

LOCAL PLAN SUB-COMMITTEE NOTICE AND AGENDA

For a meeting to be held on Thursday, 17 October 2024 at 7.00 pm

Members of the Local Plan Sub-Committee:-

Councillors:

Stephen Giles-Medhurst (Chair)
Christopher Alley
Oliver Cooper
Stephen Cox
Steve Drury
Vicky Edwards

Louise Price (Vice-Chair)
Philip Hearn
Chris Mitchell
Sarah Nelmes
Andrew Scarth

*Joanne Wagstaffe, Chief Executive
Wednesday, 9 October 2024*

The Council welcomes contributions from members of the public on agenda items at Local Plan Sub-Committee meetings. Details of the procedure are provided below:

Members of the public are entitled to register and identify which item(s) they wish to speak on from the published agenda for the meeting. Those who wish to register to speak are asked to register on the night of the meeting from 6.30pm. Please note that contributions will be limited to one person speaking for and one against each item for not more than three minutes.

In accordance with The Openness of Local Government Bodies Regulations 2014 any matters considered under Part 1 business only of the meeting may be filmed, recorded, photographed, broadcast or reported via social media by any person.

Recording and reporting the Council's meetings is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Act and the laws of libel and defamation.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. MINUTES

To confirm, as a correct record, the minutes of the Local Plan Sub-Committee meeting held on 11 September 2024.

(Pages 5
- 12)

3. NOTICE OF OTHER BUSINESS

Items of other business notified under Council Procedure Rule 30 to be announced, together with the special circumstances that justify their consideration as a matter of urgency. The Chairman to rule on the admission of such items.

4. DECLARATION OF INTERESTS

To receive any declaration of interests.

5. IMPLICATIONS OF NPPF CONSULTATION AND TRANSITIONAL ARRANGEMENTS ON LOCAL PLAN PROGRESS

(Pages
13 - 28)

This report sets out the implications the Government's consultation on the new National Planning Policy Framework will have on the emerging Three Rivers Local Plan. Based on these implications Officers recommend to delay the Regulation 19 consultation and undertake further evidence work.

Recommendation:

That:

- **The Local Plan Sub-Committee agrees the delay of the Regulation 19 publication of the Local Plan;**
- **Authorises Officers to undertake the further evidence work on Green Belt, Urban Capacity, Open Space, Sport and Recreation and Gypsy and Traveller needs;**
- **That Officers prepare an updated Local Development Scheme setting out an updated timetable for the Local Plan.**

6. LOCAL PLAN: UPDATED DRAFT POLICIES FOR REGULATION 19

(Pages
29 - 140)

This report seeks member agreement of the updates to the draft Local Plan policies from the Draft Local Plan Regulation 18 Part 1: Preferred Policy Options document. The policies were amended in response to changes to national planning policy, comments received as part of the Regulation 18 consultation and consideration at Local Plan Sub-Committee meetings in 2022 and 2023. The majority of these policies were then brought to Local Plan Sub-Committees throughout the summer of 2024. Further changes have been made to some of these policies following discussions at Local Plan Sub-Committees earlier this year. Additionally, this report seeks member agreement of a number of other policies that have not been brought to the 2024 round of Local Plan Sub-Committees.

Recommendation:

That the Local Plan Sub-Committee note the contents of the report, and recommends to the Policy and Resources Committee the following policy updates:

- **Residential Design and Layout**
- **Chiltern Beechwoods SAC**
- **Heritage and Historic Environment**
- **Advertisements**

- Deliveries, Servicing and Construction
- Ground Conditions, Contamination and Pollution
- Northwood Headquarters
- Green Belt
- Green Belt Appendix
- Provision for Gypsies, Travellers and Travelling Showpeople
- Green and Blue Infrastructure
- Housing Density
- Trees, Woodlands, Hedgerows and Landscaping
- Broadband and Electronic Communications
- Sustainable Transport and Travel
- Open Space, Play Space and Recreation
- Retail and Leisure
- Affordable Housing
- First Homes
- Employment and Economic Development
- Biodiversity
- Renewable and Low Carbon Energy Development
- Vision for Three Rivers and Strategic Objectives
- Overarching Policy on Sustainable Development

7. **OTHER BUSINESS - If approved under item 3 above.**

8. **EXCLUSION OF PRESS AND PUBLIC**

If the Sub-Committee wishes to consider the remaining items in private, it will be appropriate for a resolution to be passed in the following terms:-

“that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following item(s) of business on the grounds that it involves the likely disclosure of exempt information as defined under Paragraphs 1 to 7 of Schedule 12A to the Act. It has been decided by the Council that in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

General Enquiries: Please contact the Committee Team at committeeteam@threerivers.gov.uk

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THREE RIVERS DISTRICT COUNCIL

At a meeting of the Local Plan Sub-Committee held in the Penn Chamber, Three Rivers House, Rickmansworth, on Wednesday, 11 September 2024 from 7.00 - 9.36 pm.

Present: Councillor Stephen Giles-Medhurst Chair)

Councillor Louise Price, Christopher Alley, Oliver Cooper, Vicky Edwards, Philip Hearn, Tony Humphreys, Chris Mitchell and Sarah Nelmes

Officers in Attendance:

Marko Kalik
Aaron Roberts
Sharon Keenlyside

LPSC39/23 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Stephen Cox, Andrew Scarth and Steve Drury. Councillor Tony Humphreys substituted.

LPSC40/23 MINUTES

The minutes of the meeting held on 29 August 2024 were confirmed as a correct record subject to all references to Chorley Wood changed to Chorleywood.

LPSC41/23 NOTICE OF OTHER BUSINESS

There was none.

LPSC42/23 DECLARATION OF INTERESTS

There was none.

LPSC43/23 NPPF CONSULTATION AND IMPLICATIONS

Aaron Roberts, Senior Planning Officer, presented the report which provided an overview of the proposals contained within the Government's consultation on reforms to national planning policy and other changes to the planning system published on 30th July 2024 and sought approval of the officer response to the consultation in Appendix 1 to this report. The officer highlighted the key changes.

Question 1

A Member asked for the following wording to be removed "It could be It could be interpreted in the proposed new NPPF that constrained districts may be able to justify lower housing delivery targets if they can evidence that they have "taken all possible steps, including optimising density, sharing need with neighbouring authorities, and reviewing Green Belt boundaries, before a lower housing requirement will be considered" (wording taken from the consultation document). This would suggest that the standard method is not, in practice, "mandatory", as alluded to in the draft NPPF".

RESOLVED: that the Local Plan Sub-Committee AGREED that the wording be removed as above.

Question 2

A Member disagreed with the country-wide approach and felt that the first sentence in the officer response should be removed. Officers responded that the labour market and the green belt had little to do with calculating housing need. Officers approach was based around constraint and not being able to meet that need.

RESOLVED: that Members AGREED that the last line be tightened up as the ability to contest the prescribed standard method, due to local constraints, was essential.

Question 3

A Member fundamentally disagreed with the officer's response and felt that the Council should not support the removal of the urban uplift.

RESOLVED: that Members AGREED that the urban uplift should not be removed.

Question 4

No comments from Members.

Question 5

RESOLVED: that Members AGREED that the word "partially" be removed and the wording to reflect localised areas in the first sentence be revised.

Question 6

No comments from Members.

Question 7

RESOLVED: that Members AGREED that the response be re-worded to state that the Council does not agree with a 5-year specific deliverable housing land supply.

Question 8

No comments from Members.

Question 9

RESOLVED: that Members AGREED to add that it is an unnecessary and had no accountability.

Question 10

RESOLVED: that Members AGREED that N/A be removed and repeat the response to question 9 and comment that that TRDC does not agree with a buffer at all.

Question 11

No comments from Members.

Question 12

RESOLVED: that Members AGREED that officers check on the wording of paragraph 27B of NPPF and make it clear in the response that cross co-operation must not be imposed upon the TRDC.

Question 13

No comments from Members.

Question 14

No comments from Members.

Questions 15-19

RESOLVED: that Members AGREED that officers would re-write the responses objecting to all of them apart from question 18 where it would be stated rental affordability should be a factor in the standard method and reflect the particular local circumstances of the area. Officers would circulate the new responses.

Question 20

RESOLVED: that Members AGREED that the wording of paragraph 3.15 of the new proposed NPPF be used followed by the rest of the officer's response "At the same time...."

Question 21

No comments from Members.

Question 22

No comments from Members.

Questions 23 - 25

Officers explained that in some responses, they had complained that sustainability had not been mentioned whereas sustainability in location had been referred to. Officers would revise the wording to reflect this.

Members commented on the lack of definition of "strongly perform against the Green Belt purpose", "Grey Belt" and "previously developed land".

RESOLVED: that Members AGREED that the wording "previously developed land must have had lawful permission" or words to that effect be added to the response and that a clear definition for Grey Belt was required. Rewording was required to include the need for specific exclusions in the Green Belt regarding areas that do not have permanent development.

Question 28

RESOLVED: that Members AGREED that the wording would be changed from "no" to "yes" due to the error regarding sustainability (mentioned above) and the last sentence from "it may be the case that higher performing Green Belt...." be deleted. It would be repeated that the concept of Grey Belt is too ambiguous.

Question 29

RESOLVED: that Members AGREED that it be emphasised in the response, that the purpose of the Green Belt as referenced in paragraph 140 a and b, absolutely needs to be preserved and required in the Local Plan setting process.

Question 30

RESOLVED: that Members AGREED that the concept of Grey Belt is too ambiguous be repeated.

Question 31

RESOLVED: that Members AGREED that the wording be reviewed and tightened up regarding viability and 50% affordable housing.

Questions 32 & 33

No comments from Members.

Question 34

RESOLVED: that Members AGREED to incorporate the viability assessments and how this has an effect.

Question 36

RESOLVED: that Members AGREED that the response be reworded and the word “detrimental” softened.

Questions 37 - 45

No comments from Members.

Question 45

RESOLVED: that Members AGREED that the response should include that the Local Authorities are given additional powers to CPO derelict brownfield sites.

Question 46

RESOLVED: that Members AGREED to add that the Council supports the merger of Section 106 contributions with CIL as CIL is not subject to viability.

Question 47

No comments from Members.

Question 48

Members discussed the proposed removal of the requirement to deliver 10% of housing as affordable home ownership. Officers felt that affordable home ownership requirement should be based on and determined by the Councils own evidence.

Question 49

Councillor Cooper moved, seconded by Councillor Hearn, to change the response from “yes” to “no” and impose a 10% mandatory and 25% minimum with officers explaining why. The voting was 4 For and 5 Against. The motion was NOT CARRIED.

RESOLVED: that Members AGREED that the response would be reviewed to make the wording clearer.

Questions 50 - 56

No comments from Members.

Question 57

RESOLVED: that Members AGREED to add that the Local Authority should have the ability set the level of Affordable Rent to reflect their own market circumstances.

Question 58

No comments from Members.

Question 59

Members discussed whether the words “beauty” or “beautiful” should be included as the terms were subjective and the definition was problematic. Members suggested adding should reflect the character of the area.

Councillor Cooper moved, seconded by Councillor Hearn, to rewrite the response to support the words “beauty” and “beautiful. The voting was 4 For and 5 Against. The motion was NOT CARRIED.

RESOLVED: that Members AGREED that the wording “in keeping with the character of the area” be included.

Questions 60 – 63

No comments from Members.

Question 64

RESOLVED: that Members AGREED that sustainable energy consumption should be included in the response.

Questions 65 – 66

No comments from Members.

Question 67

RESOLVED: that Members AGREED to add that it applies to all forms of infrastructure not just large ones.

Questions 68 – 70

No comments from Members.

Question 71

RESOLVED: to include indoor.

Questions 72 – 77

No comments from Members.

Question 78/81

Members discussed adding to the response that there should be stricter building regulations regarding Net Zero for new builds.

RESOLVED: that Members AGREED that officers would rewrite the response to include stricter building regulations regarding Net Zero and offsetting for new developments. Officers would review both questions and decide where this was best applied.

Question 79

No comments from Members.

Questions 80/85/86

Members felt that there should be a response given to this question. Councillor Mitchell would circulate information from the Town & Country Planning Association for Members and officers to review.

RESOLVED: that Members AGREED that additional comments should be added to the response based on the above.

Questions 82 – 89

No comments from Members.

Question 90

RESOLVED: to clarify the figure of £528 and strengthen the last sentence in the response.

Question 91

Members discussed whether the figure of £528 should be higher for some Local Authorities. Officers explained that question 94 related to local variation models.

Questions 92 – 95

No comments from Members.

Question 96

Members commented that it took a huge amount of time and cost to produce a Local Plan.

RESOLVED: that Members AGREED that the response to previous questions should be replicated.

Question 103

Members agreed that Local Authorities should not be encouraged to fast track Local Plans.

RESOLVED: that Members AGREED that the wording in the response be made much more robust.

Question 104

RESOLVED: that Members AGREED that the response be changed to “No” and include wording that robustly states that the proposed transitional arrangements were unworkable and that Local Plans that have gone to Regulation 19, a month after adoption of the new NPPF, would not have to be reviewed.

Question 105

RESOLVED: that Members AGREED that the response to question 104 be repeated.

The Chair thanked Members for their contributions and thanked officers.

The revisions would be circulated.

CHAIRMAN

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LOCAL PLAN SUB-COMMITTEE
17 October 2024
PART I

Implications of NPPF Consultation and Transitional Arrangements on Local Plan Progress (DoF)

1 Summary

This report sets out the implications the Government's consultation on the new National Planning Policy Framework will have on the emerging Three Rivers Local Plan. Based on these implications Officers recommend to delay the Regulation 19 consultation and undertake further evidence work.

2 Details

2.1 The new Government has placed planning reform at the front and centre of their work programme with building new homes a key component of their approach to stimulating economic growth. The first steps in making these reforms have been undertaken swiftly and the Government has consulted on a new National Planning Policy Framework (NPPF). The Council has provided its response to the consultation following discussion at the 11 September Local Plan Sub-Committee.

2.2 This report will focus purely on the implications of the Government's consultation and proposed transitional arrangements on Local Plan preparation.

2.3 Following the consultation the Government has stated it will publish the new NPPF by the end of the year at the latest, so that policy changes can take effect as soon as possible.

Housing Need

2.4 The policy area that has the most impact on the emerging Local Plan is housing need. This is an issue the Council has been grappling with for some time now. In 2021 in the Local Plan Regulation 18 Part 2: Sites for Potential Allocation consultation the Council sought views on a draft plan that almost met Government's standard method for calculating housing need target, eventually falling 1,705 dwellings short of the standard method target of 12,624 dwellings across the plan period.

2.5 At Full Council in December 2022 Members **unanimously agreed** to add a further round of Regulation 18 consultation to the Local Development Scheme (Local Plan timetable). It was agreed that this further Regulation 18 consultation would be focused on lower housing numbers than had been consulted on in the previous round of Regulation 18 consultation.

2.6 Officers were tasked with considering the best approach to calculating an appropriate lower housing target. Officers did not feel that pursuing an alternative method to the standard method would be an appropriate course of action as it could lead to the plan being found unsound at examination. Having ruled out an alternative calculation to the standard method, Officers considered a constraints based approach to housing growth. Using the Stage 2 Green Belt Review evidence base document to demonstrate.

- 2.7 From 27 October to 10 December 2023 the Council consulted on a low housing growth option. This concluded its Regulation 18 stage consultations. The vast majority of public respondents agreed with the Council's proposed stance of not complying with the Government's Standard Method. In total, 789 (91.6%) respondents agreed with this approach whilst 72 (8.4%) did not. Similarly, the vast majority of public respondents agreed that the Council's preferred 'Low Growth and Green Belt Restraint' option is the best growth strategy for the district. 767 (90.3%) of respondents agreed with this approach whilst 82 (9.7%) did not. Members agreed to continue with the Green Belt constraint approach for Regulation 19 at the July Local Plan Sub-Committee and Officers have been preparing for Regulation 19 consultation to take place later this autumn.
- 2.8 The approach to the low housing growth option includes sites that were agreed for consultation in the 2021 Sites for Potential Allocation and 2023 Additional Sites for Potential Allocation consultations that are either urban brownfield sites or that fall into areas of low to moderate Green Belt harm as set out in the Council's Stage 2 Green belt Review. A summary of the low housing growth consultation was included in the July Local Plan Sub-Committee report.
- 2.9 As stated earlier, in 2021 we consulted on our Preferred Policy Options and Potential Site Allocations in the form of a full draft Local Plan. This round of Regulation 18 consultation aimed to meet the Government's standard method target, however did not quite meet the target in full. Officers consider this consultation to have been on our high growth option. A potential moderate growth option was considered at the 24 August 2023 Local Plan Sub-Committee meeting. This option included strategic sites, of circa 500 dwellings or more, that fall within areas of 'moderate-high' and 'high' Green Belt harm where the benefits of these sites in terms of sustainability, access to services and infrastructure provision potentially outweigh the harm to the Green Belt.
- 2.10 The additional benefits that can be provided by strategic sites may outweigh the harm to the Green Belt of removing that land for development. Details of specific strategic sites were reported to the 24 August 2023 Local Plan Sub-Committee meeting. The decision by Members at this meeting was to not include any sites (other than brownfield sites in the Green Belt) that fell within area of above 'moderate harm'.
- 2.11 Following consultation of an updated NPPF in December 2022 the Council pursued a Green Belt constraint led approach to growth which resulted in 4,852 homes being planned for in the Local Plan Regulation 18 Part 4 consultation undertaken in late 2023. This was less than half the standard method target.
- 2.12 Officers highlighted the risk that this approach was unlikely to be successful at examination as it was so far from meeting the development needs of the area in terms of quantum of housing, affordable housing provision and specialist accommodation needs. This was emphasised by Officers at the 16 July Local Plan Sub-Committee meeting where they set out that even a 'moderate growth' approach meeting around 70% of the Government's standard method target would be unlikely to be successful, and going below this would only increase the risk of the plan being found unsound at examination. At this meeting Members agreed to continue with the Green Belt constraint led approach (less than 50% of the standard method target) for the Regulation 19 Local Plan consultation.
- 2.13 Since the 16 July Local Plan Sub-Committee the Government has consulted on its proposed reforms to the NPPF and other changes to the planning system, and a letter from the Deputy Prime Minister and Secretary of State for Housing, Communities and

Local Government Angela Rayner sent to all local planning authorities set out the Government's intentions.

- 2.14 In terms of housing need the Secretary of State's letter set out that the Government will be reversing the changes to the NPPF which loosened the requirement for local authorities to plan for and meet their housing needs. They will now be mandating that the standard method is used as the basis for determining local authorities' housing requirements in all circumstances.
- 2.15 The consultation set out the new standard method figure for Three Rivers as 739 dwellings per annum, a 15% increase from the previous 640 dwellings per annum. The 270 dwellings per annum in the Green Belt constraint led approach equates to 36.5% on the new standard method target.
- 2.16 The NPPF consultation document states that local planning authorities will be expected to make all efforts to allocate land in line with their housing need as per the standard method. Authorities would be able to justify a lower housing requirement than the figure the standard method sets on the basis of local constraints on land and delivery, such as existing National Park, protected habitats and flood risk areas, but would (as now) have to evidence and justify their approach through local plan consultation and examination. All local planning authorities will need to demonstrate they have taken all possible steps, including optimising density, sharing need with neighbouring authorities, and reviewing Green Belt boundaries, before a lower housing requirement will be considered.
- 2.17 In the proposed updated wording to NPPF paragraph 142 it now states that exceptional circumstances for altering Green Belt boundaries will now include instances where a local authority cannot meet its identified need for housing. In these circumstances authorities should review Green Belt boundaries and propose alterations to meet these needs in full, **unless the review provides clear evidence that such alterations would fundamentally undermine the function of the Green Belt across the plan area as a whole.**
- 2.18 It should be noted that the Stage 2 Green Belt Review used as evidence for the Green Belt constraint led approach was conducted on a more granular level considering the harm in removing parcels of land for development, rather than considering the impact on the Green Belt as a whole. **We would therefore need to undertake further evidence work if we are to demonstrate that the quantum of growth would be damaging to the Green Belt as a whole.**
- 2.19 This approach to housing need is underpinning the government's approach to the economy and as such this is extremely unlikely to change. We may see some tweaks to wording in the NPPF but officers do not expect changes to mandatory housing targets or significant changes to transitional arrangements.
- 2.20 Officers consider that Green Belt constraint led approach plans for levels of growth that undershoot the standard method target by far too much, and this would be found unsound at examination even if it were examined against the extant 2023 version of the NPPF. This will be discussed further in the following sections

Transitional Arrangements

- 2.21 Although the Government sets out that local authorities should continue to progress their plans without delay, they have set out transitional arrangements for moving

across to the new system. These transitional arrangements will have significant implications on our Local Plan progress.

2.22 The proposed transitional arrangements set out that;

those plans at examination will continue to be examined under the version of the NPPF they were submitted under (chapter 12, paragraph 5)

those plans that have reached Regulation 19 publication stage but not yet been submitted for examination one month after the revised framework is published, with a gap of no more than 200 dwellings per annum between the local planning authority's revised LHN figure and its proposed housing requirement (as set out in the Publication version of the plan), should also progress to examination under the version of the NPPF it has used when preparing the plan thus far (chapter 12, paragraph 6)

those with a more significant gap of over 200 dwellings per annum between the local planning authority's revised LHN figure and the emerging housing requirement will need to revise its plan in line with the revised NPPF before submitting the plan for examination no more than 18 months after the publication of the revised NPPF (chapter 12, paragraph 7)

all plans at earlier stages of preparation - (i.e. plans that have not yet reached Regulation 19 stage one month after the revised NPPF is published) - should be prepared against the revised version of the NPPF and progressed as quickly as possible

Officers Note: The Green Belt Constraint approach is estimated to result in fewer than 270 dwellings per annum over an 18 year plan period. The revised Standard Method Figure would require 739 dwellings per annum. As such, there is a "significant gap" of over 200 dwellings per annum between the local planning authority's revised LHN figure and its proposed housing requirement.

2.23 The current Local Development Scheme (LDS) sets out that the emerging Local Plan is to be submitted for examination by the end of March 2025. The consultation document sets out that "*the Government will respond to this consultation and publish NPPF revisions before the end of the year, so that policy changes can take effect as soon as possible*". As such, given the wording of the proposed transitional arrangements (particularly in relation to the 200 dwelling per annum threshold), that the Government is aiming to publish the revised NPPF by the end of the year (and possibly sooner) and the current LDS timeframes, **Officers consider it extremely unlikely that the current version of the plan (Green Belt Constraint) will be examined under the current NPPF.**

2.24 In simple terms the transitional arrangements set out that if the local plan is reasonably close to where the Government wants the housing requirement to be, then carry on progressing the Local Plan. If not, then the housing requirement in the Local Plan will need to be revised before the plan can be adopted. Or at least any evidence justifying a lower housing requirement will need to be prepared taking the new NPPF into account.

2.25 The Government's stated goal is to reach universal local plan coverage that meets their growth agenda. There may be minor changes to the proposed transitional arrangements following the consultation, but it is likely these changes will be made with the aim of delivering the levels of growth the Government are pushing for. It is

extremely unlikely that plans that fall well below the standard method target will be successfully adopted as evidenced by the 200 dwellings threshold in relation to the standard method target.

- 2.26 If we carry on as currently timetabled, we would be at Regulation 19 Stage when the transitional arrangements come into effect (unless publication of the new NPPF is delayed). As our agreed housing target equates to around 270 dwellings per annum we are more than 200 dwellings per annum below the new 739 dwellings per annum standard method target.
- 2.27 Had we been planning for 539 dwellings per annum or at least close to that figure we could have carried on to examination with some chance of success. We do not have the option of going out for Regulation 19 on a higher figure as this would require additional work that would result in us missing the deadline set out in the transitional arrangements for reaching Regulation 19 stage. This includes feeding the additional sites into evidence base work such as the Sustainability Appraisal, Infrastructure Delivery Plan, Habitats Regulations Assessment, Viability Assessment and Transport Assessments. All of which require site specific information.
- 2.28 As such, if we carry on as currently timetabled, **we would therefore most likely need to revise the Local Plan so that it is in line with the revised NPPF and submit the plan no more than 18 months after the new NPPF is published.** This is effectively the fastest route to having to publish a new standard method compliant local plan. Officers would recommend avoiding this scenario if possible as it would be preferable to explore and robustly evidence the work towards a new NPPF compliant plan, especially in relation to Green Belt constraint. Submitting a plan within 18 months of publication of the new NPPF, which is very ambitious, will mean we will have to accelerate the process and may not be able to explore alternative approaches to growth in more depth. Officers believe that the best chance of having a plan adopted with a lower housing requirement than the new standard method target would be to go and take the time to add to our evidence supporting this case, so it is in line with the new NPPF.
- 2.29 The current draft NPPF text sets out that the new housing targets will be mandatory and that meeting housing need would be exceptional circumstances for altering green belt boundaries, however it goes on to say:
- “...unless the review provides clear evidence that such alterations would fundamentally undermine the function of the Green Belt across the area of the plan as a whole.”*
- 2.30 This gives us the opportunity to add to our Green Belt evidence considering the performance across the area of the plan as a whole. This additional evidence work will give us the opportunity to consider whether it is possible to meet the levels of growth required without impacting the function of the Green Belt across the area of the plan as a whole, and if not what level of growth would be appropriate. The Council will need to demonstrate that it has considered ‘Grey Belt’ sites (although there needs to be further clarification from Government on the definition) and that the level of growth required by the standard method would not fundamentally undermine the function of the Green Belt across the plan area as a whole. If we have robust evidence supporting this case, we can argue that a lower level of growth would avoid unacceptable harm to the Green Belt.
- 2.31 Were we to delay the Regulation 19 publication of the local plan we would then have to make sure the plan is ‘progressed as quickly as possible’ as set out in the

transitional arrangements. This wording gives us more flexibility and time to fully evidence our approach to growth as it doesn't provide a specific deadline. That said, it is likely that the Government would still expect to see clear progress.

- 2.32 Although the new NPPF and transitional arrangements have only been consulted on and the final version not yet published, we need to make a decision now on whether to proceed to Regulation 19. When the final version is published, we would most likely already be at Regulation 19 stage meaning we would have to submit an NPPF compliant plan within 18 months. In that case it would be too late to then go and complete the evidence to support an alternative approach to growth as we would be required to submit in a relatively short time frame and have lost time from our current starting point.

Examination

- 2.33 As stated in the previous section, Officers do not believe we will have the plan at examination in order to have it examined against the 2023 version of the NPPF (and even if we did it would be most likely found unsound). Officers' opinion is that the only chance of this happening would be if the publication of the NPPF was delayed until next year, and this is considered very unlikely. The Government has been using strong rhetoric regarding planning reforms and have committed to publishing the new NPPF by the end of the year.
- 2.34 The Minister of State, Matthew Pennycook, wrote to the Planning Inspectorate on 30 July 2024 advising that authorities should not submit deficient plans believing that Inspectors will use significant time and resource during examinations to 'fix' them. It also sets out the government's expectation that Inspectors will apply pragmatism to examinations only where it is likely that a plan is capable of being found sound with limited additional work, and that any pauses to an examination timetable should usually take no more than six months overall.
- 2.35 Following the Minister's letter, the Planning Inspectorate have written to local authorities stating that they will be taking this more 'pragmatic' approach to examination.
- 2.36 In this context, Officers consider that even in the very unlikely event that the Local Plan in its current form reached examination in time to be examined under the existing 2023 version of the NPPF it would almost certainly be unsuccessful. Plans that undershoot the standard method target tend to go through long drawn-out examinations which is exactly what the Planning Inspectorate are being asked to avoid.
- 2.37 At the examination of the Solihull Local Plan the Inspector recommended that the council withdraw its local plan from examination as it is not 'willing' to release green belt sites in order to meet the area's housing need, referring to the minister's letter to the Inspectorate requesting they avoid lengthy pauses to examinations. It should be noted that over 5,000 homes were planned on the Green Belt across the plan period.
- 2.38 The Inspector's letter stated that the council could withdraw the plan or ask the Inspector to continue with their report, which would "*inevitably recommend that the local plan is not adopted and would involve additional time and cost*".
- 2.39 The Inspector's interim findings at the Elmbridge Local Plan examination set out that the Council's approach, where they had declared there were no exceptional circumstances for Green Belt release, would be unsound. The key concern was the

failure to address affordable housing needs across the plan period (This is similar to the Three Rivers Local Plan as we are some distance away from meeting our affordable housing needs with our current approach).

- 2.40 The Inspector set out that “*The Council should revisit the Sustainability Appraisal, the options for meeting local housing need, the conclusions drawn in relation to the Green Belt work already completed and consideration of all alternative sites, including the potential release of Green Belt sites, to address the 6,300 housing shortfall*”.
- 2.41 In their interim findings the Inspector has noted the Minister’s letter and stated that should this additional work need to take more than 6 months the Plan should be withdrawn or the Inspector will prepare the necessary report which would find the plan unsound.
- 2.42 The work that would be required for the Three Rivers Plan to be found sound at examination would take longer than 6 months as there would need to be some updates to evidence base work (SA, IDP, Whole Plan viability etc.) in support of the plan. As such, the plan would likely be rejected early in the process.
- 2.43 It should be noted that the Inspector at the Bournemouth Local Plan examination has told the Council that they will need to consider the implications of the new NPPF in terms of the plan’s soundness as they are proposing to undershoot the standard method figure. This indicates that the new NPPF is already a material consideration at examination.
- 2.44 At the Labour party conference Matthew Pennycook, the Minister for Housing and Planning, warned that he will intervene if councils produce local plans with housing targets ‘way under’ their need. This shows the intent that the Government, despite aiming to achieve universal Local Plan coverage in this term, are unlikely to support plans that undershoot the housing targets by too much.
- 2.45 Another consideration for the Council is the cost of Local Plan examination. Costs can run into the hundreds of thousands of pounds. There are Inspector’s fees, their accommodation and subsistence costs, room hire if needed, and costs of legal representation and a programme officer. These are huge costs to incur on a plan that is extremely unlikely to be successful, where there would therefore need to be another examination and all these costs incurred again on a new Local Plan.

Further Considerations

- 2.46 Supporting low level of housing growth leaves us more susceptible to speculative planning appeals being successful at appeal. The Inspector referred to the Council agreeing its low growth approach during the hearings for the Sarratt appeal. Inspectors will see that the Council is not attempting to address its development needs and as such are more likely to decide in favour of developers.
- 2.47 This potentially leads development in the wrong places and come at a financial cost to the Council with major appeals costing in the region of £150,000 to defend. Continuing to an examination that where the plan is expected to be found unsound would only increase the time period where we would be susceptible to these appeals. Time would be spent on taking a plan to examination, costing hundreds of thousands of pounds, where it would most likely be found unsound so then a new plan would have to be prepared setting us back a year or two. This would mean additional costs

of fighting appeals for a longer time period potentially with the costs of two local plan examinations on top of that.

- 2.48 Publicity relating to the Local Plan has reached planning publications and blogs. This coverage has not been positive and there is risk of reputational damage. There is the danger that this would also bring Three Rivers approach to the Government's attention. Officers are concerned that continuing to Regulation 19 would increase the risk of the Government 'making an example' of Three Rivers and using its intervention powers.
- 2.49 There is a real threat of intervention for those authorities not seen to be progressing their plans or that have plans significantly undershooting their housing need. Officers believe committing to producing a plan in accordance with the new NPPF would be enough to demonstrate progress on the Local Plan, though we would be expected to move on to Regulation 19 and submission in good time.
- 2.50 Intervention would mean that Three Rivers loses control of where development goes. Even if the Council were required to meet a higher quantum of development it is still important that we can shape how that development looks and where it should be located. Having no control could result in negative outcomes for residents as developments may come forward in less desirable locations, and providing fewer benefits in terms of infrastructure provision.
- 2.51 The Part 4 Regulation 18 consultation planned for 270 dwellings per annum. It should be noted that as further work has been undertaken on sites the dwelling numbers have reduced further. We have reduced the developable area of the sites in order to allow for Biodiversity Net Gain on site. There have been sites that have been removed altogether. The site at Langleybury House has been removed by the promoter and is no longer available.
- 2.52 Site EOS12.4 in Maple Cross has had its capacity reduced from 850 dwellings to circa 500 dwellings following masterplanning discussions with the promoter. This is in order to allow for some on site infrastructure provision. It should be noted that its infrastructure offer has been significantly reduced on viability grounds too. The original infrastructure offer was in line with the larger 1,500 dwelling version of the site that included areas of higher Green Belt harm. The smaller number of dwellings means that the same level of infrastructure cannot be provided.
- 2.53 Two proposed sites are likely to have a significant effect on the Chiltern Beechwoods Special Area of Conservation, CFS6 (Land at Mansion House Equestrian Centre) and PCS21 (Land at Love Lane). Only CFS6 has an indicative dwelling capacity of over 100 dwellings, however, the two sites may come forward together, so the total dwelling capacity would well exceed 100 and the combined site would be subject to the requirements of the Chiltern Beechwoods SAC policy. Three Rivers does not currently have an authorised SANG site. Given the relatively small size of the CFS6 and PCS21 and the other planning requirements that development is required to provide (BNG, affordable housing etc), it is not considered feasible for the site developers to either provide a SANG on-site or pay for a new SANG site within the District. The planning and leisure team at TRDC have been in discussion with Natural England about upgrading Leavesden Country Park to a SANG site (which could be paid for by developer contributions). However, following a site visit, colleagues in the leisure team have strong concerns as to whether the Leavesden Country Park is capable of meeting Natural England's stringent eligibility criteria for SANG sites. As such, if a SANG site cannot be provided, there is concern that site CFS6 (or the

combined site of CFS6 and PCS21) may have to be omitted from the Local Plan, which would further reduce the overall housing numbers.

- 2.54 With the reduction in numbers we would be down to circa 205 dwellings per annum across the plan period. This is around a third of the current standard method figure. This further decreases the chance of success at examination.
- 2.55 The impacts of the proposed datacentre on the neighbouring housing sites will be addressed during the appeal and may need to be considered going forwards. This could potentially result in further reductions in dwelling numbers.
- 2.56 Initial data from the Gypsy and Traveller Accommodation Assessment update currently being undertaken suggests that there is an identified need for gypsy and traveller pitches in the District. As such further work would need to be undertaken to address these needs. This work needs to be completed prior to Regulation 19 stage as we must demonstrate we have considered all of our development needs including the needs of Gypsies, Travellers and Travelling Showpeople.

Proposed Timetable

- 2.57 Officers aim to avoid delays to the plan as much as possible, therefore reducing the time period we're susceptible to speculative planning applications being successful at appeal. Although it seems counterintuitive, delaying the Regulation 19 consultation is considered the fastest route to adopting a sound Local Plan that has fully taken into consideration the District's needs and constraints (such as Green Belt) whilst still being in accordance with the new NPPF.
- 2.58 Delaying the Regulation 19 consultation allows us to complete further Green Belt work and relook at our Urban Capacity study. It will allow us to update studies that are becoming outdated as such as the Open Space, Sport, and Recreation Study (2019) where Sport England, a statutory consultee, have raised concerns that the needs in the study are becoming out of date. This study on its own would take around a year to complete as needs are considered in different seasons. Updating this study will also give us the opportunity to look more closely at potential new open space allocations.
- 2.59 The Council would need to undertake a new call for sites exercise so we can demonstrate that we have considered all of the reasonable alternatives. Officers would need to update the Strategic Housing and Employment Land Availability Assessment and some of the policies may need tweaking based on changes in national policy or any updated evidence.
- 2.60 As the Council has completed multiple Regulation 18 consultations on differing levels of growth Officers believe that we would not be producing a growth strategy fundamentally different than that which has already been consulted on. As such we would recommend going straight to Regulation 19 publication following the completion of the additional work. This will speed up the process compared to undertaking another round of Regulation 18 consultation. Officers will seek legal advice on this matter.
- 2.61 The deadline for submitting local plans under the existing system is December 2026. This is an extension from the previous deadline of June 2025. The Levelling Up and Regeneration Act (LURA) sets out a new plan-making system, which the government intends to implement from summer or autumn 2025. Officers consider it imperative that the plan is submitted in advance of this deadline as otherwise there would be

significant additional work to undertake to bring the plan in line with the new system, causing further delays to the plan's adoption.

- 2.62 Officers propose to bring the Regulation 19 Publication version of the Local Plan to Full Council in February 2026. This allows the more lengthy evidence work to be completed with time for its findings to be incorporated into the plan with plenty of time to complete a full cycle of Local Plan Sub-Committee meetings and Policy and Resources Committee prior to the February Council.
- 2.63 The Submission version of the Plan can be brought to July 2026 Full Council or an extraordinary Full Council can be arranged for an earlier date.
- 2.64 Should legal advice come back stating that the Council would be required to complete another Regulation 18 consultation then the timetable would be updated to include a Regulation 18 consultation in mid 2025 and the Regulation 19 consultation delayed until summer 2026, allowing time for prior to the December 2026 deadline.
- 2.65 Officers propose to bring an updated Local Development Scheme to 11 November Policy and Resources Committee with the following Key dates:

February / March 2026 – Regulation 19 consultation

June / July 2026 – Submission of Local Plan to Planning Inspectorate for examination

November / December 2026 – Adoption

3 Options and Reasons for Recommendations

- 3.1 The Council has two options:
1. Progress to Regulation 19 consultation as set out in the Local Development Scheme (Appendix 1)
 2. Delay the Regulation 19 consultation and adopt a new Local Development Scheme (Updated LDS to be brought to future Policy & Resources Committee)
- 3.2 The most likely scenario if the Council continues to Regulation 19 as per Option 1 is that the new NPPF is published by the end of the year as expected and we are required to submit a new NPPF compliant Local Plan within 18 months which will not allow time for us to fully evidence our approach in accordance with the new NPPF.
- 3.3 The proposed timetable is the fastest Officers believe this can be achieved when taking into consideration updates to evidence that would need to be completed in order to have a sound plan. This work would commence immediately if it is agreed by Members that we delay the Regulation 19 consultation. If we continue with Regulation 19 as planned this would add at least three months to the timetable as we would only begin work on an update plan once we know where we fall in terms of transitional Arrangements. If following legal advice the Council is required to undertake another Regulation 18 consultation then there would be further delays.
- 3.4 In the unlikely event that the publication of the new NPPF is delayed and the Local Plan reaches examination, Officers consider it extremely unlikely that the current version of the plan would be found sound for the reasons set out in this report.

- 3.5 Officers therefore strongly recommend Option 2, delaying the Regulation 19 consultation as it is the fastest route to adopting a sound plan and would incur the least cost financially to the council.

4 Policy/Budget Reference and Implications

The recommendations in this report are within the Council's agreed policy and budgets.

5 Financial Implications

- 5.1 Costs of Local Plan examination can be hundreds of thousands of pounds. Taking a Local Plan through examination when it is extremely unlikely to be successful would result in these costs being incurred twice as the Council would most likely need to bring an updated plan through examination again.
- 5.2 Each major planning appeal costs the Council circa £150,000. The longer we do not have an adopted Local Plan in place the longer we will be susceptible to these appeals.
- 5.3 The implication of current plan being rejected and having to submit a new NPPF compliant plan within 18 months would require additional resources to meet that deadline.

6 Legal Implications

- 6.1 None specific, though officers are seeking Counsel advice on whether the Council could proceed to straight to Regulation 19 or would need to have to undertake a further Regulation 18 consultation.

7 Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications

None specific.

8 Recommendation

That:

- The Local Plan Sub-Committee agrees the delay of the Regulation 19 publication of the Local Plan;
- Authorises Officers to undertake the further evidence work on Green Belt, Urban Capacity, Open Space, Sport and Recreation and Gypsy and Traveller needs;
- That Officers prepare an updated Local Development Scheme setting out an updated timetable for the Local Plan.

Report Prepared by: Marko Kalik, Head of Planning Policy and Conservation

Appendices

Appendix 1 – Three Rivers Local Development Scheme (March 2024)

Local Development Scheme 2024

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1. Introduction

The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) introduced the requirement for local planning authorities, such as Three Rivers District Council, to prepare and maintain a Local Development Scheme (LDS).

The LDS is a project plan that sets out the timetable for the production of new or revised Development Plan Documents which will form the Council's Local Plan. This LDS, which supersedes previous versions, sets out a planning work programme for the Council over a three year period to 2026. It will be regularly reviewed to keep it up to date.

What are the current adopted Development Plan Documents for Three Rivers?

The current Local Plan for Three Rivers consists of the following Development Plan Documents:

- the Core Strategy (adopted October 2011)
- the Development Management Policies LDD (adopted July 2013)
- the Site Allocations LDD (adopted November 2014) and
- Croxley Green Neighbourhood Plan (2018)
- Chorleywood Neighbourhood Plan (2021)

The Minerals and Waste Development Plan Documents are the responsibility of Hertfordshire County Council. The Hertfordshire Minerals Local Plan was adopted in 2007, the Waste Core Strategy and Development Management Policies was adopted in 2012 and Waste Site Allocations DPD was adopted in July 2014.

What new Development Plan Documents are to be reviewed/prepared?

Further information and the provisional 'milestones' for the production of the review of Local Plan that need to be achieved in order to be progressed towards adoption are set out in Appendix 1.

Joint Strategic Plan

In Spring 2018, Three Rivers, Dacorum, Hertsmere, St Albans and Watford Councils gave formal endorsement to begin work on a Joint Strategic Plan (JSP) for South West Hertfordshire. By working together, the South West Herts Councils will also be in a stronger position to deliver and better fund essential transport, health services and educational facilities that local people want to see alongside new homes and jobs.

Each Council will still be responsible for preparing its own Local Plan but the JSP will provide the platform to consider how the challenges of growth in the wider South West Hertfordshire area can be addressed in the longer term (i.e. to 2050).

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LOCAL PLAN SUB-COMMITTEE
17 October 2024
PART I

**LOCAL PLAN: Updated Draft Policies for Regulation 19
(DCES)**

1 Summary

This report seeks member agreement of the updates to the draft Local Plan policies from the Draft Local Plan Regulation 18 Part 1: Preferred Policy Options document. The policies were amended in response to changes to national planning policy, comments received as part of the Regulation 18 consultation and consideration at Local Plan Sub-Committee meetings in 2022 and 2023. The majority of these policies were then brought to Local Plan Sub-Committees throughout the summer of 2024. Further changes have been made to some of these policies following discussions at Local Plan Sub-Committees earlier this year. Additionally, this report seeks member agreement of a number of other policies that have not been brought to the 2024 round of Local Plan Sub-Committees.

2 Details

- 2.1 The Regulation 18 Part 1 Preferred Policy Options was consulted on from 11 June – 20 August 2021.
- 2.2 Following this round of Regulation 18 consultation the Local Plan Sub-Committee considered updates to the draft Local Plan policies in 2022, 2023 and 2024. At these Local Plan Sub-Committee meetings, members were informed of any changes to national policy and considered representations made on the policies through the consultation.
- 2.3 These policies have now been further updated to include member comments from the most recent 2024 meetings and are proposed by officers for inclusion in the Regulation 19 Publication version of the Local Plan. This report will set out the changes made to these policies, as well as any future changes that may need to be made following the consultation version of the NPPF published by the Government on 30 July 2024.
- 2.4 A number of other policies that have not been brought to the 2024 round of Local Plan Sub-Committees are also included with this report, which will set out some background on each policy.
- 2.5 The draft policies can be viewed in the appendices to the report. Changes made to policies following discussion at this summer's Local Plan Sub-Committee meetings are shown as tracked changes.

Amended Policies

Residential Design and Layout

- 2.6 Following the Local Plan Sub-Committee on 8 August, the following amendments were made:
- The wording of the policy has been amended to be phrased in the negative rather than the positive

- In paragraph 8 of the policy, reference to natural ground level was added and the 10m figure was changed to 12m following further discussions with Development Management.
- Paragraph 1.8 of the reasoned justification was added to make reference to Secured by Design guidance.

2.7 Officers agreed to review restricting tall buildings to key centres and the principal town, which was suggested by a Member. Officers have reviewed this suggestion and do not feel that it is appropriate or necessary to amend the policy to restrict tall buildings to key centres and the principal town. It is considered that the detailed criteria set out in paragraph 8 of the policy and other character related policy within the Local Plan ensures that the character and appearance of the area in which the tall building would be located would be protected. Additionally, restricting tall buildings to key centres and the principal town would mean that development in areas currently designated as secondary centres (which officers feel could accommodate tall buildings in some cases), would not be able to include tall buildings, which could negatively impact on density and overall housing numbers in some brownfield areas.

2.8 It is not considered that any significant amendments to this policy will be necessary as a result of the proposed NPPF changes.

2.9 The draft policy is in Appendix 1 of this report.

2.10 Chiltern Beechwoods SAC

2.11 Following the Local Plan Sub-Committee on 8 August, officers reviewed current and emerging planning policies for the other authorities within the zone of influence of the Chiltern Beechwoods Special Area of Conservation. There were no references to “legally binding agreements”. Given that the draft policy which was brought before members on 8 August and was reviewed by Natural England, it is considered that the wording of the policy is sufficient without further amendments.

2.12 It is not considered that any significant amendments to this policy will be necessary as a result of the proposed NPPF changes.

2.13 The draft policy is in Appendix 2 of this report.

Heritage and Historic Environment

2.14 Following the Local Plan Sub-Committee on 8 August, the following amendments were made:

- Reference to “public” views were removed from policy wording
- In paragraph 14a of the policy, the wording was changed to “character and appearance” rather than “character or appearance”.

2.15 As per the minutes of the 8 August Local Plan Sub-Committee a member suggested that the wording be changed to something similar to “in to, out of or within the Conservation Area”. Most of the paragraphs of the policy already had this wording, although paragraph 16 did not. As such, the phrase “or through” was added to paragraph 16.

2.16 It is not considered that any significant amendments to this policy will be necessary as a result of the proposed NPPF changes

2.17 The draft policy is in Appendix 3 of this report.

Advertisements

2.18 Following the Local Plan Sub-Committee on 8 August, the following amendments were made:

- In point 1, the reference to National Highways has been changed to “appropriate Highway Authority”.
- The wording in point 5d has been changed to “does not impact safety” from “contribute to a safe and attractive environment”, and points c and d have been reorganised for clarity.
- In paragraph 11.2, the wording “Flashing illuminated signs should be avoided, whether internal or external” has been deleted.
- Reference to shop fronts and displays has been added back into the policy in points 3 and 5.

2.19 It is not considered that any significant amendments to this policy will be necessary as a result of the proposed NPPF changes.

2.20 The draft policy is in Appendix 4 of this report.

Deliveries, Servicing and Construction

2.22 Following the Local Plan Sub-Committee on 8 August, the following amendments were made:

- Wording in point 3 was suggested to be changed from “should” to “must”. This has not been changed as the final decision on highway safety matters would be made by Hertfordshire Highways.
- Reference to collections has been added throughout the policy.
- Construction Impact Bonds were looked into, but we believe that the additional resources needed to fully investigate and implicate this is not practical at this stage
- Point 7 has been relocated to become part of the Reasoned Justification to the policy

2.23 It is not considered that any significant amendments to this policy will be necessary as a result of the proposed NPPF changes.

2.24 The draft policy is in Appendix 5 of this report.

Ground Conditions, Contamination and Pollution

2.25 Following the Local Plan Sub-Committee on 8 August, the following amendments were made:

- In paragraph 8a of the policy the wording for proposed lighting schemes was changed from “the minimum required public safety and security” to “at least

the minimum” and the sentence “lighting should seek to improve public safety and reduce crime” was added.

- In paragraph 8e of the policy the phrasing “domestic light pollution” and “to the lowest possible extent” was added. “Guidance Note 9/19” was also specified for clarity.

2.26 It is not considered that any significant amendments to this policy will be necessary as a result of the proposed NPPF changes.

2.27 The draft policy is in Appendix 6 of this report.

Northwood Headquarters

2.28 Following the Local Plan Sub-Committee on 8 August, the following amendments were made:

- In paragraph 3 of the policy the phrasing “unless the effect can be suitably mitigated against”.

2.29 It is not considered that any significant amendments to this policy will be necessary as a result of the proposed NPPF changes.

2.30 The draft policy is in Appendix 7 of this report.

Green Belt

2.31 Following the Local Plan Sub-Committee on 29 August, the following amendments were made:

- Paragraph 8.3 was expanded to further clarify the exceptional circumstances required for green belt release.
- Infrastructure was added to paragraph 8.4

2.32 The proposed changes to the NPPF would likely mean that the Council would have to undertake a further Green Belt review or an update to its existing Green Belt review to consider what effect releasing land from the Green Belt may have on the function of the Green Belt across the area of the plan as a whole. If our housing (and other) needs cannot be met in full we will have to review Green Belt boundaries and propose alterations to meet these needs in full, unless the review provides clear evidence that such alterations would fundamentally undermine the function of the Green Belt across the area of the plan as a whole. This would be undertaken using a sequential approach. The consultation sets out that plans should give first consideration to previously developed land in sustainable locations, then consider grey belt land in sustainable locations which is not already previously-developed, and only then consider other sustainable Green Belt locations. As such, if need can still not be met on previously developed land and grey belt locations, other more sustainable sites in the Green Belt (which may have a higher harm rating) may have to be considered. As such, the proposed NPPF changes will likely result in further work from a strategic and spatial perspective.

2.33 In terms of Local Plan policy, it’s likely that the Green Belt policy may need to be updated to reflect any changes to the NPPF wording including further expansion on updates to what development should not be regarded as inappropriate (draft NPPF para 152), grey belt and planning contributions expected on Green Belt land (draft

NPPF para 155). This would also likely result in amendments to the Development in the Green Belt Appendix.

2.34 The draft policy is in Appendix 8 of this report.

Green Belt Appendix

2.35 Following the Local Plan Sub-Committee on 29 August, the following amendments were made:

- In paragraph 9.4(d) reference to “in the area was removed.
- Paragraph 9.20 was amended to include reference to the position, volume, and height of proposals being material considerations in assessing disproportionate additions
- Paragraph 9.21 was also amended to include reference to the position, volume, and height of proposals being material considerations in assessing disproportionate additions
- In paragraph 9.24, the word “must” was replaced with “should”.
- In paragraph 9.44, the word “should” was replaced with “must”.

2.36 The draft policy is in Appendix 9 of this report.

Provision for Gypsies, Travellers and Travelling Showpeople

2.37 Following the Local Plan Sub-Committee on 29 August, officers amended the phrase “adjacent” to “nearby” in paragraph 1(f) of the policy wording.

2.38 It is not considered that any significant amendments to this policy will be necessary as a result of the proposed NPPF changes.

2.39 Once the ongoing Gypsy and Traveller Accommodation Assessment is published, the reasoned justification will be added to the policy.

2.40 The draft policy is in Appendix 10 of this report.

Green and Blue Infrastructure

2.41 Following the Local Plan Sub-Committee on 29 August, the following amendments were made:

- In paragraph 3(d) of the policy, reference to “allocated open spaces” was added
- The phrase “where possible” was added to paragraph 6 of the policy
- In paragraph 11.6 of the reasoned justification, reference to the “Aquadrome (including lakes)” was added.

2.42 It is not considered that any significant amendments to this policy will be necessary as a result of the proposed NPPF changes.

2.43 The draft policy is in Appendix 11 of this report.

Housing Density

- 2.44 Following the Local Plan Sub-Committee on 29 August, the following amendments were made:
- In paragraph 1 of the policy, the phrase “and the area of the proposed development” was added.
 - In paragraph 2 of the policy, the phrase “generally of at least 50 dwellings per hectare” was replaced with “normally 50 dwellings per hectare” and reference to developable area was added.
 - Paragraph 4 of the policy was added which states that generally there should be less density within the edges of the site with a higher density within the centre.
- 2.45 The Government’s focus on increasing housing numbers (as highlighted by the increased standard method figures for many authorities, including Three Rivers) could indicate a shift in direction towards increasing density. The removal of paragraph 130 relating to character and density highlights this shift in direction in the NPPF. The density policy may have to be reviewed in the future, depending on the specific changes within the NPPF.
- 2.46 The draft policy is in Appendix 12 of this report.

Trees, Woodlands, Hedgerows and Landscaping

- 2.47 Following the Local Planning Sub-Committee on 29 August, officers added reference to “Hedgerows” throughout the policy wording and policy title.
- 2.48 It is not considered that any significant amendments to this policy will be necessary as a result of the proposed NPPF changes.
- 2.49 The draft policy is in Appendix 13 of this report.

Broadband and Electronic Communications

- 2.50 Following the Local Plan Sub-Committee on 29 August, the following amendments were made:
- Wording has been added to point 1 of the policy wording to include reference to surrounding areas and Conservation Areas.
 - Wording in point 2 of the policy has been changed from “should” to “must”.
 - Point 3 of the policy wording has been added to specify that engineering work should be completed alongside the construction of new developments, not after.
- 2.51 It is not considered that any significant amendments to this policy will be necessary as a result of the proposed NPPF changes.
- 2.52 The draft policy is in Appendix 14 of this report.
- 2.53 Sustainable Transport and Travel

2.54 Following the Local Plan Sub-Committee on 29 August, the following amendments were made:

- The wording in point 1 of the policy has been updated as agreed to expand definition of sustainability travel to include to, from and within the site
- Point 6g of the policy has been added to improve clarity regarding road widths.
- Paragraph 15.12 has had a wording change from “everything a resident needs” to “daily needs”, and new wording has been added to clarify that a “20 minute neighbourhood” is based on a 10 minute walk to an amenity and 10 minutes to get home. The reference to cycling has been removed.
- Minor grammatical errors were amended

2.55 It is not considered that any significant amendments to this policy will be necessary as a result of the proposed NPPF changes.

2.56 The draft policy is in Appendix 15 of this report.

Open Space, Play Space and Recreation

2.57 Following the Local Plan Sub-Committee on 29 August, the following amendments were made:

- In paragraph 6i of the policy the phrasing was changed from “Section 106 or other legal agreement may be required” to “Section 106 or other legal agreement will be required”.
- In paragraph 6iii of the policy the phrase “where appropriate for that site” has been added and the paragraph expanded to include “Where the development is likely to be occupied by families with children, the open space area should provide formal equipped play facilities, in accordance with Fields in Trust standards”.

2.58 It is not considered that any significant amendments to this policy will be necessary as a result of the proposed NPPF changes.

2.59 The draft policy is in Appendix 16 of this report.

Retail and Leisure

2.60 Following the Local Plan Sub-Committee on 29 August, the following amendments were made:

- In paragraph 17.3 of the reasoned justification the phrasing was changed from “will” to “should” and the mention of “target” has been removed
- Paragraph 4 of the policy was added which reads “shop fronts and displays should be appropriate to the character and function of the area”

2.61 It is not considered that any significant amendments to this policy will be necessary as a result of the proposed NPPF changes.

2.62 The draft policy is in Appendix 17 of this report.

Affordable Housing

- 2.63 Following the Local Plan Sub-Committee on 29 August, Officers reviewed the comments made by members and public speakers.
- 2.64 Further clarification of paragraph 2 of the policy wording was sought at the Local Plan Sub-Committee. All new development resulting in a net gain of one or more dwellings will be expected to contribute to the provision of affordable housing. Paragraph 6 of the policy wording elaborates that “in most cases, affordable housing provision should be made on site, however on small sites delivering between one and nine dwellings, contribution to affordable housing may be made through commuted payments”. The “rounding up” phrase in paragraph 2 of the policy wording is highlighting that in larger schemes when the 40% on-site provision kicks in, if the 40% figure is not a whole number then the expected provision of affordable housing units would be rounded up to the whole number. For example, if a scheme was proposing 144 dwellings, 40% of 144 is 57.6. As such, the scheme would be expected to provide 58 affordable housing units.
- 2.65 The proposed changes to require development to deliver 50% affordable housing on Green Belt land will mean the policy will need to be amended to reflect the new NPPF. Another key change has been an increased emphasis on social rent. The Government proposes setting an expectation that housing needs assessments explicitly consider the needs of those requiring Social Rent and that authorities specify their expectations on Social Rent delivery as part of broader affordable housing policies is proposed, however, we have already done this through our LHNA. The draft NPPF also indicates that the prescriptive requirements relating to affordable home ownership products (including first homes) are proposed to be removed. As such, Officers will have to review whether the First Homes should be explicitly referenced within this policy.
- 2.66 The draft policy is in Appendix 18 of this report.

First Homes

- 2.67 Following the Local Plan Sub-Committee on 29 August, the following amendments have been made:
- New text on local connection test and eligibility criteria added to the policy wording and reasoned justification
 - New text in para 19.11 added to address concerns around not going beyond 30% of market value reduction.
- 2.68 The draft NPPF indicates that the prescriptive requirements relating to affordable home ownership products (including first homes) are proposed to be removed. As such, Officers will have to review whether the First Homes Policy is necessary if the plan is examined under a revised version of the NPPF.
- 2.69 The draft policy is in Appendix 19 of this report.

Employment and Economic Development

- 2.70 Following the Local Plan Sub-Committee on 29 August, reference to the Article 4 Direction confirmed in March 2024 to remove permitted development rights regarding the change of use from class E use (commercial, business and service uses) to C3 use (dwellinghouses) was added to the reasoned justification.

- 2.71 The consultation version of the NPPF proposes updates to the chapter on economic growth (Chapter 6 of the draft NPPF), which are predominantly focussed on additional industries and uses. The draft NPPF proposes to expressly require LPAs to identify “appropriate sites” for needs of the modern economy, with “laboratories, gigafactories, data centres, digital infrastructure, freight and logistics” listed. There is also a new requirement to make provision for the “expansion or modernisation of other industries of local, regional or national importance to support economic growth and resilience”. Local Plan policy would need to be amended to reflect these changes to better align with the new NPPF.
- 2.72 The draft policy is in Appendix 20 of this report.

New Policies / Policies not brought to Local Plan Sub-Committee in 2024

Biodiversity

- 2.73 Biodiversity is an integral part of the character of Three Rivers and contributes to the high quality of life in the area. The District supports a variety of wildlife in habitats as diverse as wetlands, woodlands, grasslands, orchards, heathlands and urban gardens. Conserving and enhancing the diversity of wildlife and habitats in Three Rivers forms part of the Council’s strategic objectives.
- 2.74 National policy states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity. The National Planning Policy Framework requires local authorities to identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks; and promote the conservation, restoration and enhancement of important habitats and species. Further, it requires that appropriate weight is given not only to protected sites but also to protected features of biodiversity and geological interest in the wider environment.
- 2.75 The policy is split into two sections. The first section of the policy relates to Biodiversity Net Gain (BNG). The Environment Act 2021 requires that all applicable development shall deliver a net gain of at least 10% against the ecological baseline. Net gain is measured using Defra’s Statutory Biodiversity Metric, which quantifies the value of biodiversity in terms of the habitats present and those proposed to be created and/or enhanced. The policy sets out that BNG should be delivered using a biodiversity gain hierarchy and that BNG will be secured for a period of at least 30 years via planning conditions, legal agreements and conservation covenants as appropriate. It must be noted that BNG is a legal requirement for relevant development as set out in Environment Act 2021 and as such is not necessarily required to form part of Local Plan Policy. However, it is considered appropriate to include BNG within the wider biodiversity policy to clarify what the Council expects with regards to BNG.
- 2.76 The second section of the policy relates to the protection and enhancement of existing biodiversity and references the hierarchy of protected sites, the protection of such sites, that proposals should further the aims of the Local Nature Recovery Strategy (LNRS) and that proposals should seek to conserve, restore and enhance protected species not addressed by net gain and reduce fragmentation by enhancing the connectivity of their populations and supporting habitats, and promote the functionality of other green infrastructure.
- 2.77 The draft policy is in Appendix 21 of this report.

Renewable and Low Carbon Energy Development

- 2.78 The National Planning Policy Framework (NPPF) states that the planning system should support the transition to a low carbon future and that it should help to contribute to radical reductions in greenhouse gas emissions and support renewable and low carbon energy and associated infrastructure.
- 2.79 The NPPF advises that to help increase the use and supply of renewable and low carbon energy and heat, plans should consider identifying suitable areas for renewable and low carbon energy sources and supporting infrastructure where this would help secure their development.
- 2.80 As was noted in the Development Management Policies document (2013), Hertfordshire County Council, in conjunction with the 10 local authorities, commissioned a Hertfordshire Renewable Energy Study (2005) and Renewable and Low Carbon Energy Study (2010) to assess how the County could meet targets for renewable energy. These found that if renewable energy targets were to be met, much of the energy would have to be produced by wind power. However, the Three Rivers area was not considered suitable for large-scale renewable energy involving wind and greater potential exists in North Hertfordshire and East Hertfordshire.
- 2.81 Notwithstanding this, the studies found that Hertfordshire as a whole had the technical potential to achieve a significant amount of renewable energy production by a number of other various means including Biomass, dedicated Combined Heat and Power facilities, Bio-diesel and Bio-ethanol. Given the District's watercourses, there may also be opportunities for micro-hydro power generation.
- 2.82 Specific areas suitable for large-scale renewable and low or zero carbon and decentralised energy have not been identified. However, the Council should encourage applicants to integrate the use of renewable energy technologies into all development proposals and support the use of micro-renewables subject to an assessment of potential impacts.
- 2.83 This policy was brought to a Local Plan Sub-Committee on 5th September 2022. Since this meeting, minor changes have been made including changing "will be supported" to "may be supported" in paragraph 1 of the policy at the request of Members and the reasoned justification has been updated.
- 2.84 Given the proposed changes within the draft NPPF (chapter 14), this policy will likely need to be reviewed and updated to give greater weight to the proposal's contribution to renewable energy generation and a net zero future. Additionally, it must be noted that the consultation sought views on large scale renewable energy projects and whether certain methods of renewable energy production (such as onshore wind projects) should be included within the Nationally Significant Infrastructure Projects regime.
- 2.85 The draft policy is in Appendix 22 of this report

Vision for Three Rivers

The Vision for the District has been developed and informed by the key issues that have been identified from public consultations, evidence from studies and high-level strategies and priorities. It is supported by strategic objectives required to deliver that Vision and followed up by policies within the Local Plan. The Vision for the District is designed to be broad and strategic addressing key issues which have been identified

and are applicable to the district as a whole. A number of our communities have also outlined their vision for their area through the neighbourhood plan process. The vision for the future of TRDC had been largely agreed by the Committee on 26 January 2023, with only minor grammatical changes being made since and a reasoned justification added.

- 2.86 It is not considered that any significant amendments to the vision will be necessary as a result of the proposed NPPF changes, given the high-level nature of the vision.
- 2.87 The draft vision and strategic objectives are in Appendix 23 of this report.

Strategic Objectives

- 2.88 The Strategic objectives provide a high-level overview addressing the key policy areas in the Local Plan. The strategic objectives outline what will need to be achieved to deliver the proposed Vision and to address the key issues which have been identified. These objectives underpin the emerging spatial strategy, policies and proposals which will be included within the Local Plan.
- 2.89 Relatively minor changes have been undertaken to reflect comments and discussions from the Local Plan Sub-Committee on 26 January 2023. The numbering of the objectives has been removed, so that the objectives are not construed as having greater or lesser value. As such, reordering has not been considered necessary. Additionally, some of the objectives were slightly amended, included adding reference to increasing overall green coverage, reference to those with mobility issues and removing specific reference to Warner Bros Studios, as requested by members.
- 2.90 The increase in housebuilding that may be required under the Government's proposed changes will likely require a different approach to growth, so the vision and strategic objectives for the Local Plan will most likely need updating to reflect this.
- 2.91 The draft vision and strategic objectives are in Appendix 23 of this report.

Overarching Policy on Sustainable Development

- 2.92 The National Planning Policy Framework (NPPF) is underpinned by a presumption in favour of sustainable development which applies both in plan-making and decision taking. The proposed Overarching Policy on Sustainable Development is a strategic policy that sets out the Council's approach to sustainable development and will be complemented by more detailed policies in the Local Plan, enshrines the presumption in favour of sustainable development, and provides details of the specific local circumstances relevant to the achievement of sustainable development in Three Rivers. Minor grammatical changes have been made to the policy since it was last brought before members at the Local Plan Sub-Committee on 25 July 2022 and the addition of the reasoned justification.
- 2.93 Most of the overarching sustainability principles agreed by the Committee at Local Plan Sub-Committee on 25 July 2022 should remain largely unaffected by the Government's proposed changes as these are broad principles. However, the significant levels of growth proposed by the new NPPF (depending on how much the District can deliver) may require amendments to criterion 3 (g) relating to meeting housing need, once the Government has confirmed its approach following the close of the NPPF consultation.
- 2.94 The draft policy is in Appendix 24 of this report

3. Policy/Budget Reference and Implications

3.1 The recommendations in this report are within the Council's agreed policy and budgets.

Financial, Legal, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications

None specific.

4. Recommendation

That the Local Plan Sub-Committee note the contents of this report, and recommend to the Policy & Resources Committee the following policy updates:

- Residential Design and Layout
- Chiltern Beechwoods SAC
- Heritage and Historic Environment
- Advertisements
- Deliveries, Servicing and Construction
- Ground Conditions, Contamination and Pollution
- Northwood Headquarters
- Green Belt
- Green Belt Appendix
- Provision for Gypsies, Travellers and Travelling Showpeople
- Green and Blue Infrastructure
- Housing Density
- Trees, Woodlands, Hedgerows and Landscaping
- Broadband and Electronic Communications
- Sustainable Transport and Travel
- Open Space, Play Space and Recreation
- Retail and Leisure
- Affordable Housing
- First Homes
- Employment and Economic Development

- Biodiversity
- Renewable and Low Carbon Energy Development
- Vision for Three Rivers and Strategic Objectives
- Overarching Policy on Sustainable Development

Report Prepared by: Aaron Roberts, Senior Planning Officer

5. Background Papers

National Planning Policy Framework (2023)

Planning Practice Guidance (2023)

Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011)

Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

Strategic Housing and Employment Land Availability Assessment (2020,2023)

South West Hertfordshire Local Housing Needs Assessment (2020, 2023)

South West Herts Economic Study (2019)

South West Hertfordshire Retail & Leisure Study (2018)

Gypsy and Traveller Accommodation Assessment (2017)

Open Space Sport & Recreation Study (2019)

APPENDICES

Appendix 1 - Residential Design and Layout

Appendix 2 - Chiltern Beechwoods SAC

Appendix 3 - Heritage and Historic Environment

Appendix 4 - Advertisements

Appendix 5 - Deliveries, Servicing and Construction

Appendix 6 - Ground Conditions, Contamination and Pollution

Appendix 7 - Northwood Headquarters

Appendix 8 - Green Belt

Appendix 9 - Green Belt Appendix

Appendix 10 - Provision for Gypsies, Travellers and Travelling Showpeople

Appendix 11 - Green and Blue Infrastructure

Appendix 12 - Housing Density

Appendix 13 - Trees, Woodlands, Hedgerows and Landscaping

Appendix 14 - Broadband and Electronic Communications

Appendix 15 - Sustainable Transport and Travel

Appendix 16 - Open Space, Play Space and Recreation

Appendix 17 – Retail and Leisure

Appendix 18 – Affordable Housing

Appendix 19 – First Homes

Appendix 20 – Employment and Economic Development

Appendix 21 – Biodiversity

Appendix 22 – Renewable and Low Carbon Energy Development

Appendix 23 – Vision for Three Rivers and Strategic Objectives

Appendix 24 – Overarching Policy on Sustainable Development

Appendix 1 - Residential Design and Layout

1.1 As well as securing an adequate supply of housing of a mix of sizes, types and tenures to meet needs in the District, to ensure the quality of life of Three Rivers' residents and communities it is essential that all housing, including residential extensions are of high quality and that there is suitable accommodation to meet a range of needs.

1.2 Achieving this requires new development to be designed in accordance with the objectives and full range of policies of the new Local Plan, as well as specific design principles for new homes set out in the following preferred policy.

Residential Design and Layout

- 1) All applications for residential development, including new dwellings, replacement dwellings, and extensions or alterations to existing dwellings should satisfy the preferred Design Criteria as set out in Appendix X to ensure that development does not lead to a gradual deterioration in the quality of the built environment, and that landscaping, the need for privacy and amenity space and the creation of identity in housing layouts are taken into account.

New Residential Development

- 2) All new development should be designed and built to a high quality for the duration of its lifetime and should comply with the National Design Guide. This includes C3 and C4 Use Class developments, conversions and changes of use where planning permission is required.
- 3) New residential development should make the most efficient use of land, which may include conversion or change of use of existing buildings, new development and taking opportunities to use airspace above existing buildings where this would be consistent with policies of the Local Plan and would not compromise the quality of the environment and existing residential areas.
- 4) The Council will protect the character and residential amenity of existing areas of housing from forms of backland, infill or other forms of new residential development which are inappropriate for the area.
- 5) Development will be ~~supported~~ refused unless it can be demonstrated that the proposal will not result in harm to the character or amenities of an area including through:
 - a) Tandem development;

- b) Servicing by an awkward access drive which cannot easily be used by service vehicles;
- c) Unsafe or unsuitable access arrangements;
- d) The generation of excessive levels of traffic;
- e) Loss of residential amenity; or
- f) Layouts detrimental to the particular character of an area in terms of plot size, plot depth, building footprint, plot frontage width, frontage building line, height, gaps between buildings and streetscape features (e.g. hedges, walls, grass verges etc.).

- 6) The individual and cumulative effect of applications for development on the character of an area will be taken into account and piecemeal development will be resisted in favour of comprehensive proposals that properly address design requirements.
- 7) Major development will be required to provide a masterplan and should follow the principles of design and master-planning in accordance with the National Design Guide and National Model Design Codes.

Tall Buildings

- 8) The Council will ~~support~~ refuse proposals for tall buildings (buildings 4 or more storeys ~~or~~ above natural ground level, buildings higher than 12m above natural ground level or any building substantially taller than its neighbours) unless the following criteria are satisfied:
 - a) The location is sustainable and suitable for high density development;
 - b) The height is proportionate to the proposed location and size of site;
 - c) They will not have a negative impact on the general amenity of surrounding area businesses and spaces;
 - d) They reinforce or add positively to the surrounding scale and urban form of the area;
 - e) Consideration is given to how the building will affect important views to and from key areas of the District;
 - f) The building is of an exemplary architectural design and residential quality, maximising energy efficiency prioritising the use of sustainable materials and construction methods;
 - g) They provide appropriate levels of usable amenity space for future occupants;
 - h) They include sufficient parking for cars and cycles, in accordance with the Council's parking standards.

Subdivision of Dwellings

- 9) Subject to other development plan policies, proposals for the conversion of single dwellings into two or more units will generally be ~~acceptable~~ unacceptable, unless the following criteria are met:
- a) The building is suitable for conversion by reason of its size, shape and number of rooms. Normally, only dwellings with three or more bedrooms will be considered suitable for conversion;
 - b) The dwellings created are completely self-contained, with separate front doors either giving direct access to the dwelling, or a secure communal lobby or stairwell which itself has a secure entrance;
 - c) Adequate car parking, services and amenity space can be provided for each new unit in compliance with the Council's standards;
 - d) The character of the area and the residential amenity of immediate neighbours are protected; and
 - e) If conversion of semi-detached dwellings is proposed, generally this takes place in pairs in order that privacy and the amenities of the occupants of the adjoining dwelling are maintained.

Internal Space Standards

- 10) All residential development should meet or exceed the Technical Housing Standards as set out by the Department for Communities and Local Government (DCLG). Appropriate consideration should also be given to:
- a) Providing sufficient space for the general and specific storage needs of residents (including those with disabilities);
 - b) Floor layouts which provide for practical usable space and a good standard of amenity; and
 - c) The provision of rooms which are designed to function comfortably and efficiently for their intended purpose.

Amenity Standards

- 11) All development should meet the standards for the quantity and quality of amenity space as set out in Appendix X, unless a different approach is robustly justified (for example town centre development and development in close proximity to public open space).

Reasoned Justification

1.3 To deliver the step-change in housing required to meet needs in the area the preferred policy confirms that new development should make the most efficient use of land without compromising the quality of the environment and residential areas in line with the NPPF requirement that policies optimise use of land and seek a significant uplift in density in city and town centres and areas well served by public transport unless there are strong reasons why this would be inappropriate.

1.4 While there is a need to increase the density of development generally and encourage innovation in the delivery of new housing, it is also essential that new housing provided is of high quality and that the quality of the environment and existing residential areas is maintained or enhanced. The NPPF also acknowledges at paragraph 128(d) that development should take into account the desirability of maintaining an area's prevailing character and setting (including residential gardens), and at paragraph 72 that there may be a case for policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

1.5 Pressure for development including on garden land or for infill development can erode the particular character of an area or impact on the residential amenity of both existing and new occupants if not managed. However, taking a different approach to the established character of an area will not necessarily be harmful in all cases where it is informed by careful consideration for important elements of local character and the quality of the area.

1.6 In particular, proposals for tandem development (one or more dwellings directly behind one another on the same plot and sharing the same access) or backland development (one or more dwellings provided to the rear of existing buildings with no street frontage and generally accessed by a long driveway) need to be carefully considered as these can often be inappropriate.

1.7 The subdivision of existing dwellings can also contribute a source of new housing supply and these types of applications can be a satisfactory way of raising densities in low density areas close to local transport nodes and local services. Whether or not subdivision is acceptable will depend on the characteristics of the building and area, and the standard of accommodation that can be created.

1.8 Development should have regard to the most up-to-date and relevant version of the Secured by Design guidance in order to improve the security of buildings and their immediate surroundings to provide safe places to live, work and visit.

Internal Space Standards

1.9 Delivering high quality housing requires careful consideration for the provision of usable internal space, as well as providing access to a suitable quantity and quality of external amenity space to support quality of life for residents.

1.10 To provide for a suitable standard of accommodation, the Government has published nationally described space standards (NDSS) which set out optional requirements for the

floor area of new dwellings depending on the level of occupancy, as well as floor areas and dimensions for key parts of the home such as bedrooms, storage and floor to ceiling heights.

1.11 The NPPF sets out that Local Plans may make use of these NDSS where the need for an internal space standard can be justified. Monitoring information shows that 193 dwellings (25%) permitted in Three Rivers between April 2015 and March 2019 were smaller than the NDSS. This is a significant proportion and suggests that there is a clear need to apply the NDSS to new housing development in Three Rivers.

1.12 As such, requiring new development to generally accord with NDSS would provide for improvement to the quality of housing being delivered and resulting benefits for the general health and wellbeing of the community and a more flexible and adaptable housing stock better able to meet the needs of residents.

Tall Buildings

1.13 A tall building is defined as being 4 storeys or above or any building substantially taller than its neighbours.

1.14 In considering proposals for the erection of tall buildings, the following criteria will be taken into account:

- The character of the area;
- The relationship between an individual site and adjoining land and buildings;
- The context within which the proposal will sit;
- The design of the building; and
- The impact on long range views.

1.15 When considering tall buildings, an assessment of the appropriateness of the location will be made. Consideration will be given to whether the proposal will enhance the character of the area. The inter-relationship with existing buildings will also be an important factor in the assessment of the appropriateness of the location and proposal. Designs which are inappropriate in their context, or which fail to make good use of the opportunities for improving the character and quality of an area will be refused.

Amenity Space Standards

1.16 Similarly, ensuring that residents have access to a suitable quantity and quality of private or semi-private amenity space is important to provide for a good quality of life and the standards at Appendix X should be applied with consideration for the shape and utility of space provided to ensure that spaces offer good amenity.

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Appendix 2 - Chiltern Beechwoods Special Area of Conservation (SAC)

Chiltern Beechwoods Special Area of Conservation (SAC)

- 1) Development proposals which are likely to have a significant effect on the Chiltern Beechwoods Special Area of Conservation (SAC) will be subject to a Habitats Regulations Assessment (HRA). This includes:
 - a) where proposals are within the zone of influence of Chiltern Beechwoods Special Area of Conservation (SAC) and;
 - b) where proposals result in a net increase of 100 units or more
- 2) Where development proposals are subject to a HRA they will be required to deliver suitable mitigation and / or avoidance measures in order to address potential adverse effects arising from increased recreational disturbance. This includes provision, improvement and / or maintenance of Suitable Alternative Natural Greenspace (SANG) (or a suitable financial contribution towards the same).

Reasoned Justification

2.1 The Chiltern Beechwoods Special Area of Conservation includes 9 separate sites in the Chiltern Hills and spreads across 3 counties. The Special Area of Conservation is an internationally recognised designation with habitats and species of significant ecological importance.

2.2 As part of its emerging local plan, Dacorum Borough Council has found evidence of visitor pressure in Chiltern Beechwoods Special Area of Conservation as a result of additional residential development from within the zone of influence. The report identified a 12.6km Zone of Influence (ZOI). As a result, large developments in the ZOI will be required to produce a Habitat Regulations Assessment and may be required to provide mitigation measures.

2.3 A small part of Three Rivers falls within the ZOI. It was not included in the 'strategic solution' by Natural England as less than 2% of visitors to the SAC were from Three Rivers. However, the requirement to produce a Habitat Regulations Assessment applies to sites within the ZOI. The Council has set a threshold of 100 dwellings or more on the advice of Natural England.

2.4 As part of the Habitat Regulations Assessment, development proposals will be expected to deliver suitable mitigation and / or avoidance measures to address any adverse impact on the SAC. Mitigation measures include the provision of Suitable Alternative Natural Greenspace (SANG) of sufficient size/quality to divert visitors away from the Chiltern Beechwoods SAC and leading to a creation of a semi-natural experience. Any mitigation measures should take into account information in the most recent Mitigation Strategy. SANGs must also consist of adequate parking for visitors, unless the site is intended for local use (within 400m walk of developments linked to it); aim to enable completion of a

circular walk of 2.3 to 2.5km around the SANG; are designed to enhance safety perceptions by users; are free from tree and scrub cover along parts of the walking routes and must incorporate a semi-natural feel with little intrusion of artificial structures.

Appendix 3 - Heritage and the Historic Environment

Heritage and the Historic Environment

Protection and Enhancement

- 1) The historic environment will be preserved and enhanced in a manner appropriate to its significance. Development of the highest design quality that will sustain and, where appropriate, enhance the special interest, character and significance of the District’s heritage assets and their settings and that will make a positive contribution to local character and distinctiveness will be supported.
- 2) Protecting and enhancing the wide range of historic and cultural assets which contribute to the character and identity of the District is a priority including:
 - Designated heritage assets such as Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas, and the settings of these assets;
 - Non-Designated heritage assets such as Locally Important Buildings, unregistered historic parks and gardens, the Grand Union Canal, and archaeology, and the settings of these assets.
- 3) Opportunities to promote the historic environment as a key element of the vitality of the District, and to reduce the number of heritage assets at risk will be sought.
- 4) Initiatives and opportunities to mitigate the effects of climate change by seeking the reuse of historic buildings, and where appropriate, their modification to reduce carbon emissions and secure sustainable development will be supported where this would not harm the significance of the heritage asset, or its setting.

Designated Heritage Assets

- 5) Applications for development which could impact upon a designated heritage asset must be supported by a Heritage Statement which demonstrates a clear understanding of the significance of any relevant heritage assets and the contribution of their settings, details the likely impacts of the proposal on these assets and their significance and where relevant, explains how this significance has informed the proposals. Proposals on sites which include, or have the potential to include, archaeological interest should be accompanied by an appropriate desk-based assessment, and where necessary a field evaluation.
- 6) There is a presumption in favour of the retention and enhancement of heritage assets and putting heritage assets to viable and appropriate uses to secure their future protection. Applications will be supported where they sustain, preserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment.

- 7) The impact of development proposals on the significance of heritage assets and their settings will be considered in accordance with case law, legislation and the NPPF, as well as the criteria set out in this policy.
- 8) Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Development which results in substantial harm to or loss of Listed Buildings, registered parks or gardens, scheduled monuments, or other registered heritage assets, should be refused unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss.
- 9) Any change of use of a Listed Building should preserve or enhance its character as a building of special architectural or historic interest and its significance, and should ensure its continued use and viability.
- 10) Extensions or alterations to a Listed Building should not adversely affect its character as a building of special architectural or historic interest, its significance or its wider setting.
- 11) Listed Building Consent is required for demolition or for any alteration or extension to a Listed Building which could affect its character (interiors as well as exteriors) and for works to any fixtures and to buildings or structures within the curtilage of the building. Control over changes to Listed Buildings is not intended to prevent all alterations but to protect the buildings from unnecessary demolition and from unsuitable alterations which would be detrimental to the historical significance of the building.
- 12) Proposals should not cause unacceptable harm to registered historic parks or gardens, their settings or views into, out of, or within them. Proposals should seek to protect their character.
- 13) There is a presumption against any harm to Scheduled Monuments and heritage assets with archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments. Where the loss of the whole or a material part of a heritage asset's significance is justified, planning conditions will ensure that an adequate record is made of the significance of the heritage asset and this is published appropriately.

Conservation Areas

- 14) Within Conservation Areas, development will only be permitted if the proposal:
 - a) Is of a design and scale that preserves or enhances the character and appearance of the area;
 - b) Uses building materials, finishes, including those for features such as walls, railings, gates and hard surfacing, that are appropriate to the local context;

- c) Retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges;
 - d) Retains and restores, where relevant, traditional features such as shop fronts, walls, railings, paved surfaces and street furniture, and improves the condition of structures worthy of retention;
 - e) Does not harm important views into, out of or within the Conservation Area;
 - f) Protects trees, hedgerows and other significant landscape features and incorporates landscaping appropriate to the character and appearance of the Conservation Area.
- 15) Within Conservation Areas, permission for demolition or substantial demolition will only be granted if it can be demonstrated that:
- a) The structure to be demolished makes no contribution to the special character or appearance of the area, or;
 - b) It can be demonstrated that the structure is wholly beyond repair and incapable of beneficial use, or;
 - c) It can be demonstrated that the removal of the structure and its subsequent replacement with a new building and/or open space would lead to the enhancement of the Conservation Area.
- 16) Permission will not be granted for development outside but near to a Conservation Area if it adversely affects the setting, character, appearance of, or views into, out of or through that Conservation Area
- 17) Proposals including solutions to shop front security and/or use of standardised shop front designs, fascias or advertisement displays in a Conservation Area will only be supported if they:
- a) Are sympathetic to the character and appearance of the Conservation Area;
 - b) Respect the scale, proportions, character and materials of construction of the upper part of the building and adjoining buildings, and the street scene in general;
 - c) Incorporate traditional materials where the age and character of the building makes this appropriate.
 - d) Comply with the requirements set out in Policy X (Advertisements)
- 18) Totally internally illuminated fascias or projecting signs will generally be unacceptable. Applications for additional signs that would result in a proliferation of, or an excess amount of, advertisement material on any individual building or group of buildings will not be supported.

Non-Designated Heritage Assets

- 19) The retention of Locally Important Buildings and non-designated heritage assets identified in adopted Neighbourhood Plans is encouraged. Proposals affecting Locally Important Buildings should retain or enhance features of historic or architectural interest.

20) Where demolition is proposed, it should be demonstrated that all reasonable attempts have been made to retain all or part of the building and all alterations and extensions should enhance the building's character, setting and features and must not adversely affect the significance of the building.

21) Proposals should not cause unacceptable harm to unregistered historic parks or gardens of local significance, their settings or views into, out of, or within them. Proposals should seek to protect their character.

Reasoned Justification

3.1 Protection of the District's heritage is an important function of the Council, particularly through the determination of planning applications. This policy seeks to reflect national policy and includes clarification on what characteristics will be considered when determining development within the historic environment of Three Rivers.

3.2 The District's historic environment is not just important for its own sake, but contributes towards the high quality of environment in the District and is an important resource bringing social, cultural, economic and environmental benefits to the community.

3.3 The historic environment is a finite and non-renewable resource. Heritage assets and the historic environment will be protected from inappropriate development to sustain and where appropriate enhance their significance, including putting heritage assets into uses consistent with their conservation. The more significant the heritage asset, the greater the presumption for its conservation.

3.4 Within Three Rivers, heritage assets which make a positive contribution to the historic environment include:

- Designated heritage assets such as Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas, and the setting of these assets;
- Non-Designated heritage assets such as Locally Important Buildings, unregistered historic parks and gardens, the Grand Union Canal, and archaeology, and the setting of these assets.

3.5 The significance of a heritage asset is a result of the value of the asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting which is the surroundings in which a heritage asset is experienced. The extent of the setting of a heritage asset is not fixed and may change as the asset and its surroundings evolve. Elements of setting may make a positive or

negative contribution to the significance of an asset, may affect the ability to appreciate the significance of the asset or may be neutral.

3.6 The conservation and enhancement of heritage assets will be given weight appropriate to the significance of the asset. The Council will seek to identify heritage assets at the earliest opportunity within the decision making process.

3.7 Historic England’s annual Heritage at Risk Register includes buildings, places of worship, monuments, parks and gardens, Conservation Areas, battlefields and wreck sites that are listed and have been assessed and found to be at risk. However, Grade II Listed Buildings outside of London, other than places of worship are not included.

3.8 The Register records condition, occupancy and use, vulnerability, priority actions and trends in condition. The Register currently includes just one entry in Three Rivers at Langleybury House¹. It notes that proposals for repair are yet to be implemented, and while use of the buildings for filming helps to ensure their protection the implementation of a comprehensive scheme remains desirable.

3.9 While Historic England’s annual Heritage at Risk Register would only record a Grade II Listed Building in the District as at risk if it was a place of worship, there may be other Grade II Listed Buildings in the area which are at risk as a result of neglect, decay or inappropriate development or are vulnerable to becoming so.

Enabling Development

3.10 Enabling development refers to development which would usually be considered harmful but is considered acceptable because the resulting benefits outweigh the harm.

3.11 Where relevant, the Council will consider whether the benefits of a proposal for enabling development which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset would outweigh the disbenefits of departing from those policies.

3.12 Further guidance on ‘Enabling Development and the Conservation of Significant Places’ is available at www.historicengland.org.uk.

Listed Buildings

3.13 Proposals should conserve or enhance Listed Buildings within Three Rivers.

3.14 The Government’s List of Buildings of Special Architectural or Historic Interests contains over 352 entries relating to buildings within Three Rivers which form an integral part of the District’s historic landscape. These buildings/structures are nationally listed and include historic homes such as Moor Park Mansion and Hunton Park, public houses, ecclesiastical buildings, and structures such as telephone kiosks, statues, war memorials and bridges including the railway bridge in Railway Terrace, Kings Langley designed by Robert Stephenson for the London and Birmingham Railway Company.

¹ Historic England (2023) Heritage at Risk 2023 Registers <https://historicengland.org.uk/images-books/publications/har-2023-registers/ee-har-register2023/>

3.15 Listed Building Consent is required for demolition or for any alteration or extension to a Listed Building which could affect its character (interiors as well as exteriors) and for works to any fixtures and to buildings or structures within the curtilage of the building. Control over changes to Listed Buildings is not intended to prevent all alterations but to protect the buildings from unnecessary demolition and from unsuitable alterations which would be detrimental to the historical significance of the building.

3.16 All works to Listed Buildings must conserve or enhance these structures and their significance in accordance with national policy requirements.

Conservation Areas

3.17 In Three Rivers there are 22 Conservation Areas which make a very significant contribution to the character and distinctiveness of the District. These include the settlements around ancient commons such as Croxley Green, Chorleywood and Sarratt; the historic cores of the settlements of Rickmansworth and Abbots Langley; and distinctive areas of 19th and 20th century housing such as Loudwater, Moor Park and Heronsgate; the first Chartist settlement.

3.18 Conservation Areas are designated not on the basis of individual buildings but because of the special architectural or historic interest, quality of the area, its mix of uses, historic layout, characteristic materials, scale and detailing of open spaces. Designation also takes into account the need to protect trees, hedges, walls, railings and other characteristic features. Once designated, special attention must be paid in all planning decisions, to the desirability of preserving or enhancing its character and appearance.

3.19 Development within Conservation Areas should preserve or enhance their significance in accordance with national policy requirements and guidance on how significance will be considered can be found within this preferred policy.

3.20 The Council will continue with a programme of reviewing Conservation Area Appraisals which will assess the existing boundaries, character and important features of the District's Conservation Areas and develop Management Plans. These Appraisals and associated Management Plans will be used as a material consideration when assessing planning applications.

Locally Important Buildings

3.21 There are a large number of other buildings within the District that whilst not of sufficient quality or importance to be nationally listed, make a significant contribution to the local area in terms of their historical and/or architectural characteristics. Currently there are over 250 of these buildings on the Council's List of Locally Important Buildings. Many of these buildings were built in the nineteenth and twentieth Centuries, but all are considered an important part of the District's local heritage.

3.23 A list of Locally Important Buildings within Three Rivers can be found at:

<https://www.threerivers.gov.uk/egcl-page/locally-important-buildings>

Historic Parks and Gardens

3.24 Historic parks and gardens complement the historic buildings and landscapes of the District and are an important feature of the area. Some are listed on the Historic England Register of Parks and Gardens of Special Historic Interest. Within Three Rivers the grounds at Moor Park Mansion are listed as Grade II* because of their important contribution to the historic, recreational and conservation value of the landscape. Part of Cassiobury Park, which is a Grade II Listed Park, also extends into Three Rivers District.

3.25 In addition, there are other unregistered parks and gardens in the District of significance which include Rickmansworth Park, The Grove, Oxhey Grange, Sandy Lodge, Redheath, Micklefield Green and Chorleywood House. Although these currently fall below the threshold for inclusion in the Historic England Register, they are of importance locally and as such their character will be protected from harmful development.

Archaeology and Scheduled Monuments

3.26 There are 19 sites of known archaeological significance in the District and three Scheduled Monuments. Information and advice about these and other non-designated heritage assets with archaeological interest may be obtained from the historic Environment Unit of Hertfordshire County Council.

3.27 The Areas of Archaeological Significance are subject to regular revision, and the absence of designation should not be taken to mean that there is no archaeological potential.

3.28 Prospective developers should contact the County Council to obtain the most up-to-date information and establish whether there is potential archaeological interest and establish the need for investigation and evaluation at an early stage.

3.29 Proposals on sites which include, or have the potential to include, archaeological interest should be accompanied by an appropriate desk-based assessment, and where necessary a field evaluation.

3.30 The NPPF requires us to provide a positive strategy for the conservation and enjoyment of the historic environment and this policy aims to protect, conserve and enhance our historic environment and the heritage assets within it.

3.31 We will also:

- a) support proposals which conserve and enhance the historic environment
- b) carry out a programme of reviewing existing conservation areas and producing conservation area appraisals to identify what it is about the area that contributes to its significance as well as identifying and considering new areas for designation as conservation areas
- c) support proposals for heritage-led regeneration, ensuring that heritage assets are conserved, enhanced and secured for the future
- d) identify heritage assets that make an important contribution to the local character of the area and update our local list on a regular basis

- e) identify buildings that could be included on the national list and preparing reports to support new listings
- f) identify buildings that are falling into disrepair and work with owners to find new uses to ensure their continued beneficial use.

Appendix 4 - Advertisements

Advertisements

- 1) The display of advertisements must not compromise amenity and highway safety. The appropriate highways authority should be consulted on applications for advertisements close to the principal or Strategic Road Network.
- 2) Advertisements will only be permitted if the character or setting of an area or building would not be unduly affected due to inappropriate size, design, colour, or materials; taking into account cumulative impacts.
- 3) Advertisements and shop fronts must not contribute to excessive light pollution from flashing or illumination with impact on passers-by, highway users, nearby residential or wildlife habitats.
- 4) Advertisements should generally be located within the curtilage of the premises to which they relate or at the site access.
- 5) Advertisements, including shop fronts and displays must:
 - a) Be high quality in terms of visual appearance, and should not have flashing internal or external illumination;
 - b) Be sited to prevent visual intrusion by virtue of light pollution into adjoining sensitive land uses, including residential properties and wildlife habitats;
 - c) Not restrict pedestrian movements impact safety of pedestrians or road users;
 - d) Contribute to an attractive environment;
 - e) Not contribute to proliferation/clutter of signage in the vicinity; and
 - f) Respect local context, including listed buildings, Conservation Areas and other heritage assets

Reasoned Justification

4.1 The term 'advertisement' covers a very wide range of advertisements and signs, including hoardings, illumination of hoardings, illuminated fascia signs, free-standing display panels, and estate agent boards. Not all advertisements are regulated by the Council and others benefit from deemed consent, which means that permission is not needed; this will depend on the size, position and illumination of the advert.

4.2 The type of illuminated signs should be sympathetic to the design of the building on which it is located. The method of illumination (internal, external, lettering, neon etc) should be determined by the design of the building.

4.3 The quality and character of places can be affected where advertisements are poorly sited or designed and where consent is required, the Council can have regard to considerations of amenity and public safety, as well as the Control of Advertisements Regulations. The nature of material advertised is not a planning matter.

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Appendix 5 – Deliveries, Servicing and Construction

5.1 In addition to the specific requirements around the management of waste, arrangements for deliveries and servicing and for the management of construction can have a significant impact on the environment, both on a development site and in the surrounding area. Managing these impacts is important for the quality of life of communities and the amenity of the area.

Deliveries, Servicing and Construction	
1)	All development proposals must consider arrangements for deliveries, collections, and servicing and demonstrate that adequate provision can be made for future occupiers. Where possible, delivery and servicing arrangements should be accommodated off-street and the use of delivery and servicing bays should be strictly controlled.
2)	In all cases there should be no adverse impacts of deliveries, servicing or collections on the amenity of local residents and businesses including from vehicle noise or the size of vehicles.
3)	Proposals for development should demonstrate that delivery, servicing and emergency vehicles are able to enter and exit the site in forward gear and that the proposed arrangements will be safe and will not cause traffic obstruction or nuisance.
4)	Applications for major developments must demonstrate suitable provision for refuse and recycling collection, including details of storage and collection points and locations for vehicles to turn and wait.
5)	Delivery and Servicing Plans (DSPs) will be required for developments that by virtue of likely vehicle movements may impact on the operation of the public highway, private roads, the public realm and/or on the amenity of residents and businesses. The DSP should demonstrate how any potential impacts will be mitigated, and should seek to encourage use of low-emission vehicles and efficient and sustainable delivery systems which minimise motorised vehicle trips.
6)	Development proposals located close to Strategic Road Networks (SRNs) should be consulted with National Highways. Construction Management Plans (CMPs) will be required for development sites positioned close to SRNs, or which would place a sizeable amount of construction vehicles on the SRNs, any impacts arising from any disruptions during construction, traffic volume, composition or routing change and transport infrastructure modification should be fully assessed and reported.

Reasoned Justification

5.2 Delivery and servicing arrangements can have significant impacts on the quality of the environment and living and working conditions of an area and must be considered as an important part of proposals for new development.

5.3 This includes ensuring that there is adequate space and access within a site to accommodate requirements for storage and collection of waste and deliveries as well as managing associated vehicle movements so that these do not result in harm to the amenity of the area or any neighbouring occupiers. Where possible, delivery and servicing arrangements should be accommodated off-street, and the use of delivery and servicing bays provided should be strictly controlled.

5.4 It is proposed that, where relevant, applications for development should include details of:

- Delivery hours;
- Delivery frequency;
- Location of service bays;
- Size of servicing vehicles;
- Operation of servicing bays including swept path analysis

5.5 To help manage impacts over the lifetime of a development, it is proposed that Delivery and Servicing Plans (DSP's) will be required for some larger developments to demonstrate how any potential impacts will be mitigated.

5.6 Developments should adhere to best practice construction techniques to limit impacts on the environment, reduce noise and vibration from construction, and manage the transportation of construction waste and materials.

Appendix 6 - Ground Conditions, Contamination and Pollution

Ground Conditions, Contamination and Pollution

1) Development must not contribute to, be put at unacceptable risk from, or be adversely affected by unacceptable levels of ground, air, water, light or noise pollution, odour, vibration, disturbance or land instability.

Where mitigation measures are required to avoid unacceptable impacts, details of these should accompany a planning application and these must be capable of being implemented and permanently maintained. Measures to protect and enhance water quality are provided in Preferred Policy Option 15 Flood Risk and Water Resources.

2) Opportunities should be taken to improve local environmental conditions and/or to remediate or mitigate despoiled, degraded, derelict, contaminated or unstable land.

Ground Conditions

3) The Council will only grant planning permission for development on, or near to, former landfill sites or on land which is suspected to be contaminated or subject to land instability, where the Council is satisfied that:

- a) There will be no threat to future users or occupiers of the site or neighbouring land; and
- b) There will be no adverse impact on the quality of local groundwater or surface water quality.

Air Quality

4) Development will be permitted where it would not:

- a) Have an adverse impact on air pollution levels, particularly where it would adversely affect air quality in an Air Quality Management Area; or
- b) Give rise to, or be subject to unacceptable levels of air pollutants, odour or disturbance from existing pollutant sources.

Noise and Vibration

5) Development will be permitted where it would not:

- a) Have an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development, or give rise to unacceptable vibration impacts;
- b) Have an unacceptable adverse impact on countryside areas of tranquillity which are important for wildlife and countryside recreation; or
- c) Be subject to unacceptable noise or vibration levels or disturbance from existing noise or vibration sources whether irregular or not.

6) Noise or vibration from proposed commercial, industrial, recreational or transport use should not cause any significant increase in the background noise or vibration level of nearby existing noise-sensitive premises such as dwellings, hospitals, residential institutions, nursing homes, hotels, guesthouses, schools and other educational establishments.

7) Proposals which have the potential to cause or exacerbate noise and vibration impacts on land uses or occupiers in the locality, or which may be affected by existing sources of noise or vibration, must fully assess such impacts.

Lighting

- 8) Development proposals which include external lighting should ensure that:
- a) Proposed lighting schemes are at least the minimum required for public safety and security and lighting should seek to improve public safety and reduce crime;
 - b) There are no unacceptable adverse impacts on neighbouring or nearby properties;
 - c) There is no unacceptable adverse impact on the surrounding countryside;
 - d) There is no dazzling or distraction to road users including cyclists, equestrians and pedestrians;
 - e) All adopted and non-adopted road and footway lighting meets the County Council's adopted standard;
 - f) There is no unacceptable adverse impact on wildlife, habitats or habitat features;
 - g) Domestic light pollution will be minimised to the lowest possible extent by following the latest guidance of the Institute of Lighting Professionals as per Guidance Note 9/19; and
 - h) Appropriate technologies will be used to minimise the energy usage required and carbon generated. This may include the energy source, bulb, daylight or movement sensors, or timers and hours of illumination shall be controlled.

Reasoned Justification

6.1 It is important that a site is suitable for its proposed use taking account of ground conditions, including land instability and contamination.

6.2 To protect the environment and quality of life it is also important that existing or new development is not adversely affected by or put at unacceptable risk from unacceptable levels of ground, air, water or noise pollution.

6.3 The District enjoys a generally high environmental standard. However, the minimisation of pollution and contamination remains a key local priority. We will therefore consider the possible polluting effects of a development proposal on aspects such as amenity and surrounding land-uses, and will take account of the agent of change principle

6.4 Where possible, we will require development proposals to take opportunities to improve local environmental conditions and to remediate or mitigate despoiled, degraded, derelict, contaminated or unstable land.

Pollution

6.5 Pollution can be in many forms and may include emissions to land, air or water including noise, light, vibration, smell, smoke and fumes, soot, ash, dust or grit which has a damaging effect on the environment and the public's enjoyment, health or amenity. The planning system has an important role to play in protecting the environment, biodiversity, local residents, businesses and the public in general from all forms of development that could give rise to pollution.

6.6 While in many cases pollution control regimes are governed by legislation outside of the planning process, the NPPF emphasises that planning policies and decisions should contribute to and enhance the natural environment which includes consideration for pollution, land instability and contamination.

6.7 As part of this role, both existing and new development, including changes of use, should be protected from unacceptable levels of pollution or instability as required by this preferred policy. Measures to protect and enhance water quality are provided in Preferred Policy Option 15 (Flood Risk and Water Resources).

Ground Conditions

6.8 The Spatial Strategy for the District prioritises the use of previously developed brownfield land to deliver the growth needed in the District. However, the risk of pollution arising from contamination and the impact on human health, property and the wider environment also needs to be considered.

6.9 The Council maintains a register of contaminated land. The information stored on the formal register is that relating to regulatory action and remediation that has been undertaken at sites within the District. There are currently no sites listed on the Council's Contaminated Land Register.

6.10 Contamination is more likely to arise in former industrial areas but cannot be ruled out in other locations, including in the countryside. Some areas may be affected by the natural or background occurrence of potentially hazardous substances, such as radon, methane or elevated concentrations of metallic elements.

6.11 Land instability may also affect the suitability of a site to accommodate development, and proposals will need to demonstrate that any such sites are, or can be made safe.

6.12 Whether contamination or land instability affects a particular site can only be identified through a specific investigation. To establish the risks possessed by a site, it is necessary for applicants to use a competent and suitably experienced consultant to investigate and, where necessary, remediate contamination to mitigate the risk in accordance with best practice guidance.

6.13 Where an application relates to contaminated land or land which is suspected to be contaminated, applicants will need to submit details of an investigation of the site detailing any remedial measures that need to be carried out. The approved remedial measures will be secured through the use of planning conditions.

Air Quality

6.14 Air pollutants (including dust and odour) have been shown to have an adverse effect on health and the environment, and the 2008 Ambient Air Quality Directive sets legally binding limits for concentrations in outdoor air of major air pollutants that impact public health such as particulate matter (PM10 and PM2.5) and nitrogen dioxide (NO2).

6.15 The Council is also required to carry out a review and assessment of air quality across the District. This involves measuring air pollution and trying to predict how it will change in the next few years. The aim of the review is to make sure that the national air quality objectives are achieved by the relevant deadlines. These objectives have been put into place to protect public health and the environment. In locations where the objectives are not likely to be achieved, the Council will designate an Air Quality Management Area and will put together a plan to improve the air quality through a Local Air Quality Action Plan.

6.16 There are currently two Air Quality Management Areas (AQMA) within the District. The Chorleywood NO₂ AQMA covers an area along the M25 south of Junction 18 to just north of where the motorway crosses the River Chess. The Chorleywood PM₁₀ AQMA is a slightly narrower area from just north of Junction 18, along the M25 to just north of where the motorway crosses the River Chess.

6.17 However, to ensure that objectives can continue to be met in future and to secure improvements in air quality, emissions arising from any development including indirect emissions, such as those attributable to associated traffic generation, must therefore be considered in determining planning applications. Developments sensitive to air pollutants should also be located where future occupiers would not be subject to unacceptable levels of air pollutants from existing sources.

6.18 Applicants for development should have regard to any emissions arising from the proposed use/development and seek to minimise those emissions to control any risks arising and prevent any adverse impact on local amenity. Environmental Health will be consulted on applications which may affect air quality.

6.19 Proposals that can raise issues of odour emissions, for example extraction systems for restaurants/takeaways, must be accompanied by details of the equipment to be installed including any odour abatement measures.

6.20 Where significant increases in emissions covered by the nationally prescribed air quality objectives are proposed, the applicant will need to assess the impact on local air quality by undertaking an appropriate modelling exercise to show that the national objectives will still be achieved.

Noise and Vibration

6.21 To support the health and quality of life of the community, it is important to ensure noise-sensitive developments are located away from existing sources of significant noise and that potentially noisy developments are located in areas where noise or vibrations will not give rise to adverse impacts on surrounding occupiers or the environment, or where impacts can be minimised and mitigated.

6.22 In considering noise and vibration impacts, the Council will have regard to the National Planning Practice Guidance and Explanatory Note of the Noise Policy Statement for England.

6.23 Where proposals may create or be subject to noise and/or vibration, applications will need to be supported by a noise and vibration assessment to consider impacts and any resulting requirement for mitigation. The scheme should aim to design out the exposure of noise-sensitive receptors to strategic traffic, using either or a combination of a landscape buffer and acoustic bund designed to shield the settlement from motorway noise. In accordance with the DfT Circular 02/2013 Annex A A1, all noise fences, screening and other structures must be erected on site, and far enough to enable maintenance to take place without encroachment onto highway land.

6.24 Proposals that can raise issues of noise, for example extraction systems for restaurants/takeaways, must be accompanied by details of the equipment to be installed including any noise abatement measures.

6.25 Necessary mitigation measures will need to be implemented and maintained in the long term and will be secured by condition.

Lighting

6.26 In common with all other built-up areas, artificial lighting is essential for safety and security within the District. There may also be some opportunities to add to the amenity of the built environment by highlighting buildings and open spaces of character. However, it is important to avoid insensitive lighting (light pollution) which can have a negative effect on the amenity of surrounding areas and have a negative impact on biodiversity by influencing plant and animal activity patterns. In particular, light pollution can be harmful to birds, bats, and other nocturnal species that avoid overly lit areas.

6.27 Under the agent of change principle, if new development or uses are to be introduced near a pre-existing business, such as a live music venue, or sports facility it is the responsibility of the developer to ensure solutions to address and mitigate noise and/or light are put forward as part of proposals.

6.28 Proposals incorporating new lighting may require a Lighting Impact Assessment to consider potential for impacts and any measures to mitigate these. Necessary mitigation measures will be secured by condition.

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Appendix 7 - Northwood Headquarters (MOD)

Northwood Headquarters (MOD)

- 1) New development at Northwood Headquarters that helps to enhance or sustain its operational capability will be supported.
- 2) Redevelopment, conversion and change of use of redundant MOD sites and buildings will be supported.
- 3) Non-military or non-defence related development within or in the areas around the Northwood Headquarters site will not be supported where it would adversely affect military operations or capability, unless the effect can be suitably mitigated against or it can be demonstrated that there is no longer a defence or military need for the site.

Reasoned Justification

7.1 National planning policy requires planning policies to take into account defence requirements by recognising and supporting development required for operational defence and security purposes and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.

7.2 Northwood Headquarters is the UK's principal military HQ site for 2,000 personnel. It is home to 5 Operational HQs and HMS Wildfire which is a reserve unit of the Royal Navy. It is identified as a significant defence asset where additional development is envisaged to support National Security needs.

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Appendix 8 - Green Belt

8.1 Green Belt designation covers approximately 77% of the area of Three Rivers. The fundamental aim of the Green Belt is to prevent urban sprawl and coalescence of settlements by keeping land permanently open. As set out in the National Planning Policy Framework, the Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

8.2 Within the Green Belt, there is a general presumption against inappropriate development which should not be approved except in very special circumstances.

8.3 Protection of the Green Belt and open countryside is a key objective of the Three Rivers Local Plan. However, the Green Belt boundary is tightly drawn around urban areas, and local evidence (including the Urban Capacity Study 2020) has demonstrated that future development needs cannot be accommodated entirely within the urban area. Paragraph 145 of the NPPF sets out that once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process. The Council has considered alternative options for meeting its identified housing need through prioritising development on suitable brownfield sites, optimising the density of development and through discussions with neighbouring authorities in accordance with Paragraph 146 of the NPPF. As such, the Council considers that the exceptional circumstances for alterations to Green Belt boundaries have been met. Additionally, the Council's Local Housing Needs Assessment (2024) analyses the needs for different types and tenures of housing, highlighting an acute need for affordable housing across the District. This need, together with the needs for future generations, accommodation for other demographic groups such as the elderly and the delivery of much needed infrastructure, is considered to further constitute the exceptional circumstances required for alteration of Green Belt boundaries.

8.4 While the main focus for development in the District will be the main urban areas, there is also a need for some minor adjustments to the Green Belt boundary to accommodate growth in the most sustainable locations on the edge of existing settlements. Boundary changes are expected to provide land for housing and employment development and may also provide land for school sites and other infrastructure.

Green Belt

- 1) The revised Green Belt Boundary is shown on the Policies Map.
- 2) The Council will seek to protect the Three Rivers' Metropolitan Green Belt against inappropriate development, as defined by national policy.
- 3) Inappropriate development will not be permitted in the Green Belt, unless very special circumstances are demonstrated to outweigh the potential harm, including harm to the openness of the Green Belt and any other harm and the purposes of including land within it.
- 4) Development proposals, including those involving previously developed land and buildings in the Green Belt, will be considered in accordance with relevant national planning policy and more detailed provisions below.
- 5) Measures to improve public access to the Green Belt, and to enhance landscapes, visual amenity and biodiversity will be encouraged.
- 6) Exceptions to the definition of inappropriate development are set out in national policy and those further exceptions set out in Appendix X will be permitted where they comply with other relevant policies in this plan.
- 7) Guidance on the factors that will be considered in assessing applications for agricultural or forestry dwellings in the Green Belt is contained in Appendix X.

Reasoned Justification:

8.5 The Metropolitan Green Belt is a long-standing instrument of national and regional planning policy. Whilst much guidance is provided in national policy, Policy X and Appendix X supplements this with other relevant local criteria and seek to provide the context for protecting the Green Belt in Three Rivers and ensures that development does not harm the Green Belt.

Appendix 9 – Development in the Green Belt

Agricultural and Forestry Dwellings

9.1 The NPPF sets out that buildings for agriculture or forestry may be an exception to inappropriate development in the Green Belt. However, it is important that any such buildings, and in particular dwellings, are demonstrably required **for** the purposes of agriculture or forestry.

9.2 There may be occasion where new residential development can be justified when accommodation is required to enable agricultural, forestry and certain other full-time workers to live at, or in the immediate vicinity of, their place of work. It will often be as convenient and more sustainable for such workers to live in nearby towns or villages, or suitable existing dwellings, so avoiding new and potentially intrusive development in the Green Belt. However, there will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close to, the site of their work. Whether this is essential in any particular case will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals involved.

9.3 It is essential that all applications for planning permission for new dwellings in the Green Belt are scrutinised thoroughly with the aim of detecting attempts to abuse (e.g. through speculative proposals) the planning system. In particular, it will be important to establish whether the stated intentions to engage in farming, forestry or any other rural-based enterprise, are genuine, are reasonably likely to materialise and are capable of being sustained for a reasonable period of time. It will also be important to establish that the needs of the intended enterprise require one or more of the people engaged in it to live nearby.

Permanent Agricultural Dwellings

9.4 New permanent dwellings will only be allowed to support existing agricultural activities on well-established agricultural units, providing:

- a) There is a clearly established existing functional need;
- b) The need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;
- c) The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;

- d) The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation which is suitable and available for occupation by the workers concerned; and
- e) Other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.

9.5 A functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night:

- In case animals or agricultural processes require essential care at short notice;
- To deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems.

9.6 In cases where we are particularly concerned about possible abuse, we will investigate the history of the holding to establish the recent pattern of use of land and buildings and whether, for example, any dwellings, or buildings suitable for conversion to dwellings, have recently been sold separately from the farmland concerned. Such a sale could constitute evidence of lack of agricultural need.

9.7 The protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new agricultural dwelling, although it will not by itself be sufficient to justify one. Requirements arising from food processing, as opposed to agriculture, cannot be used to justify an agricultural dwelling. Nor can agricultural needs justify the provision of isolated new dwellings as retirement homes for farmers.

9.8 If a functional requirement is established, it will then be necessary to consider the number of workers needed to meet it, for which the scale and nature of the enterprise will be relevant.

9.9 New permanent accommodation cannot be justified on agricultural grounds unless the farming enterprise is economically viable. A financial test is necessary for this purpose, and to provide evidence of the size of dwelling which the unit can sustain. In applying this test, we will take a realistic approach to the level of profitability, taking account of the nature of the enterprise concerned. Some enterprises which aim to operate broadly on a subsistence basis, but which nonetheless provide wider benefits (e.g. in managing attractive landscapes or wildlife habitats), can be sustained on relatively low financial returns.

9.10 Agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long-term, will not be permitted. It is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of dwelling that is appropriate to a particular holding.

9.11 We will consider making planning permissions subject to conditions removing some of the permitted development rights under Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for development within the curtilage of a dwelling house. For example, proposed extensions could result in a dwelling whose size exceeded what could be justified by the functional requirement, and affect the continued viability of maintaining the property for its intended use, given the income that the agricultural unit can sustain.

9.12 Agricultural dwellings should be sited so as to meet the identified functional need and to be well-related to existing farm buildings, or other dwellings.

Temporary Agricultural Dwellings

9.13 If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria:

- a) Clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);
- b) Functional need;
- c) Clear evidence that the proposed enterprise has been planned on a sound financial basis;
- d) The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- e) Other normal planning requirements, e.g. on siting and access, are satisfied.

9.14 If permission for temporary accommodation is granted, permission for a permanent dwelling will not subsequently be given unless the criteria in **paragraph x** above are met. We will make clear the period for which the temporary permission is granted, the fact that the temporary dwelling will have to be removed, and the requirements that will have to be met if a permanent permission is to be granted. We will not normally grant successive

extensions to a temporary permission over a period of more than three years, nor give temporary permissions in locations where we would not permit a permanent dwelling.

Forestry Dwellings

9.15 The Council will apply the same criteria to applications for forestry dwellings as to those for agricultural dwellings. The other principles in the advice on agricultural dwellings are equally relevant to forestry dwellings. Under conventional methods of forestry management, which can involve the use of a peripatetic workforce, new forestry dwellings may not always be justified, except perhaps to service intensive nursery production of trees.

Occupancy Conditions

9.16 Where the need to provide accommodation to enable farm, forestry or other workers to live at or near their place of work has been accepted as providing the special justification required for new, isolated residential development in the Green Belt it will be necessary to ensure that the dwellings are kept available for meeting this need for as long as it exists. For this purpose, planning permission will be made subject to appropriate occupancy conditions.

Extensions and Alterations to Buildings in the Green Belt

9.17 Paragraph 154 of the NPPF sets out that the construction of new buildings is inappropriate in the Green Belt. However exceptions to this include:

- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; and
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

9.18 The NPPF does not define the terms ‘disproportionate’ or ‘materially larger’. However, ‘original building’ is defined as:

A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

9.19 Further guidance on what will be considered ‘disproportionate’ (in the case of extensions) or ‘materially larger’ (in the case of replacement buildings) and how the impact of such development on the openness of the Green Belt will be considered is set out below.

Extensions to Buildings

9.20 Applications for extensions or alterations to buildings in the Green Belt will normally be unacceptable where this would result in disproportionate additions over the size of the original building, or harm to the openness of the Green Belt. Applications for residential extensions in the Metropolitan Green Belt will normally be unacceptable unless both the openness of Green Belt and percentage increase in original floorspace criteria (as set out below) are satisfied and are in accordance with the guidance noted in Appendix X. The position, volume, and height of the proposal are also material considerations in assessing whether the proposal would result in disproportionate additions to the original building.

Disproportionate Additions

9.21 The position, volume and height of the proposal are material considerations in assessing proportionality. In terms of floor space, extensions or alterations resulting in a cumulative increase in floorspace (measured externally) of more than 40% over the original building will normally be considered disproportionate with the following exceptions:

- a) Dormer windows (where proportionate to the existing building)
- b) Ground floor extensions of modest size compared to the building and site.
- c) 'In-fill' extensions which do not increase the apparent bulk of the building.

9.22 The bulk and massing of an extension or alteration, including the roof form, will also be considered against the scale of the original building.

9.23 When determining the floorspace increase, all previous additions to the original building (defined in the NPPF as a building as it existed on 1 July 1948, or if constructed after 1 July 1948, as it was built originally) including outbuildings within close proximity of a building will be taken into account, regardless of whether these were implemented by the current owner or through the exercise of permitted development rights. The cumulative total of floorspace increase will therefore take into account previous extensions and alterations.

9.24 For the purposes of Green Belt policy, a residential outbuilding will be classed as an extension providing it is located within close proximity of the main dwellinghouse on the site. In these circumstances the outbuilding will count towards the total floorspace of the dwelling and any proposed extension or alteration should not result in an increase in the floorspace of more than 40% of the original building. Similarly, the floorspace of existing outbuildings within the curtilage of a dwelling that may be proposed to be removed will not be taken into account in assessing the percentage increase in floorspace unless they were built at the same time as the original dwelling and are within close proximity of the dwelling.

9.25 Proposals to demolish redundant formerly non-residential outbuildings now lying within a defined residential curtilage which detract from the appearance of the area will be treated on their own merits. It will not normally be acceptable for the floorspace of extensions or alterations to the host building to approach the level of the outbuilding(s) to be removed, and permitted development rights for future outbuildings will generally be removed.

9.26 Small dwellings (defined as 110sqm floorspace measured externally or less) with limited basic amenities may be allowed larger extensions to allow upgrading to contemporary living standards.

9.27 Applications for basement extensions will be subject to the same criteria as above ground extensions.

Openness of Green Belt

9.28 Side extensions should not significantly extend the width of the original building or in any other way make the building more prominent by virtue of its bulk and/or design. Rear extensions will normally be viewed more favourably than side extensions.

9.29 Dormer windows proportionate to the existing building will not normally be viewed as adversely affecting the openness of the Green Belt.

9.30 Increases in ridge height, apparent bulk of roof and/or replacement of a storey at least partially contained in the existing roof, by a full storey will normally be considered to adversely affect the openness of the Green Belt.

Replacement Buildings

9.31 Applications for replacement buildings in the Green Belt will normally be unacceptable where the replacement would be materially larger than the existing building on the site or would result in harm to the openness of the Green Belt.

Material Increase

9.32 When considering whether a replacement building is materially larger than the one it replaces, the baseline will be the existing building.

9.33 The floorspace of existing outbuildings within the curtilage of a building will not be taken into account in assessing the size of the existing building unless they are located within close proximity to the building.

9.34 The assessment of whether a replacement building is materially larger than the one it replaces will be by reference to size. The physical dimension most relevant for the purposes of assessing relative size of buildings will depend on the circumstances of the case.

9.35 Depending on the facts of the case the assessment of whether a replacement building is materially larger may take into account measures including floorspace, volume, footprint, height, width and depth and will include consideration of any proposed basement levels.

9.36 Where an existing dwelling has a floor area (measured externally) of less than 110sqm then the replacement dwelling may be of a total floorspace (excluding garage) of 110sqm.

Openness of Green Belt

9.37 The impact of replacement buildings on the openness of the Green Belt will be considered in relation to the design, siting within the plot and general location of the proposed building.

9.38 If a replacement building is proposed in a different location to the existing, it will be necessary to demonstrate that there is no increase in the overall visual impact of the building in the landscape. A scheme of remediation of the original house site will also be required and will be linked by condition or legal agreement to any replacement building.

9.39 Permitted development rights for extensions and outbuildings may be removed from replacement buildings in the Green Belt to prevent future additions that may cumulatively impact on openness of the Green Belt.

Re-Use and conversion of Buildings in the Green Belt

9.40 The re-use and conversion of buildings in the Green Belt will only be supported where this would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it, and where:

- a) The building is of permanent and substantial construction and is suitable for reuse/conversion without extensive alteration, rebuilding and or extension;
- b) The form, scale and general design of the building is in keeping with the surroundings and the proposals would not have a significant adverse effect on the openness of the Green Belt or appear excessively prominent, including as a consequence of any alterations/extensions;
- c) Any change of use of associated land does not include open or agricultural land to provide new gardens/amenity space or include doors giving access from buildings directly onto such land. Any associated parking/turning areas or modifications to access or landscaping would

preserve the openness of the Green Belt and would not conflict with the purposes of including land within it.

Ancillary Buildings

9.41 The Council will only support the provision of ancillary buildings in the Green Belt where it can be demonstrated that the development would:

- i) have an ancillary function
- ii) be of a scale and design clearly subordinate to the primary building on site and of a height and bulk such that the building would not have an adverse effect on the visual openness of the Green Belt.
- iii) be sited in an appropriate location that would not be prominent in the landscape and would not result in the spread of urbanising development.
- iv) avoid features normally associated with the use of a building as a dwelling such as dormer windows.

Change of Use of Land and Extensions to Residential Curtilage

9.42 Material changes in the use of land will only be supported where this would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it.

9.43 The Council will safeguard the Green Belt from encroachment, therefore proposals which include the extension of the curtilage of a property into the Green Belt which result in a net reduction in open Green Belt land will not be supported.

Other Development

9.44 Any enclosure (including gates, walls, fences etc), hardstanding and new accesses must be appropriate to its location in terms of scale, siting, design and materials and where necessary to be supplemented by soft landscaping.

Appendix 10 - Provision for Gypsies, Travellers and Travelling Showpeople

10.1 Gypsies, Travellers and Travelling Showpeople have particular accommodation needs that require additional consideration. To ensure that members of these communities are able to access decent and appropriate housing with access to services including health and education, the Council must make provision for accommodation to meet identified needs.

10.2 The Council will seek to meet identified needs on suitable sites in sustainable locations and to maintain a five year supply of deliverable pitches/plots taking into account the findings of the Council's Gypsy and Traveller Accommodation Assessment (2024) and any subsequent updates. All the identified Gypsy, Traveller and Travelling Showpeople Sites within the District will be 'safeguarded' to ensure that the permitted use as a traveller site is not lost through the grant of any subsequent planning permission whilst there remains a need for sites.

Provision for Gypsies, Travellers and Travelling Showpeople

- 1) When allocating sites or considering planning applications for sites for Gypsies and Travellers or Travelling Showpeople, a criteria based approach will be used. The following criteria will be taken into account:
 - a) Avoid areas at risk from all sources of flooding
 - b) Avoid causing an adverse impact on areas of recognised wildlife, heritage or landscape importance, and on the openness of the Green Belt;
 - c) Be in or near existing settlements with access by foot and/ or public transport to local services, including shops, schools and healthcare;
 - d) Be well located to the highway network, with safe and convenient vehicular and pedestrian access to the site;
 - e) Provide adequate on-site facilities for parking, storage, play and residential amenity;
 - f) Provide adequate levels of privacy and residential amenities for occupiers and not be detrimental to the amenities of nearby occupiers; and
 - g) The circumstances of the applicant and their need for pitches on the application site.
- 2) Existing Gypsy, Traveller and Travelling Showpeople sites will be safeguarded unless there is robust and justified evidence that there is no longer a need for their retention.

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APPENDIX 11 - GREEN AND BLUE INFRASTRUCTURE

11.1 Green Infrastructure is defined by national policy 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.

11.2 The high-level green and blue infrastructure network for Three Rivers includes key landscape features, strategic wildlife corridors and areas of high biodiversity. Key elements are chalk streams and river valleys, wetland and grazed pastures, dry chalk valleys and chalk landforms, woodlands and ancient woodlands, historic parklands and designed landscapes and farmland. The District has a number of strategically significant and historic green infrastructure assets, such as the corridors along the River Chess, Colne and Gade, and the Grand Union Canal. It also has a network of public access routes enabling people to reach these areas. Safeguarding and enhancing the highly attractive and diverse environment is therefore a key objective.

11.3 Agriculture, horticulture and forestry are traditional, land-based businesses which are still present in the District and continue to contribute to its rural economy. Appropriate and well-designed farming and forestry development (e.g. grazing, coppicing, nature reserves) supports farming and countryside practices that enhance wider biodiversity and landscape quality by supporting economically and socially valuable activities. This ensures that the District’s existing land-based business sector continues to flourish, while simultaneously ensuring that the District’s landscape is protected.

11.4 This policy demonstrates the Council’s commitment to conserve and enhance the District’s Green and Blue Infrastructure, which will help to improve the District’s Green and Blue Infrastructure network and ensure its multi-functional benefits are achieved. The conservation and enhancement of the Green and Blue Infrastructure network will help to enhance biodiversity resources, support healthy lifestyles, minimise flood risk and mitigate against pollution.

Green and Blue Infrastructure
<ol style="list-style-type: none"> 1) The Council will seek a net gain in the quality and quantity of Green and blue Infrastructure, through the protection and enhancement of assets and the provision of new green spaces: 2) Where land is provided or identified for Green and Blue Infrastructure purposes as part of a development proposal: <ol style="list-style-type: none"> a) Applicants will be required to provide appropriate land management and maintenance plans. b) Stewardship plans and funding arrangements will also be required on major developments or ecologically sensitive sites (where appropriate).

- 3) Priorities for Green and Blue Infrastructure focus on conserving and enhancing the following key assets and the linkages between them:
 - a) the corridors of the Rivers Chess, Colne and Gade and the Grand Union Canal;
 - b) the Chilterns National Landscape
 - c) the Colne Valley Regional Park;
 - d) the District's Sites of Special Scientific Interest, Local Nature Reserves, Local Wildlife Sites, key biodiversity habitats, species and areas identified in the Hertfordshire Biodiversity Action Plan, allocated open spaces and heritage assets and landscape character within areas of Green Infrastructure.
- 4) The Council will require new development to contribute to the delivery of new Green and Blue Infrastructure, that is safe and accessible where appropriate, and to the management of a linked network of new and enhanced open spaces and corridors, addressing deficiencies in quantity, quality and access across the District.
- 5) Development proposals should improve connectivity between key assets in the Green and Blue Infrastructure network through the establishment of linked and coherent networks and corridors of green spaces. The Council will work with developers and other partners to facilitate the delivery of projects and programmes set out in the Hertfordshire County Council Green Infrastructure Strategy and other relevant strategies (taking account of the priorities identified in the latest audits and future management/maintenance arrangements).
- 6) Public Rights of Way and other sustainable transport links between spaces in the Green Infrastructure network should be protected and enhanced through development proposals, where appropriate buffers of at least 20m around Rights of Way should be incorporated into masterplans where possible. Diversions of Public Rights of Way will only be appropriate where an alternative route of equal or improved character, amenity, safety, directness and convenience is provided.
- 7) Development will not compromise the integrity of the Green Infrastructure network, by causing fragmentation, damage to, or isolation of Green Infrastructure assets including natural habitats and species.

Reasoned Justification

11.5 Green and Blue Infrastructure is essential to the success of the District, given its multi-functional benefits, including the promotion of health and wellbeing through opportunities for recreation, exercise and social interaction, mitigation against climate change and flooding, enables natural flood control; and the conservation and enhancement of biodiversity enables land management and connectivity between sites and facilitates biodiversity net gain.

11.6 The key Green and Blue Infrastructure assets in Three Rivers include (but not limited to):

- the corridors of the Rivers Chess, Colne and Gade and the Grand Union Canal;
- the Chilterns National Landscape;
- the District's Sites of Special Scientific Interest, Local Nature Reserves, Wildlife Sites, key biodiversity areas and priority habitats and species identified by the Hertfordshire Biodiversity Action Plan and Local Nature Recovery Strategy (once published); and
- The Colne Valley Regional Park.
- Rickmansworth Aquadrome (including lakes)

11.7 These form the strategic Green Infrastructure assets within the District into which other assets link through the identified Green Infrastructure corridors, however, these are not the only important elements for Green Infrastructure within and around the District. Open spaces, woodlands, parks and gardens, allotments, amenity greenspace and other spaces may also be important. Green and Blue Infrastructure should seek contribute to the Local Nature Recovery Strategy (where appropriate).

11.8 Public Rights of Way provide valuable footpath, cycle and bridleway routes within the urban area and out into the countryside. During the 2020/21 coronavirus pandemic the value of Rights of Way became even more important, providing an extensive network for access and recreation within the countryside. Any new development should take into account the importance of the Public Rights of Way running through the site and development should incorporate an appropriate buffer to enhance the existing Rights of Way. Given its importance to the District, it will be vital that all new developments protect existing and incorporate new green infrastructure wherever possible.

11.9 Green Infrastructure provision should be made safe and accessible (where appropriate) and new or improved active travel routes which connect people to green infrastructure should also be provided where possible in accordance with the Sustainable Transport Policy. These measures will help to ensure that the multi-functional uses of green and blue infrastructure are maximised and that that all parts of the District benefit from high quality and accessible green infrastructure.

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Appendix 12 - Housing Density

12.1 The NPPF highlights that plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. Given the constrained supply of available land to meet needs for growth in Three Rivers, it is particularly important that all new housing comes forward at a density which makes efficient use of land, and that the Local Plan secures an uplift in the average density of residential density where appropriate in accordance with other policies in the Local Plan.

Housing Density

- 1) The Council will promote high quality residential development that respects the character of the District and the area of the proposed development and caters for a range of housing needs. Development should make the most efficient use of land, without compromising the quality of the environment or existing residential areas.
- 2) New housing should be provided at a target density responding to the site, its context and the housing need, with densities normally 50 dwellings per hectare within the developable area. In areas well served by public transport, services and facilities higher densities will be expected.
- 3) There may be occasions where a lower density of development would be appropriate with regard to a site and its context; for example within an area of special historic or landscape value, or specialist forms of accommodation. Any proposals for development at a density below the target levels above should include supporting information to justify the proposed approach.
- 4) Generally, densities should be lower within the edges of the site, with an increase in density towards the centre of the site.

Reasoned Justification

12.2 Monitoring data shows that past housing completions in Three Rivers have been delivered at a range of densities. Average densities have varied year to year depending on the nature of the schemes which have come forward within that year, with some years showing a high proportion of completions at less than 30 dwellings per hectare and other years showing a high proportion of completions of 30-50 or over 50 dwellings per hectare.

12.3 The existing built up areas of the District have a varied character, including as a consequence of the density of development. For example, within Rickmansworth Town Centre, residential densities are approximately 52 dwellings per hectare, while in Chorleywood densities are approximately 18 dwellings per hectare.

12.4 Whilst it is important to make more efficient use of land, particularly to reduce pressure on greenfield and/or Green Belt sites, this should not compromise the quality of the environment and existing residential areas in Three Rivers, some of which may fall within areas of special historic or landscape value.

12.5 As such, it is considered that guideline densities of a minimum of 50 dwellings per hectare should be set for the District with higher densities expected from areas well served by public transport, services and facilities. It is considered that this will strike an appropriate balance for the District between optimising the use of land and securing an uplift in appropriate locations while ensuring due regard for the character and amenities of the District and the quality of life of residents.

12.6 Higher densities of development are not precluded, but should be delivered through high quality designs which ensure that all impacts on surroundings and future occupiers are fully considered.

12.7 Where lower densities are proposed on the basis of the character or amenities of an area, the reasons for this should be explained as part of any application.

Appendix 13 - Trees, Woodlands, Hedgerows and Landscaping

13.1 This policy demonstrates the Council’s commitment to meet the relevant national requirements to conserve and protect trees, woodlands and hedgerows and promote appropriate landscaping.

13.2 Woodlands, trees and hedgerows are important contributors to biodiversity, contribute to carbon sequestration, reduce noise and pollution, provide shade and reduce extremes of heat and wind. Trees, Woodlands and Hedgerows may be protected by wildlife or conservation designations, Tree Preservation Orders or the Hedgerow Regulations. It is important that those not covered by designations are retained, protected and wherever possible added to, since pressure for development will increasingly threaten trees woodlands and hedgerows.

Trees, Woodlands, Hedgerows and Landscaping

- 1) Proposals for new development should be submitted with landscaping proposals which seek to retain trees and other important landscape and nature conservation features. Landscaping proposals should also include new trees and other planting, create tree lined streets and enhance the landscape and habitats of the site and its surroundings as appropriate.
- 2) Development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the criteria of the Hedgerow Regulations 1997.
- 3) Development proposals should demonstrate that existing trees, hedgerows and woodlands will be safeguarded and managed during and after development in accordance with the relevant British Standards.
- 4) Development should be designed in such a way as to allow trees and hedgerows to grow to maturity without causing undue problems of visibility, shading or damage. Development likely to result in future requests for significant topping, lopping or felling will be refused.
- 5) Planning permission will be refused for any development resulting in the loss or deterioration to protected woodland (including ancient woodland), protected trees (including aged or veteran trees) and hedgerows, unless conditions can be imposed to secure their protection.
- 6) Where the felling of a tree or removal of a hedgerow is permitted, a replacement tree or hedge of an appropriate number, species, size and in a suitable location will be required, taking account of issues such as landscape and biodiversity.

- 7) Areas forming part of development proposals which are to be transferred to the local authority for maintenance should be designed for ease of access and low cost maintenance overheads and management regimes.

Reasoned Justification

13.3 Woodland, trees and hedgerows are important contributors to biodiversity and vital to moderating our climate, and may be protected by wildlife or conservation designations, Tree Preservation Orders or the Hedgerow Regulations. The NPPF ensures that they remain a planning consideration in all development proposals. Further, ancient woodland and trees are considered '*irreplaceable*' and the Natural England/Forestry Commission [Standing Advice](#) makes clear the loss of ancient trees/woodlands is not permitted unless there are '*wholly exceptional reasons*' and that '*a suitable compensation strategy is in place*'.

13.4 Whilst reiterating the nature conservation importance of ancient trees and woodlands, their cultural and societal benefits are also set out Defra's [Keepers of Time](#) policy.

13.5 In addition, all woodlands contribute to carbon sequestration, reduce noise and pollution, provide shade, reduce extremes of heat and wind, provide places to relax and reduce flood risk. Further, new or existing woodlands can play an important role in Green Infrastructure networks and the Local Nature Recovery Network

13.6 Whilst the protection of the most important woodlands may be achieved via the biodiversity policies elsewhere in this Plan, it is important that all woodlands are suitably protected, retained (where possible), managed for the long term and wherever appropriate, added to, since pressure for development will increasingly threaten trees, woodlands, hedgerows and their surrounding habitat.

13.7 In addition, mature trees on development sites can make a major contribution to the quality of finished development, provided they are given the space and protection they need.

13.8 Developers should have regard to the potential impact of development proposals trees and woodlands from the outset. Applications should be accompanied by sufficient information to assess the impact of the proposed development on any trees or woodlands. Arboricultural reports, Impact Assessments and Tree Protection Method Statements submitted in support of applications should comply with guidance set out in the British Standard BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations' and any future editions of the standard.

13.9 For sites with significant tree cover, and which include trees protected by a Tree Preservation Order or located within a Conservation Area, a planning application should be accompanied by a Tree Survey and an Arboricultural Impact Assessment. The advice of an arboriculturalist should be sought to identify all relevant trees to be included in a Tree Survey.

13.10 Landscaping of new development should be considered as an integral part of the design process. Landscaping refers to both soft landscaping (planting and/or retention of trees, shrubs and other plants and earth contouring) and hard landscaping (paths, walls, seats, planters, kerbing etc.).

13.11 Landscaping proposals should address:

- The incorporation of visually obtrusive elements of development such as car parks, bank elevations and electricity sub-stations
- The setting of buildings within the site, and the setting of the site within the locality
- The creation of views into and out of buildings and the site as a whole and the creation and enhancement of visual focal points
- The conservation of existing local landscape character and enhance natural features.

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Appendix 14 – Broadband and Electronic Communications

Broadband and Electronic Communication

- 1) Proposals for the installation of electronic communications equipment should:
 - a) Have no significant adverse effect on the external appearance of the building on which, or space in which, they are to be located, or the surrounding area. Particular care should be taken in Conservation Areas.
 - b) Fully explore the possibility of sharing facilities, such as masts, cabinet boxes and satellite dishes, and erecting antennae on existing buildings or other structures
 - c) Fully explore technologies to miniaturise and camouflage any electronic communications apparatus
 - d) Be appropriately designed, coloured and landscaped to take account of their setting;
- 2) All residential, employment and commercial developments must be served by or be capable of being served by super-fast full-fibre broadband through the integration of appropriate measures such as open access ducting to industry standards.
- 3) Electronic communications construction and engineering work for new developments should be operational by prior to the occupation of the development

Reasoned Justification

14.1 The National Planning Policy Framework sets out the Governments policy on full fibre broadband connections and electronic communications networks which include next generation mobile technology (such as 5G). It recognises that high quality and reliable communications infrastructure is essential for economic growth and social well-being.

14.2 The Council recognises that electronic communications networks and the availability, reliability and speed of broadband provision is essential to the development of the local economy and for the benefit of the local community. The Council supports the expansion of electronic communications network and full fibre broadband connections for all new development.

14.3 With regards to electronic communications equipment (including satellite dishes, microwave antennae, radio masts, public call boxes, cabinets and other types of telecommunication equipment) the aim is to ensure that these are kept to a minimum through encouraging the sharing of equipment where this is technically possible. The impact of telecommunications can be minimised through careful design, colouring and landscaping to minimise visual intrusion which can help to protect the character and appearance of an area. When considering applications the Council shall have regard to the legal requirements placed upon electronic communications operators to provide an adequate service and any technical and operational obligations that the operator is required to undertake.

14.4 It will be important for all new residential, employment and commercial developments to provide the means to enable connection to be made to fibre optic broadband infrastructure as the main technology for delivering superfast connections. This should be designed and installed as an integral part of development to avoid the visual impact and future disturbance caused by retrofitting. It is recognised that the availability of broadband infrastructure will vary across the District.

14.5 The expectation is that where such infrastructure is not readily available nearby, provision is made for ducting and cabinets to enable easy connection at a later date. In 2021 the Government defined superfast broadband as being at least 30 Mbps download speed, therefore this is the minimum level of service that is considered acceptable.

Appendix 15 – Sustainable Transport and Travel

- 15.0 High quality transport connections, both physical by road, rail, bus, walking, cycling; or digital are vital to the District’s future sustainability, economic prosperity and social inclusiveness. These connections provide access to education, health centre, employment, business, retail and leisure opportunities and can support sustainable lifestyles and opportunities.
- 15.1 The Local Plan sets out to make sure that new development is located in the right places to benefit from access by a variety of sustainable transport modes. However, facilitating sustainable economic growth and supporting the growth needed in the District also requires development of sustainable transport networks and connections to ensure that they provide an effective, efficient and high quality network with efficient public transport, attractive and suitable routes and choices for pedestrians and cyclists, a safe road network and modern digital infrastructure.

Sustainable Transport and Travel

- 15.2 Three Rivers is well served by communication links. However, car ownership levels are high and car usage increasingly dominates patterns of movement in the District. Traffic levels in the District are forecast to grow by 15.6% by 2031 and there are existing local congestion problems. Increased congestion and car use could undermine the economic growth of the District and harm the quality of the environment and social well-being.

Climate Emergency and Sustainability Strategy

- 15.3 An efficient, comprehensive and sustainable transport system is an essential element in supporting the District’s economic competitiveness, meeting targets for reducing CO2 emissions and enabling the delivery of sustainable development. Promoting sustainable transport modes will help re-balance the focus to those modes that have lower emissions and contribute to creating a higher quality environment across the District.
- 15.4 Hertfordshire County Council has produced a Growth and Transport Plan (GTP) for South West Hertfordshire, which identifies some of the transport interventions that will be needed to support and help facilitate sustainable development within the South West Hertfordshire area, including in Three Rivers.
- 15.5 While Three Rivers District is not responsible for the transport network, the location of new development may have a significant impact on transport and travel and the travel choices made.
- 15.6 The Spatial Strategy seeks to direct development to the areas with greatest access to public transport, services and facilities, which should contribute to reducing the need to travel and journey lengths, and prioritise the use of public transport, walking and cycling as realistic alternatives to the car.
- 15.7 The Council is also working with Hertfordshire County Council, National Highways and other transport providers to provide a co-ordinated and enhanced transport system which improves connectivity and transport services to and between settlements within Three Rivers, to key destinations in surrounding areas, and to London.

Sustainable Transport and Travel

- 1) New development will be located in areas where the opportunity for sustainable travel to, from and within the site is realistic
- 2) New development must contribute to the delivery of an integrated, accessible and safe transport system, maximising the use of the sustainable transport modes of walking, cycling and the use of public transport including the provision of Mobi-Hubs where appropriate in line with the current version of the Local Transport Plan.
- 3) Proposals for development will need to have regard to the Infrastructure Delivery Schedule and any subsequent updates which identify the key infrastructure requirements on which the delivery of the Plan depends. Provision of suitable access and transport infrastructure and services will be achieved through direct improvements and/or schemes funded through Section 106 contributions or the Community Infrastructure Levy (CIL) to address impacts of new development.
- 4) The transfer of road freight to railways and canals in the District will be supported in principle, subject to the provision of a full Transport Assessment and compliance with other relevant local, regional or national policies, including an assessment of impacts on the environment and amenity- and prior discussion with the Canal and River Trust and Network Rail.

Development Proposals

- 5) New development should integrate means of travel and minimise the impacts of travel by private motor vehicle on the District by maximising:
 - a. The provision of high-quality, safe and direct walking and cycling routes within a permeable site layout, with priority over vehicular traffic, that facilitates and encourages walking and cycling;
 - b. The provision of sufficient secure, accessible and convenient cycle parking;
 - c. Delivery of new and enhanced cycle and walking routes in the area to schools, local facilities, services, bus stops and railway stations, as well as to the towpath and access including links to and from the Grand Union Canal towpath, or other key destinations identified;
 - d. The provision and improvement of public transport access including layouts to enable convenient access for buses, ~~and provision of covered waiting facilities where appropriate~~ bus priority where possible and accessible bus stops with high quality infrastructure;
 - e. Opportunities for new taxi ranks where there is a demonstrated need arising from new developments including transport hubs where demand would be high, such as station forecourts, and town centres.
- 6) Development proposals should demonstrate that:
 - a. they provide a safe and adequate means of access for each mode;
 - b. opportunities for routes to key destinations by sustainable modes are maximised to reduce reliance on private vehicles for short journeys;
 - c. they will maintain the safe operation and the performance of the local road networks and the Strategic Road Network;
 - d. they are appropriate in scale to existing transport infrastructure, including public transport and, where necessary, infrastructure can be improved with provision for public transport as part of a scheme, and/or through off-site delivery and contributions;

- e. they are integrated with the wider network of transport routes, including public rights of way and cycle paths where appropriate;
 - f. they make adequate provision for all users, including car and other vehicle parking, giving priority to people with mobility difficulties, pedestrians, cyclists and equestrians, and to low and ultra-low emission vehicles;
 - g. they are linked to local facilities, amenities and public transport hubs through roads which provide sufficient width to allow vehicles to maintain the separation from pedestrians, cyclists and other road users required by the Highway Code.
- 7) Development generating a significant amount of movement must be supported by a Transport Assessment or Transport Statement and a Travel Plan for prospective residents, employees or users in accordance with the Local Validation Checklist. The Assessment/Statement should fully assess the impact of the proposal on transport taking into account the cumulative impacts of permitted developments and allocated sites, and detail any measures to be taken to mitigate adverse impacts taking into consideration relevant guidance available from the County Council.

Reasoned Justification

- 15.8 Transport has a range of impacts on the environment. As well as the land take for provision of transport infrastructure, it is a major source of carbon dioxide and of emissions affecting air quality in the District, with consequences for the health and quality of life of communities.
- 15.9 The NPPF requires that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. It also states that different policies and measures will be required in different communities and that opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
- 15.10 Sustainable modes of travel are defined within the NPPF as any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra-low emission vehicles, car sharing and public transport.

Reducing the need to travel

- 15.11 The Spatial Strategy seeks to focus growth to locations which are or can be made sustainable to make the fullest possible use of public transport, walking and cycling. Complementing this, there is a need for all individual proposals for development to maximise opportunities to support and integrate sustainable travel and to manage and mitigate transport impacts to ensure that safe and suitable access will be provided for all users and that significant impacts of development will be limited. In doing so, we seek to create environments that make it easier to be physically active, enhance opportunities for walking and cycling safely, create high quality public spaces and public realm, improve connectivity and accessibility for all, and focus on supporting the high streets, and centres as destinations that people want to go to and use to 'live locally'.
- 15.12 The Council requires proposals for every development and all major developments to promote the concept of enjoyable / liveable / 20-minute neighbourhoods. Creating neighbourhoods where residents' daily needs can be reached within a 20 minute walk (10 minutes each way) will not only improve quality of life but will also bring the multiple benefits of healthier lifestyles, cleaner air, stronger local economies and above all, better resilience against climate change. Proposals for new development must evidence exactly how more sustainable travel will be prioritised (through walking and cycling, travel planning and design to reduce the need for both essential and non-essential journeys).

- 15.13 All opportunities to minimise the impacts of transport on the environment through reducing the need to travel and promoting and encouraging the use of alternative more sustainable modes of transport must be taken as part of proposals for development-
- 15.14 Developers are encouraged to explore the opportunity to integrate new development to existing Mobi Hubs and/or create new multi-modal hubs providing electric vehicle charge points, e-bikes, car clubs, and information on local transportation for businesses, the general public, communities and visitors. They will be designed with respect to their compatibility with future mobility technologies, ensuring infrastructure that is compatible with developments such as automotive vehicles, vehicle to grid charging and battery storage.

Walking & Cycling

- 15.15 New development proposals should incorporate the Transport User Hierarchy as set out in the current Hertfordshire County Council Local Transport Plan into the design of any scheme. The development of any transport strategy should ~~consider~~ provide for travel needs in the following order:
- Opportunities to reduce travel demand and the need to travel
 - Vulnerable road user needs (such as pedestrians and cyclists)
 - Passenger transport user needs
 - Powered two-wheeler (mopeds and motorbikes) user needs
 - Other motor vehicle user needs
- 15.16 Supporting a safe and pleasant walking environment places prioritisation of pedestrians at the top of the road user hierarchy and improvements to pedestrian safety in existing areas. The District Council is developing its Local Cycling and Walking Infrastructure Plan in line with Government guidance. More information is available at www.threerivers.gov.uk/lcwip2021. Developments must incorporate high quality pedestrian routes that promote walking as an attractive, convenient, safe and pleasant mode of transport and that connect in networks and to the surrounding area taking into account existing and likely desire lines. Adequate wayfinding is also important to help to incentivise walking.
- 15.17 Cycling is also an essential component of sustainability and the support of healthy lifestyles, as well as providing an affordable means of access to local destinations and opportunity for leisure and recreation. To encourage and support cycling, developments should connect to, and further develop and enhance the existing network of cycle routes of different types (on-road and off-road) helping to deliver the local cycling and walking strategies.-This will include improvements to ~~crossing facilities~~ junctions as well as the routes themselves. Developments should adhere to Highway Code in implementing a risk-based 'hierarchy of road users', which places more responsibility on the drivers of larger vehicles to look after more vulnerable road users such as cyclists and pedestrians. Providing sufficient, convenient and secure cycle parking, with a particular priority at key destinations such as town centres and railway stations is also important, as well as end-of-trip facilities for cyclists.

Travel Planning

- 15.18 The Council will also require Travel Plans for every major development and will work with the Local Transport, Traffic and Highway Authority to require, monitor and enforce the effectiveness of Travel Plans. Local guidance sets out criteria for production of Travel Plans and can be viewed with the following link: www.hertfordshire.gov.uk/travelplans.

- 15.19 This can include initiatives to increase access to bicycles through cycle loan and hire opportunities subject to consideration of any associated facilities against other policies and objectives of the Local Plan.
- 15.20 Training and/or travel behaviour initiatives to support the take up of cycling will also be supported.
- 15.21 The Council will work with partners including Hertfordshire County Council and bus and rail operators to implement measures to give buses priority over other vehicles; to create and enhance the public realm around rail stations to improve the user experience and interchange; to develop the network to meet travel needs in the area; and to ensure that bus stops and bus stopping areas are well located and that they are designed to be accessible and comfortable for all. New development must also make provision for public transport where this is appropriate taking into account of the scale and nature of a development, including for example through layouts which enable access for buses and provision of covered waiting facilities and accessible bus stops with high quality infrastructure. Relevant guidance is available in HCC's Intalink Bus Strategy and the Rail Strategy.
- 15.22 Land within the designated HS2 safeguarding area will be protected.
- 15.23 In addition to supporting sustainable modes of travel, where new development comes forward, it must ensure that access arrangements are safe and do not result in danger or inconvenience to other users of the highway, including as a consequence of traffic generation on both the local road network and the Strategic Road Network which comprises the motorways and some A roads. Any impacts on the SRN will need to be identified and mitigated as far as reasonably possible. Appropriate provision for parking should also be made in accordance with the preferred policy on parking standards and the Place and Movement Design Guide.
- 15.24 The Council will work in partnership with Canal and River Trust in relation to integrating the canal corridor into adjacent development and creating / strengthening links to other areas of open space. This could include improvements to the existing towpath, improving signage and creating circular walks or heritage trails. Canal Trust will be consulted as particular working practices and frequency required, costs, management would be key to determining overall suitability of any proposals for freight on the waterway.

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Appendix 16 - Open Space, Play Space, Sport and Recreation

Open Space, Play Space, Sport and Recreation

1) Protection of designated open spaces

The existing provision of designated open spaces will be safeguarded from development unless in exceptional circumstances it can be demonstrated that:

- i) The open space is no longer required and;
- ii) Alternative provision of equivalent or better quality open space would be provided in close proximity; and
- iii) A deficiency of open space is not created through or exacerbated by its loss, now or over the plan period.

In all cases, an assessment will be required setting out as to whether the land in question makes a positive contribution to the character, environmental quality and amenity of the surrounding area.

2) Loss of Sport and Recreation facilities

Development proposals which result in the whole or partial loss of existing sport and recreation facilities will only be permitted where:

- i) The proposed development includes provision for alternative sports and recreation facilities of sufficient benefit to sport and recreation provision to clearly outweigh the loss of the current or former use; or
- ii) Alternative provision of equivalent or better quantity and quality is made for the catchment area served by the sport and recreation facilities in an accessible location served by sustainable modes of transport; or
- iii) The proposal is ancillary to an existing leisure use and does not adversely affect the sport or recreation facility; or
- iv) An assessment is undertaken which clearly shows that a deficiency of ~~open space~~, sport and recreation facilities is not created through or exacerbated by its loss, now or over the plan period.

3) Loss of children's play space

Development proposals which result in the loss of, or prejudice the use of, any existing children's play space will only be permitted where:

- i) The play space that would be lost would be replaced by a facility of equivalent or higher standard in the existing area or
- ii) A partial reduction in the open space land on a site is justified by the need to provide essential community infrastructure.

4) New and improved Provision for Sport and Recreation Facilities

- i) Proposals for new or improved sport and recreation provision (including allotment space) will be supported where an identified need can be demonstrated. If new provision cannot be provided on site:
- ii) Developments should seek to explore opportunities to enhance/expand equipment range at existing sites to raise quality standards where there is suitable space to do so; and

- iii) Dual and multiple use of sports facilities will be encouraged, particularly involving public use. In appropriate circumstances the Council may grant planning permission subject to conditions or seek to enter into a planning obligation with the developer to ensure dual or multiple use of facilities are maintained over a long term period.
- iv) New/enhanced sport and recreation facilities will be expected to be designed in accordance with Sport England and sports governing body design guidance.

6) New open space provision in residential developments

- i) Where open space is provided onsite, the Council will seek to ensure the proper maintenance of the space. Where the council is in charge of maintenance a Section 106 or other legal agreement will be required to cover the costs of such maintenance.
- ii) In order to ensure that new residential developments do not exacerbate deficiencies in open space and children's play space, new residential development will be expected to provide for amenity and children's play space.
- iii) Where appropriate for the site, developments of 25 or more dwellings or 0.6ha (whichever is greater) should make provision on site for open space and play space in areas of deficiency and in accordance with the British Standards for play: BS EN 1176 and BS EN 1177. Where the development is likely to be occupied by families with children, the open space area should provide formal equipped play facilities, in accordance with Fields in Trust standards.
- iv) Open space provided on site will be expected to be accessible to all and not be used only by those who reside on the development.
- v) Variations of these standards may be appropriate where the Council considers:
 - a. That on site provision of open space would not be an appropriate use of the land taking into account local need and the character of the locality, or
 - b. That the development is already fully served by existing open space within 300m or children's play space within 720m of the proposed development.

7) Design of Open Spaces

Proposals for new or existing open space should be designed to be multifunctional, to a high standard and should have regard to the relationship between the open space and its surroundings and seek to minimise the potential for crime and anti-social behaviour. It should also take into consideration the need to maintain a variety and balance of different forms of open space and the

need to maintain and enhance existing nature conservation interests and the benefits of creating new habitats.

Reasoned Justification

16.1 The Open Space Assessment Report 2019 assessed open space provision in the area, its condition, distribution and overall quality. Open Spaces assessed include parks and gardens, natural and semi-natural greenspaces, amenity greenspace, provision for children and young people, allotments, cemeteries and churchyards.

16.2 The NPPF states that access to high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Open spaces can also deliver environmental benefits in terms of supporting nature and efforts to address climate change.

16.3 Public Health recommend that planning authorities include a policy in the Local Plan that ensures that existing green space/green infrastructure are preserved. Developers are expected to set out the provision of open space and green infrastructure at an early stage of development to encourage healthy and sustainable behaviours from the outset. The policy supports the provision of amenity and children's play space in residential developments and developments over 25 dwellings must provide on site open space and play space as per Natural England Angst standards.

16.4 Public engagement is encouraged with regards to creation of new recreation or sports facilities.

16.5 Open space should be designed in accordance with Sport England's Active Design to encourage physical activity.

16.6 The Council's Open Space Assessment Report (2019) identified a need for allotment space within the district as per the standard set by The National Society of Allotment and Leisure Gardeners (NSALG). In order to meet the standard, there would need to be 23 hectares of allotment provision across the district. It is therefore important to safeguard existing allotment plots and be favourable to future allocations in order to meet current and future demand. There are currently 17 allotment sites within the district.

16.7 Local food production provides advantages in terms of community involvement, sustainability and mental and physical health. It also supports our climate and carbon emission policies (x) through reducing the carbon footprint of food production by minimising CO2 emissions from transportation of food and through carbon sequestration.

16.8 The Council's Open Space Assessment Report (2019) further identifies the sustainability, health and social benefits of allotment and open space provision. The policy aims to safeguard existing allotment sites and to encourage additional provision where viable.

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Appendix 17 - Retail

Retail
<p>1) Rickmansworth town centre and the district centres of South Oxhey, Chorleywood and Abbots Langley will remain the focus for retail, leisure activity and other town centre uses.</p> <p>i) Within the primary frontages at ground floor level, as defined on the Policies Map, development will normally be permitted where:</p> <ul style="list-style-type: none">• Uses retain active frontages at ground floor level and demonstrate a positive contribution to the vitality, viability, balance of services and/or evening economy of the centre within which it is proposed• Development is of a scale, type and format that reflects and enhances the role and function of the centre within which it is proposed <p>ii) Within the primary and secondary frontages, the use of upper floors for residential use is supported in principle across all parts of the town centre hierarchy subject to other local planning policies.</p> <p>iii) Within the secondary frontages at ground level, development within Use Class E, Sui Generis uses suited to a town centre, Class F1 and Class F2(b) will normally be permitted.</p> <p>iv) Redevelopment proposals providing managed workspace, flexible workspace accommodation will be encouraged to support small businesses within the defined retail hierarchy.</p> <p>v) The intensification of town centres to provide additional floorspace for main town centre uses is supported in principle subject to impacts on townscape and heritage.</p> <p>2) Local and Neighbourhood Centres, as defined within Appendix X should provide commercial and community uses to meet residents' day to day shopping needs, provide local employment opportunities, and support opportunities for community interaction.</p> <p>3) Retail impact assessments will only be required for proposals of more than 2,500 sq m of (gross) new retail floorspace outside the town centre hierarchy, including proposals for Class E (commercial, business and service) uses that would enable at least 2,500 sq m of (gross) floorspace to be occupied by retail use.</p> <p>4) Shop fronts and displays should be appropriate to the character and function of the area.</p>

Reasoned Justification

17.1 The NPPF states that policy should support the role that town centres play at the heart of local communities. Local Plans must define a network and hierarchy of centres that is resilient to economic changes. The policy defines these centres and supports their economic viability.

17.2 The South West Hertfordshire Retail and Leisure Study 2018 sets out an objective assessment of retail and leisure development needs. The study finds a need for an improvement in the evening economy and the standard of shop frontages in Rickmansworth Town Centre. The policy allows for the creation and retaining of active frontages at ground floor level which demonstrate a positive contribution to the vitality, viability, balance of services and/or evening economy of the town centre.

17.3 With regard to convenience (food) floorspace, this equates to a net gain of around 2,400-3,100 square metres by 2036. The provision over the forthcoming five year periods should be broadly as follows:

- a) 1,000-1,300 square metres by 2026
- b) 700-800 square metres from 2026 to 2031
- c) 700-1,000 square metres from 2031 to 2036

17.4 With regard to comparison (non-food) floorspace, the provision of additional floorspace equates to the net gain of around 1,900-2,600 square meters by 2036. This is broadly set out over forthcoming five year periods below:

- a) 300-400 square meters by 2026
- b) 800-1,000 square meters from 2026 to 2031
- c) 800-1,200 square meters from 2031 to 2036

17.5 With regard to the development of restaurants, cafés and bars, the provision of net additional floorspace equates to a net gain of:

- a) 327 square meters by 2036 in Rickmansworth Town Centre
- b) 402 square meters by 2036 in the District and Local Centres

17.6 These provisional targets will be reviewed regularly and amended in light of new evidence in relation to forecast expenditure and population. Proposals that would result in provision over and above these targets will be considered on their merits taking into account their appropriateness in scale and function to the relevant centre.

Appendix 18 - Affordable Housing

18.1 Average house prices in Three Rivers are some of the highest in the country outside London. Housing affordability within the District continues to be a major concern for many residents, and many local people have difficulty in accessing housing on the open market. This particularly affects the young and those on lower incomes who are entering the housing market.

18.2 The LHNA is clear that there is a notable need for affordable housing in Three Rivers and across South West Hertfordshire. Improving the supply and standard of affordable housing is therefore one of the biggest priorities for the Council to address the needs of our community.

Affordable Housing	
Requirements and Thresholds	
(1)	Delivery of affordable housing is a key priority of the Local Plan. In view of the identified pressing need for affordable housing in the District seek an overall provision of 40% of all new housing as affordable housing incorporating a mix of tenures. All new development resulting in a net gain of one or more dwellings will be expected to contribute to the provision of affordable housing through providing at least: <ul style="list-style-type: none">a) A minimum of 25% of affordable housing as First Homes (refer to First Homes Policy). First Homes must be delivered, sold and let in accordance with the Council’s First Homes policyb) 70% of affordable housing to be for social rent (by net additional unit), <i>and</i> 10% of affordable housing meeting the Building Regulations M4(3) standard (wheelchair user dwellings) as per the requirements of PPO 6 on Accessible and Adaptable dwellings.
(2)	In calculating the percentage of affordable units to be provided as part of a development scheme, the affordable housing requirement will normally be ‘rounded up’ to the nearest whole number.
(3)	Where development would affect existing affordable dwellings, permission will only be granted where this would not result in a net loss of affordable housing, and where the proposed tenure mix would meet affordable housing needs of the community.

Rural Exception Sites

- (4) Small-scale proposals delivering 100% affordable housing in perpetuity within and immediately adjacent to the village core areas of Bedmond and Sarratt may be supported within the Green Belt where these are evidenced to provide affordable housing to meet identified local community needs. A minor degree of market housing may be acceptable where it is required to support the delivery of affordable housing on the site.
- (5) Affordable housing should reflect the mix of sizes and types required in the District as identified through Policy xx Housing Mix and the Local Housing Need Assessment (LHNA) and subsequent updates as well as Housing Register.

Mode of Affordable Housing Provision

- (6) In most cases, affordable housing provision should be made on site, however on small sites delivering between one and nine dwellings, contribution to affordable housing may be made through commuted payments. Such payments will be broadly equivalent in value to on-site provision of affordable housing for rent, but may vary depending on site circumstances and viability. Payments will fund the development of affordable housing on other sites within the District.
- (7) To ensure community cohesion and good design, affordable homes must be fully integrated in the design of the overall scheme, being physically and visually indistinguishable from market units and dispersed across the site in clusters appropriate to the size and scale of the development. Designs resulting in high maintenance or service charges should be avoided.

Delivery

- (8) Affordable housing requirements that have been determined on the basis of viability and site-specific viability information seeking to justify an alternative level or mix of affordable housing will therefore only be accepted in exceptional cases. Viability assessments should be undertaken in accordance with the recommended approach set out in national planning guidance, including standardised inputs, and will be made publicly available.
- (9) Where a reduction in affordable housing is justified, the Council will seek to secure the preferred tenure split as a priority over a potentially higher total percentage of

affordable housing which would not be consistent with meeting priority needs. Such proposals will also be subject to detailed review mechanisms throughout the period up to full completion of the development, including an advanced stage review mechanism.

- (10) Where developments would trigger affordable housing requirements, application of the Vacant Building Credit will only be appropriate in demonstrated exceptional circumstances, and where a proposal would meet all of the following criteria:
- a) It is clearly demonstrated that the site would otherwise not come forward for any form of redevelopment at any point over the medium to long-term;
 - b) All buildings within the site boundary are vacant at the time the application is submitted;
 - c) There are no extant or recently expired permissions on the site for any proposed use class;
 - d) The proposal does not involve the loss of any capacity to meet other development needs from a site allocated for non-housing development; and
 - e) The building has not been made vacant for the sole purpose of redevelopment, evidenced by provision of marketing and vacancy evidence for a continuous period of five years (up to the point of submission of an application).

Reasoned Justification

18.3 Paragraph 65 of the NPPF advises that affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas where policies may set a lower threshold of five units or fewer.

18.4 However, the local circumstances in Three Rivers are considered to justify an alternative approach to require all developments resulting in a net gain of housing to contribute to affordable housing provision. This is on the basis of the acute need for affordable housing in the District demonstrated by the LHNA, and the crucial role that smaller sites delivering fewer than 10 dwellings has played in delivering housing historically which is expected to continue in future.

18.5 These factors are considered to outweigh the guidance within the NPPF and justify the approach within the Affordable Housing Policy to require all sites resulting in a net gain of dwellings to contribute to affordable housing provision in the District, and this approach has been supported in recent appeal decisions in the District.

18.6 The LHNA demonstrates that the median house price in Three Rivers during 2022 was £560,000. This is significantly above the Hertfordshire average of £512, 940 and the East of England average of £328,000 during the same period. Monthly rents across all sizes of accommodation are similarly above Hertfordshire and England averages within Three Rivers.

18.7 Affordability ratios in Three Rivers and across the South West Hertfordshire area have deteriorated significantly since 1997 and lower quartile house prices in the District were 12.85 times higher than lower quartile incomes at February 2022. The affordability of housing therefore remains a critical issue in Three Rivers, and will continue to be so for the foreseeable future.

18.8 The LHNA considered needs for affordable housing in accordance with the methodology set out within the National Planning Practice Guidance (NPPG). This identifies an annual net need for affordable housing for rent in Three Rivers over the period 2024-2040 of 364 homes per year.

18.9 The need for affordable housing for rent is equivalent to 57% of the District's total housing requirement under the standard methodology, and given the significant and growing need for affordable housing the LHNA confirms that seeking the maximum amount of affordable housing for rent as is viably possible is justified

18.10 With regard to the tenure of affordable housing for rent that is required, the greatest need in the District is for Social Rented housing, followed by Affordable Rent. Based purely on an analysis of affordability the LHNA recommends a tenure mix of 80% as Social Rent and 20% Affordable Rent capped at local housing allowance.

18.11 However, when benefits are taken into account, the LHNA notes that for households claiming Household Benefit, an affordable rent may be appropriate as long as the Housing Benefit is able to cover all of the rent, whilst for households with an income that would allow them to afford an affordable rent it is arguable that a social rent would be more appropriate as the housing costs would be less of a strain on household finances.

18.12 The LHNA also indicates that in addition to the requirement for affordable housing for rent, seeking 10% of housing on larger sites as affordable home ownership in line with the NPPF would be reasonable. However, given that the main analysis demonstrates that the most significant need is for households who cannot afford anything in the market without subsidy, there would be no basis to increase provision of affordable home ownership above this baseline 10% figure.

18.13 The Council acknowledge that requiring a higher proportion of affordable homes for rent, will impact on the overall level of affordable housing that may be delivered. However, these are the most urgent and pressing needs for housing in the District and the Council will therefore prioritise the delivery of a greater proportion of affordable housing for rent rather than a higher total level of affordable housing delivery through, for example, a higher proportion of affordable home ownership. A tenure mix in accordance with the draft LHNA will therefore be sought

18.14 Given the substantial need for affordable housing in the District, it is also essential that development does not lead to a reduction in the overall supply of affordable housing, or to changes to the tenure of affordable housing which is provided so that it is less well suited to meet demonstrated local needs. Such proposals would undermine the overall approach to the supply of affordable housing in the District and will be resisted.

18.15 There are fewer opportunities to build new homes in the District's smaller villages surrounded by, or designated as Green Belt due to more restrictive policies on housing in countryside and particularly in the Green Belt.

18.16 However, an element of new development can help to support these communities and paragraph 154 of the NPPF therefore enables provision of limited affordable housing for local community needs under policies set out in the development plan, including policies for rural exception sites.

18.17 In line with this potential exception, proposals for rural exception sites delivering 100% affordable housing within and immediately adjacent to the village core areas of Sarratt (may be supported in the Green Belt) where these are evidenced to provide affordable housing which would meet identified local community needs. The type and size of affordable housing provided on such sites must address identified needs in the individual village or the area it serves which is defined as the village or parish in which it is located.

18.18 First Homes are a specific type of discounted market sale housing and meets the definition of 'affordable housing' for planning purposes. Government policy requires that a minimum of 25% of all affordable housing units secured through developer contributions should be First Homes. Policy xxx First Homes sets out the policy requirements.

18.19 In relation to extra care housing, it is recognised that provision of affordable housing may be particularly difficult to achieve. In such circumstances, the policy will be implemented on a case-by-case basis, and the individual viability assessment will be used to demonstrate an appropriate affordable housing contribution.

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Appendix 19 – First Homes

First Homes
<p style="text-align: center;">Minimum Requirements</p> <p>(1) A minimum of 25% of affordable homes provided either on-site or off-site or as a financial contribution in lieu of on-site provision in line with the Council's adopted affordable housing requirements are required to be First Homes.</p> <p>(2) First Homes are required to be sold at a minimum discount of at least 30% of the market value of homes available for sale locally which are of the same size and type as those proposed. The minimum discount will be secured in perpetuity.</p> <p>(3) First homes are sold to a person or persons meeting the First Homes eligibility and local connection criteria (see below);</p> <p>(4) Where the affordable housing contribution for a proposed development comprises a mixture of homes and financial contributions towards affordable housing, First Homes are required to form 25% of the overall monetary value of affordable housing contributions.</p> <p style="text-align: center;">First Home Exception Sites</p> <p>5) Residential development proposals on qualifying small sites comprising primarily First Homes will be permitted where they are:</p> <p style="padding-left: 40px;">a) adjacent to existing settlements; and</p> <p style="padding-left: 40px;">b) proportionate in size to them.</p> <p>6) To ensure the delivery and viability of a First Homes site without grant funding, planning permission on sites with the minimum number of market homes will be granted where:</p> <p style="padding-left: 40px;">a) an applicant demonstrates that the scheme would be unviable without the inclusion of market housing;</p> <p style="padding-left: 40px;">b) inclusion of market housing does not inflate the threshold land value; and</p> <p style="padding-left: 40px;">c) any market housing is suitably integrated into the First Homes development</p> <p>7) Small quantities of other forms of affordable housing may also be permitted on a First Homes exception site where the applicant demonstrates evidence of significant local need for that type of housing.</p>

Reasoned Justification

19.1 First Homes are a specific form of discounted market sale housing which are discounted by a minimum of 30% against the market value and are sold to first-time buyers meeting the eligibility criteria set out in the PPG. On their first sale, First Homes have a restriction registered on the title at HM Land Registry to ensure the discount is passed on at each subsequent title transfer. The initial sale after the discount has been applied must be at a price no higher than £250,000 (outside Greater London). First Homes are considered to meet the Government's definition of 'affordable housing' for planning purposes.

19.2 The minimum discount for First Homes should help to make home ownership more affordable for a greater number of first-time buyers than other affordable housing products such as Discounted Market Sales (OMS) and shared ownership, which are both required to be sold at a minimum of just 20% below market value.

19.3 The high cost of homes in expensive areas such as Three Rivers means that OMS and shared ownership properties are likely to remain beyond the reach of many residents/prospective buyers with this level of market discount, however the price cap of £250,000 for a First Home will ensure that this tenure of home is likely to be a realistically affordable option for many potential first-time buyers in the District.

19.4 The discount for First Homes is also required to be applied in perpetuity each time a First Home is resold (subject to certain specific exclusions) and should ensure that the discounted cost built into this tenure is retained in the value of the property in perpetuity. This will be secured by means of a planning obligation in line with national guidance.

First Homes Exception Sites

19.5 National planning guidance also makes provision for the development of First Homes 'exception sites' (on land which is not already allocated for housing) adjacent to existing settlements and proportionate in size to them. First Homes Exception Sites are not permitted within the Green Belt or in a designated rural area, where rural exception sites are the only type of exception sites that may be permissible. A small proportion of market housing or other types of affordable housing may be allowed at the local authority's discretion, for example where essential to enable the delivery of First Homes without grant funding.

19.6 To ensure applicants take account of the criteria under paragraph (5) (a) and (b) of the policy, where it is proposed that a scheme requires market housing to be included to make an exception site viable, a development appraisal will be required to be submitted to demonstrate that this is the case.

19.7 In considering the land value, the threshold land value of the site will be limited to no more than ten times the agricultural land value at the time of application submission. Where agreement cannot be reached, external consultants will be appointed at the applicant's cost to provide an independent assessment of the scheme's viability.

19.8 Paragraph (6) of the policy is in line with the PPG, which allows the proportion of affordable housing on a First Homes exception site to be altered to include small quantities of other affordable housing products. The evidence that applicants will be required to provide will need to be in the form of a Local Housing Needs Assessment, local authority Housing Register, or other sufficiently rigorous local evidence.

First Homes Eligibility and Local Connection Criteria

19.9 First Homes Eligibility Criteria First Homes must be prioritised for first-time buyers (as defined in paragraph 6 of schedule 6ZA of the Finance Act 2003 for the purposes of Stamp Duty Relief for first-time buyers) and not be sold to any household with a combined annual income in excess of £80,000.

To demonstrate a local connection (defined in Part VII of the Housing Act 1996), applicants for First Homes that are built in Three Rivers will:

- Be a resident in Three Rivers for six of the last twelve months, or three out of the last five years, where residence has been out of choice; or
- Work in Three Rivers in employment other than of a casual nature as defined by Local Government Association Guidelines. For the purposes of this policy this will be defined as having had permanent work with a minimum of a 16 hour contract per week for the previous 6 months, and without a break in the period of employment for more than three months; or
- Have family connections in Three Rivers with a member of their household, parents, adult children or brothers or sisters who have been residents in Three Rivers District for at least the last 5 years.

19.10 In recognition of the unique nature of their circumstances, members of the Armed Forces, the divorced or separated spouse or civil partner of a member of the Armed Forces, the spouse or civil partner of a deceased member of the Armed Forces (if their death was caused wholly or partly by their service) or veterans within five years of leaving the Armed Forces should be exempt from any local connection testing restrictions.

19.11 The Council can exercise flexibility to lower the price cap; increase the discount level and/or reduce the income cap, provided there is local evidence to justify doing so. The Local Plan Housing Needs Assessment (2023) recommends raising the discount levels to 40% in Three Rivers. Higher discounts to 50% can also be considered, where this can be viably achieved.

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Appendix 20 - Employment and Economic Development

Employment and Economic Development

Strategic approach to employment land

- 1) The Council will seek to facilitate the growth and forecasted change of business development over the plan period by promoting the supply of office and industrial space across the District to meet the any identified shortfall. A range of types and sizes of employment sites and premises will be encouraged throughout the District to meet the needs of the local economy. Proposals for business development should be of a high-quality design and in keeping with the surrounding environment.

Designated Employment Areas

- 2) Within designated Employment Areas, as defined on the policies map, the Council will support the delivery of additional Industrial floorspace and the intensification of office and industrial uses within these locations, subject to there being no unacceptable impact on the surrounding highway network or local amenity.
- 3) Proposals for non-employment uses on designated employment areas should only be permitted where:
 - a) There would be no unacceptable impact on amenity;
 - b) There would be no hindrance to the site's operation as a key employment area.
- 4) Sites allocated as having potential for mixed use development may provide for mixed use development including, but not limited to business, industrial and storage or distribution; residential or community uses.

Outside Designated Employment Areas

- 5) Outside the Designated Employment Areas, office and industrial development will be supported where:
 - a) The type, scale and intensity of the proposed business activity is appropriate to the locality and accessibility of the site.
 - b) The proposed use would not harm the amenity or operation of neighbouring uses.
- 6) Outside the Designated Employment Areas, the redevelopment of employment land to other uses will be supported where the site has been allocated for an alternative use or where it can be demonstrated that:
 - a) There is no reasonable prospect of the site remaining in employment use;
 - b) Opportunities to reconfigure or reuse the site to retain its current use have been exhausted;

- c) The site has been actively but unsuccessfully been marketed at a realistic rate for a 12-month period; and where there is up-to-date evidence demonstrating there is no longer a need for the employment use;
- d) The proposed alternative use would not adversely affect the efficient operation or economic function of other employment uses or businesses in the locality;
- e) The proposal does not substantially prejudice the overall supply of employment land over the plan period; and

7) Proposals for creative industries and the expansion of Leavesden Studios will be supported where they are in accordance with local and national policy. Policy Option X provides the policy for Warner Bros. Studios.

Reasoned Justification

20.1 In order to maintain and improve the economic performance of the District, it is important to make provision for future employment and economic development alongside housing growth and protection of the environment. To provide a balance between homes and jobs, economic growth should be in broad alignment with housing development.

20.2 Economic development includes development within the office uses, industry and warehousing uses, public and community uses, leisure and tourism uses and main town centre uses. It also includes any other development which provides employment opportunities, generates wealth or produces or generates an economic output or product. It does not include housing development

20.3 The majority of responses to the Issues & Options consultation in 2017, which was undertaken before the South West Herts Economic Study Update (2019) was completed, and responses to Reg 18 consultation in 2021 the suggested safeguarding the existing allocated employment sites and allocating additional land for employment use as well as allowing mixed use schemes (mix of employment, residential, retail, leisure uses).

20.4 The economy of the south west Hertfordshire functional economic market area (Dacorum, Hertsmere, St Albans, Three Rivers and Watford) is highly dependent on professional services as well as construction, retail and hospitality. These sectors provide the greatest opportunity for economic growth in the future. Three Rivers specifically has a strong TV and Film sector (at Leavesden Studios and Langleybury) and a high concentration of knowledge-based industries, growth of these sectors should be encouraged. The significant concentration of small businesses in professional services and ICT suggest a need for flexible and affordable workspace to support the growth of these businesses.

20.5 The influence of surrounding areas on the economy of Three Rivers is significant. This is demonstrated for example by the high levels of out-commuting from the District, reflecting proximity to the London job market and to other larger centres such as Watford and Hemel Hempstead.

20.6 Employment in the area has continued to grow at a strong rate and there has been a large fall in unemployment in recent years. This combined with the high levels of out-commuting from the District could limit the labour supply. The growth levels planned for in the Local Plan will provide a significant boost to the labour supply.

20.7 Three Rivers has a predominantly office based economy with 55% of jobs being office based. The main employment locations offer very high quality office space in large floorplates. This, together with the highly skilled workforce in Three Rivers, has attracted a number of large headquarters to the District. The majority of this office floorspace is spread across the existing allocated employment sites which should be retained to ensure that Three Rivers remains an attractive destination for businesses and to keep a check on the existing high levels of out-commuting by Three Rivers' residents.

20.8 Three Rivers is the home of Leavesden Studios which is a key asset for the District and the wider south west Herts area. As such, it is key to the growth of creative industries across the functional economic market area. There is still significant growth potential at the site and there will likely be a significant growth in demand for studio space over the next 15 years. The South West Herts Economic Study (2019) recommended that land should be safeguarded for the expansion of Leavesden Studios.

20.9 The Study also indicated that on the basis of projected growth within the area, Three Rivers cannot afford to lose any more employment floorspace. It also identified

- a demand of 30,100 sqm office space for the period to 2036. This is expected to be met by existing commitments at Croxley Park which will deliver 36,363 sqm resulting in a 6,263 sqm oversupply in the period and
- a requirement for 28,800 sqm industrial and warehousing floorspace over the period to 2036. equating to a requirement of 5.5ha employment land which will need to be planned for over the period to 2036.

20.10 The South West Herts Economic Study update (2024) that is currently underway however confirms that future demand is substantially different to that of the conclusions of the 2019 South West Herts Economy Study especially on the industrial and floorspace needs for the plan period. The Study identifies a need for 211,800 sqm of industrial and warehousing floorspace need across SW Herts for the period up to 2040 equating to 59.5 ha of employment land. There are no local need figures identified for individual authorities. The study concludes that there is a shortfall of roughly 9 ha land across SW Herts however there are no suitable sites identified in Three Rivers to address that shortfall. In terms of office space need, the Study recommends that any loss of employment space be resisted due to low vacancy rates and increasing labour supply. A non-immediate Article 4 Direction was confirmed in March 2024 to remove permitted development rights regarding the change of use from class E use (commercial, business and service uses) to C3 use (dwellinghouses) on the five employment areas (Croxley Business Park, Maple Cross/ Maple Lodge Employment Area, Tolpits Lane Employment Area, Kings Langley Employment Area and Leavesden Park Employment Area) and four town/district centre locations (Rickmansworth Town Centre, Chorleywood District Centre, Abbots Langley District Centre and South Oxhey District Centre).

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APPENDIX 21- Biodiversity

21.1 Biodiversity is in decline across England, which is one of the most nature-depleted countries on Earth, something which Three Rivers has not escaped. This, and growing public awareness of this biodiversity emergency was recognised by the Government's 2023 Environmental Improvement Plan which stated:

There is a "... clear, scientific case and growing public demand for a step change in environment protection and recovery."

21.2 Whilst much legislation and Government policy that informed the last Local Plan remains valid, other components have evolved and new laws and guidance created to provide local authorities with the best chance of playing their part in reversing this decline. In terms of legislation, for instance, local authorities now, importantly, have a duty to 'conserve and enhance' (instead of simply 'to have regard to') biodiversity when exercising its functions, a consequence brought about by the Environment Act 2021. Additionally, the term 'nature recovery' has become embedded in the scientific and public vocabulary.

21.3 In this context, the primary drivers now influencing the conservation and recovery of nature in Three Rivers include but are not limited to those set out below:

- The Wildlife and Countryside Act 1981 (as amended)
- Circular 06/2005 Biodiversity and Geological Conservation
- NERC 2006
- The Habitats Regulations 2017 (as amended)
- The Environment Act 2021
- [The Environmental Improvement Plan](#) (2023)
- [National Planning Policy Framework](#) (2023) and associated [Planning Practice Guidance](#)
- [The Environmental Principles policy statement](#) (2023).

21.4 Together, these bring forward a range of aspirational, policy or mandatory requirements which combine to frame the local plan's policies.

21.5 National policy states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity. The National Planning Policy Framework requires local authorities to identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks; and promote the conservation, restoration and enhancement of important habitats and species. Further, it requires that appropriate weight is given not only to protected sites but also to protected features of biodiversity and geological interest in the wider environment.

21.6 In terms of the Local Plan, these drivers can be taken to act together to ensure that local authorities conserve and enhance nature in part by establishing Local Plan policies that ensure that harm to biodiversity within protected sites and, beyond these boundaries, the habitats and species distributed across the rural and built environments is firstly avoided, secondly that harmful impacts are mitigated before they arise, and only as a last resort, that effective compensation is secured for any unavoidable damage that cannot be mitigated. This is the '*mitigation hierarchy*' and its use should be evident both in terms of the allocation of development opportunities and subsequent development proposals. Depending on circumstances, each of the three stages can be heavily influenced by differing legislation, policy and best practice guidance and should not be treated lightly.

21.7 More specifically, the Environment Act (2021) promotes positive actions such as the establishment of a Local Nature Recovery Strategy (LNRS), which will aim to increase the quality and size of existing protected areas, buffer harmful impacts from outside and link these together by creating new wildlife sites as stepping-stones or direct physical connections. In turn, the Hertfordshire LNRS will contribute to the national Nature Recovery Network (NRN) to begin to deliver the aspirations of the Lawton Report for a network that comprises a '*more, bigger, better, better joined*' biodiversity resource (which in turn can help deliver other societal benefits).

21.8 Biodiversity is an integral part of the character of Three Rivers and contributes to the high quality of life in the area. The district supports a variety of wildlife in habitats as diverse as wetlands, woodlands, grasslands, orchards, heathlands and urban gardens. Conserving and enhancing the diversity of wildlife and habitats in Three Rivers is a strategic objective.

21.9 Further, biodiversity provides numerous benefits, or ecosystem services, for people, such as flood attenuation, softening extremes of temperature and weather, recreation, wellbeing, pollinators and carbon sequestration. Nature conservation and its recovery are therefore not only required but highly desirable.

21.10 In these and other ways, the new local plan has a wide remit to take positive steps towards achieving the '*step change*' demanded by the Environmental Improvement Plan and provide the framework by which Government expects it will achieve commitments made in the 25-year Environment Plan.

Biodiversity

Biodiversity Net Gain

- 1) All qualifying development must deliver at least 10% measurable biodiversity net gain from the existing baseline value of the site through the use of DEFRA's statutory biodiversity metric. Development should apply the mitigation hierarchy to minimise or mitigate harmful effects on biodiversity. Mitigation and compensation measures must offset any losses in order to achieve the measurable net gain for biodiversity.
- 2) Biodiversity net gain should be delivered using the following biodiversity gain hierarchy:
 1. On-site
 2. A mixture of on and off-site
 3. Off-site
 4. Purchase of statutory biodiversity credits

On-site biodiversity net gain should be prioritised and undertaken wherever possible. Off-site measures will only be considered where it can be demonstrated that, after following the mitigation hierarchy, all reasonable opportunities to achieve measurable net gains on-site have been exhausted or where greater gains can be delivered off-site where the improvements can be demonstrated to be deliverable and are consistent with the Local Nature Recovery Strategy. As a last resort and following the submission of robust and justified evidence that on-site or off-site biodiversity provision will not achieve 10% biodiversity net gain, the Council will consider allowing the developer to purchase statutory biodiversity credits as an alternative approach.

- 3) Where it is not possible to avoid or mitigate all impacts on site, an offsite Biodiversity Gain Plan should be submitted to demonstrate how any off-site measures proposed seek to enhance local and nationally important biodiversity priorities.
- 4) To ensure the long-term net gain, all development proposals should prepare a long-term monitoring and maintenance plan for biodiversity and habitat proposals for a minimum period of 30 years, including both on-site and off-site measures.
- 5) Biodiversity net gain will be secured by condition, conservation covenant, and/or legal agreement, including a requirement to cover the Council's costs associated with the long-term monitoring of the biodiversity net gain proposals.

Protection and Enhancement of Biodiversity

- 6) The weight given to the protection of sites will be commensurate with their position in the hierarchy:
 - International
 - National
 - Local
 - Irreplaceable habitats
- 7) Proposals that are likely to have, directly or indirectly, an adverse impact on other protected sites will not normally be permitted except where the benefits of development in that location clearly outweigh both the impact on the site and the wider network.
- 8) Proposals resulting in, directly or indirectly, the loss or significant harm to a Local Wildlife Site will normally only be permitted if it can be demonstrated there is a need for the development in that location and the benefit of the development outweighs the loss or harm.
- 9) Proposals resulting in directly or indirectly, in the loss or significant harm of an irreplaceable habitats will normally be refused.
- 10) In all cases, the mitigation hierarchy should be used to first avoid, then mitigate and, where necessary and possible, compensate for the loss of biodiversity, and evidence provided to show how this has been followed. Where loss or harm to a European or other designated site cannot be avoided or mitigated, as a last resort, effective compensation must be secured and delivered.
- 11) Proposals should further the aims of the Local Nature Recovery Strategy via the delivery of biodiversity net gain where applicable. Key areas for suitable activities are currently being identified in the LNRS and expected to be identified early in 2025.
- 12) In addition, proposals should seek to conserve, restore and enhance protected species not addressed by “Biodiversity Net Gain” (as set out in Environment Act 2021) and reduce fragmentation by enhancing the connectivity of their populations and supporting habitats, and promote the functionality of other green infrastructure.

Reasoned Justification

Biodiversity Net Gain

21.11 Biodiversity net gain aims to leave the natural environment in a measurably better state than it was beforehand. The Environment Act (2021) requires that all applicable development shall deliver a net gain of at least 10% against the ecological baseline. Net gain is not intended to facilitate the unnecessary loss of valuable habitats and all proposals are expected to follow the mitigation hierarchy and the measures required to deliver a net gain go beyond those required to mitigate or compensate any harm after following the mitigation hierarchy.

21.12 Net gain is measured using Defra's Statutory Biodiversity Metric, which quantifies the value of biodiversity in terms of the habitats present and those proposed to be created and/or enhanced. A simplified version (the Small Sites Metric) may be used for sites proposing fewer than ten dwellings on land of less than one hectare. Exemptions for small self-build development exist which fulfil other requirements. Successful applicants will also be required to provide a Biodiversity Gain Plan to be approved in writing by the Council prior to commencement of development.

21.13 The creation or enhancement of features to achieve the net gain can be delivered on-site, off-site (or a combination of the two) or, as a last resort, via the purchase of statutory biodiversity credits. On-site solutions are preferred. Off-site solutions should be located in proximity to the development site, certainly within Three Rivers and ideally contribute to the functioning of the emerging LNRS or other green infrastructure networks. All will be secured for a period of at least 30 years via planning conditions, legal agreements and conservation covenants as appropriate.

21.14 Where possible, the Council will encourage the delivery of greater than 10% biodiversity net gain.

Protection and Enhancement of Biodiversity

21.15 Despite the widespread decline in nature, Three Rivers retains a valuable biodiversity resource albeit fragmented by built development, infrastructure and agriculture. These range from sites of national to local importance, although all will be afforded protection either in law, policy or best practice, but to differing degrees.

21.16 The relative importance of these is typically presented as the following hierarchy:

- Designated (or Protected¹) sites
- Irreplaceable habitats
- Habitats and species of principal importance

21.17 Whilst each is described below, there is considerable overlap on the ground with certain features or sites frequently arising in all three categories.

¹ Although a frequently used term not all are formally 'designated' and it is better to consider these as 'protected' sites (a term that will be used throughout this chapter).

21.18 The range of protected sites are shown below in descending importance:

Internationally important sites	Special Areas of Conservation (SAC) Special Protection Areas (SPA) Ramsar sites
Nationally important sites	Sites of Special Scientific Interest (SSSI) National Nature Reserves (NNR)
Locally important sites	Local Nature Reserves (LNR) Local Wildlife Sites (LWS) Local Geological Sites (LGS)

21.19 SACs and SPAs are afforded the highest levels of protection via the Habitats Directive (transposed into UK law by the Habitats Regulations 2017 (as amended)), with Ramsar sites enjoying similar protections though only in national policy. SSSIs, NNRs and LNRs are protected by domestic legislation and LWS and LGS are locally identified. Whilst the levels of protection therefore differ, these are set out in the NPPF, and local plans are expected to reflect this.

21.20 Irreplaceable habitats are listed in and protected by the biodiversity net gain legislation as examples of England’s most ecologically valuable features that are very difficult to restore, recreate or replace. They include but are not limited to ancient woodlands, ancient and veteran trees and lowland fens. Whilst examples frequently comprise part of a protected site they also frequently occur beyond these boundaries and can be distributed across the rural and built environments.

21.21 Ancient woodland is also given additional protection from [Government’s standing advice](#) which only allows its loss where ‘wholly exceptional reasons’ apply and where a suitable compensation strategy is in place.

21.22 Habitats and Species of Principal Importance are defined and listed in s41 of the NERC Act 2006 and represent those features of particular importance for the overall purpose of conserving biodiversity. The list of 56 habitats and 943 species features was carried forward from the UKs Biodiversity Action Plan (BAP), itself a response to the Convention on Biological Diversity in Rio in 1992 but has been adapted, accordingly, along the way.

21.23 However, levels of protection can vary widely with some, for instance great crested newts and all bats afforded additional protection additional protection by the Habitats Regulations, a consequence of their status as ‘European species’.

Biodiversity in Three Rivers

21.24 Though here are no internationally important protected sites within Three Rivers, it does support a range of other protected sites ranging from nationally designated SSSIs to local identified LNRs and LWSs. These include:

Special Areas of Conservation:

- None within the district (although parts of the district fall within the zone of influence of the Chiltern Beechwoods Special Areas of Conservation)

Sites of Special Scientific Interest:

- Frogmore Meadows
- Sarratt Bottom
- Croxley Common Moor
- Whippendell Woods
- Westwood Quarry

Local Nature Reserves at:

- Oxhey Woods
- Stockers Lake
- The Withey Beds
- Croxley Common Moor
- Prestwick Road Meadows
- Chorleywood House Estate
- Rickmansworth Aquadrome
- Chorleywood Common
- Batchworth Heath

21.25 There are also 139 Local Wildlife Sites located at least partially within the District, part of a county-wide network of almost 2,000 sites that seeks to maintain key components of the county's biodiversity resource.

21.26 However, HMWTs [State of Nature Report \(2020\)](#) identified that in the last 50 years, 76 species had become extinct in the county and, of the species assessed, 20% (or 1,524) of those remaining were identified as being of conservation concern and less than 12% of LWS were under beneficial management.

21.27 Although destined to be superseded by the LNRS in 2025, the Hertfordshire Biodiversity Action Plan (BAP): A 50-Year Vision for the wildlife and natural habitats of Hertfordshire (2006) remains relevant and identifies three key biodiversity areas in Three Rivers:

- Mid-Colne Valley - wetlands (gravel pits) and grassland
- Whippendell Woods and surrounds - woodlands, grasslands and wetland
- River Chess Valley - river, wetlands, grasslands, woodland and heathland

21.28 It is considered likely (although not guaranteed) that these will also be highlighted in the emerging LNRS as priority areas for conserving the existing biodiversity resource and the best opportunities for establishing areas of new, high-quality habitats. Consequently, the Council will be likely to refuse applications that have harmful impacts on biodiversity or compromise the effectiveness of the LNRS. In contrast, developments that avoid harmful impacts and make a positive contribution to the aims of the LNRS will be supported.

21.29 Developers should have regard to the potential impact of development proposals on biodiversity, including, for instance, trees, watercourses and woodlands from the outset. Applications should be accompanied by sufficient information to assess the impact of the proposed development on any protected species, trees, watercourses, woodlands or priority habitats. Where it is considered that a habitat/species protected under European or domestic statutory legislation could be affected by development, the Council will require adequate survey information to be submitted at the time of the application together with an assessment of the potential impacts and appropriate mitigation/compensatory measures, these should be integrated into schemes and shown on submitted plans. The surveys should be undertaken and carried out by competent persons and at appropriate times of the year. Surveys and assessments should all follow established CIEEM best practice.

21.30 In accordance with national policy on biodiversity and geology the Council will conserve and, where possible, enhance:

- Sites of Special Scientific Interest
- Local Nature Reserves
- Local Wildlife Sites
- Protected Species
- Trees and Ancient Woodlands, and
- Geological and physiographical features.

21.31 When considering development proposals, the Council will take full account of contemporary and rapidly emerging legislation, policy and guidance and other relevant information to:

- Assess the importance of a habitats and species
- Consider the potential impact of development
- Identify ways to conserve and enhance biodiversity in Three Rivers
- Improve connectivity between habitats through establishment and expansion of the LNRS and Green Infrastructure corridors.

21.32 The Council will support measures identified in management plans (including the Thames River Basin Management Plan) and related status reports for Sites of Special Scientific Interest, Local Nature Reserves and other wildlife sites that seek to conserve, enhance and restore biodiversity. Where appropriate, developers may be required to contribute to improvements in biodiversity as part of their proposals.

Green Infrastructure

21.33 In a wider context, biodiversity also represents a key element of Green Infrastructure (networks of green spaces and natural elements including open spaces, waterways, gardens, woodlands, green corridors, wildlife habitats, street trees, natural heritage, heritage assets, earth science interests and open countryside). The preferred Green Infrastructure Policy identifies key assets for Green Infrastructure and the existing and potential linkages. It also

sets out policy to seek a net gain in the quality and quantity of Green Infrastructure through the protection and enhancement of assets and the provision of new green spaces.

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Appendix 22 - Renewable and Low Carbon Energy Developments

Renewable and Low Carbon Energy Developments

1) Proposals for renewable energy developments, micro-renewables (such as, but not limited to, micro-wind turbines, micro-hydro and solar panels), or low and zero carbon and decentralised energy (such as, but not limited to Combined Heat and Power systems) may be supported subject to assessment of potential impacts on:

- a) Residential/workplace amenity;
- b) The visual amenity of the local area, including landscape character;
- c) Local natural resources, including air and water quality;
- d) The natural, built and historic environments;
- e) Biodiversity;
- f) Public access to the countryside;
- g) The openness and visual amenity of the Green Belt;
- h) Other site constraints.

2) The Council will take into account the individual and cumulative impacts of applications for renewable energy developments on the above.

Reasoned justification

22.1 We are keen to support the transition to a low carbon future and that the Local Plan should help to contribute to radical reductions in greenhouse gas emissions and support renewable and low carbon energy and associated infrastructure.

22.2 Hertfordshire as a whole had the technical potential to achieve a significant amount of renewable energy production by a number of other various means including Biomass, dedicated Combined Heat and Power facilities, Bio-diesel and Bio-ethanol. Given the District's watercourses, there may also be opportunities for micro-hydro power generation.

22.3 Specific areas suitable for large-scale renewable and low or zero carbon and decentralised energy have not been identified. However, the Council encourages applicants to integrate the use of renewable energy technologies into all proposals and supports the use of micro-renewables subject to an assessment of potential impacts.

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Appendix 23 – Vision for Three Rivers and Strategic Objectives

- 23.1 The Vision for our district has been developed and informed by the key issues that have been identified and takes account of other relevant strategies. It is supported by strategic objectives required to deliver that Vision and followed up by policies and proposals
- 23.2 The Vision for the District is designed to be broad and strategic addressing key issues which have been identified and are applicable to the district as a whole. A number of our communities have also outlined their vision for their area through the neighbourhood plan process.
- 23.3 The policies and proposals within the Local Plan will deliver the vision.-Our vision builds on the vision set out in the current Core Strategy, as well as on the evidence from various studies, high level strategies and the priorities and concerns of the community as set out in the Community Strategy and through responses to consultation.

Vision for Three Rivers

Our vision for Three Rivers is to ~~will~~ be recognised as a highly desirable, prosperous and outward-looking District where people want, and are able, to live and work. The District will have sustainable settlements, a resilient economy and a high quality built and natural environment embedding climate-sensitive principles in reducing carbon emissions and supporting the transition to a zero carbon future. The District will have a strong townscape and landscape character, with a strong sense of a place to foster cohesive communities whilst delivering the high quality homes, jobs and infrastructure that will provide access to good services and facilities for all.

- 23.4 The following strategic objectives outline what will need to be achieved to deliver the proposed Vision and to address the key issues which have been identified. These objectives and underpin the emerging spatial strategy, policies and proposals which will be included within the Local Plan.

Strategic Objectives

In order to implement and deliver the Vision the following set of strategic objectives have been identified:

Provide for a range of high quality new homes within the District to meet local needs for both market and affordable housing

The Local Plan plays a key role in accommodating a range of housing types, sizes and tenures to suit the varied needs of our population which includes market, affordable, special needs, elderly persons and Gypsy and Traveller accommodation. There remains a very high need for affordable housing in the District which is key to attracting and retaining workers. It is vital that all new housing development contributes to addressing this need, and the priority will be rented affordable homes and family sized homes which are required to meet the most urgent needs in the District. It is vital that all new housing development contributes

to addressing this need, and-the priority will be **to deliver** rented affordable homes and family-sized homes which are required to meet the most urgent needs in the District-

Secure economic prosperity within the District by providing a network of employment allocations that continues to meet the current and future needs of businesses.

The Local Plan seeks to ensure the District remains competitive and benefits from a high-performing economy that does not damage the environment. Space will be protected and provided to accommodate and support both existing and new businesses, including the strong film and TV sector. The-proximity and influence of the London job market may affect the potential for improving the homes to jobs ratio within Three Rivers. However, 'balance' between the provision of new homes and jobs is needed in order to redress the relatively high daily outflow of commuters from Three Rivers into adjoining areas. We anticipate that to meet needs in Three Rivers the number of new homes provided should be matched by the number of new jobs at a ratio of 1:1.

Ensure that new development prioritises and makes best use of previously developed land (PDL)

The Local Plan continues to focus on previously developed land (PDL) and to promote well-designed and beautiful development with minimum impact on the environment, but, in general, the supply of previously developed land is falling. In addition to urban brownfield sites, to achieve high levels of new development on previously developed land but, in general, the supply of previously developed land is falling. Development will be-planned on a number of edge of settlement sites through the strategic release of Green Belt-to make the best use of land.

Ensure that necessary infrastructure and services are integrated within new developments where appropriate

The Local plan seeks to provide enhanced access to infrastructure and services including health, education, transport and emergency services and that this is maintained or improved in the future,-delivered as an integrated component of new developments. They also include access to high quality green spaces, cultural and community facilities and a network of open spaces rich in biodiversity offering multiple benefits to health and wellbeing through their social, environmental and recreational value. New development must address requirements for new and improved infrastructure through direct, on-site provision, planning obligations and/or through the Community Infrastructure Levy which applies to certain forms of new development.

Support the viability, vitality and variety of shops and services within the District's main settlements and villages.

Ensuring that Abbots Langley, Chorleywood, Croxley Green, Rickmansworth, South Oxhey, Mill End, Maple Cross and Leavesden and Garston provide a good range of goods and services across the District will reduce the need to travel to centres further away, especially to meet every day local needs, and will support local businesses. Retaining services in other smaller settlements will also help to enable these settlements to meet some of the day-to-day needs of their communities.

Encourage active modes of travel and enable the integration of sustainable transport within new developments.

The Local Plan seeks to promote reduced private car travel and a good network of safe and accessible cycling and walking routes. The District has high levels of car ownership but the alternatives to the car travel will be encouraged to reduce impacts on the environment, congestion and to improve quality of life. Promoting alternatives to car travel through better public transport, better opportunities for cycling and walking as well those with mobility issues will be a priority including an opportunity to create 20 minutes neighbourhoods. Ensuring that opportunities for sustainable transport are integrated as part of development is vital to help achieve a more sustainable District. It will also be important to integrate transport networks to enable people to change easily between road, rail, bus and cycle travel.

Reduce the need to travel by locating development in sustainable and accessible locations.

As well as ensuring that sustainable transport options are promoted and are integrated as part of development proposals, siting development at locations with good access to services, employment and a range of transport options, will be major contributors to achieving a more sustainable District. In doing so, full account will be taken of local needs and environmental, social and economic constraints, including flood risk and highways constraints and ensuring that the District's high quality natural environment is maintained. Development will be focused on a number of urban sites and edge of settlement sites to prioritise land which is well served or can be well served by public transport.

To conserve and enhance the historic environment and resist the loss of, or damage to, heritage assets.

Three Rivers has a rich historic environment including many historic buildings, archaeological sites, historic structures, historic landscapes, spaces and Conservation Areas. There are over 350 Nationally Listed Buildings within Three Rivers and include historic homes such as Moor Park Mansion and Hunton Park, public houses, ecclesiastical buildings, and structures such as telephone kiosks, statues and bridges. These contribute towards the high quality of environment in the District and is an important resource bringing social, cultural, economic and environmental benefits to the community.

The Local plan will seek to conserve heritage assets and their settings through appropriate control management of development and enhance the historic environment by promoting high quality design and a public realm that complements the existing historic environment, townscape and landscape character.

9 Continue to tackle climate change and reduce the impacts on the environment by encouraging reductions in carbon emissions, waste, pollution, energy and water consumption and promoting the use of renewable energy and sustainable building materials.

Three Rivers has declared a climate emergency and it is essential that the problem of climate change is tackled at all levels, including the local. This means the District aims to be an exemplar for low carbon development by promoting good design, sustainable construction, and the reuse of buildings and materials; minimise the use of natural resources, increase overall green coverage and reduce the amount of waste going to landfill and encouraging the use of water efficiency measures and a reduction in water

consumption in order to protect future water supply. In addition, producing energy from local, renewable and low carbon sources will be promoted to become resilient to the impacts of climate change. Air pollutants (including dust and odour) have been shown to have an adverse effect on both health and the environment and it will be important to consider emissions arising from development including indirect emissions, such as those attributable to associated traffic generation are considered. It also means dealing with the effects of extreme weather and potential flood risk through appropriate design and siting of development. The nature of the District does not lend itself to large-scale wind energy developments; however there are opportunities for smaller-scale wind and other renewable and low carbon energy opportunities.

Provide opportunities for leisure, arts, sport and recreational activities within the District.

Supporting the location and provision of suitable open space, children's play space and sports facilities to meet future need will increase opportunities to exercise as part of a healthy lifestyle for the whole community will contribute to improving the health and wellbeing and to the quality of life of communities.

Provide a coherent network of Green Infrastructure that will continue to support the natural environment along with human health and wellbeing.

Three Rivers has visually attractive landscapes and important habitats for wildlife. There is however scope to develop and enhance the District's Green Infrastructure by improving the diversity and connectivity of landscape and habitats, and through the conservation and enhancement of natural assets including the Chilterns National Landscape; the District's Sites of Special Scientific Interest, Local Nature Reserves and wildlife sites; and the District's trees and woodlands.

To conserve and enhance the corridors of the Rivers Chess, Colne and Gade and the Grand Union Canal.

The Colne Valley Park, the Grand Union Canal and all river corridors including the Rivers Chess, Colne and Gade are particularly important assets to be conserved and enhanced as they provide Green Infrastructure connections across the whole District and into adjoining areas as well as providing space for water and biodiversity, a setting for development and opportunities for recreation and leisure. There are also a high number of heritage assets associated with the waterways which should be conserved and enhanced.

Promote a sense of place, and safe and secure places through good design

The Local plan seeks to promote safe and overlooked spaces to bring people together, create cohesive communities and foster a sense of a place. In addition, reducing crime, fear of crime and anti-social behaviour are key community priorities including and the Local plan seeks to achieve that by promoting good design and securing contributions towards increased police resources.

Meet the demands of an ageing population whilst ensuring the District remains attractive and accessible to younger people

Given the ageing population in the District, the **Local Plan seeks to** ensure that new homes provided are flexible and accessible to allow adaptations to meet changing needs; that neighbourhoods are welcoming, inclusive and accessible to people of all ages, regardless of

age or wellbeing; and that there is sufficient provision of housing for older people including specialist care to meet needs.

Health and Wellbeing

The way that we plan and design places has a significant influence over whether communities are able to live healthy lives. The policies within the Local Plan aim to improve the health and wellbeing of all Three Rivers' communities and to reduce health inequalities.

Reasoned Justification

- 3.5 The Vision for the District has been developed and informed by the key issues that have been identified from public consultations, evidence from studies and high-level strategies and priorities. It is supported by strategic objectives required to deliver that Vision and followed up by policies within the Local Plan. The Vision for the District is designed to be broad and strategic addressing key issues which have been identified and are applicable to the district as a whole.
- 3.6 The original Vision and Objectives have been refined over time to reflect more accurately local aspirations and sustainability objectives and to be more focused and better refined and are likely to develop further and become more locally distinctive, as the policies and proposals in the Local Plan were formulated.
- 3.7 The proposed Spatial Vision and Objectives are considered to provide the correct framework for the Local Plan taking into account the views of the local community. They also reflect and align with other plans and strategies affecting the area.

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Appendix 24 – Overarching Policy on Sustainable Development

Overarching Policy on Sustainable Development

(1) The Council will take a positive approach to the consideration of development proposals that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

(2) The Council will work proactively with applicants to find solutions that mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

(3) To contribute to the sustainability of the District, all development must take into account the need to:

a) Tackle climate change by reducing carbon emissions helping the Council achieve its ambition of net-zero emissions by 2030 for our own emissions and to achieve District-wide net zero carbon by 2045, increasing energy and water efficiency of buildings, promoting the use of renewable energy systems, and using other natural resources wisely, including through the use of sustainable building materials.

b) Avoid development in areas at risk from all sources of flooding unless appropriate mitigation measures can be demonstrated, and manage water and flood risk through the use and maintenance of Sustainable Drainage Systems.

c) Make efficient use of land by prioritising development on previously developed, brownfield land and incorporating mixed-use development wherever possible, recognising that some previously developed land can have significant biodiversity value.

d) Optimise the use of land including through an uplift in the density of development where appropriate.

e) Reduce waste going to landfill by reducing materials used, reusing and recycling building materials and providing opportunities for recycling wherever possible.

f) Protect and enhance our natural, built and historic environments from inappropriate development and improve the diversity of wildlife and habitats taking into account the need for biodiversity net gain.

g) Build mixed and sustainable communities by providing housing across a range of tenures and types, including affordable housing and specialist and supported accommodation to meet needs.

h) Maintain high levels of employment by attracting jobs and training opportunities for local people and supporting businesses.

- i) Improve access to jobs, skills, services and facilities particularly within areas of deprivation in the District.
- j) Sustain the viability and vitality of the Principal Town, Key and Secondary Centres and Villages as identified in the Three Rivers Settlement Hierarchy.
- k) Protect and enhance existing social and community facilities, and provide new facilities.
- l) Reduce the need to travel by locating development in accessible locations and promoting a range of sustainable travel modes with priority given to cycling and walking.
- m) Provide necessary infrastructure to enable and/ or support development, including (but not limited to) transport, education, health, Green Infrastructure, utilities, waste facilities, waste water, flood risk mitigation, leisure, cultural and community facilities.
- n) Promote buildings and public spaces of a high enduring design quality that respect local distinctiveness, take into account Neighbourhood Plan character areas where available, are accessible to all, reduce opportunities for crime and anti-social behaviour and encourage active lifestyles.
- o) Manage and reduce risk of and from pollution in relation to quality of land, air and water and dealing with land contamination.

Reasoned Justification:

24.1 The National Planning Policy Framework (NPPF) is underpinned by a presumption in favour of sustainable development which applies both in plan-making and decision taking. The proposed Overarching Policy on Sustainable Development is a strategic policy that sets out the Council's approach to sustainable development and will be complemented by more detailed policies in the Local Plan, enshrines the presumption in favour of sustainable development, and provides details of the specific local circumstances relevant to the achievement of sustainable development in Three Rivers.