Three Rivers District Council

Batchworth Neighbourhood Plan 2023 – 2038

Independent Examiner's Report

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6 January 2025

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Summary

I have been appointed by Three Rivers District Council to carry out the independent examination of the Batchworth Neighbourhood Plan.

The Plan area consists of a large area from the town centre of Rickmansworth and the rural area around Batchworth in the northeast to the predominately residential areas of Eastbury and Moor Park in the southwest. It is located some 20 miles from central London, just inside the M25. There are good rail and tube connections.

Rickmansworth is the Principal Town in the District and offers a wide range of services and facilities. It is located at the confluence of the Rivers Chess, Colne and Gade, and the Grand Union Canal runs along its southern edge.

A number of farming and leisure uses (most notably the Rickmansworth Aquadrome, various nature reserves and golf clubs) separate the built-up part of the Plan area from the suburban areas of Moor Park and Eastbury, which border Greater London at Northwood and also offer a range of services.

The Plan begins with a reference to the Hitchhiker's Guide to the Galaxy and is described as the 'community's manifesto' for the Batchworth area. It certainly sets out to achieve this with 20 detailed policies covering a variety of topics which are informed by a strong evidence base of a housing needs assessment and Design Code together with a number of well-defined projects. It recognises the impact of Covid 19 and sets the Plan in the context of the Climate Emergency declared by Three Rivers District Council in 2021.

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

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

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

Ann Skippers MRTPI
Ann Skippers Planning
6 January 2025

1.0 Introduction

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

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

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

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

2.0 The role of the independent examiner and the examination process

Role of the Examiner

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

The basic conditions[1] are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained European Union (EU) obligations[2]

[1] Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) and paragraph 11(2) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended)
[2] Substituted by the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018/1232 which came into force on 31 December 2020

- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

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

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

The examiner is also required to check[4] whether the neighbourhood plan:

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

I must also consider whether the draft neighbourhood plan is compatible with Convention rights.[5]

The examiner must then make one of the following recommendations:

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

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

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case TRDC. The

[3] Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018
[4] Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act and paragraph 11(2) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended)
[5] The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

Examination Process

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

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

In addition, PPG is clear that neighbourhood plans are not obliged to include policies on all types of development.[8] Often representations, as in this case, suggest amendments to the policies or the supporting text[9] or different approaches or new policies on different topics including site allocations.[10] Where I find that policies do meet the basic conditions, it is not necessary for me to consider if further amendments or additions are required.

PPG[11] explains that it is expected that the examination will not include a public hearing. Rather the examiner should reach a view by considering written representations. Where an examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, then a hearing must be held.[12]

After consideration of all the documentation and the representations made, I decided that it was not necessary to hold a hearing.

In 2018, the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) published guidance to service users and examiners. Amongst other matters, the guidance indicates that the qualifying body will normally be given an opportunity to comment upon any representations made by other parties at the Regulation 16 consultation stage should they wish to do so. There is no obligation for a qualifying body to make any comments; it is only if they wish to do so. Batchworth Community Council did not make comments on the Regulation 16 stage representations.

I am very grateful to everyone for ensuring that the examination has run so smoothly and in particular Marko Kalik and Aaron Roberts at TRDC.

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[6] Paragraph 11(3) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended) and PPG para 055 ref id 41-055-20180222,
[7] PPG para 055 ref id 41-055-20180222
[8] Ibid para 040 ref id 41-040-20160211
[9] See representations from the Three Rivers Museum Trust, HCC and Neelima Avasthy for example
[10] See representation from Stantec obo Crown Golf Group Ltd for example
[11] PPG para 056 ref id 41-056-20180222
[12] Ibid

I made an unaccompanied site visit to familiarise myself with the Plan area on 30 December 2024.

During the fact check stage, the Government published a new National Planning Policy Framework (NPPF) on 12 December 2024. Transitional arrangements set out in the document[13] explain that the policies in the updated NPPF will only apply to those neighbourhood plans submitted from 12 March 2025 onwards. As a result, this examination has continued with the NPPF updated in December 2023. It would be useful for the Plan to acknowledge the revised NPPF at an appropriate juncture.

Modifications and how to read this report

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

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

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

3.0 Neighbourhood plan preparation

A Consultation Statement has been submitted. It meets the requirements of Regulation 15(2) of the Neighbourhood Planning (General) Regulations 2012.

Work began on the Plan in 2020 with an online Commonplace survey to residents. After this, nine focus group/workshops were held in different locations around the Plan area to focus on key themes emerging from the survey. This included one event with businesses in the Moor Park retail area. From the focus group/workshops, potential policy areas were developed alongside other projects.

During the Summer 2021, consultation was undertaken. This stage was advertised by a flyer delivered to all households, direct contact by the BCC and the BCC website and a dedicated Plan website.

[13] NPPF December 2024, para 239

Pre-submission (Regulation 14) consultation took place between 30 May – 21 July 2023. This stage was publicised by posters, a leaflet delivered to all households and businesses on the High Street and on websites and social media. TRDC also published a news item on their website and had display material in their offices in Rickmansworth. Four drop-in events were held and these were reproduced online allowing people to access the documents in an interactive way in a virtual community hall.

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

Submission (Regulation 16) consultation was carried out between 23 July – 11 September 2024.

The Regulation 16 stage resulted in 18 representations. I have considered all of the representations and taken them into account in preparing my report.

4.0 Compliance with matters other than the basic conditions

Qualifying body

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

Plan area

The Plan area is coterminous with the administrative boundary for the Community Council. TRDC approved the designation of the area on 18 June 2018. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. The Plan area is shown on page 5 of the Plan.

Plan period

The Plan period is 2023 – 2038. This is clearly stated in the Plan itself. The requirement is therefore satisfactorily met.

Excluded development

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement. This is also helpfully confirmed in the Basic Conditions Statement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the

development and use of land. If I consider a policy or proposal to fall within this category, I will recommend it be clearly differentiated. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.[14]

In this case, a number of Projects have been included in the Plan. They are clearly distinguishable from the planning policies and accompanied by a good explanation.[15] I therefore consider this approach to be acceptable for this Plan. I do not comment further on the Projects except to say they are clearly articulated.

5.0 The basic conditions

Regard to national policy and advice

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

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

In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the delivery of strategic policies in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies.[16]

Non-strategic policies are more detailed policies for specific areas, neighbourhoods or types of development.[17] They can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment as well as set out other development management policies.[18]

The NPPF also makes it clear that neighbourhood plans give communities the power to develop a shared vision for their area.[19] However, neighbourhood plans should not promote less development than that set out in strategic policies or undermine those strategic policies.[20]

[14] PPG para 004 ref id 41-004-20190509
[15] The Plan, pages 7, 104
[16] NPPF para 13
[17] Ibid para 28
[18] Ibid
[19] Ibid para 29
[20] Ibid

The NPPF states that all policies should be underpinned by relevant and up to date evidence; evidence should be adequate and proportionate, focused tightly on supporting and justifying policies and take into account relevant market signals.[21]

Policies should be clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area including those in the NPPF.[22]

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

PPG indicates that a policy should be clear and unambiguous[23] to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the planning context and the characteristics of the area.[24]

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.[25] It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.[26]

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

Contribute to the achievement of sustainable development

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

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.[27] This means that the planning system has three overarching and interdependent objectives which should be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.[28]

[21] NPPF para 31
[22] Ibid para 16
[23] PPG para 041 ref id 41-041-20140306
[24] Ibid
[25] Ibid para 040 ref id 41-040-20160211
[26] Ibid
[27] NPPF para 7
[28] Ibid para 8

The three overarching objectives are:[29]

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

The NPPF confirms that planning policies should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account to reflect the character, needs and opportunities of each area.[30]

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

General conformity with the strategic policies in the development plan

The development plan consists of a number of different documents.

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

The Development Management Policies (DMP) sets out the criteria against which all planning applications within the District will be considered, alongside those set out in the adopted Core Strategy. It was adopted on 26 July 2013.

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

In addition to the above documents, the Hertfordshire Minerals Local Plan 2002 – 2016 and Waste Core Strategy and Development Management Policies 2011-2026 and Waste Site Allocations Development Plan Document 2011-2026 covering the whole County and

[29] NPPF para 8
[30] Ibid para 9

produced by Hertfordshire County Council (HCC) relate to minerals and waste form part of the development plan alongside other made neighbourhood plans.

Rickmansworth is identified as a Principal Town in the CS's settlement hierarchy. Moor Park and Eastbury are identified as Secondary Centres. Future major development is primarily focused in and around the Principal Town and the Key Centres. New development is directed towards previously developed land and appropriate infilling opportunities within Rickmansworth and the Key Centres with more limited new development on previously developed land and infilling in the Secondary Centres. The CS recognises that a review of Green Belt boundaries at the edge of settlements will be needed.

CS Policy PSP1 focuses new development within the urban area of Rickmansworth, on previously developed land. This recognises that edge of town locations are generally constrained by open space and Green Belt and by flood risk areas and wildlife designations. About 15% of the District's housing requirements are to be provided in Rickmansworth with about 45% affordable housing. The retail core in the town centre is to be maintained and a range of town centre uses promoted. The town centre is to be a focus for community interaction. Employment floor space is to be maintained. An integrated approach to improve transport and movement in and around the town and to other centres is sought. Heritage and nature conservation is to be conserved and enhanced.

TRDC have very helpfully confirmed in other examinations that there are five policies in the DMP considered to be strategic in nature and of relevance to this examination and two policies in the SALDD. The policies are DMP Policies DM2, DM3, DM6, DM11 and DM12 and SALDD Policies SA2, SA4 and SA5.

Whilst this has formed part of my own assessment, the Basic Conditions Statement sets out how the policies in the Plan conform to the CS.

Emerging policy

TRDC is preparing a new Local Plan which will provide the planning policies and proposals for the District to 2041. Most recently, a consultation was held in October – December 2023 on a Preferred Local Plan Lower Housing Growth Option – Protecting More Green Belt Land. It is anticipated that the new Local Plan will be submitted to the Secretary of State for examination in Spring 2026.

There is no legal requirement to examine the Plan against emerging policy. However, PPG[31] advises that the reasoning and evidence informing the local plan process may be relevant to the consideration of the basic conditions against which the Plan is tested.

Furthermore qualifying bodies and local planning authorities should aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging local

[31] PPG para 009 ref id 41-009-20190509

plan and the adopted development plan with appropriate regard to national policy and guidance.[32]

It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan because the Planning and Compulsory Purchase Act 2004 requires that any conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.[33]

PPG advises that where a neighbourhood plan has been brought into force, the local planning authority should take its policies and proposals into account when preparing the local plan. Local plan policies should not duplicate those in the neighbourhood plan, and do not need to supersede them unless changed circumstances justify this. It is important for local plans to make appropriate reference to neighbourhood plan policies and similarly for neighbourhood plans to acknowledge local plan policies that they relate to.[34]

Some representations seek the inclusion of proposed policies and site allocations in the new Local Plan to be included in this Plan. In my view, this would be premature as the new Local Plan has not been yet been examined and the inclusion of site allocations, for example, to be included in this Plan would have required a rigorous process of selection which I suspect may well have duplicated work at TRDC level and/or affected the direction of travel strategically across the District. There is, as I have already acknowledged, no obligation for neighbourhood plans to cover every and any policy topic or include site allocations. Given that Rickmansworth is a Principal Town, and the work to date that has been carried out on the new Local Plan by TRDC, it is not inappropriate that this current version of the Plan does not contain any significant site allocations for housing.

Retained European Union Obligations

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

With reference to Strategic Environmental Assessment (SEA) requirements, PPG[35] confirms that it is the responsibility of the local planning authority, in this case TRDC, to ensure that all the regulations appropriate to the nature and scope of the draft neighbourhood plan have been met. It states that it is TRDC who must decide whether the draft plan is compatible with relevant retained EU obligations when it takes the decision on whether the plan should proceed to referendum and when it takes the decision on whether or not to make the plan.

[32] PPG para 009 ref id 41-009-20190509
[33] Ibid
[34] Ibid para 006 ref id 61-006-20190723
[35] Ibid para 031 ref id 11-031-20150209

Strategic Environmental Assessment and Habitats Regulations Assessment

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

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

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

A SEA and HRA Screening Report updated in March 2024 has been prepared by Place Services. This concludes that the Plan is not predicted to have likely significant effects, either alone or in combination with other plans and projects and therefore 'screened out' both SEA and HRA.

Although the responses are not appended to the document, the Screening Report states that consultation with the statutory bodies has taken place and all concur with the findings of the Screening Report.

I have treated the Screening Report to be the statement of reasons that the PPG advises must be prepared and submitted with the neighbourhood plan proposal and made available to the independent examiner where it is determined that the plan is unlikely to have significant environmental effects.[36]

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

Turning now to HRA, the Screening Report details five habitats sites within 20km of the Plan area. They are the South West London Waterbodies Special Protection Area (SPA) and Ramsar and the Burnham Beeches, Windsor Forest and Great Park and the Chilterns Beechwoods Special Areas of Conservation (SAC).

[36] PPG para 028 ref id 11-028-20150209

The Screening Report concludes that no likely significant effects are predicted, either alone or in combination with other plans and projects.

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

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

Conclusion on retained EU obligations

PPG establishes that the ultimate responsibility for determining whether a plan meets retained EU obligations lies with the local planning authority.[37] TRDC does not raise any concerns in this regard.

European Convention on Human Rights (ECHR)

The Basic Conditions Statement does not contain any statement in relation to human rights and equalities. However, there is nothing in the Plan that leads me to conclude there is any breach or incompatibility with Convention rights.

6.0 Detailed comments on the Plan and its policies

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

The Plan is presented to an exceptionally high standard and contains 20 policies. There is a helpful contents page at the start of the Plan.

Part A: Scene-setting

1. ***Introduction***
2. ***Batchworth 'today'***

The first section of the Plan is well written and presented and contains a wealth of information about the Plan area.

[37] PPG para 031 ref id 11-031-20150209

There is a need to update references to the December 2023 NPPF throughout the Plan. I have found updates are needed to pages 22, 53, 88 and 92, but this may not be a complete list. This modification is not repeated elsewhere in this report.

In addition, it would be useful for the Plan to acknowledge that the Plan was prepared in line with and examined under the December 2023 NPPF, but that a new NPPF was published in December 2024. A reference could also be added to Section 9 of the Plan in relation to any future review and I make a recommendation in this respect later on in my report.

There is a correction to a reference to an appendix.

There will also be some natural updating as the Plan progresses to the next stage.

A representation indicates there is a factual inaccuracy in paragraphs 2.12 and 6.31 about William Penn's birthplace. This should be corrected as a minor factual modification, but is not something I need to recommend given my role.

- **Update references to the December 2023 NPPF throughout the Plan as necessary**

- **Add the following to paragraph 2.44 on page 22 of the Plan: "*The Neighbourhood Plan has been prepared in line with and examined under the December 2023 version of the NPPF. A new version of the NPPF was published in December 2024 during the course of the examination. However, transitional arrangements set out in the document explain that the policies in the updated NPPF will only apply to those neighbourhood plans submitted from 12 March 2025 onwards.*"**

- **Correct the reference to "Appendix 3" in paragraph 2.49 on page 24 of the Plan to "Appendix *4*"**

Part B: Aspiration
3. Batchworth 'tomorrow'

The vision for the area is:

> "*The **richness of natural assets** in Batchworth will be strengthened, building its reputation as **the "Green and Blue Town".** This will be reflected both in the protection and enhancement of open spaces, wetland areas and riparian environment, biodiversity and wildlife habits, but also through measures that deliver **high standards of sustainability** in new and existing buildings, and the way that we move around.*
>
> *Infrastructure that supports walking and cycling, particularly for shorter, everyday journeys, will be provided, facilitating **safe and sustainable access for all** residents and visitors.*

*A wide range of recreational and community facilities will help make Batchworth **a thriving and healthy place to live, learn, work and play** for everyone, of all ages and abilities.*

*Through **public realm improvements** and business-friendly policy, local centres and employment areas at Money Hill, Tolpits and Rickmansworth Town Centre will be bolstered to create **flexible, socially inclusive, economic and social hubs** that respond to modern-day life and working patterns.*

*New residential development will embed high environmental standards and **quality of design**, and be delivered alongside appropriate infrastructure. Individual character areas, from Rickmansworth Town and Money Hill to Moor Park and Eastbury, will retain their **distinctive identities**, preserving existing built and natural heritage whilst encouraging innovative and sustainable design.*"

The detailed and distinctive vision is underpinned by five objectives.

Both the vision and the objectives are clearly articulated and relate to the development and use of land and put sustainable development at the heart of the Plan.

Part C: Policies
4. Green and blue infrastructure

There are four policies in this topic section which supports objective one in the Plan.

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

The NPPF states that policies should contribute to and enhance the natural and local environment including through the protection and enhancement of valued landscapes and sites of biodiversity value, recognising the intrinsic character and beauty of the countryside and minimising impacts on, and providing net gains for, biodiversity.[38]

As part of its drive to promote healthy and safe communities, the NPPF recognises the provision of safe and accessible GI can enable and support healthy lifestyles.[39]

The NPPF indicates that plans should take a proactive approach to mitigating and adapting to climate change, taking into account long-term implications and support appropriate measures to ensure that communities are resilient to climate change impacts.[40]

[38] NPPF para 180
[39] Ibid para 96
[40] Ibid para 158

As part of this drive, new development should be planned in ways that, amongst other things, utilise GI as appropriate adaptive measures.[41]

TRDC declared a Climate Emergency in April 2019.

The Plan explains that Batchworth has an extensive network of green and blue infrastructure including local wildlife sites and nature reserves. This extensive network is illustrated in Figure 13 on page 33 of the Plan.

The supporting text also makes reference to the Batchworth Neighbourhood Design Code commissioned from AECOM and dated November 2023, with an extract demonstrating how development might create connected green corridors. The Design Code specifically refers to green and blue infrastructure as an important landscape feature which contributes to the character and identity of Batchworth.[42]

One of the CS's strategic objectives indicates there is scope to develop the district's GI through improving the diversity and connectivity of landscape and habitats.

CS Policy PSP1 in relation to Rickmansworth seeks to conserve and enhance the unique natural landscape, biodiversity and habitat surrounding the town, including the valleys of the Rivers Chess and Colne.

CS Policy CP1 seeks to ensure that all development contributes to the sustainability of the District including through tacking climate change, addressing flood risk including through Sustainable Urban Drainage Systems (SuDs), promoting the use of renewable energy and making efficient use of land.

CS Policy CP9 seeks a net gain in the quality and quantity of GI.

DMP Policy DM6 refers to biodiversity, trees, woodlands, watercourses and landscaping.

Policy BW GB1: Biodiversity seeks to achieve a number of things. Its firstly refers to biodiversity net gain making reference to Natural England's biodiversity metric. It refers to priority habitats and refers to 'buffer zones' and references the Design Code principles. It seeks permeable GI, recognising that lighting needs to be sensitive. It encourages appropriate landscaping and recognises that landscape can be an important component in creating distinctive places. It seeks mitigation in those appropriate cases.

Policy BW GB2: Colne Valley Regional Park seeks to ensure that development proposals in or adjacent to the Colne Valley Regional Park (CVRP) make a positive contribution to the CVRP in line with the opportunities identified in the CVRP Green Infrastructure Strategy. The Plan area falls within the northeast of the CVRP in the 'North Colne' area.

[41] NPPF para 159
[42] Design Code page 22

Policy BW GB3: Access to green and blue infrastructure supports the enhancement of access to GI for walking, wheeling and horse riding through the provision of new or better connected routes. The policy refers to the Design Code with regard to the design of routes.

Policy BW GB4: Local Green Space Designations seeks to designate 11 areas of Local Green Space (LGS). The spaces are shown in Appendix 3 of the Plan and a supporting document, Local Green Space Designations, provides details about each space.

The NPPF explains that LGSs are green areas of particular importance to local communities.[43] The designation of LGSs should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.[44] It is only possible to designate LGSs when a plan is prepared or updated and LGSs should be capable of enduring beyond the end of the plan period.[45]

The NPPF sets out three criteria for green spaces.[46] These are that the green space should be in reasonably close proximity to the community it serves, be demonstrably special to the local community and hold a particular local significance and be local in character and not be an extensive tract of land. Further guidance about LGSs is given in PPG.

1. Rickmansworth Park is a large open space with a row of mature trees to its northern boundary. It forms the northern perimeter of the town and is valued for its historic significance and recreational value as well as its tranquility and trees and wildlife. It lies within the Green Belt.

2. Bowls Club and Northway Garden consists of a bowling green and adjacent grass area with shrubs and seating and the adjacent formal garden. The proposed designation includes the clubhouse and youth centre which should be removed from the designation. The site falls within the Conservation Area (CA).

3. Bury Gardens is valued as an area for walking and relaxing and its wildlife. It has historic significance. The River Colne tributary runs through the area and there is a bridge offering nice views of Bury House, a listed building. It falls within the Green Belt and a CA.

4. Scotbridge Playing Fields and Sports Club is a recreation ground providing a variety of facilities including cricket, football and hockey. There are a number of buildings included in the proposed designation which should be removed. The site falls within the Green Belt.

5. Fortune Common forms part of the green corridor joining the Chess Valley to the

[43] NPPF para 105
[44] Ibid
[45] Ibid
[46] Ibid para 106

Colne valley and the Aquadome and Colne Valley Park. It is valued as a walking route and forms part of a Local Wildlife Site. It falls within the Green Belt.

6. Riverside Drive is in two parts being bisected by Riverside Drive which is part of the town's ringroad. The site is valued for recreation purposes including a very popular play area and its wildlife. It falls within the Green Belt.

7. Ebury Road Allotments is valued as a well-used community facility for social interaction and healthy eating. The site is valued for its wildlife as well. It falls within the Green Belt.

8. Eastbury Recreation Ground is valued for its recreation. It includes a car park, tennis courts and children's play area. The site was identified in the Design Code as an important open space within the area.[47] The car park, areas of hard surface including the tennis courts and any buildings should be removed from the designation.

9. Grove Green on Batchworth Lane next to Grove Farm Park is a small green space bounded by roads on three sides. It is valued for its amenity and openness.

10. Greenbroom Spring and the Grove Woods consists of three areas of woodland used by walkers and wildlife spotters. It falls within the Green Belt.

11. Batchworth Allotments is a well-used area in the Green Belt. It is valued for the opportunity it gives for social interaction and its wildlife due to its proximity to water bodies. It falls within the Green Belt.

Based on the information in the supporting document and my site visit, in my view, all of the proposed LGSs meet the criteria in the NPPF satisfactorily. No representations have been made that lead me to a different conclusion. However, those with buildings or hard surfaces such as car parks should be amended in their extent to remove anything other than green spaces.

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

In line with PPG advice,[48] I have also considered whether there is any additional benefit to be gained by the designation for sites located in the Green Belt or falling within other designations such as a Conservation Area. Different designations often achieve different purposes and I consider that the LGSs will send a signal and recognise the particular importance these spaces have for the local community.

Turning now to the wording of the policy, it designates the LGSs and states that

[47] Design Code page 46
[48] PPG para 010 ref id 37-011-20140306

development in the LGSs will be consistent with national policy for Green Belts. This has regard to the NPPF which is clear that policies for managing development within a Local Green Space should be consistent with those for Green Belts.[49]

With the modifications to Policy BW GB4**, Policies BW GB1, GB2, GB3 and GB4** meet the basic conditions by having regard to the NPPF, being in general conformity with the development plan policies referred to above and helping to achieve sustainable development.

A representation from the Defence Infrastructure Organisation refers to Figure 13 on page 33 of the Plan. It appears to confuse the GI identified on this Figure with the designation of LGSs. No LGSs are proposed on the five land parcels which the representation confirms as falling within the Northwood Headquarters boundary or within service family accommodation. However, for the avoidance of doubt, these five parcels of land on Figure 13 should be removed as the representation makes it clear these parcels form part of the Ministry of Defence estate.

A representation from DLP Planning refers to the green and blue corridors identified in Figure 16 and described in the supporting text. It is not necessary to amend Figure 16 or the descriptions given these are taken from another document.[50] In addition, urban features and characteristics can form part of GI and so whilst the Plan does not refer to any built development in the descriptions of the corridors, this is not to say there are no urban features within the corridors. The supporting text and Policy BW GB3 seeks to improve access and, with appropriate design, there is no reason why the policy would prevent new built development per se.

- **Remove the buildings and areas of hard surfaces including car parks and tennis courts from proposed LGS designations 2. Bowls Club and Northway Gardens; 4. Scotbridge Playing Fields and Sports Club; 8. Eastbury Recreation Ground (as relevant)**

- **Remove the five land parcels in the Northwood HQ and service family accommodation boundaries from Figure 13 on page 33 of the Plan or otherwise indicate on the Figure that any Ministry of Defence land does not form part of the Green Infrastructure network or open or green spaces designations**

5. Climate change

In relation to meeting the challenge of climate change, flooding and coastal change, the NPPF states that the planning system should support the transition to a low carbon future.[51] The planning system should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of

[49] NPPF para 107
[50] TRDC LDF Green Infrastructure Background Paper March 2010 page 24
[51] NPPF para 157

existing buildings; and support renewable and low carbon energy and associated infrastructure.[52]

It continues that plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.[53]

To help increase the use and supply of renewable and low carbon energy and heat, the NPPF states that plans should provide a positive strategy for energy from these sources.[54]

Community-led initiatives taken forward through neighbourhood planning should be supported by local planning authorities, including for developments outside areas identified in local plans or other strategic policies.[55]

There are four policies in this section. The first is **Policy BW CC1 Sustainable design and construction.** This policy encourages new development to meet a high level of sustainable design and construction. It refers to Hertfordshire's Building Future's Sustainable Design Toolkit and the Design Code.

The Government introduced national technical standards for housing in 2015. A Written Ministerial Statement (WMS)[56] explains that neighbourhood plans should not set out any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings.

That WMS is now effectively moot in this respect following a Government Statement on Planning – Local Energy Efficiency Standards Update.[57] This embeds a general rule of thumb that policies which propose standards or requirements that go beyond current or proposed standards should be rejected at examination if they do not have a well-reasoned and robustly costed rationale. I consider the principle is applicable here.

Having carefully considered the wording of the policy I consider it does not set a standard and therefore is acceptable.

Policy BW CC2: Renewables supports large-scale renewable energy development and individual and micro-scale community led initiatives subject to the criteria in DMP Policy DM5, buts adds two further criteria relating to setting and biodiversity. The last element of the policy refers to energy generation from the river and canal network.

DMP Policy DM5 sets out the criteria for large-scale renewable energy developments and micro-renewables.

[52] NPPF para 157
[53] Ibid para 158
[54] Ibid para 160
[55] Ibid para 161
[56] Written Ministerial Statement 25 March 2015
[57] Statement made on 13 December 2023

Policy BW CC2 refers to DMP Policy DM5 and any subsequent review of the DMP policy, aiming to future-proof it in respect of large-scale development, it does not do this for micro-renewables. In any case the reference to "subsequent review" arguably introduces some doubt about the criteria as there is no way of knowing what a reviewed policy might contain. I would prefer Policy BW CC2 to stand on its own two feet. A modification is therefore made to address this in the interests of clarity and although this will result in some duplication, is sufficiently local in nature.

Policy BW CC3: Sustainable drainage supports the appropriate use of Sustainable Urban Drainage Systems (SuDs). The Plan explains that flood risk is focused along and at the confluence of the Rivers Colne, Gade and Chess and where these intersect with the Grand Union Canal. Surface water is also an issue. The policy is in line with the NPPF which encourages new development to incorporate SuDs where appropriate.[58]

The Design Code indicates that SuDs are a key design tool to manage surface water, reduce flood risk and improve water quality as well as improving amenity benefits.[59] A representation from Hertfordshire County Council (HCC) suggests some updates to the guidance available and referred to in paragraph 5.16 on page 55 of the Plan. HCC also correct the title of the SuDs Approval Body in paragraph 5.18. There are also spelling errors in both paragraphs 5.16 and 5.18. All of these corrections can be actioned as minor factual updates. A modification is however made to future-proof the policy.

Policy BW CC4: Paving of front gardens seeks to address the issue of paving over front gardens which sometimes does not require the submission of a planning application. The policy seeks to address those situations where an application is required to minimise the extent of any paving and incorporate SuDs and appropriate planting.

I note HCC is supportive of this policy.

With the modifications to Policies BW CC3 and BW CC4, Policies BW CC1, BW CC2, BW CC3 and BW CC4 will meet the basic conditions. All have regard to national policy, are in general conformity with CS Policy CP1 and DMP Policy DM5 as appropriate and will help to achieve sustainable development.

There is a spelling error in paragraph 5.7 on page 50 of the Plan which can be corrected as a minor modification.

- **Revise Policy BW CC2 to read:**

  "1. Proposals for large-scale renewable energy developments will *take into account and address any potential impacts on:*

  i*) residential/workplace amenity*
  ii) the visual amenity of the local area, including landscape character

[58] NPPF paras 173, 175
[59] Design Code page 56

iii) local natural resources, including air and water quality
iv) the natural, built and historic environments
v) biodiversity
vi) public access to the countryside
vii) the openness and visual amenity of the Green Belt and
viii) other site constraints.

2. Proposals for individual and micro-scale community led initiatives, involving the generation of energy from hydro-electricity, solar photovoltaic and other technologies, as appropriate, will be supported subject to*:*

***i) satisfactory impacts on r*esidential/workplace amenity**
ii) the siting and scale of the proposed development is appropriate to its setting and position in the wider landscape, referring to the qualities and characteristics of the built and natural environment set out in the Batchworth Neighbourhood *Design* Code
iii) the proposed development does not have an unacceptable impact on a feature of *heritage,* natural or biodiversity importance
iv) the openness and visual amenity of the Green Belt *and*
v) other site constraints.

3. Proposals for energy generation from the river and canal network, including heating and cooling networks, will be subject to assessment of potential impacts including on flood risk, water levels, navigation and wetland wildlife. Consultation with and the gaining of any necessary licences or permits from the Environment Agency will be required."

- **Add at the end of criterion 2a) of Policy BW CC3 "*or any successor document*"**

6. Community

There are eight policies in this section. All seek to achieve the objective of strengthening community cohesion and inclusiveness by making Batchworth an attractive place for all to live and work in.

The first policy is **Policy BW CO1: Housing type, tenure and mix**.

The NPPF states that to help support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.[60] It continues that the overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community.[61]

[60] NPPF para 60
[61] Ibid

Within this context, it is clear that size, type and tenure of housing needed for different groups in the community should be assessed and reflected in policy.[62] These groups include affordable housing, families with children, older people and those with disabilities.[63]

A Housing Needs Assessment (HNA) produced by AECOM has been undertaken to support this policy. This indicates that over the Plan period, more people will move into the higher age category. There is an imbalance in housing type with 75% of the housing stock being detached or flats. Housing tends to be larger and a lack of three bedroomed properties has been identified. The HNA recommends a focus on mid-sized homes to help provide housing options.

The HNA identified an undersupply of affordable housing in comparison to both national and District data. The HNA indicates that the delivery of affordable rented housing should be maximised at approximately 70% with the remaining 30% or so as affordable routes to home ownership.

The policy sets a 45% affordable housing target which reflects the current development plan as CS Policy CP4 seeks an overall provision of around 45% for affordable housing. CS Policy PSP1 sets out 15% of District's housing requirements with 45% affordable housing in Rickmansworth.

In line with CS Policy CP4, the policy expects all new development resulting in a net gain of one or more dwellings to contribute to affordable housing. It indicates as a guide the split between social rented and intermediate will be 70/30%. Policy BW CO1 seeks to future-proof this through the Local Plan review.

The policy introduces a housing split of 70%/30% in respect of affordable housing tenures. It sets out criteria for First Homes at a discount of 50%. The HNA recommended delivery of First Homes and indicates the discount level at 50% is necessary and strongly justified in Batchworth.

The Affordable Homes Update Written Ministerial Statement (WMS) made on 24 May 2021 confirms that First Homes must be prioritised for first-time buyers and not sold to any household with a combined annual income of more than £80,000. Other criteria can be applied at a local level such as a lower income cap, prioritise key workers or specify a local connection. The WMS confirms that neighbourhood plans are also able to apply such criteria.

The policy then refers to the integration of affordable housing in schemes and sets out housing size criteria. It supports specialist housing for older people again recommended by the HNA. It resists the loss of bungalows as part of the need to provide for homes suitable for an older population. The HNA indicated a near total

[62] NPPF para 63
[63] Ibid

absence of bungalows and the Design Code recognises that Rickmansworth Town has a low number of bungalows.[64]

Lastly, the policy encourages the nationally described space standards. It does not seek to seek standards itself.

Whilst I recognise that the Plan does not seek to make site allocations which is acceptable as I have explained elsewhere in this report, it has sought to address more locally based issues of type, tenure and mix based on a HNS specific to the Plan area. It is however likely that the emerging Local Plan will update the overall position in due course to address the dire need for affordable housing.

The NPPF is clear that affordable housing should not be sought for residential developments that are not major.[65] The NPPF normally expects at least 10% of the total number of homes to be available for affordable home ownership, but sets out some exemptions to this including self and custom build homes and community-led exception sites.[66]

The HNA accepts that, given the need for affordable housing in the Plan area, the delivery of affordable housing should be maximised. This policy reflects the CS policies in that regard. It does not however, reflect the exemptions in the NPPF and a modification is recommended to address this.

Otherwise, I consider the policy is based on appropriate evidence specific to this Plan area and takes a pragmatic approach. It has regard to the NPPF, is a local expression of CS Policies CP4 and CS3 which supports high quality development that caters for a wide range of housing needs including housing for older people and specialist accommodation. It will help to achieve sustainable development, particularly redressing the housing stock imbalance in the local area and supporting the local population. With the modification, it will meet the basic conditions.

- **Amend criterion 1 of Policy BW CO1 to read:**

  "*Development will be expected to provide affordable housing in line with national and District level policy.*"

The next three policies focus on Rickmansworth Town Centre. Rickmansworth is the principal settlement in the District. It is located in an unusual setting. The Plan identifies a number of challenges and opportunities for the town. It has experienced some decline in the retail sector and its catchment is limited, largely through the location of rail and roads which divide the town with few crossing points. Most people use cars to access the town contributing to congestion and the need for parking with the associated issues of health and use of land. Opportunities for walking and cycling could be improved.

[64] Design Code page 77
[65] NPPF para 65
[66] Ibid para 66

As a result the visitor arrival experience is regarded as poor and there is an opportunity to enhance the historic High Street's public realm where the main retail focus alongside Church Street is found. Both these areas fall within a Conservation Area.

Although green infrastructure gives the town its unusual setting, the nature reserve and golf courses are cut-off from the town which has a lack of green infrastructure. There are flooding issues.

The Plan's vision is that Rickmansworth will be a twenty-minute neighbourhood. Fostering social cohesion to provide a focal centre and strengthening the civic role and pride in the town is regarded as key. Other initiatives such as making the High Street a 'sticky street' and the library the Town's 'living room', are detailed in the Rickmansworth Town Centre Concept Plan.

Policy BW CO2: Rickmansworth town centre uses sets out the mix of uses sought within a defined town centre area which is shown on Figure 21 on page 77 of the Plan. The town centre area appears to correlate to the Conservation Area. A Primary Shopping Area is also defined. The SALDD reviewed the primary and secondary frontages across the District. This policy changes those frontages into a primary shopping area which is similar to the location of the frontages and in line with previous iterations of the emerging Local Plan. I saw at my site visit that both designations have been appropriately identified.

One of the CS's strategic objectives and CS Policy PSP1 is to maintain and enhance the viability, vitality and variety of shops and services within Rickmansworth. CS Policy CP1 sustains the vitality and viability of Rickmansworth. CS Policy CP7 focuses on town centres and shopping. DMP Policy SA4 supports retail development in the town centre. This policy will help to achieve the aims of these policies.

Policy BW CO3: Rickmansworth library and civic area supports the development of the library and civic site defined in Figure 21 for a mix of uses with the creation of a plaza in line with the Town Centre Concept Plan.

This site is identified in previous iterations of the emerging Local Plan as a potential redevelopment site for housing. A representation from HCC states that there is no active pursuance of plans to redevelop the library site, presumably for the development supported by this policy or any potential residential redevelopment. The delivery of this policy may then be uncertain, but given the timeframe of the Plan I cannot see why it cannot be retained.

This policy also reflects the ambition in CS Policy PSP1 to support the town centre as a focus for community interaction and CS Policy CP1 which seeks to protect and enhance community and cultural facilities and promotes buildings and public spaces of high quality design.

The Three Rivers Museum Trust also suggests referencing the Museum in this policy. This may well be a positive action, but it is not a recommendation I can make given my remit.

Policy BW CO4: Rickmansworth town centre design principles based on the Rickmansworth Town Centre Concept Plan and the Design Code, this policy sets out a variety of design principles aimed at enhancing the town centre. It refers to the Design Code and the Town Centre Concept Plan. Markets and other outdoor events are referred to and the policy aims to ensure their ongoing viability.

The NPPF is clear that policies should support the role of town centres which lie at the heart of local communities, by taking a positive approach to their growth, management and adaption.[67] I consider all three policies offer a positive strategy that will promote the vitality and viability of the town centre, allowing a suitable mix of uses, including markets, which reflects the ambitions of the Plan and builds on the distinctive character and issues associated with the town centre.

CS Policy PSP1 recognises the importance of maintaining and enhancing the vitality and viability of the town centre and this policy will help to achieve that through appropriate and well-designed development.

Policies BW CO2, BW CO3 and BW CO4 meet the basic conditions by having regard to national policy, being in general conformity with CS Policies PSP1, CP1 and CP7 and DMP Policy SA4 and helping to achieve sustainable development. No modifications are therefore recommended.

Policy BW CO5: Moneyhill and Moor Park Local Centres recognises the importance of these two local parades. The Plan recognises that Moneyhill is dominated by traffic and parking and servicing and seeks to remodel the parade making it more attractive to pedestrians and cyclists.

Policy BW CO5 sets out support for uses that support these two local centres including appropriate residential or office development on upper floors and the creation of active frontages. New community facilities are also supported. The design of development and public realm improvements form the last criteria.

This is in line with the NPPF states that policies should plan positively for shared spaces, community facilities which include local shops and cultural buildings.[68] It also states that policies should guard against the unnecessary loss of valued facilities and services as part of its drive to promote healthy and safe communities, particularly where this would reduce the community's ability to meet day to day needs.[69]

Policy BW CO6: Community facilities supports new or improved facilities including new community centres in Eastbury and Rickmansworth referring to the Design Code.

[67] NPPF para 90
[68] Ibid para 97
[69] Ibid

This is in line with DMP Policy DM12 which supports community, leisure and community facilities.

Policies BW CO5 and BW CO6 meet the basic conditions by having regard to national policy and being in general conformity with CS Policies CP1 and CP7, DMP Policy DM12 and SALDD Policy SA4 which gives in principle support for retail development at local shops. Money Hill Parade is identified in the SALDD. Both policies will help to achieve sustainable development. No modifications are recommended to either policy.

The next two policies focus on employment. The Plan explains that the Plan area plays a major role in supporting economic development as both Rickmansworth Town Centre and Tolpits Lane are identified as key employment areas in CS Policy CP6. DMP Policy SA2 safeguards the allocated employment sites such as Tolpits Lane for business, industrial and storage or distribution uses.

The NPPF is clear that policies should support economic growth, taking into account both local business needs and wider opportunities to allow areas to build on their strengths and counter any weaknesses.[70] It continues that policies should set out an economic vision and positively and proactively encourage sustainable economic growth including addressing potential barriers such as a poor environment.[71]

Policy BW CO7: Employment encourages small-scale retail, office and research and development through conversions or new build. The policy includes criteria on design, parking and highway impact.

Within the Tolpits Lane area, support is given for development that reconfigures or provides better replacement facilities to take advantage of the site's proximity to Croxley Common Moor and the Ebury Way trail. Support is also given for an accessible hub in that area providing a café, shop and meeting room. The Design Code identified a lack of facilities to serve workers and residents in this area.[72]

This policy can be considered to be complementary to the relevant development plan policies.

An update to the supporting text about the Tolpits Lane Article 4 Direction could usefully be made as the Article 4 has now been made as a minor non-material amendment to the Plan.

The last policy in this section is **Policy BW CO8: Design principles for B2-B8 employment uses**. The policy applies to Use Classes B2-B8 led employment schemes and sets outs a number of design principles including active frontages, servicing and landscaping.

[70] NPPF para 85
[71] Ibid para 86
[72] Design Code page 38

I consider both **Policies BW CO7 and BW CO8** have regard to the NPPF, are in general conformity with CS Policy CP6 and DMP Policy SA2 in particular and will help to achieve sustainable development. Both therefore meet the basic conditions and no modifications are recommended to either policy.

7. Design

The NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.[73] Being clear about design expectations is essential for achieving this.[74]

It continues that neighbourhood planning groups can play an important role in identifying the special qualities of an area and explaining how this should be reflected in development.[75] It refers to design guides and codes to help provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design.[76]

It continues that planning policies should ensure developments function well and add to the overall quality of the area, are visually attractive, are sympathetic to local character and history whilst not preventing change or innovation, establish or maintain a strong sense of place, optimise site potential and create places that are safe, inclusive and accessible.[77]

There are two policies in this section. **Policy BW DE1: High quality design** is a long policy covering numerous and varied criteria. In essence, it seeks to deliver locally distinctive development of a high quality that protects, reflects and enhances local character taking account of the NPPF. The policy is supported by the Design Code.

All the criteria, including criterion m) are appropriate for inclusion as these are considerations which contribute to good place making.

Policy BW DE2: Gateways identifies a number of gateways throughout the Plan area. These are essentially arrival points such as Rickmansworth station and Batchworth Lock. The policy seeks to ensure that any development in the gateway locations enhances the sense of arrival through the provision of public space, connections with existing non-motorised routes, improved wayfinding and the integration and enhancement of both natural and built features of value. It builds on the evidence in the Rickmansworth Town Centre Concept Plan which identified the need to enhance town gateways to provide a stronger identity for the town.

Both **Policies BW DE1 and BW DE2** meet the basic conditions by having regard to national policy, being in general conformity with CS Policy PSP1 in particular which

[73] NPPF para 131
[74] Ibid
[75] Ibid para 132
[76] Ibid para 133
[77] Ibid para 135

recognises the importance of appropriate and well-designed development amongst other things, CS Policy PSP2 which seeks the preservation and enhancement of the local distinctiveness of Eastbury and Moor Park and CS Policy CP12 which seeks a high standard of design. They will help to achieve sustainable development. No modifications are therefore recommended to either policy.

8. Access and movement

Recognising there is a high dependency on the car within the District, the Plan seeks to facilitate more sustainable travel option for both short and longer journeys. A holistic approach is taken.

Policy BW AM1: Active and healthy travel supports active travel through the provision of new routes, integration with existing routes and seeking to ensure new development provides active frontages to help with surveillance. It requires cycle storage and parking and changing facilities. Finally, it seeks to ensure that new streets should be designed to balance the needs of different users and avoid conflicts between them.
The NPPF is clear in its support for attractive, well-designed walking and cycling networks with supporting facilities such as secure cycle parking drawing on Local Cycling and Walking Infrastructure Plans which this Plan refers to.[78]

Policy BW AM2: E-vehicles, technology and micro-mobility supports communal e-vehicle charging points in the public realm and charging points to be fitted in new houses. This is supported in the Design Code.[79]

Both policies promote connectivity seeking to improve accessibility both from a perspective of promoting sustainable transport, but also in respect of health and wellbeing.[80] The policies set out to achieve the ambitions of the NPPF in promoting sustainable transport by promoting walking and cycling, addressing the environmental impacts and ensuring such measures are integral in the design of schemes and help to achieve high quality places.[81]

They are in general conformity with CS Policy PSP1 particularly in respect of helping to improve transport and movement into and around Rickmansworth and CS Policy CP10 which refers to transport and travel. Both policies will help to achieve sustainable development. Both policies therefore meet the basic conditions and no modifications to either policy are recommended.

An update on the Local Cycling and Walking Infrastructure Plan referred to in the supporting text could usefully be made as this document has now been finalised.

There is a spelling error in Project BW AM(a) on page 100 of the Plan which can be corrected as a minor modification.

[78] NPPF para 110
[79] Design Code page 58
[80] NPPF para 109
[81] Ibid para 108

- **Update the reference to the Local Cycling and Walking Infrastructure Plan in paragraph 8.11 on page 98 of the Plan**

9. Projects and Next Steps

This section explains about the Community Infrastructure Levy and the use of the Plan including the potential for monitoring. Monitoring of neighbourhood plans is not yet mandatory. However, I welcome this intention as good practice.

The section also refers to a number of projects that have been developed as part of the work on the Plan and are found throughout the Plan.

Finally, the Plan rightly recognises that it would be useful to review at some point in the future given the emerging Local Plan. A sentence could also be added to acknowledge the newly published NPPF.

- **Add to paragraph 9.11 on page 106 of the Plan: "*…including the most recently published one in December 2024*…" after "…National Planning Policy Framework…"**

Part D: Supporting information

Appendix 1 refers to the Design Code and Rickmansworth Town Centre Concept Plan. Appendix 2 refers to the CVRP. Appendix 3 contains maps of the proposed LGSs subject of Policy BW GB4. Appendix 4 contains information about waste and minerals which is included for the purposes of completeness in identifying the development plan.[82]

A glossary is then helpfully included.

The Plan ends with an acknowledgements page.

7.0 Conclusions and recommendations

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

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

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

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

I therefore consider that the Batchworth Neighbourhood Development Plan should proceed to a referendum based on the Batchworth Neighbourhood Plan area as approved by Three Rivers District Council on 18 June 2018.

Ann Skippers MRTPI
Ann Skippers Planning
6 January 2025

Appendix 1 List of key documents specific to this examination

Batchworth Neighbourhood Plan 2023 – 2038 Submission Version November 2023

Basic Conditions Statement November 2023

Consultation Statement Volumes 1 – 4 November 2023

Strategic Environmental Assessment and Habitats Regulation Assessment Screening Report Updated March 2024 (Place Services)

Design Code Final Report November 2023 (AECOM)

Housing Needs Assessment July 2021 (AECOM)

Local Green Space Designations September 2023

Rickmansworth Town Centre Concept Plan Final Report November 2023 (AECOM)

Atlas of Rickmansworth Supporting Document: Future High Street Fund Expression of Interest March 2019

Three Rivers District Council Core Strategy adopted 17 October 2011

Three Rivers District Council Development Management Policies Local Development Document adopted 26 July 2013

Three Rivers District Council Site Allocations Local Development Document adopted 25 November 2014

List ends