

LOCAL PLAN SUB-COMMITTEE
8 August 2024
PART I

**LOCAL PLAN: Changes to Preferred Policy Options following Regulation 18
Consultation
(DCES)**

1 Summary

This report seeks member agreement of the updates to the draft Local Plan policies from the Draft Local Plan Regulation 18 Part 1: Preferred Policy Options document in response to changes to national planning policy, comments received to the Regulation 18 consultation and consideration at Local Plan Sub-Committee meetings in 2022 and 2023.

2 Details

2.1 The Regulation 18 Part 1 Preferred Policy Options was consulted on from 11 June – 20 August 2021.

2.2 Following this round of Regulation 18 consultation the Local Plan Sub-Committee considered updates to the draft Local Plan policies in 2022 and 2023. At these Local Plan Sub-Committee meetings, Members were informed of any changes to national policy and considered representations made on the policies through the consultation.

2.3 These policies have now been further updated to include Member comments from these meetings and are proposed by officers for inclusion in the Regulation 19 Publication version of the Local Plan. It should be noted that any changes are fairly minor and in essence these policies have already been agreed by Members at previous Local Plan Sub-Committees.

2.4 In addition to the updated policies there is one new policy to be considered by Members relating to the Chiltern Beechwoods Special Area of Conservation.

2.5 This report will set out some background on each policy, the draft policies can be viewed in the appendices to the report.

Chiltern Beechwoods Special Area of Conservation (SAC)

2.6 Dacorum Borough Council commissioned visitor surveys at the Chiltern Beechwoods SAC as part of their Local Plan preparation. The footprint Ecology Report found that the site is being heavily damaged by visitor pressure and identified concerns around the cumulative impact of residential development.

2.7 The report identified a 12.6km Zone of Influence (ZOI). As a result, large developments in the ZOI will be required to produce a Habitat Regulations Assessment and may be required to provide mitigation measures.

2.8 Although part of Three Rivers falls within the ZOI it was not included in the 'strategic solution' by Natural England as less than 2% of visitors to the SAC were from Three Rivers.

2.9 Natural England responded to our Regulation 18 Additional Sites for Potential Allocation consultation. A key mitigation measure they require is the provision of

Suitable Alternative Natural Greenspace (SANG). Any SANG would need to be sufficient size/quality to divert visitors away from the Chiltern Beechwoods and create a semi-natural experience. SANGs must have the following:

- Adequate parking for visitors, unless the site is intended for local use (within 400m walk of developments linked to it).
- Possible to complete a circular walk of 2.3 to 2.5km around the SANG.
- SANG must be designed so that they are perceived as safe by users; they must not have tree and scrub cover along parts of the walking routes.
- Paths must be easily used and well maintained but most should remain unsurfaced to avoid an urban feel.
- SANG must be semi-natural spaces with little intrusion of artificial structures.

2.10 The draft Chiltern Beechwoods SAC policy has been prepared in consultation with Natural England who are satisfied with the wording provided. The policy can be viewed in Appendix 1 to this report.

Northwood Headquarters MOD

2.11 National planning policy¹ requires planning policies to take into account defence requirements by recognising and supporting development required for operational defence and security purposes and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.

2.12 Following a representation to the Part 1 Regulation 18 consultation from the Defence Infrastructure Organisation (MOD) on behalf of the Secretary of State for Defence, a new policy was proposed in relation to the MOD Northwood Site which they identify as a significant defence asset where additional development is envisaged to support National Security needs.

2.13 Therefore, a new policy was proposed to meet national planning policy guidance, to support operational development of the site, to ensure that development proposals in proximity of the MOD Northwood site would not lead to the need for mitigation from MOD activities and also recognising the MOD's commitment to reduce its built estate in the future which may result in brownfield sites becoming available.

2.14 The policy was agreed by Members at the March 2022 Local Plan Sub-Committee and only minor changes have been made to make the policy read better. The policy for Northwood Headquarters (MOD) is set out in Appendix 2.

Residential Design and Layout

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

2.16 The NPPF acknowledges at paragraph 128 that development should take into account the desirability of maintaining an area's prevailing character and setting

¹ NPPF Paragraph 101 b)

(including residential gardens), and at paragraph 72 that there may be a case for policies to resist inappropriate development of residential gardens for example where development would cause harm to the local area.

- 2.17 Pressure for development including on garden land or for infill development can erode the particular character of an area or impact on the residential amenity of both existing and new occupants if not managed. However, taking a different approach to the established character of an area will not necessarily be harmful in all cases where it is informed by careful consideration for important elements of local character and the quality of the area. The draft policy sets out the factors that will be considered in determining whether a proposal may result in unacceptable harm to an area.
- 2.18 In particular, proposals for tandem development (one or more dwellings directly behind one another on the same plot and sharing the same access) or backland development (one or more dwellings provided to the rear of existing buildings with no street frontage and generally accessed by a long driveway) need to be carefully considered as these can often be inappropriate.
- 2.19 The subdivision of existing dwellings can also contribute a source of new housing supply and these types of applications can be a satisfactory way of raising densities in low density areas close to local transport nodes and local services. However, whether or not subdivision is acceptable will depend on the characteristics of the building and area, and the standard of accommodation that can be created. Applications will therefore be carefully assessed to ensure that character and residential amenity are protected.
- 2.20 Delivering high quality housing requires careful consideration for the provision of usable internal space, as well as providing access to a suitable quantity and quality of external amenity space to support quality of life for residents.
- 2.21 To provide for a suitable standard of accommodation, the Government has published nationally described space standards (NDSS) which set out optional requirements for the floor area of new dwellings depending on the level of occupancy, as well as floor areas and dimensions for key parts of the home such as bedrooms, storage and floor to ceiling heights.
- 2.22 Requiring new development to generally accord with NDSS would provide for improvement to the quality of housing being delivered and resulting benefit or the general health and wellbeing of the community and a more flexible and adaptable housing stock to be able to meet the needs of residents.
- 2.23 The main change to the policy since previously being considered by Members at the Local Plan Sub-Committee is the addition of a section on tall buildings as Members had asked for this to be considered further. This section qualifies tall buildings as those with 4 storeys or above or any building substantially taller than its neighbours.
- 2.24 The additional wording on tall buildings puts an emphasis on character and design as well as impact on views.
- 2.25 It should be noted that the detailed design standards appendix is still being updated and will be reported to a future Local Plan Sub Committee. This work is not expected to affect the policy itself.
- 2.26 The Residential Design and Layout Policy is in Appendix 3 to this report.

Local Distinctiveness and Place Shaping

- 2.27 The Local Plan identifies a requirement to accommodate significant growth over the plan period including the provision of new homes and space for employment and economic development with supporting infrastructure.
- 2.28 This should not be at the cost of the quality of the environment or quality of life, or the local distinctiveness of our places. It is essential that all new development functions well for all users and will add to the overall quality of the area in both the short and long-term. Proposals should respond to the elements of a place that make it distinctive, but this does not mean that development should necessarily replicate the scale or density of the existing built form.
- 2.29 Well-designed places should be functional; support mixed uses and tenures; include successful public spaces; be adaptable and resilient; have a distinctive character; be attractive; and encourage ease of movement.
- 2.30 Alongside the requirements of other policies of the Local Plan, the draft Local Distinctiveness and Design policy identifies the key design considerations which will apply in Three Rivers to all development proposals including new development, extensions, alterations, conversions and changes of use to create quality places and spaces for our communities.
- 2.31 When considering this policy previously, Members of the Local Plan Sub-Committee raised issues around connectivity and light pollution, however these issues are covered by other Local Plan policies and have not been added here.
- 2.32 Members wished to see reference to Neighbourhood Plans and the diverse architecture of the District, and these have been added to criterion 4 in the policy.
- 2.33 The revised Local Distinctiveness and Place Shaping Policy is in Appendix 4 to this report.

Heritage and Historic Environment

- 2.34 The District's historic environment is not just important for its own sake, but contributes towards the high quality of environment in the District and is an important resource bringing social, cultural, economic and environmental benefits to the community.
- 2.35 The historic environment is a finite and non-renewable resource. Heritage assets and the historic environment should be protected from inappropriate development to sustain and where appropriate enhance their significance, including putting heritage assets into uses consistent with their conservation. The more significant the heritage asset, the greater the presumption for its conservation.
- 2.36 Within Three Rivers, heritage assets which make a positive contribution to the historic environment include
- Designated heritage assets such as Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas, and the setting of these assets;
 - Non-Designated heritage assets such as Locally Important Buildings, unregistered historic parks and gardens, and archaeology, and the setting of these assets.

2.37 The NPPF requires local plans to set out a positive strategy for the conservation and enjoyment of the historic environment and the draft policy aims to protect, conserve and enhance our historic environment and the heritage assets within it.

2.38 The strategy will also:

- support proposals which conserve and enhance the historic environment
- carry out a programme of reviewing existing conservation areas and producing conservation area appraisals to identify what it is about the area that contributes to its significance as well as identifying and considering new areas for designation as conservation areas
- support proposals for heritage-led regeneration, ensuring that heritage assets are conserved, enhanced and secured for the future
- identify heritage assets that make an important contribution to the local character of the area and update our local list on a regular basis
- identify buildings that could be included on the national list and preparing reports to support new listings
- identify buildings that are falling into disrepair and work with owners to find new uses to ensure their continued beneficial use.

2.39 Some minor changes to wording have been made for clarification purposes including adding the word 'public' when referencing views in and out of the conservation area as requested by Members. Throughout the policy and reasoned justification the word conserve has been replaced with preserve to bring it in line with The Town and Country Planning Act (1990). In paragraph 5 "applications for development which could impact upon a designated heritage asset" has been added to more clearly specify that only sites impacting on a heritage asset would need to submit a heritage statement, not all development.

2.40 The revised Heritage and Historic Environment Policy is in Appendix 5 to this report.

Social and Community Uses

2.41 Paragraph 97 of the NPPF confirms that to provide the social, recreational and cultural facilities and services that the community needs, policies should plan positively for the provision and use of shared spaces, community facilities, and other local services to enhance the sustainability of communities and residential environments. Policies should also take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community; guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; and ensure an integrated approach to consider the location of housing, economic uses and community facilities and services.

2.42 Social and community facilities and important local services may include (but are not limited to) local shops, post offices, health services such as doctors or dental surgeries, schools and nurseries, libraries, places of worship, community centres or village halls, meeting places, sports venues, open space, play space, cultural buildings, facilities for arts, theatres, and public houses.

- 2.43 The Open Space, Sport and Recreation Study identified that several community venues, such as village halls, schools, community centres and scout huts are used for sport and leisure provision and recommends that these should be protected.
- 2.44 Outside of urban areas, facilities such as public houses, post offices and petrol stations in particular can perform a vital function in terms of the economic and social welfare of such areas and to help ensure the continued vitality of village and rural communities.
- 2.45 As social and community facilities, whether publicly or privately owned, can be subject to development pressures from alternative uses it is recommended that the new Local Plan contains a policy that will protect the existing services and facilities and ensure that new development supports the necessary enhancements to, or provision of new facilities.
- 2.46 The proposed Draft Social and Community Facilities Policy is set out Appendix 6 to this report.

Flood Risk and Water Resources

Flooding and SuDs

- 2.47 The National Planning Policy Framework requires that strategic flood risk policies are informed by a Strategic Flood Risk Assessment (SFRA) and states that strategic flood risk policies should manage flood risk from all sources.
- 2.48 The Council has completed both a Level 1 and Level 2 SFRA .
- 2.49 The Level 1 SFRA is a strategic level study² which collates and analyses the latest available information and data for current and future (i.e. climate change) flood risk from all sources³ and how these can be mitigated
- 2.50 The Level 2 SFRA provides an assessment of:
- all sources of flooding including fluvial flooding, surface water flooding, groundwater flooding, reservoir flooding, mapping of the functional floodplain and the potential increase in fluvial and surface water flood risk due to climate change.
 - any flood warning areas at sites, including whether there is safe access and egress during an extreme event, and
 - Advice and recommendations on the likely suitability of Sustainable Drainage Systems (SuDS) for managing surface water runoff.
- 2.51 SuDS are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible. They provide opportunities to reduce the causes and impacts of flooding and combine water management with green space and amenity, recreation and wildlife benefits.

² A joint study with Dacorum Borough Council, St. Albans City and District Council and Watford Borough Council.

³ The SFRA has considered all sources of flooding including fluvial, surface water, ground water, sewers and reservoirs.

- 2.52 The NPPF states that all major developments should incorporate SuDS unless there is clear evidence that this would be inappropriate. The systems should:
- a) take account of advice from the lead local flood authority;
 - b) have appropriate proposed minimum operational standards;
 - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
 - d) where possible, provide multifunctional benefits.
- 2.53 The Level 1 SFRA recommended that planning policies should focus on supporting the Lead Local Flood Authority (Hertfordshire County Council) in ensuring that all developments, even minor ones, build SuDS into their design. As the effectiveness of SuDS within a site is dependent on the site characteristics such as topography, geology, soil permeability and existing flow paths across the site, the techniques used should be appropriate to local conditions.

Water Resources

- 2.54 The Three Rivers District is entirely underlain by a chalk aquifer, which is the main drinking water resource for the area and a regionally important source of groundwater. The Three Rivers area has a large number of surface water resources including the Rivers Colne, Gade and Chess, the Grand Union Canal, as well as several lakes and ponds, particularly within the floodplain of the River Colne.
- 2.55 The NPPF goes on to state that planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution. Development should, wherever possible, help to improve local environmental conditions such as water quality, taking into account relevant information such as river basin management plans (paragraph 180).
- 2.56 It is essential for development to protect and, where possible, enhance water quality. This means controlling aquatic pollution, protecting and enhancing the quality and quantity of groundwater, protecting and enhancing surface water resources, such as through the use of SuDS to manage surface water. Changes to the design of developments and the implementation of mitigation measures should prevent potential harm to water bodies, however, where it is likely that a proposal would have a significant adverse impact on water quality, a more detailed assessment will be required.
- 2.57 Paragraph 158 of the NPPF states that plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for water supply.
- 2.58 Three Rivers is located in an area of serious water stress⁴. Until recently, the District's water supply region had one of the highest water usage rates yet is located in one of

⁴ The Environment Agency (2013) Water stressed areas – final classification https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/244333/water-stressed-classification-2013.pdf. 'Serious' water stress is identified as an area where the current or future demand for household water is, or is likely to be, a high proportion of the effective rainfall which is available to meet that demand.

the driest regions, with Hertfordshire's average rainfall returning only two thirds the national average⁵. Climate change is predicted to bring warmer wetter winters and hotter drier summers, reducing the overall available supply of water and increasing the demand for water. Prolonged periods of hotter weather is anticipated to lead to more evaporation from reservoirs and rivers and potential drought events whilst intense rainfall would result in surface flooding and more pollutants running off into rivers and streams.

- 2.59 This highlights the importance of protecting the quality of water resources as well as encouraging the use of water efficiency measures and a reduction in water consumption, in order to protect future water supply. In individual developments, the design of dwellings and buildings can incorporate water efficient features such as rainwater storage tanks, water butts and green roofs (as appropriate). The efficient use of water resources, including water re-use and recycling, should also be sought through sustainable construction methods (such as rainwater harvesting) that conserve and make prudent use of water and other natural resources. Water efficient appliances (for showers, taps, washing machines, toilets, etc.) and water efficient landscaping and irrigating measures in new developments will also help to support sustainable supplies of water for the future.
- 2.60 Part G of the Building Regulations sets a mandatory requirement that all new homes must achieve a water efficiency standard of 125 litres of water per person per day (l/p/d). In 2015, the Building Regulations Part G were updated and an 'optional' requirement of 110 l/p/d for new residential development was introduced⁶. Where there is a clear need, Local Plan policies can require that new dwellings meet optional requirement of 110 l/p/d⁷.
- 2.61 Given the estimated future regional shortfall in water supply, the recommendation from the Environment Agency in the Thames River Basin Management Plan and in consultation with Affinity Water, it is considered that there is an evidenced need to require the optional standard of 110 l/p/d in new developments in order to ensure water efficiency. Three Rivers' classification in an area of serious water stress further evidences a need for the optional 110 l/p/d requirement.
- 2.62 The policy was discussed at the March 2022 Local Plan Sub-Committee and relevant comments have been incorporated including 'the minimum optional requirement set through Building Regulations for water efficiency that requires an estimated water use of no more than 110 litres per person per day'. Minor changes made for clarity and as per DM comments. For example, reference to 'Environment Agency' added in relation to their classification of 'less vulnerable uses' in Policy 1(c). New phrases 'from any source' and 'as necessary' are added to Policy 1(a) for clarity.
- 2.63 The proposed Flood Risk and Water Resources Policy is set out Appendix 7 to this report.

Ground Conditions, Contamination and Pollution

⁵ Building Futures Water Facts <https://www.hertfordshire.gov.uk/microsites/building-futures/a-sustainable-design-toolkit/technical-modules/water/water-facts.aspx>

⁶ It should be noted that in July-October 2019, the Government consulted on lowering the mandatory standard of 125 l/p/d and optional requirement of 110 l/p/d as a measure to reduce personal water use (<https://consult.defra.gov.uk/water/measures-to-reduce-personal-water-use/>).

⁷ NPPG, Housing: optional technical standards, Paragraph: 014

- 2.64 The planning system has an important role to play in protecting the environment, biodiversity, local residents, businesses and the public in general from all forms of development that could give rise to pollution. Pollution can be in many forms and includes all solid, liquid and gaseous emissions⁸ to air, land and water (including groundwater) from all types of development.
- 2.65 Although pollution control regimes are governed by legislation outside of the planning process, the NPPF emphasises that planning policies and decisions should contribute to and enhance the natural environment which includes consideration for land stability, contamination and pollution.⁹
- 2.66 Paragraph 194 of the NPPF makes it clear that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions where these are subject to separate pollution control regimes. Planning decisions should assume that these regimes will operate effectively.
- 2.67 With regards to land stability and contamination, national planning policy states that planning policies (and decisions) should only be concerned as to whether a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination and any proposals for mitigation¹⁰.
- 2.68 The legal definition of 'contaminated land' is set out in Part 2A of the Environmental Protection Act 1990:
- 'Any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that significant harm is being caused or there is a significant possibility of such harm being caused; or significant pollution of controlled waters is being, or is likely to be caused.'
- 2.69 The Local Plan should therefore contain a policy that ensures that any unstable land is appropriately remediated and any contaminated¹¹ land is allocated only for appropriate development.
- 2.70 Air pollutants (including dust and odour) have been shown to have an adverse effect on both health and the environment and the 2008 Ambient Air Quality Directive sets legally binding limits for concentrations in outdoor air of major air pollutants that impact public health such as particulate matter (PM₁₀ and PM_{2.5}) and nitrogen dioxide (NO₂).
- 2.71 To ensure that objectives can continue to be met in future and to secure improvements in air quality, emissions arising from any development including indirect emissions, such as those attributable to associated traffic generation, must be considered in determining planning applications. Developments sensitive to air

⁸ Emissions include noise, light, vibration, smell, smoke and fumes, soot, ash, dust or grit which has a damaging effect on the environment and the public's enjoyment, health or amenity

⁹ Measures to protect and enhance water quality will be covered in a separate policy.

¹⁰ Paragraph 189 of NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

¹¹ It is important to note that land that does not fit this legal definition of 'contaminated land' may still be affected by contamination.

pollutants should also be located where future occupiers would not be subject to unacceptable levels of air pollutants from existing sources.

- 2.72 In considering noise and vibration impacts, it is important to ensure noise-sensitive developments are located away from existing sources of significant noise and that potentially noisy developments are located in areas where noise or vibrations will not give rise to adverse impacts on surrounding occupiers or the environment, or where impacts can be minimised and mitigated.
- 2.73 Equally, insensitive lighting (light pollution) can have a negative effect on the amenity of surrounding areas and have a negative impact on biodiversity by influencing plant and animal activity patterns. In particular, light pollution can be harmful to birds, bats, and other nocturnal species that avoid overly lit areas.
- 2.74 Wording of the policy has been changed from 'Soil' to 'Ground' to remove confusion. Clarification that mitigation measures must accompany a planning application has been added. The section on light pollution has been updated to include guidance from the Institute of Lighting Professionals and that hours of illumination should be controlled as suggested by Members.
- 2.75 Updated Reasoned Justification now includes details of Ground Conditions, Air Quality (including updated statistics), Noise and Vibration and Lighting. Additional detail on noise fencing has also been added.
- 2.76 The proposed Ground Conditions, Contamination and Pollution Policy is set out Appendix 8 to this report.

Waste Management and Recycling

- 2.77 The most effective environmental solution is often to reduce the generation of waste, including the re-use of products (prevention). Products that have become waste can be checked, cleaned or repaired so that they can be re-used (preparing for re-use). Waste materials can be reprocessed into products, materials or substances – (recycling). Waste can serve a useful purpose by replacing other materials that would otherwise have been used (other recovery). The least desirable solution where none of the above options is appropriate is disposal.
- 2.78 Whilst the responsibility for dealing with waste (and minerals) in Three Rivers lies principally with Hertfordshire County Council, the District Council can help promote kerbside collection and community recycling through planning policy.
- 2.79 A key part of this is ensuring that residents and businesses have sufficiently convenient facilities and storage to maximise re-use and recycling, and that this provision is integrated through the design and layout of development without adverse impact on the street scene or, in less developed areas, the local landscape.
- 2.80 The Council is preparing guidance to be used by developers and landowners to design waste management facilities for new and refurbished development called 'Solid Waste Storage/Collection Guidance'. The draft policy refers developers to this guidance.
- 2.81 The policy refers to Modern Methods of Construction (MMC) and integrating a circular economy statement into the Waste Management Plan as a means to achieve a raft of benefits including reduced carbon emissions, higher levels of sustainability, less

construction waste and lower total development cost, due to lower whole life costs and lower costs in use. Hertfordshire County Council are actively encouraging the use of MMC through Herts IQ, the County's Enterprise Zone with its innovation partner BRE.

- 2.82 The Draft Waste and Recycling Policy in Appendix 9 seeks to reduce, re-use and recycle waste as part of the construction process and for the design of development to facilitate waste recycling.
- 2.83 Changes have been made to this policy in terms of wording added to the adverse impact on the surrounding areas, specifying new development proposals, and specifying that only major applications will require a waste management plan and a circular economy statement. The exploration for opportunistic extraction of minerals for new developments has also been added at the request of Hertfordshire County Council Minerals and Waste.

Landscape Character

- 2.84 The landscape of Three Rivers is a complex mix of rural and urban areas, woodlands, wildlife habitats, farmland, water features and other landforms. Wildlife habitats such as meadows, woodlands, hedgerows, orchards and wetlands are valued components of the landscape and have their own special management requirements.
- 2.85 The NPPF states that strategic policies in a Local Plan should:
- Make sufficient provision for the conservation and enhancement of the natural, built and historic environment including landscapes and green infrastructure¹².
 - Ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)¹³.
 - Contribute to and enhance the natural local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)¹⁴.
 - Give great weight to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues and the scale and extent of development within these designated areas should be limited.¹⁵
- 2.86 Three Rivers incorporates 546 hectares of the Chilterns National Landscape consisting largely of chalk stream, river, valley and adjacent hillsides and woods. As there will be increasing pressure for development across the District, it is important that all landscape, including the Chilterns National Landscape, is conserved and

¹² NPPF Paragraph 20 d)

¹³ NPPF Paragraph 135 c)

¹⁴ NPPF Paragraph 180 a)

¹⁵ NPPF Paragraph 182

enhanced. The policy ensures that the design of development proposals is sensitive enough to ensure that schemes make a positive contribution to the landscape. National Landscapes are designated for the purpose of conserving and enhancing the natural beauty of the area, which includes its flora, fauna, and geological and natural physical features.

- 2.87 The NPPF makes it clear that AONB designations (now known as National Landscapes) provide a strong reason to restrict the overall scale/type/distribution of development and the Council has a duty to conserve and enhance its natural beauty¹⁶.
- 2.88 Hertfordshire County Council's Landscape Character Assessment identifies three landscape regions in Three Rivers:
- The Chilterns Landscape Region (including parts of the Chilterns National Landscape)
 - The Central River Valleys Landscape Region
 - The South Hertfordshire Plateau
- 2.89 These landscape regions contain a variety of landscape character areas for which assessments have been produced identifying key characteristics and influences.
- 2.90 The Council should seek to ensure that development complements the surrounding local landscape of Three Rivers as identified in the current Local Character Assessments, through siting, layout, design, appearance and landscaping of development. The draft policy encourages applicants to refer to the Landscape Character Assessments for information in relation to these matters.
- 2.91 Minor changes have been made to the policy primarily to align with the government's decision to rebrand the Area of Outstanding Natural Beauty as National Landscape from 22 November 2023. A new paragraph has been added in reasoned justification to explain this, as many people may not be fully aware. However, since 'AONB' remains the legal name for the designation, this term is also used in appropriate places, for example, when referring to older documents such as the Chilterns AONB Management Plan.
- 2.92 The proposed Landscape Character Policy is set out Appendix 10 to this report.

Advertisements

- 2.93 The term 'advertisement' covers a wide range of advertisements and signs including hoardings, illuminations of hoardings, illuminated fascia signs, free-standing display panels, and estate agent boards.
- 2.94 Not all advertisements are regulated by the Council and others benefit from deemed consent, which means that permission is not needed: this will depend on the size, position and illumination of the advert.
- 2.95 Paragraph 141 of the NPPF confirms that the quality and character of places can suffer when advertisements are poorly sited and designed and so, where consent is

¹⁶ NPPF Paragraph 11 d) i.

required, the Council can have regard to considerations of amenity and public safety, taking account of cumulative impacts.

- 2.96 The proposed Advertisements Policy (Appendix 11) identifies specific criteria which will be taken into account when considering amenity and public safety of advertisements in Three Rivers to ensure that the quality and character of the District and places is not adversely affected.
- 2.97 Minor changes to clarify wording have been made following suggestions from Development Management Officers. Members had discussed illuminations at a previous Local Plan Sub-Committee meeting, particularly with regard to sustainability (i.e. advertisements being illuminated 24/7). While the policy does not make explicit reference to the length of time for which advertisements should be illuminated, it is stated that new advertisements must be sited to prevent visual intrusion by virtue of light pollution into adjoining sensitive land uses, including residential properties and wildlife habitat, and respect local context. Officers considers this wording satisfactory, and it has therefore not been changed.

Deliveries, Servicing and Construction

- 2.98 The arrangements for deliveries and servicing and for the management of construction can have a significant impact on the environment, both on a development site and in the surrounding area and must be considered as an important part of proposals for new development.
- 2.99 The proposed Deliveries, Servicing and Construction Policy (Appendix 12) aims to ensure that development proposals provide adequate space and access within a site to accommodate requirements for storage and collection of waste and deliveries as well as managing associated vehicle movements so that these do not result in harm to the amenity of the area or any neighbouring occupiers, and ensure safe access and egress for emergency vehicles.
- 2.100 This policy remains the same as agreed by Members at previous Local Plan Sub-Committee.

- **Policy/Budget Reference and Implications**

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

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

None specific.

- **Recommendation**

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

- Chilterns Beechwoods SAC Policy (Appendix 1)
- Northwood Headquarters MOD Policy (Appendix 2)

- Residential Design and Layout Policy (Appendix 3)
 - Local Distinctiveness and Place Shaping Policy (Appendix 4)
 - Heritage and Historic Environment Policy (Appendix 5)
 - Social and Community Uses Policy (Appendix 6)
 - Flood Risk and Water Resources Policy (Appendix 7)
 - Ground Conditions, Contamination and Pollution Policy (Appendix 8)
 - Waste Management and Recycling Policy (Appendix 9)
 - Landscape Character Policy (Appendix 10)
 - Advertisements Policy (Appendix 11)
 - Deliveries, Servicing and Construction Policy (Appendix 12)
- **Background Papers**
 - National Planning Policy Framework (2023)
 - Planning Practice Guidance (2023)
 - Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011)
 - Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

APPENDICES

- Appendix 1 Chilterns Beechwoods SAC Policy
- Appendix 2 Northwood Headquarters MOD Policy
- Appendix 3 Residential Design and Layout Policy
- Appendix 4 Local Distinctiveness and Place Shaping Policy
- Appendix 5 Heritage and Historic Environment Policy
- Appendix 6 Social and Community Uses Policy
- Appendix 7 Flood Risk and Water Resources Policy
- Appendix 8 Ground Conditions, Contamination and Pollution Policy
- Appendix 9 Waste Management and Recycling Policy
- Appendix 10 Landscape Character Policy
- Appendix 11 Advertisements Policy
- Appendix 12 Deliveries, Servicing and Construction Policy