

Elstree Way Corridor Area Action Plan

For office use only

Reference No:

Date received:

Representations can be made using this form:**Please return to Hertsmere Borough Council by 5pm on 31st March 2014**

By post: Policy and Transport team, Planning and Building Control Unit,
Hertsmere Borough Council, Elstree Way, Borehamwood, Herts, WD6 1WA

By email: elsteewaycorridor@hertsmere.gov.uk

This form has two parts:

Part A – Personal details (only needed once)

Part B – Your representation(s). Please complete a separate sheet for **every** representation you wish to make, remembering to insert your name or organisation's name.

Please read the guidance notes before completing this form.

PART A

	1. Personal details*	2. Agent details (if applicable)
Title		Mr
First name		Vincent
Last name		Gabbe
Job title (where relevant)		Director
Organisation (where relevant)	Oaklands College and Taylor Wimpey North Thames	VRG Planning Ltd
Address		1 Consero Court, 51 Britannia Road, Surbiton, Surrey
Post Code		KT5 8TT
Telephone number		020 8339 8775
Email address		vincent.gabbe@vrgplanning.co.uk

*If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2

Please note that all representations received will be made publically available and cannot be treated as confidential.

Part B

Please use a separate sheet for each representation

Name or organisation: _____

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support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

Policy

Policy ECW4; Figure 1:
EWC Policies Map

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☒

No

☐

(2) Sound

Yes

☐

No

☒

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

☒

(2) Effective

☒

(3) Consistent with national policy

☐

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

Policy ECW4 and Figure 1: ECW Policies Map identify land owned by Oaklands College for the provision of a healthcare facility.

The site in question was originally intended to accommodate an outreach centre of 1,500 sqm for Oaklands College. However, the College's requirements have since changed substantially and it is now providing a smaller outreach facility of circa 350 sqm, in a location that has more footfall and prominence. This should also be viewed in the wider context of the provision of Further Education in Borehamwood, with the position having changed dramatically since the original proposal was under discussion.

Given the substantial changes to the College's requirement, revised proposals for the site were discussed with the Council, involving residential development. The College and TWNT reached in principle agreement with the Council to deliver a five storey residential development at the site, subject to establishing a more permanent location for its outreach facility. This is something the College is seeking to resolve, working in partnership with the Council. The College and TWNT consider that the site remains well suited to the residential development, as has been proposed.

In relation to the new proposal for a health facility on this site, there appears no evidence base to support the need for the proposed use. In addition, the draft document provides no indication of what the proposed facility may involve, as the details of any health requirement are currently unknown. There are good reasons to suspect that such a use may not be practical, achievable or viable to deliver. This includes the presence of a main sewer and associated easement, limiting the developable area of the site. These details require consideration before a health allocation can be made. In the meantime, the site is considered to be well suited to residential development, in line with historic discussions with the Council.

Finally, we note that two reserve sites have been identified for the proposed healthcare facility. We suggest that these sites may be better suited to accommodating any health requirement, given the constraints of the College's land and the ability to co-locate community uses at the alternative sites.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the Area Action Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the Area Action Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The site should be identified for residential development, unless or until such time as the need for and deliverability of a healthcare facility can be fully established.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐

No, I do not wish to participate at the oral examination

☒

Yes, I wish to participate at the oral examination

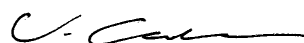
9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

This is necessary, as it is possible that new information will come to light between the submission of written representations, evidence and the Examination.

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:



Date: 31/3/14

☒

If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box

GUIDANCE NOTES

Introduction

These guidance notes have been produced to assist anyone who wishes to make a formal representation on the published Elstree Way Corridor Area Action Plan submission document, which is subject to a period of representations from 17th February 2014 to 31st March 2014. The Area Action Plan is published in order for representations to be made prior to the submission for public examination. The representations will be considered alongside the submitted Area Action Plan, by a independent Planning Inspector.

The Planning and Compulsory Purchase Act 2004¹ (the 2004 Act) states that the purpose of the examination is to consider whether the Area Action Plan complies with legal requirements and is 'sound'. The representations supporting, objecting or commenting more generally should be made within this context.

Soundness

Soundness is explained fully in the National Planning Policy Framework², in paragraph 182. The Inspector has to be satisfied that the Area Action Plan has been positively prepared, is justified, effective and consistent with national policy. To be sound the Area Action Plan should be:

Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

- 1) If you are seeking to make representations on the way in which the Local Planning Authority (LPA) has prepared the published Area Action Plan it is likely that your comments or objections will relate to a matter of legal compliance.
- 2) If it is the actual content on which you wish to comment or object it is likely it will relate to whether the Area Action Plan is justified, effective or consistent with national policy.

Please note that all respondents must complete their personal details as it is not possible for representations to be considered anonymously. Respondents should also note that representations are not confidential and that they will be published on the Council's website and copies will be placed at appropriate venues across the borough for public inspection, although the names and addresses of representations from individuals will be removed.

¹ View the Planning Act online at <http://www.legislation.gov.uk/ukpga/2004/5/contents>

² View the National Planning Policy Framework online at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Legal Compliance

The Inspector will first check that the Area Action Plan meets the legal requirements under Section 20(5)(a) of the 2004 Act before moving on to test for soundness. You should consider the following before making representation on a legal compliance:

- The Area Action Plan should be within the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the Council, setting out the documents it proposes to produce over a set period. It sets out the key stages in the production of any documents the Council propose to bring forward for independent examination. The LDS is published on the Council's website and available at their main offices.
- The process of community involvement for the Area Action Plan should be in general accordance with the Council's Statement of Community Involvement (SCI). The SCI is a document that sets out the Council's strategy for involving the community in the preparation and revision of planning documents and the consideration of planning applications.
- The Area Action Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012³. On publication, the Council must publish the documents prescribed in the regulations, and make them available at their principal offices and on their website. The Council notify statutory consultees and any persons who have requested to be notified.
- The Council is required to publish a Sustainability Appraisal Report when they publish the Area Action Plan. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors.
- The Area Action Plan should have regard to national policy.

General advice

Representations are only valid if your name and address are supplied. Agents should please state the full name or organisation of who they are representing.

If you wish to make a representation seeking a change to a Area Action Plan or part of an Area Action Plan you should make clear in what way the Area Action Plan or part of the Area Action Plan is not sound having regard to the legal compliance check and four tests set out above.

You should try to support your representation by evidence showing why the Area Action Plan should be changed. It will be helpful if you also say precisely how you think the Area Action Plan should be changed. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

³ View the Planning Regulations online at <http://www.legislation.gov.uk/ukxi/2012/767/contents/made>

Where there are groups who share a common view on how they wish to see the Area Action Plan changed, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.