery of strategic policies in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies.<sup>13</sup>

Non-strategic policies are more detailed policies for specific areas, neighbourhoods or types of development.<sup>14</sup> They can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment as well as set out other development management policies.<sup>15</sup>

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<sup>12</sup> PPG para 004 ref id 41-004-20190509

<sup>13</sup> NPPF para 13

<sup>14</sup> Ibid para 28

<sup>15</sup> Ibid

The NPPF also makes it clear that neighbourhood plans gives communities the power to develop a shared vision for their area.<sup>16</sup> However, neighbourhood plans should not promote less development than that set out in strategic policies or undermine those strategic policies.<sup>17</sup>

The NPPF states that all policies should be underpinned by relevant and up to date evidence; evidence should be adequate and proportionate, focused tightly on supporting and justifying policies and take into account relevant market signals.<sup>18</sup>

Policies should be clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area including those in the NPPF.<sup>19</sup>

On 6 March 2014, the Government published a suite of planning guidance referred to as Planning Practice Guidance (PPG). This is an online resource available at [www.gov.uk/government/collections/planning-practice-guidance](http://www.gov.uk/government/collections/planning-practice-guidance) which is regularly updated. The planning guidance contains a wealth of information relating to neighbourhood planning. I have also had regard to PPG in preparing this report.

PPG indicates that a policy should be clear and unambiguous<sup>20</sup> to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the planning context and the characteristics of the area.<sup>21</sup>

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.<sup>22</sup> It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.<sup>23</sup>

Whilst this has formed part of my own assessment, the revised Basic Conditions Statement dated February 2025 sets out how the Plan's objectives and policies correspond to the NPPF.

### ***Contribute to the achievement of sustainable development***

A qualifying body must demonstrate how the making of a neighbourhood plan would contribute to the achievement of sustainable development.

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<sup>16</sup> NPPF para 29

<sup>17</sup> Ibid

<sup>18</sup> Ibid para 31

<sup>19</sup> Ibid para 16

<sup>20</sup> PPG para 041 ref id 41-041-20140306

<sup>21</sup> Ibid

<sup>22</sup> Ibid para 040 ref id 41-040-20160211

<sup>23</sup> Ibid

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.<sup>24</sup> This means that the planning system has three overarching and interdependent objectives which should be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.<sup>25</sup>

The three overarching objectives are:<sup>26</sup>

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The NPPF confirms that planning policies should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account to reflect the character, needs and opportunities of each area.<sup>27</sup>

Whilst this has formed part of my own assessment, the revised Basic Conditions Statement sets out how the Plan helps to achieve each of the objectives of sustainable development as outlined in the NPPF.

### ***General conformity with the strategic policies in the development plan***

The development plan consists of a number of different documents.

The Three Rivers Core Strategy 2011 – 2026 (CS) covers the whole of the District and sets out in broad terms how future development will be planned for as well as promoting more sustainable development in general. It was adopted on 17 October 2011.

The Development Management Policies (DMP) sets out the criteria against which all planning applications within the District will be considered, alongside those set out in

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<sup>24</sup> NPPF para 7

<sup>25</sup> Ibid para 8

<sup>26</sup> Ibid

<sup>27</sup> Ibid para 9

the adopted Core Strategy. It was adopted on 26 July 2013.

The Site Allocations Local Development Document (SALDD) supports the delivery of the Core Strategy and allocates specific sites to meet needs for housing, employment, education, shopping and open spaces. As part of this, changes are made to the Green Belt boundary. It was adopted on the 25 November 2014.

In addition to the above documents, the Hertfordshire Minerals Local Plan 2002 – 2016 and Waste Core Strategy and Development Management Policies 2011-2026 and Waste Site Allocations Development Plan Document 2011-2026 covering the whole County and produced by Hertfordshire County Council (HCC) relate to minerals and waste form part of the development plan alongside other made neighbourhood plans.

Whilst this has formed part of my own assessment, the Basic Conditions Statement sets out how the conform to relevant development plan policies.

Where I have not specifically referred to a strategic policy, I have considered all strategic policies in my examination of the Plan.

### ***Emerging policy***

TRDC is preparing a new Local Plan which will provide the planning policies and proposals for the District to 2041. Most recently, a call for sites was held in January – February 2025. It is anticipated that a Regulation 19 draft of the Local Plan will be prepared by February 2026 although efforts are being made to publish this earlier.

There is no legal requirement to examine the Plan against emerging policy. However, PPG<sup>28</sup> advises that the reasoning and evidence informing the local plan process may be relevant to the consideration of the basic conditions against which the Plan is tested.

Furthermore qualifying bodies and local planning authorities should aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging local plan and the adopted development plan with appropriate regard to national policy and guidance.<sup>29</sup>

### ***Retained European Union Obligations***

A neighbourhood plan must be compatible with retained European Union (EU) obligations. A number of retained EU obligations may be of relevance for these purposes including those obligations in respect of Strategic Environmental Assessment, Environmental Impact Assessment, Habitats, Wild Birds, Waste, Air Quality and Water matters.

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<sup>28</sup> PPG para 009 ref id 41-009-20190509

<sup>29</sup> Ibid

With reference to Strategic Environmental Assessment (SEA) requirements, PPG<sup>30</sup> confirms that it is the responsibility of the local planning authority, in this case TRDC, to ensure that all the regulations appropriate to the nature and scope of the draft neighbourhood plan have been met. It states that it is TRDC who must decide whether the draft plan is compatible with relevant retained EU obligations when it takes the decision on whether the plan should proceed to referendum and when it takes the decision on whether or not to make the plan.

### ***Strategic Environmental Assessment and Habitats Regulations Assessment***

The provisions of the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') concerning the assessment of the effects of certain plans and programmes on the environment are relevant. The purpose of the SEA Regulations, which transposed into domestic law Directive 2001/42/EC ('SEA Directive'), are to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes.

The provisions of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), which transposed into domestic law Directive 92/43/EEC (the 'Habitats Directive'), are also of relevance to this examination.

Regulation 63 of the Habitats Regulations requires a Habitats Regulations Assessment (HRA) to be undertaken to determine whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The HRA assessment determines whether the Plan is likely to have significant effects on a European site considering the potential effects both of the Plan itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the Plan for that European Site, in view of the Site's conservation objectives, must be carried out.

A SEA and HRA Screening Report prepared by Place Services and dated September 2022 was originally submitted. It was not clear to me whether it had been subject to the requisite consultation with the statutory bodies. As a result of this query, the SEA and HRA Screening Report was updated (March 2024) and then reviewed again in February 2025. This was consulted upon during the third period of submission consultation.

With regard to SEA, the Screening Report concludes that the Plan does not allocate any land for development purposes and seeks to strengthen the protection and enhancement of natural and heritage assets at the local level.<sup>31</sup> It concludes that the Plan is therefore unlikely to have significant environmental effects and has been screened out.

The updated Screening Report explains that consultation with the statutory consultees was undertaken and all three concur with the conclusions of the Screening Report.

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<sup>30</sup> PPG para 031 ref id 11-031-20150209

<sup>31</sup> SEA and HRA Screening Report page 55

I have treated the updated Screening Report to be the statement of reasons that the PPG advises must be prepared and submitted with the neighbourhood plan proposal and made available to the independent examiner where it is determined that the plan is unlikely to have significant environmental effects.<sup>32</sup>

Taking account of the characteristics of the Plan, the information put forward and the characteristics of the areas most likely to be affected, I consider that retained EU obligations in respect of SEA have been satisfied.

Turning now to HRA, the Screening Report identifies two habitats sites lying within a 20km distance of the Plan area. These are the Burnham Beeches and Chilterns Beechwoods Special Areas of Conservation (SAC). The Plan area also falls within the Zone of Influence for the Chilterns Beechwoods SAC for predicted recreational impacts.

The updated Screening Report concludes that no likely significant effects are predicted, either alone or in combination with other plans and projects.<sup>33</sup> The Screening Report explains that Natural England concur with the findings.

On 28 December 2018, the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) was substituted by a new basic condition brought into force by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 which provides that the making of the plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Given the distance from, the nature and characteristics of the European sites and the nature and contents of the Plan, I agree with the conclusion of the updated Screening Report and consider that the prescribed basic condition relating to the Conservation of Habitats and Species Regulations 2017 is complied with.

### ***Conclusion on retained EU obligations***

PPG establishes that the ultimate responsibility for determining whether a plan meets retained EU obligations lies with the local planning authority.<sup>34</sup> TRDC does not raise any concerns in this regard.

### ***European Convention on Human Rights (ECHR)***

The Basic Conditions Statement contains a statement in relation to human rights and equalities.<sup>35</sup> Having regard to the Basic Conditions Statement, there is nothing in the Plan that leads me to conclude there is any breach or incompatibility with Convention rights.

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<sup>32</sup> PPG para 028 ref id 11-028-20150209

<sup>33</sup> SEA and HRA Screening Report page 55

<sup>34</sup> PPG para 031 ref id 11-031-20150209

<sup>35</sup> Basic Conditions Statement (February 2025) page 22

## 6.0 Detailed comments on the Plan and its policies

In this section I consider the Plan and its policies against the basic conditions. Where modifications are recommended they appear in **bold text**. As a reminder, where I suggest specific changes to the wording of the policies or new wording these appear in ***bold italics***.

The Plan contains 12 policies. There is a foreword which sets the scene and a helpful “quick reference” contents page at the start of the Plan. The Plan contains many photographs of the local area which give it a distinctive feel.

### Introduction

This is a helpful introduction to the Plan which also contains a process diagram explaining the different stages of plan making. Some natural updating may be necessary as the Plan progresses to the next stages.

References to the Chilterns Area of Outstanding Natural Beauty should be updated as necessary throughout the Plan to the new title of National Landscape. This modification is not repeated elsewhere in this report.

- **Update references to the Chilterns Area of Outstanding Natural Beauty to the Chilterns *National Landscape* throughout the Plan**

### Parish Overview

This section details the characteristics of the Plan area in a straightforward, informative way supported by helpful maps and diagrams.

Part of the Parish lies within the Chilterns National Landscape (NL). I asked the Parish Council and TRDC to consider the duty amended by the Levelling up and Regeneration Act 2023<sup>36</sup> on relevant authorities in respect of their functions which affect land in NLs. Relevant authorities must now ‘seek to further’ the statutory purposes of Protected Landscapes. This replaces the previous duty on relevant authorities to ‘have regard to’ their statutory purposes. Guidance<sup>37</sup> was issued by the Government which gives further information about how the duty should be applied. As a result, I recommend that additional wording be incorporated into the Plan at various junctures.

The first of these is to amend the second paragraph on page 15 of the Plan.

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<sup>36</sup> Levelling up and Regeneration Act 2023 s245

<sup>37</sup> Guidance issued 16 December 2024



- Amend the sub heading and the second paragraph on page 15 of the Plan to read:

***“Chilterns National Landscape***

***Sarratt Parish is located on the eastern edge of the Chilterns National Landscape. Whilst only a relatively small proportion of the wider neighbourhood plan area falls within the National Landscape, a large proportion of the west (particularly south-west) of the plan area is situated within the National Landscape. National Landscapes, formerly Areas of Outstanding Natural Beauty (AONBs), are legally designated areas recognised for their exceptional natural beauty under the National Parks and Access to the Countryside Act 1949 and Countryside and Rights of Way Act 2000.***

***There are several features which contribute to the Chilterns National Landscape’s natural beauty, including chalk streams, a chalk escarpment, chalk grassland, extensive woodland and common land with a comprehensive rights of way network, together with distinctive buildings, including those associated with its industrial heritage, and sites of archaeological significance. Full details of the National Landscape’s special features and how they should be managed and protected are established within the Management Plan published by the Chilterns National Landscape: <https://www.chilterns.org.uk/what-we-do/future-proofing-the-chilterns/management-plan/>.***

- Insert map on page 15 showing the Plan area and extent of the NL [this will effectively be an update to the existing map on page 15]

## Objectives

Whilst there is no overall vision for the Plan, seven objectives based on economic, social and environmental themes have been identified. They all have actions associated with them and a link to the relevant policies in the Plan which is principles-based.

## Policies

### Policy 1: Development in Villages and Hamlets

The whole of the Parish falls within the Green Belt. This includes the village of Sarratt which is washed over. Sarratt is identified as a “Village” in the CS’s settlement hierarchy. The CS’s spatial strategy explains that limited development to meet local needs will take place in Sarratt, recognising the need to sustain the more rural areas.

CS Policy PSP4 sets out expectations for development in the Villages of Bedmond and Sarratt. Development will be strictly controlled to protect the character, landscape, heritage and wildlife of the countryside and the openness of the Green Belt. There is some scope for limited small-scale development in or on the edge of the village to meet local community and business needs and to sustain the vitality of the village.

Around 1% of the District's housing requirements over the CS plan period including affordable housing are to be provided in the Villages. A number of specific projects in Sarratt are identified: improving the facilities at Frogmore Meadow Site of Special Scientific Interest (SSSI), creating a play area and expanding school provision.

CS Policy CP4 supports small-scale affordable housing within and immediately adjacent to the village of Sarratt and through rural exception sites.

DMP Policy DM2 refers to the Green Belt setting out the exceptions.

The SALDD allocates one site, the Royal British Legion, Church Lane as a rural exception site for eight dwellings and identifies the King George V P Fields as publicly accessible local space.

The NPPF indicates that if it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt.<sup>38</sup>

The NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.<sup>39</sup> It lists a number of exceptions which include limited infilling in villages, limited affordable housing for local community needs (including rural exception sites) and the limited infilling or the partial or complete redevelopment of previously developed land in certain circumstances.<sup>40</sup>

Policy 1 sets out expectations for development within Sarratt village and the hamlets. It refers to sustainable development, encourages the use of previously developed land and only supports edge of settlement development on a small-scale and where this meets an identified local need. It refers to major development and requires them to be comprehensively planned.

The first part of the policy reads a little clumsily; some modifications are made to make the policy clearer. I have then recommended changing the wording from "protect" to "conserve"; this is usually regarded as maintaining and managing the built environment in an appropriate way, but is more sustainable and flexible than protection which often resists anything at all. This also ties up with the language associated with Conservation Areas for example.

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<sup>38</sup> NPPF para 149

<sup>39</sup> Ibid para 152

<sup>40</sup> Ibid para 154

The Spatial Vision of the CS supports growth which provides for the needs of local communities. Although Policy 1 places emphasis on previously developed land, one of the strategic objectives of the CS is to make efficient use of previously developed land and so the priority given to that in Policy 1 aligns with this. The language used in Policy 1 about edge of village and hamlet development generally conforms to the strict control and limited small-scale development referred to in CS Policy PSP4.

Given the Plan area falls wholly in the Green Belt, there is no need to define settlement boundaries; to do so would, in my view, create a very different set of policies and be a fundamentally different approach to the applicable strategic policies. The concept of a principles-led Plan is appropriate. There is no obligation or any need for the Plan to select or allocate any sites for development and therefore no call for sites was necessary. It is important to remember that it is the previous NPPF of December 2023 which applies to this examination; therefore the issue of grey belt for example does not arise.

I note Hertfordshire County Council (HCC) ask for the inclusion of a reference to access to sustainable transport. However, I do not consider this to be essential given the reference to sustainable development which would include this consideration.

With these modifications, the policy will meet the basic conditions by having regard to the NPPF, being in general conformity with the relevant development plan policies referred to above and helping to achieve sustainable development.

▪ **Revise the policy to read:**

***“New development must accord with the principles of sustainable development outlined in the NPPF and TRDC Development Plan. To help achieve this, sustainable development that makes the use of previously developed land will be particularly encouraged.***

***All new development must:***

- ***respond positively to its local context and***
- ***conserve the historic character of the core village of Sarratt and hamlets of Belsize and Bucks Hill.***

***Proposals for development on the edge of the village and hamlets will only be supported where they are small scale and meet an identified local need, with priority given to previously developed sites.***

***All major applications shall be comprehensively planned to prevent piecemeal development, having regard to the timely and coordinated provision of infrastructure, services, open space and facilities made necessary by the development. They shall also be accompanied by a statement of community engagement to detail how the local community has been engaged prior to any planning application being made.”***

## Policy 2: Design Principles

The NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.<sup>41</sup> Being clear about design expectations is essential for achieving this.<sup>42</sup> It continues that neighbourhood planning groups can play an important role in identifying the special qualities of an area and explaining how this should be reflected in development.<sup>43</sup> It refers to design guides and codes to help provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design.<sup>44</sup>

It continues that planning policies should ensure developments function well and add to the overall quality of the area, are visually attractive, are sympathetic to local character and history whilst not preventing change or innovation, establish or maintain a strong sense of place, optimise site potential and create places that are safe, inclusive and accessible.<sup>45</sup>

CS Policy PSP4 indicates development should be well-designed and inclusive, in keeping and in scale with the location and sensitive to the character of the countryside and local distinctiveness. CS Policy CP1 seeks to protect and enhance natural, built and historic environments from inappropriate development and improve the diversity of wildlife and habitats. CS Policy CP12 seeks a high standard of design.

Policy 2 is a short policy which, in essence, seeks to deliver locally distinctive development of a high quality that protects, reflects and enhances local character leading in from the NPPF and the CS policies referred to above. This policy has been amended from the originally submitted draft policy which was long and used selective extracts from the Sarratt Design Code of January 2020. I felt the Design Code in its entirety was important and so the policy has been simplified. However, some further changes are recommended.

The policy refers to an emerging policy option in the emerging Local Plan. Given the stage the emerging Local Plan has reached and the possibility of change to this policy, it is not appropriate to cross-reference it in this policy.

The supporting text on page 28, whilst informative is a little repetitive. A modification is made to help address this.

With these modifications, the policy will meet the basic conditions by having regard to the NPPF, being in general conformity with strategic policies and especially CS Policies PSP4, CP1 and CP12 and helping to achieve sustainable development.

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<sup>41</sup> NPPF para 131

<sup>42</sup> Ibid

<sup>43</sup> Ibid para 132

<sup>44</sup> Ibid para 133

<sup>45</sup> Ibid para 135

- **Reword Policy 2 to read:**

***“All development proposals will be required to be of the highest standard of design and take account of the design guidelines in the Sarratt Design Code (January 2020) and any successor document.***

***It is expected that a proportionate statement will accompany any planning application to demonstrate how the Design Code has been taken into account.”***

- **Revise the supporting text on page 28 of the Plan to read:**

**As the Parish overview sets out, Sarratt is a historic village that includes part of the Chilterns *National Landscape*. In addition, the parish contains four Sites of Special Scientific Interest (SSSI): Sarratt Bottom, Frogmore Meadows, Whippendell Wood, and Westwood Quarry.**

**There are two conservation areas within the parish, both of which were established in 1969; The Green Conservation Area and Church End Conservation Area. The former encompasses The Green and surrounding properties in the village core, whereas the latter forms a cluster around the Church of Holy Cross to the south-west of the main settlement. There *are* 93 listed buildings within the parish, most of which are Grade II. The parish also contains many unlisted buildings of architectural interest, and the Green is protected. Some of the most prominent listed buildings and landmarks include:**

**The Church of the Holy Cross (Grade II\*)  
The Grove (Grade II\*)  
Sarratt Hall (Grade II)  
The Boot public house (Grade II)  
The Cock Inn public house (Grade II),  
The pump on the green (Grade II)**

***The aim of this policy is to ensure that future developments consider local character and, through design proposals, they further enhance local distinctiveness by creating good quality developments, thriving communities and prosperous places in which to live.”***

### **Policy 3: Historic Character**

The Plan area has a number of listed buildings and two Conservation Areas; the Green and Church End. Policy 3 refers to development within or affecting the setting of the two Conservation Areas. It seeks to ensure that such proposals conserve and enhance

their distinctive characters. It cross-references the Conservation Area Appraisals, both dated 1994.

Lastly, it refers to important views in and out of the Conservation Areas indicating that development which adversely affects the views will not be supported.

The NPPF is clear that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.<sup>46</sup> It continues<sup>47</sup> that great weight should be given to the assets' conservation when considering the impact of development on the significance of the asset.

The conservation and enhancement of the historic environment is a strategic objective of the CS. CS Policy PSP4 indicates development should be well-designed and inclusive, in keeping and in scale with the location and sensitive to the character of the countryside and local distinctiveness.

CS Policy CP1 seeks to protect and enhance natural, built and historic environments from inappropriate development and improve the diversity of wildlife and habitats.

CS Policy CP12 seeks a high standard of design and expects all proposals to have regard to local context and conserve and enhance natural and heritage assets.

DMP Policy DM3 refers to the historic environment. It also refers to important open spaces and other elements of the area's established development pattern and important views in and out of (as well as within) the Conservation Areas.

A number of issues arise. Firstly, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 refers to the desirability of preserving or enhancing the character or appearance of that area. I therefore recommend a modification to the wording of the policy to reflect this statutory duty.

Secondly, the glossary in the NPPF defines setting as the surroundings in which a heritage asset is experienced. A modification is therefore made to the wording of the policy to reflect the duty and the importance of setting.

Thirdly, the policy makes reference to the Conservation Area Appraisal and Townscape Assessments for each Conservation Area. These are now from some years back although still relevant today. A modification is made to take them into account and to future proof the policy.

The policy refers to the current balance between buildings and open space. Whilst this aim of the policy is supported by the Conservation Area Appraisal and Townscape Assessment for the Green in particular which refers to the relationship between built structures and open spaces as an important feature, this will be difficult to determine over the years of the Plan period. A modification is therefore made to address this and

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<sup>46</sup> NPPF para 195

<sup>47</sup> Ibid para 205

the language used which refers to control; again a difficult concept to quantify in decision making.

Finally, the policy refers to important views. This was one of the areas where considerable further work has been undertaken by the Parish Council. The views have been identified through the rounds of public engagement. 11 views are now identified and shown on a Map on page 32 of the Plan. Photographs of each view are also included in the Plan. In response to my original concerns, an Important Views and Local Green Spaces Assessment (IVLGSA) dated February 2025 has been submitted in support of this policy and Policy 7 and consulted upon as part of the additional consultation carried out.

I have considered each of these views at my site visit. For those views I was not able to see, I was able to understand the extent and context of these views. I consider all of the views have been appropriately identified, but View 9 should be deleted from the Plan as the view of the open gap shown is now a development site. I also note that the IVLGSA refers to this view as an “example”, but policies should be precise.

A modification is made to the wording to refer to the key features of the important views which are now usefully identified in the IVLGSA. This will mean that the wording of the policy will not prevent any development per se, but rather seek to ensure that any development does not have a detrimental impact on the key features of any view. I consider this to be an appropriate and sufficiently flexible approach.

With these modifications, the policy will meet the basic conditions by having regard to national policy. It is in general conformity with strategic policies, particularly CS Policies PSP4, CP1 and CP12 and DMP Policy DM3. The policy will especially help to achieve sustainable development.

- **Delete View 9 View West from the centre of the Village Green Conservation Area from the map on page 32 of the Plan and the photograph on page 35 of the Plan**
- **Add a Map reference and number to the Map on page 32 of the Plan [to align with the new wording of the policy]**
- **Add the text from the Important Views and Local Green Spaces Assessment to the photographs of the retained views on pages 33, 34 and 35 of the Plan**
- **Amend the policy to read:**

***“Development proposals within *the* Green Conservation Area and *the* Church End Conservation Area, or which affect the *settings* of *either* Conservation Area, should conserve or enhance their distinctive character or appearance.***

***All proposals should take into account the Green, Sarratt Conservation Area Appraisal 1994 and the Church End, Sarratt Conservation Area Appraisal 1994***

*or any successor documents. In particular, proposals should ensure that the relationship between built structures and open spaces and amount of open space in the Green Conservation Area is conserved as this is a particularly important feature characteristic of this Conservation Area.*

**Development that adversely affects the key features of the important views in and out of the Conservation Areas identified on Map XX and described in the Important Views and Local Green Spaces Assessment will not be supported.”**

#### **Policy 4: Housing Mix**

The NPPF states that to help support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.<sup>48</sup> It continues that the overall aim should be to meet as much of an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community.<sup>49</sup>

Within this context, it is clear that size, type and tenure of housing needed for different groups in the community should be assessed and reflected in policy.<sup>50</sup> These groups include affordable housing, families with children, older people and those with disabilities.<sup>51</sup>

Policy 4.1 specifies the size of the housing mix based on a well-written Housing Needs Assessment (HNA) by AECOM. It refers to the practical split of 50%, 30% and 20% of three, two and one bedroom dwellings respectively and local need. This means that the most up to date data can be used at the time of any planning application. In addition it does not specify the type of property or tenure giving more priority to smaller dwellings which is supported by the HNA.

However, the HNA makes it clear that this mix operates on the assumption that households will move freely around the stock of existing housing which is not realistic and therefore there will be some demand for larger units which are characteristic of the Parish.<sup>52</sup> The provision of larger houses should not therefore be prevented whilst it is clear that the evidence supports smaller units. The reference to local need will ensure that priority can be given to the size of dwellings most needed without preventing larger units in principle. A modification to future proof the policy is made. A further modification is made to the date of the HNA referred to in the policy.

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<sup>48</sup> NPPF para 60

<sup>49</sup> Ibid

<sup>50</sup> Ibid para 63

<sup>51</sup> Ibid

<sup>52</sup> HNA para 144



The second part of the policy supports bungalows, accessible homes and self-build. The HNA supported the delivery of bungalows and other age appropriate provision although no reference was made to self-build.

The NPPF supports self-build as part of its drive towards delivering a sufficient supply of homes.<sup>53</sup> I note that HCC supports this given the evidence of the need for older persons housing across the District. The policy seeks to ensure that the provision of such units are kept in perpetuity.

With regard to viability considerations, up to date assessments on housing need will demonstrate the local housing mix sought at any given time and this will help applicants decide whether particular site circumstances warrant a viability assessment at application stage or any other change in circumstances to justify a departure from policy.

With these modifications, the policy will meet the basic conditions. It has regard to national policy, contributes to the achievement of sustainable development and is in general conformity with strategic policy, and is a local expression of CS Policy CP1 which seeks to provide housing across a range of tenures and types and CS Policy CP3 which promotes high quality residential development which provides a range of housing types and sizes including the provision of housing for older people.

- **Amend Policy 4.1 to read:**

**“Development proposals for all housing types should have a size mix consisting of dwellings of three bedrooms (50%), two bedrooms (30%) and one bedroom (20%) as recommended by the Sarratt Housing Needs Assessment 2020 [Appendix IV], or as near to this as practical, subject to *the available and most up to date evidence of local need.*”**

## **Policy 5: Affordable Housing**

The NPPF supports the provision of limited affordable housing for local community needs in the Green Belt under policies set out in the development plan (Including policies for rural exception sites).<sup>54</sup>

The CS's Spatial Vision supports improved access to affordable housing across the whole District. One of its strategic objectives is to increase provision. In particular it indicates that rural affordable housing will also be provided within Sarratt village where this meets identified local needs. The principle is therefore acceptable.

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<sup>53</sup> NPPF para 70

<sup>54</sup> Ibid para 154

CS Policy PSP4 supports the allocation of sites as rural exception sites for affordable housing. It also seeks to provide approximately 1% of the District's housing requirements to include affordable housing to meet local needs.

CS Policy CP4 seeks around 45% of all new housing across the District to be affordable housing. It states that all new development resulting in a net gain of one or more dwellings is expected to contribute to the provision of affordable housing. It sets out a guide of 70% social rented and 30% intermediate. Commuted sum payments for off-site provision can be considered for sites of between 1 – 9 units. It specifically permits small-scale affordable housing within and immediately adjacent to Sarratt village on the basis of need through the rural exception site route.

This policy seeks to set out a local requirement for the provision of affordable housing. The HNA found that some 170 dwellings were needed over the Plan period. It recommended a 70/30% split between social/affordable rent and routes to home ownership products.

The Plan explains that evidence from the HNA and a Parish Plan Survey in 2018 shows that a supply of affordable routes to remain resident in Sarratt and for homes which are age appropriate for those in larger properties to move to, is key. TRDC's policy of accepting commuted sums for smaller site is considered to detract from the goal of addressing local demand.

The NPPF expects provision to be met on site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified.<sup>55</sup> It is clear that the provision of affordable housing should not be sought for residential developments that are not major development, other than in designated rural areas (which include National Landscapes) where policies may set out a lower threshold of five or fewer units.<sup>56</sup>

Policy 5.1 therefore requires proposals of 1+ units to provide at least 40% affordable housing provision with a commuted sum only being acceptable in exceptional circumstances. A modification is made to help with clarity.

The second part of the policy splits proposals for 75% social rent and 25% for First Homes affordable shared ownership products. This does not reflect the HNA suggested split or TRDC's current position at July 2025 on First Homes which has been updated following the NPPF December 2024, but does reflect Government policy on First Homes which requires a minimum of 25% of all affordable housing units secured through developer contributions to be First Homes and secured in perpetuity<sup>57</sup> and reflects the NPPF December 2023.

The specification also has regard to the NPPF which indicates that where a need is identified, the type of affordable housing should be specified.<sup>58</sup>

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<sup>55</sup> NPPF para 64

<sup>56</sup> Ibid para 65

<sup>57</sup> Written Ministerial Statement Affordable Homes Update May 2021

<sup>58</sup> NPPF para 64

The third element of the policy requires integration so that homes are not distinguishable by tenure.

The last part of the policy seeks to give local residents priority. This would have regard to the NPPF's supportive stance for limited affordable housing for identified local community needs.<sup>59</sup>

With these modifications to clarify and future proof the policy, the policy will have regard to the NPPF and its stance on boosting housing supply and affordable housing as it is based on the latest available evidence, is a local expression of CS Policies PSP4, CP1, CP3 and CP4 and will help to achieve sustainable development and thereby meet the basic conditions.

- **Amend the first sentence of Policy 5.1 to read:**

***“Development proposals *resulting in a net gain of 1 or more units* are required to *provide 40% of the units* as Affordable Housing.”***

- **Amend Policy 5.2 to read:**

***“Proposals for Affordable Housing will *usually* be required to be 75% for social rent, 25% First Homes affordable shared ownership products *but the precise split will be determined on a case by case basis using the latest available evidence of local need.*”***

## **Policy 6: Biodiversity**

The NPPF states that policies should contribute to and enhance the natural and local environment including through the protection of valued landscapes and sites of biodiversity value, recognising the intrinsic character and beauty of the countryside and, minimising impacts on, and providing net gains for, biodiversity.<sup>60</sup>

To protect and enhance biodiversity, the NPPF encourages plans to identify and map and safeguard local wildlife rich habitats and ecological networks, wildlife corridors and promote priority habitats as well as pursuing net gains for biodiversity.<sup>61</sup>

One of the strategic objectives of the CS is to conserve and enhance the countryside and the diversity of different landscapes within the District is celebrated.

CS Policy PSP4 strictly controls development to protect the character, landscape, heritage and wildlife of the wider countryside and the openness of the Green Belt.

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<sup>59</sup> NPPF para 154

<sup>60</sup> Ibid para 180

<sup>61</sup> Ibid para 185

CS Policy CP1 seeks to protect and enhance natural, built and historic environments from inappropriate development and improve the diversity of wildlife and habitats.

DMP Policy DM6 protects sites of biodiversity value in accordance with their position in the hierarchy and explains there should be no net loss of biodiversity value across the District as a whole as a result of new development.

This detailed policy seeks to protect and enhance the natural environment including through biodiversity net gain. It seeks to ensure that priority habitats and species, wildlife corridors and trees and other natural features are protected or mitigated if loss or harm is unavoidable. It reflects the NPPF which is clear that if significant harm to biodiversity resulting from a development cannot be avoided or adequately mitigated or, as a last resort, compensated, permission should be refused.<sup>62</sup>

The first element of the policy refers to biodiversity net gain and needs to be more robust given the NPPF's stance and more recent statutory requirement to deliver a 10% biodiversity net gain on all development sites, subject to a few exceptions. A modification is also made to policy 6.3 criterion i. to reflect this position.

Policy 6.1 refers to any mitigation being within the Parish. Whilst this is an understandable aim, a modification is made to make this element of the policy more flexible, but remain close by given the nature and character of this particular Plan area.

Part of the policy 6.2 refers to the maps and financial burden and responsibility. This paragraph should form part of the supporting text.

Criterion iii. of policy 6.2 includes a comment rather than a policy and so a modification to delete this is recommended.

Lastly, a representation makes the point that certain types of application may not need to submit the details some aspects of this policy requires upfront. A modification is made to criterion i. of policy 6.3 to help address this.

With these modifications, the policy will meet the basic conditions by having regard to national policy and guidance, adding a local layer to, and being in general conformity with, the relevant strategic policies, in particular CS Policies PSP4 and CP1 and DMP Policy DM6 and helping to achieve sustainable development.

- **Delete the words “...where it is feasible and proportionate to do so...” from policy 6.1 i.**
- **Amend the second sentence of policy 6.1 criterion ii to read “...Where mitigation and/or compensation are proposed, any sites that may be put forward for compensatory planting *should, as a first resort, be as close to the***

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<sup>62</sup> NPPF para 186

*development as possible, as a second resort be elsewhere in the Parish and then in adjoining Parishes and as a last resort elsewhere in the District."*

- Move the paragraph in policy 6.2 on page 39 of the Plan which begins "The first map opposite..." to the end of criterion i. to the supporting text
- Delete the sentence that begins "It is worth noting that adverse impacts are almost always avoidable..." in criterion iii. of policy 6.2
- Amend the words "Development should always seek a net gain to biodiversity and..." in policy 6.3 criterion i to "Development should *provide biodiversity net gain in line with statutory requirements. All development is encouraged to provide biodiversity net gain* and to create..."
- Add the words "*As appropriate*" to the start of the third sentence in policy 6.3 criterion i. that [currently] begins "Evidence will be required..."

## Policy 7: Landscape

This is a short policy that seeks to ensure any new development respects and, where possible, enhances the special and distinctive character and features of the landscape.

The policy refers to views as examples of this. This is too imprecise for a policy and a modification is made in the interests of clarity.

I originally raised a query about evidence for inclusion of these views and they are now supported by the Important Views and Local Green Spaces Assessment dated February 2025. The five views are pictured on page 42 of the Plan and identified on a map on page 43. The inclusion of a description of the views and their key attributes and features would also be helpful and a modification is made to this effect.

I have considered each of these views at my site visit. For those views I was not able to see, I was able to understand the extent and context of these views. I consider all of the views have been appropriately identified. However, view 17, Holy Cross Church, needs some amendment as the photograph and viewpoint do not appear to tie up.

The policy is in general conformity with the CS's strategic objective of recognising and safeguarding the District's distinctive character.

With regard to the Chilterns NL, a new paragraph is added to the policy. In addition, some amendments to the supporting text are recommended.

With these modifications, the policy will meet the basic conditions. It will have regard to the NPPF, be in general conformity with CS Policies PSP4 and CP1 and DMP Policy DM6 in particular and help to achieve sustainable development.

- Add the text from the Important Views and Local Green Spaces Assessment to the photographs of the views on page 42 of the Plan
- Add a title and number to the map showing the Important Views on page 43 of the Plan
- Ensure that view 17, Holy Cross Church has a corresponding viewpoint and photograph in the Plan [consequential amendments may be needed to the Important Views and Local Green Spaces Assessment document]
- Amend the policy to read:

**“Development proposals will be required to respect and, wherever possible, enhance the special characteristics, value and visual amenity of the parish landscapes.**

***A number of Important Views of the Chess Valley and of the open fields that surround habitations have been identified on Map XX and are described in the Plan and the Important Views and Local Green Spaces Assessment. New development should ensure that there is no detrimental effect on the key features of these identified views.***

***Planning permission for any proposal within the Chilterns NL or which affects its setting within the NP area, will only be granted when it:***

- ***Conserves and enhances the Chilterns NL’s special qualities and natural beauty in accordance with national planning policy and the overall purposes of the NL designation;***
  - ***Supports the Chilterns NL Management Plan, including any actions set out for any objective, policy or principle in the Management Plan; and***
  - ***Has regard to any supplementary guidance, position statements or technical supporting documents as relevant.”***
- Add a new fourth paragraph on page 41 of the Plan [retaining existing fourth and fifth paragraphs as new fifth and sixth paragraphs] that reads:

***“Part of the Parish lies within the Chilterns National Landscape. The area covered by the Neighbourhood Plan plays an important contribution to the setting of the National Landscape (NL). The requirement for neighbourhood plans to reflect NL designations is set in legislation with the 2023 Levelling Up and Regeneration Act (s245) and subsequent 2024 Government guidance, placing a duty on those bodies preparing a neighbourhood plan to further the purposes of the NL.***

***Therefore, this Neighbourhood Plan must consider how the duty has been met. The vision and objectives of the Plan are broadly supportive of the NL and align with Chilterns NL Management Plan 2025 – 2030 and there is a specific***

*objective which refers to the NL. In addition, there are several policies throughout the Plan which directly underpin and further the delivery of the duty. Policy 7 directly refers to the NL and the 'Parish Overview' section includes more detail and a link to the Management Plan 2025 - 2030."*

## **Policy 8: Footpaths and Bridleways**

The NPPF is clear that planning policies should protect and enhance public rights of way (PROW) and access including taking opportunities to provide better facilities for users.<sup>63</sup> Such networks can also help with providing opportunities and options for sustainable transport modes.<sup>64</sup> Planning policies should provide for attractive and well-designed walking and cycling networks with supporting facilities such as secure cycle parking.<sup>65</sup> The health and leisure benefits of a strong network are also well documented.

The CS's Spatial Vision promotes sustainable transport options.

The Plan explains there is over 27 miles of footpaths and bridleways in the Parish and that these are much valued by the local community.

Policy 8 sets out a presumption against the loss of a public footway or bridleway.

Where new development requires rerouting, then this should be of an equivalent or better quality and in a suitable location.

I consider the policy has regard to the NPPF, is in general conformity with CS Policy PSP4 in particular as this policy supports the increased use of sustainable modes of transport and that it will help to achieve sustainable development. It therefore meets the basic conditions and no modifications are recommended.

## **Policy 9: Community Facilities**

To support a prosperous rural economy, the NPPF expects planning policies to enable the retention and development of accessible local services and community facilities such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.<sup>66</sup> It also states that policies should guard against the unnecessary loss of valued facilities and services as part of its drive to promote healthy and safe communities, particularly where this would reduce the community's ability to meet day to day needs.<sup>67</sup>

The CS recognises that the villages play an important role in supporting the local

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<sup>63</sup> NPPF para 104

<sup>64</sup> Ibid para 108

<sup>65</sup> Ibid para 110

<sup>66</sup> Ibid para 88

<sup>67</sup> Ibid para 97

economy and that there is some scope for development within the Villages, but that this will be limited and be small-scale to help sustain the rural communities through the provision of improved services and facilities. CS Policy PSP4 seeks to improve the viability, accessibility and community value of existing services and facilities. CS Policy CP1 seeks to sustain the viability and vitality of the Villages. DMP Policy DM12 deals with community, leisure and cultural facilities.

This policy seeks to protect existing services and facilities permitting their loss only subject to a number of criteria such as viability and local need. All the criteria are appropriate, but they differ from those in DMP Policy DM12 which also includes provision for an equivalent facility to be provided. A modification is made to include this in Policy 9 as it is important there is general conformity with DMP Policy DM12.

The policy also supports the enhancement and provision of community facilities. This reflects the stance of DMP Policy DM12, but again the strategic policy refers to locations accessible by sustainable modes of transport. In addition, Sarratt Parish falls within the Green Belt and this should be recognised. A modification is therefore recommended to reflect this, but in the local context of Sarratt.

With these modifications, the policy will have regard to national policy, be in general conformity with the relevant strategic policies referred to above and will help to achieve sustainable development.

▪ **Amend Policy 9 to read:**

***“The loss of any community facility will be resisted unless it can be demonstrated that:***

- ***its continued use as a community facility is no longer viable or***
- ***it is no longer required by the community or***
- ***the facility or service lost will be satisfactorily provided elsewhere in an appropriate, convenient and accessible location and***
- ***there is no reasonable prospect of securing an alternative community use of the land or premises.***

**Proposals that ensure the retention, improve the quality, and/or extend the range of community facilities in a suitable *and accessible* location *will be supported. Applications for the development of recreation land and facilities must be accompanied by an assessment of the current or last use of the facilities and their viability, together with any proposals to mitigate any material loss to the community.”***



## Policy 10: Car Parking

The Plan explains that many of the roads in the Parish are too narrow to accommodate parking. In the village, some on-street parking is provided informally. Car ownership levels are high.

Policy 10 resists the loss of car parking provision in the village unless the loss of parking will not have a severe adverse impact on provision or road safety or that alternative suitable provision is made.

New housing is required to demonstrate why on-street parking would be appropriate where applicable. Sufficient visitor spaces should also be provided. The policy refers to TRDC's parking standards.

HCC suggests that greater emphasis should be placed on creating improved provision for shorter journeys by active transport modes. I agree and a modification is made.

With this modification, the policy will have regard to national policy, is in general conformity with strategic policies and will help to achieve sustainable development in this predominately rural area given the nature of the Plan area.

- **Add a new paragraph at the end of the policy which reads:**

***“New development should create or improve provision for active travel modes such as walking and cycling.”***

## Policy 11: Local Green Spaces

The Plan proposes four areas as Local Green Space (LGS). They are shown on a Map on page 52 of the Plan. More information about each proposed LGS is given in the Important Views and Local Green Spaces Assessment.

The NPPF explains that LGSs are green areas of particular importance to local communities.<sup>68</sup> The designation of LGSs should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.<sup>69</sup> It is only possible to designate LGSs when a plan is prepared or updated and LGSs should be capable of enduring beyond the end of the plan period.<sup>70</sup>

The NPPF sets out three criteria for green spaces.<sup>71</sup> These are that the green space

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<sup>68</sup> NPPF para 105

<sup>69</sup> Ibid

<sup>70</sup> Ibid

<sup>71</sup> Ibid para 106

should be in reasonably close proximity to the community it serves, be demonstrably special to the local community and hold a particular local significance and be local in character and not be an extensive tract of land. Further guidance about LGSs is given in PPG.

I saw the proposed areas on my site visit.

1. Sarratt Bottom/Chess River Valley is valued as a riverside green space primarily for recreation. It forms part of the Chess Valley walk.
2. Commonwood Common is valued as a green space.
3. Dawes Common provides valuable natural green space for local residents with attractive views and flora and fauna and was awash with bluebells at the time of my visit.
4. The Green, Sarratt is at the heart of the village. It provides valuable natural green space for local residents, both for walking and meeting.

A number of additional green spaces and woodland are identified on page 50 of the Plan, but are not referred to in the policy.

Based on the information in the supporting document and my site visit, in my view, all of the proposed LGSs meet the criteria in the NPPF satisfactorily. No representations have been made that lead me to a different conclusion.

The proposed LGSs to be retained are demonstrably important to the local community, are capable of enduring beyond the Plan period, meet the criteria in paragraph 106 of the NPPF and their designation is consistent with the local planning of sustainable development and investment in sufficient homes, jobs and other essential services given other policies in the development plan and this Plan.

In line with PPG advice,<sup>72</sup> I have also considered whether there is any additional benefit to be gained by the designation for sites located in the Green Belt or falling within other designations such as a Conservation Area or National Landscape. Different designations often achieve different purposes and I consider that the LGSs will send a signal and recognise the particular importance these spaces have for the local community.

Turning now to the wording of the policy, it designates the LGSs and states that development in the LGSs will be consistent with national policy for Green Belts. This has regard to the NPPF which is clear that policies for managing development within a Local Green Space should be consistent with those for Green Belts.<sup>73</sup> A modification is however made to future-proof this part of the policy.

With these modifications, the policy will meet the basic conditions.

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<sup>72</sup> PPG para 010 ref id 37-011-20140306

<sup>73</sup> NPPF para 107

- Delete the words “...and the requirements of NPPF paragraph 103” from Policy 11.2

## Policy 12: Renewable Energy & Green Infrastructure

The NPPF defines green infrastructure (GI) as a network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.

The NPPF states that policies should contribute to and enhance the natural and local environment including through the protection and enhancement of valued landscapes and sites of biodiversity value, recognising the intrinsic character and beauty of the countryside and minimising impacts on, and providing net gains for, biodiversity.<sup>74</sup>

As part of its drive to promote healthy and safe communities, the NPPF recognises the provision of safe and accessible GI can enable and support healthy lifestyles.<sup>75</sup>

The NPPF indicates that plans should take a proactive approach to mitigating and adapting to climate change, taking into account long-term implications and support appropriate measures to ensure that communities are resilient to climate change impacts.<sup>76</sup>

As part of this drive, new development should be planned in ways that, amongst other things, utilise GI as appropriate adaptive measures.<sup>77</sup>

In relation to meeting the challenge of climate change, flooding and coastal change, the NPPF states that the planning system should support the transition to a low carbon future.<sup>78</sup> The planning system should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.<sup>79</sup>

It continues that plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.<sup>80</sup>

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<sup>74</sup> NPPF para 180

<sup>75</sup> Ibid para 96

<sup>76</sup> Ibid para 158

<sup>77</sup> Ibid para 159

<sup>78</sup> Ibid para 157

<sup>79</sup> Ibid

<sup>80</sup> Ibid para 158

To help increase the use and supply of renewable and low carbon energy and heat, the NPPF states that plans should provide a positive strategy for energy from these sources.<sup>81</sup>

Community-led initiatives taken forward through neighbourhood planning should be supported by local planning authorities, including for developments outside areas identified in local plans or other strategic policies.<sup>82</sup>

In relation to locations in the Green Belt, the NPPF indicates that elements of many renewable energy projects will comprise inappropriate development.<sup>83</sup> In such cases the NPPF states that developers will need to demonstrate very special circumstances if projects are to proceed.<sup>84</sup> Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.<sup>85</sup>

Policy 12 seeks to achieve this. The first part of this long policy refers to conflicts with other policies and sets out that policies on CAs for example will take precedence over others, but that practical exemptions should be applied. The example of solar panels is used; they can be located in CAs but not on street-facing aspects.

There are a number of issues here. The first is that the policy does not allow the decision maker to take all relevant policies and other material considerations into account. The second is that it contains examples and it does not follow that all solar panels on non-street facing aspects will be acceptable. The third is that it refers to emerging policies at TRDC level which might well change.

The second element to the policy looks on development that exceeds energy efficiency and environmental impact regulations favourably.

The third element refers to energy demand, consumption and sources.

The fourth element encourages a number of measures in new development. These include sustainable construction methods, performance related matters, materials, sustainable transport modes, electric charging points and surface water management. HCC refer to the importance of SuDs in their representation.

The intention of the policy is to be supported.

However, the Government introduced national technical standards for housing in 2015. A Written Ministerial Statement (WMS)<sup>86</sup> explains that neighbourhood plans should not set out any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings.

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<sup>81</sup> NPPF para 160

<sup>82</sup> Ibid para 161

<sup>83</sup> Ibid para 156

<sup>84</sup> Ibid

<sup>85</sup> Ibid

<sup>86</sup> Written Ministerial Statement 25 March 2015

That WMS is now effectively moot in this respect following a Government Statement on Planning – Local Energy Efficiency Standards Update.<sup>87</sup> This embeds a general rule of thumb that policies which propose standards or requirements that go beyond current or proposed standards should be rejected at examination if they do not have a well-reasoned and robustly costed rationale. I consider the principle is applicable here.

I therefore recommend modification of the policy to deal with the issues outlined above and to reflect the WMS, but retaining as much content as appropriate.

In line with earlier recommendations, the references to the emerging Local Plan Preferred Policy Options are recommended for deletion as part of the modification to the policy.

With this modification, the policy will meet the basic conditions. It will have regard to the NPPF. It will be in general conformity with CS Policies CP1 which sets out a number of criteria aimed at contributing to the sustainability of the District and CP12 which seeks a high standard of design including through taking climate change into account in particular. It will help to achieve sustainable development.

▪ **Reword Policy 12 to read:**

***“Development proposals are encouraged to achieve the highest standards of sustainability, decarbonisation and energy efficiency.***

***The incorporation of the following in all developments is encouraged:***

- **Sustainable construction methods that reduce the impact of the build process;**
- ***A fabric first approach that includes materials and aspect and orientation of layout;***
- **Renewable and low-carbon or zero carbon technologies such as photovoltaic panels, solar thermal panels and heat pumps;**
- **Locally produced materials (such as flints) and recycled materials (such as old bricks) that both meet design guidelines and have a lower carbon footprint owing to fewer transport miles;**
- **Steps to encourage the use of sustainable modes of transport – including walking, cycling and public transport - such as an undercover bike park for every house;**
- **Electric Vehicle charging points for all new residential developments;**
- ***Recycling of water resources;***
- ***Management of surface water including the use of SuDs features where appropriate; and***
- ***Measures to support biodiversity.”***

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<sup>87</sup> Statement made on 13 December 2023

## Appendices

Appendix 1 is called “frequently asked questions”. This contains some interesting questions and explanation. It is not however referred to in the Plan. In addition, at these latter stages of Plan production, this is arguably now not needed.

Appendix II contains a number of photographs titled “Village Asset Photos”. I am not clear of their relevance or purpose and the appendix is referred to briefly, but without context, in the Plan. It should therefore be removed from the Plan. The photographs could be incorporated into the main body of the Plan if desired.

Appendix III is the Design Code document produced by AECOM.

Appendix IV is the Housing Needs Assessment produced by AECOM. This is usually a standalone document. There is no need to append it to the Plan as it is a supporting evidence document and in any case the information will be updated on a regular basis. This appendix should be removed from the Plan. A link to it could be included in the relevant part of the Plan if desired.

Appendix V is titled The Green Appraisal. It contains the Conservation Area Appraisal and Townscape Assessment for the Green CA. It is not necessary to append this standalone document. In addition, the same document for Church Green is not appended and so in the interests of consistency, a link to both documents could be included in the relevant part of the Plan if desired.

Appendix VI is the Schedule of Local Green Spaces.

- **Delete Appendices I, II, IV and V from the Plan**
- **Consequential amendments will be required**

## 8.0 Conclusions and recommendations

I am satisfied that the Sarratt Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore pleased to recommend to Three Rivers District Council that, subject to the modifications proposed in this report, the Sarratt Neighbourhood Development Plan can proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. I see no reason to alter or extend

the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion.

I therefore consider that the Sarratt Neighbourhood Development Plan should proceed to a referendum based on the Sarratt Neighbourhood Plan area as approved by Three Rivers District Council on 22 July 2019.

*Ann Skippers* MRTPI

Ann Skippers Planning

29 July 2025

## **Appendix 1 List of key documents specific to this examination**

Sarratt Parish Neighbourhood Plan February 2025

Basic Conditions Statement August 2022

Consultation Statement Undated

Basic Conditions Statement February 2025

Consultation Statement Revised February 2025

Strategic Environmental Assessment (SEA) & Habitat Regulations Assessment (HRA) Screening Report September 2022 (Place Services)

Strategic Environmental Assessment (SEA) & Habitat Regulations Assessment (HRA) Screening Report February 2025 (TRDC) which includes the SEA and HRA Screening Report Updated March 2024 (Place Services)

Important Views and Local Green Spaces Assessment February 2025

Sarratt Design Code Final Report January 2020 (AECOM)

Housing Needs Assessment January 2020 (AECOM)

The Green, Sarratt Conservation Area Appraisal and Townscape Assessment March 1994 (BEAMS)

Church End, Sarratt Conservation Area Appraisal and Townscape Assessment March 1994 (BEAMS)

Chilterns AONB Management Plan 2025 - 2030 (Chilterns Conservation Board)

Chilterns Buildings Design Guide (Chilterns Conservation Board)

Review of the Sarratt Neighbourhood Plan v1.1 November 2021 and Appendix 1 (Capita) and PC Response

Core Strategy adopted 17 October 2011

Development Management Policies Local Development Document adopted July 2013

Site Allocations Local Development Document adopted November 2014

Various documents and maps on [www.sarrattneighbourhoodplan.org](http://www.sarrattneighbourhoodplan.org)

Earlier versions of the Neighbourhood Plan and its supporting documents



## Appendix 2 Questions of Clarification and Note of Interim Findings

### **Sarratt Neighbourhood Plan Examination**

#### **Questions of Clarification and Note of Interim Findings from the Examiner to the Parish Council (PC) and Three Rivers District Council (TRDC)**

Having completed my assessment of the Neighbourhood Plan (the Plan), I am writing to set out some interim findings which will necessitate a decision from the PC as to how best to proceed.

I also set out some questions of clarification which either relate to matters of fact or are areas in which I seek clarification or further information.

I would be grateful if both Councils (as appropriate) could kindly assist me as appropriate. Please do not send or direct me to evidence that is not already publicly available at this stage.

#### ***Interim Findings and Likely Recommended Modifications to the Plan and its policies***

##### **A The adequacy of supporting documents**

###### ***Consultation Statement***

Unfortunately I do not consider that the Consultation Statement satisfactorily meets the requirements which are set out in Regulation. These are that the Consultation Statement should give details of the persons and bodies who were consulted about the proposed Plan, explain how they were consulted, summarise the main issues and concerns raised by the persons consulted and describe how these issues and concerns have been considered and, where relevant addressed in the Plan.

It is not clear to me from the Consultation Statement:

- i) what engagement was carried out prior to the pre-submission (Regulation 14) stage of consultation
- ii) when the pre-submission consultation took place (six week period)
- iii) who was consulted at Regulation 14 stage
- iv) how people and the consultation bodies were consulted at Regulation 14 stage i.e. how was this stage publicised, where was the Plan available to view, how representations could be made and
- v) the outcomes of the engagement carried out.

It appears from the document, that Regulation 14 consultation took place at some point between 12/15 August – 25 September 2022 after two consultation days held the year before and following feedback from TRDC. The comments received are briefly summarised in Appendix 1.

I suspect that engagement has been carried out and that the pre-submission stage may well have been carried out appropriately and for a period of six weeks. However, I am not clear on how the consultation was publicised and how the Plan could be accessed or viewed by interested persons, whether there were any events held and so on.

Overall I consider that the Consultation Statement should be redone to make it clearer and more robust. A timeline could perhaps usefully be included. There are many good examples of Consultation Statements that the PC might find it useful to look at in revising the Consultation Statement.

### *Basic Conditions Statement*

Unfortunately the Basic Conditions Statement makes no mention of the requirements the examiner has to check:<sup>1</sup>

- Has the Plan been prepared and submitted for examination by a qualifying body
- Has it been prepared for an area that has been properly designated for such plan preparation
- Does it meet the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and
- Whether its policies relate to the development and use of land for a designated neighbourhood area.

The statement offers little discussion of national policy and guidance and no discussion on how the Plan is in general conformity with development plan policies except for referring readers to the Plan itself. There is little discussion in the Plan itself with regard to the National Planning Policy Framework or to the Core Strategy and other development plan policies.

There is reference to European Union Regulations, but no mention of the Strategic Environmental Assessment and Habitats Regulations Screening Report.

An Equality Impact Assessment is referred to, but is not included with the documentation.

Overall I consider that the Basic Conditions Statement should be redone to make it robust.

### *Other Supporting Evidence for Policies 3, 7 and 11*

A1. Policy 3 (Historic Character) refers to “important views”. These are shown on a map and the Plan includes photographs of each viewpoint. This is to be welcomed. However, it is not clear to me how these views were selected and on what basis. It is important that the rationale for the views is included either in the Plan or as a supporting document. I suspect there is evidence and a rationale for selecting these particular views, but it has not been submitted. Is there evidence to support this part of the policy?

A2. Policy 7 (Landscape) refers to views and some examples of the views have been included in the Plan. Examples are difficult to include in policies which should be precise. Therefore it is likely that a recommendation to plot them on a map would be made. However, there is an earlier stage; similar to Policy 3, how have these views been selected? Is there evidence to support this part of the policy?

A3. Policy 11 (Local Green Spaces). Whilst I note some information in Appendix VI Local Green Spaces: Schedule, there is little information to support the proposed designations. Usually, proposed designations are accompanied by comprehensive information on how they meet the criteria set out in the National Planning Policy Framework. Is there any [further] evidence to support this policy which has not already been submitted?

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<sup>1</sup> Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act

## **B Potential Changes to the Plan**

At this stage, I would also like to make the Parish Council aware that unfortunately I have found that it will be necessary to make quite a lot of modifications to policies and some of the supporting text. In some cases, I regard these changes to be minor revisions, but others may be regarded as more significant by those involved in the production of the Plan and of course by the local community.

## **C Queries on the Policies**

There are a number of queries across the policies which I set out below:

1. Policy 2 (Design Principles) lists a number of extracts from the Design Code. It is not clear to me why some elements of the Design Code have been selected as more important than others. This to me seems to devalue the whole of the Design Code. I intend to shorten the policy to the effect that the Design Code must be taken account of and planning applications should be accompanied by a statement to show how it has been taken account of.

I invite comments on this proposed course of action from the PC and TRDC.

2. Policy 5 (Affordable Housing). How has the 75% social rent and 25% First Homes split been derived? This is not to say the split is not appropriate, but an explanation with evidence is needed to support it.
3. Policy 8 (Footpaths and Bridleways). Hertfordshire County Council make some suggested amendments to this policy. I invite comments on the suggested amendments from the PC.
4. Policy 11 (Local Green Spaces). There are a number of queries associated with this policy:
  - 1) Evidence to support the designations as set out in Section A of this Note.
  - 2) Although the proposed Local Green Spaces (LGS) are shown on a Map on page 47 of the Plan, it will be important for more detailed and scaled maps to be included in the Plan so that the precise boundaries of the LGSs can be discerned.
  - 3) A number of "other green spaces and woodlands" and "open space allocations" are identified on the Map page 46 of the Plan. They are not referred to in Policy 11. It is not clear to me what these various other designations are or why they are shown on the Map. Please can this be clarified?
  - 4) The final part of the policy refers to recreational land and facilities. This is not referred to in the supporting text. It is not appropriate to combine this in a LGS policy. Does the PC have a view on the way forward?
5. I consider it important that a Policies Map is included with the Plan to show any designations the Plan itself makes.

## ***Questions of clarification and other matters***

6. Please could the Plan period of 2023 – 2038 (as indicated in the Basic Conditions Statement) be confirmed?

7. Please could the Equality Impact Assessment referred to in the Basic Conditions Statement be forwarded to me?
8. Please could TRDC confirm 12 representations were submitted at Regulation 16 stage?
9. Please could TRDC send me the representation from Boyer in full? I am simply checking I have not missed anything.
10. A Strategic Environmental Assessment and Habitats Regulation Assessment Screening Report has been submitted. Was the Screening Report subject to the requisite consultation with the statutory bodies? Assuming it was, please forward a copy of their responses to me (or confirm no responses were received). If it was not, this may require further consultation.
11. Please could the appendix in the Independent Review Report be forwarded to me?
12. On 5 September 2023, the Government updated the National Planning Policy Framework (NPPF).

The update focused on national policy for onshore wind. Transitional arrangements are set out in the updated NPPF. These explain that the policies on renewable and low carbon energy and heat only apply to local plans that have not reached Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 or would reach that stage within three months of the publication of the updated NPPF.

Although that relates to Local Plans, I consider the same principle can pragmatically be applied to this Plan. I therefore consider that even if the updates are relevant to this Plan, the updates do not apply and it is not necessary to have further consultation on this. I invite comments on this proposed course of action from the QB and TRDC.

### **Conclusions and Way Forward**

To summarise, I have concerns about the adequacy of the Consultation Statement and the Basic Conditions Statement. In my view, both need to be redone. After additional work, they would both be submitted again. This would necessitate a six week period of public consultation organised by TRDC (i.e. Regulation 16 would need to be rerun).

There are then some concerns about the adequacy of supporting evidence for three of the draft policies (Policies 3, 7 and 11). It may well be that the evidence is available or simply needs to be collated into a suitable supporting evidence document. The opportunity could be taken to provide this evidence at the same time as the reworked Consultation Statement and Basic Conditions Statement and submit it so it can be consulted upon at the same time. Any evidence that the Plan relies on which has not already been subject to Regulation 16 consultation would need to be consulted upon in any case.

The more detailed maps of each Local Green Space could also be produced at the same time and form part of the package of documents to be re-consulted upon.

Then, as the Plan is currently drafted, there are likely to be modifications recommended on all of the draft policies. Some of these I would regard as minor and in the main in the interests of



making the policies more precise. Others might be regarded as more significant, particularly by the PC.

In addition, there are queries on Policies 2, 3, 5, 7, 8 and 11 (including the apparent lack of evidence to support some of the policies' content) and other questions of clarification. Some of the queries and questions such as whether the Screening Report was consulted upon may also have a bearing on whether the Plan meets the basic conditions. Others such as the lack of the Equality Impact Assessment being submitted can also be tied up in a rerun of the Regulation 16 consultation.

I understand this will be disappointing news to those involved in the production of the Plan. I am drawing the Parish Council's attention to this scenario now as finding the Plan does not meet the basic conditions and/or recommending numerous changes can come as an unpleasant surprise on receipt of my report and mean that community ownership of the Plan becomes diluted. I must also ensure I am not rewriting the Plan (and indeed would not wish to, or be appropriate for me to, do so) in making modifications.

In terms of a way forward, there are a number of options:

Option 1 – continue with the examination which is likely to result in a recommendation that the Plan does not proceed to referendum. I do not consider that this option benefits anyone.

Option 2 – suspend the examination whilst the remedial work is carried out and collated and a new period of Regulation 16 consultation is undertaken by TRDC. The examination would then recommence after the consultation had ended. Please note however, that a Regulation 14 period of consultation may also need to be carried out if it is found that the pre-submission stage already carried out is deficient.

Option 3 – withdraw the Plan from examination so the Plan and its component documents can be reworked. This would be likely to necessitate a period of Regulation 14 and a Regulation 16 consultation period to be carried out.

It is of course, up to the PC as to how to proceed. My preferred option is Option 2. This is because although I have identified a number of deficiencies at this stage, I consider all can be remedied with some extra work and a rerun Regulation 16 stage. This would make the Plan much more robust for the future.

I appreciate that asking the PC to carry out additional work can be disheartening. I feel sure TRDC would be supportive as far as resources allow and there may be other assistance from bodies such as Locality that the PC could call upon. In addition there are many examples of good practice on Basic Conditions Statements, Consultation Statements and evidence documents for Views and Local Green Spaces which perhaps could be useful as templates and for the PC to see the breadth and depth of evidence needed.

Furthermore we would develop a mutually agreed programme of what needs to be done and a timetable to progress the work, Regulation 16 and restart and end of the examination to ensure that momentum is maintained.

Please could the PC let me know your decision as to how you would like to proceed by 6 October 2023. Of course if the decision is to suspend or withdraw, the other queries and questions do not

need to be answered at this time, but can be addressed as part of the further work to be carried out. However, it would be helpful to confirm the period for the pre-submission, Regulation 14, consultation period at this stage so I can confirm whether this also needs to be rerun.

I am also not seeking, and will not accept, any representations from other parties regarding any of the matters covered in this Note at this stage.

This note will be a matter of public record and should be placed on the relevant websites at earliest convenience.

With many thanks,

Ann Skippers MRTPI  
Independent Examiner  
8 September 2023

## Appendix 3 Further Questions of Clarification

### **Sarratt Neighbourhood Plan Examination**

#### **Further Questions of Clarification from the Examiner to the Parish Council (PC) and Three Rivers District Council (TRDC)**

Thank you for the hard work on the Plan so far. Following the second period of Submission (Regulation 16) consultation which ended on 11 September 2024, I have continued to work on the examination. Unfortunately, there are still some further questions of clarification and outstanding matters on which I would be grateful for your kind assistance.

1. The Consultation Statement Revised February 2024. Please direct me to the information which details who was consulted at both pre-submission stages, the comments they made and the action taken (if any). Please confirm that the appendix which indicates it does this, covers all respondents and was available during the latest submission period of consultation.
2. Please update me in relation to the two sites in Church Lane which were subject to appeal. Have the appeals been determined? If so, please send me copies of the appeal decision. Please advise me of any implications that may arise for View 2 shown on page 30 of the Plan.
3. Please can the additional four views shown on pages 40 and 41 of the Plan in relation to Policy 7 be mapped. As View 15 identified in the Key Views Assessment is not included in the Plan, it cannot be taken forward unless further consultation is carried out.
4. Descriptions of all the [retained] views in Policies 3 and 7 require brief descriptions to be included in the Plan or an appendix/supporting document which details their key features and attributes. I have already given some examples of the level of detail I might expect to see.
5. Detailed maps of the proposed Local Green Spaces (Policy 11) have already been requested, but I do not seem to have received them (?) and they do not seem to have been consulted upon as part of the most recent submission stage consultation. Please provide the maps and confirm accordingly. It is essential to have larger scale maps as I otherwise cannot assess these spaces properly.

Once I have received this information, I should be able to continue the examination with a view to completing it promptly.

This note will be a matter of public record and should be placed on the relevant websites at earliest convenience.

With many thanks for your continued assistance,

Ann Skippers MRTPI  
Independent Examiner  
29 November 2024