

DACORUM BOROUGH COUNCIL KINGS LANGLEY NEIGHBOURHOOD PLAN

POST- EXAMINATION DECISION STATEMENT

Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

This document is the decision statement required to be prepared under Regulation 18(2) of the Neighbourhood Planning Regulations 2012 (as amended). It sets out the Council's response to each of the recommendations contained within the report to Dacorum Borough Council of the independent examination of the Kings Langley Neighbourhood Plan ("the Plan") by Independent Examiner Ann Skippers BSc (Hons) MRTPI FHEA FRSA AoU, which was submitted to the Council on 15 August 2022.

This decision statement, the Independent Examiner's Report and the submission version of the Kings Langley Neighbourhood Plan and supporting documents can be viewed on the Council's website: www.dacorum.gov.uk/neighbourhood-planning

Paper copies of this decision statement and the Independent Examiner's Report can be viewed during normal opening times at the following location:

Dacorum Borough Council
The Forum
Hemel Hempstead
Herts HP1 1DN

A handwritten signature in black ink, appearing to read 'Alex Robinson', with a long horizontal stroke extending to the right.

Alex Robinson
Assistant Director for Planning

Dated 10 October 2022

1. BACKGROUND

- 1.1. Under the Town and Country Planning Act 1990 (as amended), Dacorum Borough Council (“the Council”) has a statutory duty to assist communities in the preparation of neighbourhood (development) plans and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6, Chapter 3) sets out the Local Planning Authority’s responsibilities under neighbourhood planning.
- 1.2. This statement confirms that the modifications proposed by the Examiner’s Report have been considered and accepted and that subject to making the recommended modifications (and other minor modifications) the Plan may now be submitted to referendum.
- 1.3. The Kings Langley Neighbourhood Plan relates to the area defined as Kings Langley parish and was designated by the Council as a Neighbourhood Area on 28 October 2019.
- 1.4. Kings Langley Parish Council undertook pre-submission consultation on the draft Plan in accordance with Regulation 14 between 19 June and 31 July 2021.
- 1.5. Following the submission of the Kings Langley Neighbourhood Plan to the Council on 22 November 2021, the Council publicised the draft Plan for an eight-week period between 3 December 2021 and 28 January 2022. Representations were invited in accordance with Regulation 16.

2. INDEPENDENT EXAMINATION

- 2.1. The Council appointed Ann Skippers BSc (Hons) MRTPI FHEA FRSA AoU, with the consent of Kings Langley Parish Council, to undertake the independent examination of the Kings Langley Neighbourhood Plan and to prepare a report of the independent examination.
- 2.2. The Examiner examined the Plan by way of written representations supported by an unaccompanied site visit of the Neighbourhood Plan Area.
- 2.3. The Examiner’s Report was formally submitted to the Council on 15 August 2022. The Report concludes that subject to making the modifications recommended by the Examiner, the Plan meets the basic conditions set out in the legislation and should proceed to referendum. The Examiner also recommends that the referendum area should be the same as the designated Neighbourhood Area.
- 2.4. Following receipt of the Examiner’s Report, legislation requires that the Council consider each of the modifications recommended, the reasons for them, and decide what action to take. The Council is also required to consider whether to extend the area to which the referendum is to take place.

3. DECISION AND REASONS

- 3.1. Having considered each of the recommendations made in the Examiner’s Report and the reasons for them, the Council, with the agreement of Kings Langley Parish Council, has decided to accept all of the Examiner’s recommended modifications to the draft Plan.

- 3.2. The Council considers that, subject to the modifications being made to the Plan as set out in 'Table 1: Examiner's Recommended Modifications', the Kings Langley Neighbourhood Plan meets the basic conditions mentioned in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) is compatible with the Convention rights Annex B and meets the requirements of paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).
- 3.3. The Examiner recognises that some of the recommended modifications could give rise to consequential amendments elsewhere in the Neighbourhood Plan, such as renumbering paragraphs and ensuring supporting appendices and other document align with the final version of the Plan. The Examiner does not specify such minor amendments within their report, and requests that a 'common sense approach' is given to any such changes as part of work on the final presentation.
- 3.4. As a consequence of the required modifications, Kings Langley Parish Council will modify the Neighbourhood Plan accordingly, for it then to proceed to referendum.
- 3.5. The Examiner recommended that the Neighbourhood Plan should proceed to a referendum based on the designated Neighbourhood Area. The Council has considered this recommendation and the reasons for it, and has decided to accept it. The referendum area for the final Kings Langley Neighbourhood Plan will therefore be based on the defined extent of Kings Langley parish.
- 3.6. This decision statement is dated 10 October 2022.
- 3.7. It is a requirement of the Council to hold a referendum within 56 working days of publishing the decision statement as per unless a different date is agreed with the Qualifying body (Kings Langley Parish Council).

Other information:

The Neighbourhood Plan document will be updated to incorporate all the modifications required. The date for the referendum has been set for 17 November 2022 and further details will be publicised on the Council's website, as appropriate.

Table 1: Examiner’s Recommended Modifications

Section / Policy	Recommended Modification
1 Introduction	Change “...18-year time...: in paragraph 1.11 to “20 year time...”
Section 6: Character, Heritage and Design	
Policies KL3: Character of Development and KL4: Design of Development	<p>Change the second sentence of Policy KL4 from “In addition, they should minimise their impact on the natural and historic environment.” to “In addition, they should seek to minimise any adverse impacts on the natural and historic environment.”</p> <p>Change the word “stories” in paragraph 6.17 on page 30 of the Plan to “storeys”</p>
Section 7: The Village Centre and Wider Employment Opportunities	
Policy KL7: Commercial Premises and Land	<p>Add a third criterion “C.” that reads: “Sites falling within the Green Belt are subject to Green Belt policy.”</p> <p>Change criterion B. i. to read: “there is no adverse impact on the character and nature of the surrounding area from visual or operational impacts or on nearby occupiers of existing premises or residential properties; and”</p>
Policy KL8: Supporting Sustainable Tourism	Add a second criterion “B.” that reads: “Sites falling within the Green Belt are subject to Green Belt policy.”
Section 8: Environment and Green Space	
Policy KL10: Conserving and Enhancing the Network of Green and Blue Infrastructure	Add the words “unless there are wholly exceptional reasons as envisaged in the NPPF and a suitable compensation strategy exists” at the end of criterion A. of the policy
Policy KL11: Local Green Spaces	<p>Change the key on Figure 8.2 so that 5. is alongside The Biodynamic Allotments</p> <p>Move the numbers for each LGS on Figure 8.2 so that the location and extent of each LGS is clear</p> <p>Make the locations of LGSs 2 (Red Lion Allotments) and 3 (Rucklers Lane playground) clearer on the Policies Maps</p> <p>Delete Shendish Manor: Gardens and Woodland as a LGS from the policy and all associated maps and figures</p> <p>Insert “and on Figure 8.2” after “...on the Policies Map...” in the first paragraph of the policy</p> <p>Change the second paragraph of the policy to read: “Development proposals within the designated local green space will be consistent with national policy for Green Belts.”</p> <p>Consequential amendments will be needed</p>

Section / Policy	Recommended Modification
Policy KL12: Managing the Environmental Impact of Development	Change the reference to "...NPPF paragraph 180" in paragraph 8.13 to "NPPF paragraph 174..."
Policy KL15: Protection of Significant Local Views	<p>Add the words "key features of the" after "...should be designed in a way that safeguards the..." in paragraph two of the policy</p> <p>Change the words "significant views" in the last sentence of paragraph two of the policy to "locally significant views"</p> <p>Change the title of Policy KL15 to "Protection of locally significant views"</p> <p>Change "Thirteens" in paragraph 8.27 of the Plan to "Thirteen"</p>
Section 10: Community Facilities, Leisure and Recreation	
Policy KL18: Improving Opportunities for Community and Cultural Facilities, Sport and Recreation	<p>Delete the words "...which is also designated as a Local Green Space within Policy K111 (Local Green Spaces) of this Neighbourhood Plan" from criterion B. iii. of the policy</p> <p>Delete the words "The square is identified as a Local Green Space in Policy KL11." from paragraph 10.9 in the cricket provision on page 75 of the Plan</p>