

Regulation 19 Publication Document 26/01/2026

POLICY AND RESOURCES COMMITTEE

26 JANUARY 2026

PART I

LOCAL PLAN REGULATION 19 PUBLICATION DOCUMENT: PART 1 POLICIES (DoF)

1 Summary

1.1 This report seeks to agree the Member recommendations relating to Local Plan policies from the following Local Plan Sub-Committee meetings:

- 25 November 2025
- 12 May 2025
- 17 October 2024
- 29 August 2024
- 8 August 2024

1.2 These policy recommendations have been compiled into one comprehensive Local Plan Regulation 19 Part 1 document (The Part 2 Site Allocations Document is being reported in Part 2 of this committee).

2 Recommendation

2.1 That Members of the Policy & Resources Committee:

- Approve and recommend to Full Council the Local Plan Regulation 19 Part 1: Policies document as set out in Appendix 1 for public consultation in accordance with the regulations and the Local Development Scheme
- Grant delegated authority to the Head of Planning Policy & Conservation and the Director of Finance in consultation with the Lead Member for the Local Plan to make any subsequent changes that are required before the documents are published for consultation
- Grant delegated authority to the Head of Planning Policy & Conservation and the Director of Finance in consultation with the Lead Member for the Local Plan to propose minor modifications to the Local Plan and submit the plan to the Planning Inspectorate for examination in public.
- Agree significant proposed modifications to the Local Plan be agreed by Urgent Decision under the council's constitution prior to submission to the Planning Inspectorate for examination in public.

That public access to the report be denied until after the Policy and Resources meeting is concluded.

That public access to the decision be denied until after the Policy and Resources meeting is concluded

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3 Details

3.1 Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 refers to the publication of a local plan. It states that:

“Before submitting a local plan to the Secretary of State Under S.20 of the Act, the local planning authority must – (a) make a copy of each of the proposed submission documents and a statement of the representations procedure available...”

3.2 When publishing a plan under Regulation 19, a local authority must take the view that the local plan is ready for independent examination, which includes a decision that the local plan is sound.

3.3 Paragraph 36 of the NPPF sets out that Plans are sound if they are:

“a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.”

3.4 Regulation 19 can be considered the beginning of the examination stage of planning. Its publication isn't really a consultation exercise, rather it is the mechanism by which interested persons can make representations on the draft plan to enable them to participate in the process of independent examination.

3.5 Full Council in December 2024 adopted an updated Local Development Scheme (LDS) setting out the timetable for Local Plan preparation. This new LDS set out expected Regulation 19 publication of the Local Plan in February / March 2026. It was agreed to complete additional evidence work to bring the local plan in line with changes to national planning policy.

3.6 An extraordinary Full Council in January 2025 resulted in Members requesting an accelerated timetable to publish the Regulation 19 plan in early November 2025. Officers endeavoured to meet this new timetable but were unable to do so as the evidence base preparation of the Local Plan is a lengthy process, there were some delays to government guidance being released and an additional, previously unplanned, Regulation 18 was undertaken. As such, the council has reverted to the timetable in the adopted LDS.

3.7 Members of the Local Plan Sub-Committee, at meetings in 2024 and 2025, agreed the final policies to be included in the Regulation 19 Publication version of the Local Plan which can be viewed in Appendix 1 to this report.

3.8 These policies have been added to the Regulation 19 Publication document (Appendix 1) as well as an updated introduction and background section to the plan. Any changes to the policies requested by Members have been incorporated into the document.

3.9 The Regulation 19 document (Appendix 1) also sets out the council's vision for the plan and its strategic objectives, spatial strategy and overall levels of growth and infrastructure in its strategic policies. The strategic policies will be summarised over the coming paragraphs.

Spatial Strategy

3.10 The spatial strategy directs growth to the most sustainable locations in the district, balancing the need to meet objectively assessed housing requirements with protection of the Green Belt and the character of the district. Development is focused primarily on the edges of the district's larger settlements, where access to services, employment, public transport and infrastructure is strongest, and where growth can be comprehensively planned and delivered at scale.

3.11 A clear settlement hierarchy underpins this approach, with the Principal Town, small towns and large villages accommodating the majority of new housing and employment. Washed-over Green Belt villages will play only a limited and proportionate role, with small-scale development restricted to meeting local needs, thereby directing growth away from the least sustainable locations and avoiding incremental erosion of the Green Belt.

3.12 While the council has prioritised brownfield and previously developed land, such sites can only deliver a limited proportion of the district's housing requirement. As a result, the plan makes provision for strategic releases of Green Belt land, primarily in edge-of-settlement locations adjoining larger settlements.

3.13 The council considers that exceptional circumstances exist to justify these changes, arising from the scale of housing and affordable housing need, the limited capacity of brownfield land, the extensive coverage of Green Belt across the district, and the need to support strategic infrastructure, sustainable travel and climate change mitigation. Green Belt releases are limited to those necessary to meet identified needs. To ensure efficient use of land, the strategy promotes higher densities in accessible locations, delivered through high-quality, place-led design.

Policy on Overall Levels of Growth

3.14 The policy on overall levels of growth sets out the overall level of growth to be delivered through the Local Plan, making provision for 7,027 new homes over the 15-year plan period, equivalent to 469 dwellings per annum. Housing growth will be delivered in accordance with the spatial strategy, directing development to the most sustainable locations and reflecting the capacity of the district's infrastructure and environmental constraints. The policy also safeguards existing employment uses on allocated employment sites, unless their loss can be robustly justified, and commits the council to monitoring housing delivery and infrastructure capacity, with scope for an early review of the plan should evidence demonstrate that additional sustainable growth could be accommodated without unacceptable Green Belt harm.

3.15 The level of growth proposed is informed by a comprehensive and proportionate evidence base. While the government's standard method identifies a housing need of 832 dwellings per annum, or 12,480 dwellings across a 15 year plan period. The evidence demonstrates that meeting this full requirement would result in unsustainable development. However, it should be noted that officers are concerned that a plan falling over 5,000 dwellings short of its standard method target will be found unsound at examination resulting in the plan being rejected by the Secretary of State. This will be discussed further in the report relating to the Part 2: Site Allocations Regulation 19 document.

3.16 Extensive site assessment work, including consideration of circa 350 sites through the Strategic Housing and Employment Land Availability Assessment (SHELAA) and the urban capacity study, shows that brownfield and urban opportunities are limited and insufficient to meet overall needs. Many potential sites were discounted due to their unsustainable rural locations, poor accessibility, reliance on private car travel and lack of supporting infrastructure.

3.17 Transport and infrastructure evidence further constrains the achievable level of growth. The Transport Assessment confirms that the rural road network is already under considerable pressure and that higher levels of development could lead to residual impacts. Options for a new settlement were also assessed but ruled out due to the lack of suitable sites, deliverability concerns, environmental and Green Belt impacts, and fragmented land ownership.

3.18 The district's extensive Green Belt coverage represents a further fundamental constraint. Although the plan proposes limited Green Belt release, the evidence shows that accommodating the full standard method housing need could be considered to cause unacceptable harm to the Green Belt.

3.19 Notwithstanding officer concerns about the quantum of housing in the plan, this evidence-led approach ensures the plan is justified, deliverable and consistent with national policy, while retaining flexibility to respond to changing circumstances through ongoing monitoring and potential early review.

3.20 Reference to an early review of the Local Plan has been added as this may help allay the Inspectors concerns about housing numbers through an increased focus on the first 10 years on the plan, and the council's commitment to addressing unmet needs through an update to the plan.

Overarching Policy on Sustainable Development

3.21 The overarching policy on sustainable development establishes the framework for plan-making and decision-taking across the Local Plan, reflecting the National Planning Policy Framework's presumption in favour of sustainable development. It commits the council to taking a positive and proactive approach to development proposals, working with applicants to secure schemes that can be approved where possible and which deliver improvements to the district's economic, social and environmental conditions. This approach is intended to provide clarity and certainty, enabling appropriate development to come forward without unnecessary delay.

3.22 It sets out a comprehensive set of principles to ensure that all development contributes to the long-term sustainability of the district. Key priorities include tackling climate change through reduced carbon emissions, improved energy and water efficiency and the use of renewable and sustainable materials; managing flood risk; and making efficient use of land by prioritising brownfield sites, and optimising densities where appropriate. The policy also seeks to

protect and enhance the district's natural, built and historic environments, including delivering biodiversity net gain.

3.23 The policy places strong emphasis on social and economic sustainability, requiring development to support mixed and inclusive communities, meet a range of housing needs, safeguard and create employment opportunities, and improve access to jobs, services and facilities, particularly in areas of deprivation. It supports the district's settlement hierarchy, protects and enhances community facilities, promotes sustainable travel and requires the timely provision of supporting infrastructure. High-quality, inclusive design and the management of pollution and land contamination are also central to the policy. Together, these principles provide a clear, locally tailored expression of sustainable development, to be applied alongside more detailed Local Plan policies.

Infrastructure Delivery Policy

3.24 The infrastructure delivery policy ensures that planned growth across the district is supported by timely and appropriate infrastructure, so that development does not place unacceptable pressure on existing services. The approach is informed by the Infrastructure Delivery Plan (IDP), which has been prepared in consultation with infrastructure providers and identifies the infrastructure required to support housing, employment and other forms of development.

3.25 Infrastructure is defined broadly, including community facilities such as health and education, transport infrastructure, and green and blue infrastructure. Developers are required to ensure that new development is accompanied by the infrastructure necessary to address its impacts.

3.26 The policy establishes the principle that infrastructure is a prerequisite for development, not a consequence of it. Development proposals must secure the infrastructure needed to support new occupants, mitigate adverse impacts, protect and enhance local assets, and ensure the long-term operation and maintenance of new facilities.

3.27 Infrastructure will be secured through a combination of onsite provision, offsite works and proportionate financial contributions, using mechanisms such as the Community Infrastructure Levy and Section 106 agreements. Where strategic infrastructure is required to support cumulative growth, the policy expects cooperation between developers to ensure that shared requirements are delivered effectively.

3.28 The policy requires development to align with the priorities and phasing set out in the IDP and relevant Local Plan policies, with infrastructure provided at the appropriate stage of development. Early engagement with the council and statutory providers is strongly encouraged to identify and resolve delivery issues.

3.29 Applications that fail to secure the required infrastructure through appropriate legal agreements will be refused, as development that results in an unmitigated shortfall in infrastructure is considered fundamentally unsustainable.

Local Distinctiveness and Place Shaping

3.30 The local distinctiveness and place shaping policy establishes high-quality design as a central requirement of all development, ensuring that new buildings and spaces respect and enhance the character of the district while creating successful, inclusive and attractive places. The policy applies to all forms of

development and emphasises the importance of the relationship between buildings, spaces and landscape in shaping how places function and feel. Good design is identified as fundamental to sustainable development, influencing wellbeing, movement, social interaction and the long-term quality of the environment.

3.31 The policy requires development to respond positively to locally distinctive patterns of landscape, townscape and historic character. Proposals are expected to make efficient use of land, including higher densities where appropriate, while respecting local context in terms of scale, layout, massing, and materials.

3.32 It places strong emphasis on connectivity, accessibility and inclusion. Development must promote walking and cycling, provide safe and attractive public environments, and ensure places and buildings are accessible to all users. Protecting residential amenity, clearly defining public and private spaces.

3.33 Overall, the policy ensures that growth is delivered in a way that strengthens local identity, supports healthy and active lifestyles, and creates enduring, high-quality places for current and future communities.

3.34 Detailed Policies

3.35 The remainder of the Regulation 19 Publication document (Appendix 1) sets out the detailed planning policies. These are split into the following themes:

- Housing
- Employment and Economy
- Green Belt
- Climate Change and Net Zero
- Biodiversity
- Green & Blue Infrastructure and Landscapes
- Environment
- Design & Heritage
- Transport & Connections
- Social, Health & Wellbeing

3.36 It is not possible to summarise all of the detailed planning policies in this report, however each policy in the plan is supported by a reasoned justification which will help inform members of the reasoning behind each policy.

Regulation 19 Consultation

3.37 As stated earlier in this report, the Regulation 19 consultation is the final formal consultation stage in the preparation of a Local Plan under the Town and Country Planning (Local Planning) (England) Regulations 2012. It takes place once the council has prepared what it considers to be a sound plan, ready for submission to the Secretary of State. At this stage, the Local Plan is not seeking general comments or alternative options; instead, the consultation focuses

specifically on whether the Plan is legally compliant and sound in accordance with national planning policy.

- 3.38 The consultation must last for a minimum of six weeks. During this period, the council must make the proposed submission Local Plan and all supporting evidence publicly available and invite representations from statutory consultees, stakeholders and the wider public. Representations must be submitted in writing and are limited to matters of legal compliance and soundness, assessed against the four tests set out in the National Planning Policy Framework: whether the plan is positively prepared, justified, effective and consistent with national policy.
- 3.39 The council must also consult on the Sustainability Appraisal, and any other key supporting documents, as these form part of the evidence base the Planning Inspector will consider. Following the close of the Regulation 19 consultation, the council cannot make substantive changes to the plan without further consultation. All duly made representations must be submitted unchanged to the Secretary of State alongside the Local Plan, supporting documents and a statement setting out who was consulted and how the consultation was carried out.
- 3.40 Although the council cannot make substantive changes to the plan prior to submission and can provide the examiner with proposed modifications. Should these modifications be minor, this report seeks delegated authority to the Head of Planning Policy and the Director of Finance to propose minor modifications in consultation with the Lead Member on the Local Plan and proceed to submission without returning to committee and Full Council. Should the proposed modifications be more significant than the report seeks Members agreement that this be decided through an Urgent Decision in accordance with the council's constitution. This helps ensure the Local Plan is delivered as quickly as possible by avoiding delays caused by going through the committee cycle.
- 3.41 After submission, the Planning Inspectorate will appoint an Inspector to examine the Plan. The Inspector will consider written representations and will hold hearing sessions to explore specific issues. The Regulation 19 defines the scope of issues considered at examination and ensures that the Local Plan meets statutory requirements and national policy before it proceeds to independent examination.
- 3.42 The Regulation 19 Part 1: Policies and Part 2: Site Allocations will be consulted on together with the supporting evidence base. The consultation is planned to commence on Friday 6 February, running for 6 weeks, and closing on Friday 20 March. These dates are reliant on final versions of all the evidence documents being available for consultation. At the time of writing some remain in draft form and there may therefore be minor slippage to the timeline whilst these get finalised.

4 Options and Reasons for Recommendations

- 4.1 The preparation of the Local Plan must be undertaken in accordance with the relevant regulations. This includes statutory publication of the plan in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

5 Policy/Budget Reference and Implications

- 5.1 The recommendations in this report are within the Council's agreed policy and budgets. The relevant policy is entitled Local Plan.

Equal Opportunities, Staffing, Community Safety, Public Health, and Health & Safety Implications

None specific.

6 Financial Implications

6.1 None specific. The costs associated with preparing, publishing and consulting on the Local Plan are included in existing budgets

7 Legal Implications

7.1 The legal requirements for the preparation and consultation of Local Plans are set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). A failure to comply with the statutory requirements may result in the Local Plan being found unsound at the examination in public.

7.2 There is also a statutory requirement that Local Plans are subject to a Sustainability Appraisal incorporating the requirements of the Strategic Environmental Assessment. A Sustainability Appraisal will be published alongside the Local Plan Regulation 19 publication documents.

8 Environmental Implications

8.1 The Local Plan promotes the council's priority to maintain a high quality local environment and net zero ambitions. The Local Plan must be tested by a sustainability appraisal process so that any environmental impacts of policies can be minimised. A Sustainability Appraisal document in relation to the Local Plan Regulation 19 Publication will be published alongside the Local Plan.

9 Customer Services Centre Implications

9.1 The CSC will be briefed to respond to requests for information on the Local Plan and the Regulation 19 Publication.

10 Communications and Website Implications

The Regulation 19 consultation will be hosted on the council's 'Have Your Say' consultation platform. There will be a communications and social media push to encourage residents, businesses and other stakeholders to respond whilst also informing them of the technical nature of this consultation.

11 Risk and Health & Safety Implications

11.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

11.2 The subject of this report is covered by the Planning Policy and Conservation service plan(s). Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s).

Nature of Risk	Consequence	Suggested Control Measures	Response (tolerate, treat, terminate, transfer)	Risk Rating (combination of likelihood and impact)
Failure/Delay in delivering Local Plan	May lead to uncertainty in the planning process and potential increase in planning appeals and risk of intervention of Local Plan. Failure of Local Plan at examination is costly both in terms of finances and resources.	Ensure robust evidence justifies a sound plan. Submit plan that is expected to be successful at examination.	Treat	9
Changes in National Policy & regulations	May require a significant alteration to emerging Local Plan	Keep informed on Government's changes	Tolerate	4

11.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

Very Likely Likelihood ↓ Remote	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12
	Low 2	Low 4	Medium 6	High 8
	Low 1	Low 2	Low 3	Low 4
	Impact			
Low -----> Unacceptable				

Impact Score	Likelihood Score
4 (Catastrophic)	4 (Very Likely ($\geq 80\%$))
3 (Critical)	3 (Likely (21-79%))
2 (Significant)	2 (Unlikely (6-20%))
1 (Marginal)	1 (Remote ($\leq 5\%$))

11.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

Background Papers

National Planning Policy Framework (2024)
 Planning Practice Guidance
 Core Strategy (2011)
 Green Belt Review Strategic Analysis (Stage 1) (2017)
 Stage 2 Green Belt Assessment (2019)
 Stage 4 Green Belt Review (2025)
 Regulation 18 Part 1: Preferred Policy Options (2021)
 Regulation 18 Part 2: Sites for Potential Allocation (2021)
 Regulation 18 Part 3: Additional Sites for Potential Allocation (2023)
 Regulation 18 Part 4: Lower Housing Growth Option (2023)
 Regulation 18 Part 5: Newly Submitted Sites and Policies (2025)
 Potential Sites consultation (2018)
 Regulation 18 Issues & Options consultation (2017)
 Levelling-up and Regeneration Bill: reforms to national planning policy (2022)
 Strategic Housing & Employment Land Availability Assessment (2020)
 Strategic Housing & Employment Land Availability Assessment Addendum (2023)
 Strategic Housing & Employment Land Availability Assessment Update (2026)
 Urban Capacity Study (2020)
 Settlement Appraisal (2026)
 Edge of Settlement/New Settlement Scoping Study (2020)
 South West Hertfordshire Local Housing Needs Assessment (2024)
 South West Hertfordshire Economic Study (2024)
 Gypsy and Traveller Accommodation Assessment (2025)
 Draft Sustainability Appraisal (2026)

APPENDICES

Appendix 1 – Local Plan Regulation 19 Part 1: Policies document

