

THREE RIVERS DISTRICT COUNCIL

At a meeting of the Local Plan Sub-Committee held in the Penn Chamber, Three Rivers House, Rickmansworth, on Thursday, 29 August 2024 from 7.00 - 9.37 pm

Present: Councillors Councillor Stephen Giles-Medhurst (Chair)
Councillor Louise Price, Oliver Cooper, Stephen Cox, Steve Drury, Philip Hearn, Chris Mitchell, Sarah Nelmes and Jonathan Solomons

Officers in Attendance:

Marko Kalik, Head of Planning Policy and Conservation.
Aeron Roberts, Senior Planning Officer
Sharon Keenyside, Interim Democratic Services Officer

External in Attendance:

Jon Bishop, Chorleywood Residents Association

LPSC34/23 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Christopher Alley and Andrew Scarth. Councillor Jonothan Solomons was present as substitute for Councillor Andrew Scarth.

LPSC35/23 MINUTES

The minutes of the meeting held on 8 August 2024 were confirmed as a correct record and signed by the Chair of the meeting.

LPSC36/23 NOTICE OF OTHER BUSINESS

There was none.

LPSC37/23 DECLARATION OF INTERESTS

There was none.

LPSC38/23 LOCAL PLAN: UPDATED DRAFT POLICIES FOR REGULATION 19

Marko Kalik, Head of Planning Policy and Conservation, presented the report and appendices.

Appendix 1 – Green Belt

It was noted that the policies map would be updated once the sites had been agreed and the boundary changes known.

In the final report document, the appendices would be formatted together rather than formatted individually.

Members discussed the relevance of paragraphs 1.3 and 1.4 and whether they should be deleted. Some Members felt that the evidence base was out of date and would undermine the Council when it went to examination. Officers explained that they were still relevant. The Urban Capacity Study provided evidence when justifying why the Green Belt boundary may change in exceptional circumstances. If the evidence was disregarded, further evidence would need to be sought and would delay the Plan.

Councillor Cooper moved, seconded by Councillor Hearn, to remove paragraphs 1.3 after the first sentence and paragraph 1.4. The voting was 7 Against and 2 For. The motion was NOT CARRIED.

The Chair moved, seconded by Councillor Nelmes, to incorporate in paragraphs 1.3 and 1.4 accordingly, the additional sites and additional information relating to other studies undertaken and to make reference to all infrastructure in paragraph 1.4. The voting was 7 For and 2 Abstentions. The vote was CARRIED.

RESOLVED: to incorporate in paragraphs 1.3 and 1.4 accordingly, the additional sites and additional information relating to other studies undertaken and to make reference to infrastructure in paragraph 1.4.

Appendix 2 – Development in the Green Belt

Members requested that the wording in paragraph 2.44 be in the same vernacular as the others and the word 'should' changed to 'must'.

Officers clarified with Members, the wording required for paragraph 2.24. Officers would review the wording.

Members requested that 'in the area' was removed from paragraph 2.4.

Officers to review wording of paragraph 2.20.

Appendix 3 – Housing Density

Jon Bishop, Chorley Wood Residents Association, addressed the meeting and raised the following points.

- Would the minimum density apply to all sites, no matter how small? What about where an existing dwelling on a large plot is being demolished and rebuilt? Did this need to be defined?
- To deliver the required new homes whilst minimising the impact on Green Belt, it was understood that we need to increase the density of new developments. However, was 50 homes the correct minimum level when this was approximately the current maximum density in the district?
- If this was the level to be adopted, then we believe that policy point 3 needs adjustment to include reference to allowing lower densities where the minimum defined density would result in a significant disconnect in character with the surrounding area (mentioned in the supporting text but not the policy). This would allow for a more gradual increase in density across a site to provide a more joined up feel between the new development and the existing settlement. For example, where a site was immediately bordered by an area with an average density of 15 homes/hectare, the new development could have lower density nearer to the existing dwellings (maybe 25 homes/hectare) and then increase across the site to the required level of 50 homes/hectare further away from the existing settlement. Having to achieve the minimum 50 homes per hectare would prevent such a design.

Officers confirmed that the density would be 50 homes per hectare across the developable areas. The Residential Design and Lay Out Policy includes references to character and more detailed design criteria. Within the policy wording, there was some flexibility in the housing density.

Members asked for wording to be added to point 1 of the policy: 'and of the specific area of the proposed development'.

Members discussed the housing density requirements and that of neighbouring councils. The wording of the policy was discussed in detail. The Head of Planning Policy and Conservation commented that the figure of 50 homes/hectare came from Members rather than officers and officers had suggested a tiered approach to density at a previous Local Plan Sub-Committee which had lower densities in the less built-up parts of the district. It was the view of officers

that the housing numbers were too low already and if the densities were lowered on sites that would result in even lower numbers and the plan would not be found sound.

Officers agreed to add the reference 'with character' although it was covered elsewhere in the Plan.

Officers agreed to review adding a reference to 'grading' within policy.

Councillor Cooper moved, seconded by Councillor Hearn, to remove the figure of 50 in point 2. The voting was 2 For and 8 Against. The motion was NOT CARRIED.

The Chair moved, seconded by Councillor Price, to remove in point 2 'at least' 50 dwellings and add 'normally' 50 dwellings in its place. The voting was 8 For and 1 Against. The motion was CARRIED.

RESOLVED: to remove in point 2 'at least' 50 dwellings and add 'normally' 50 dwellings in its place.

Appendix 4 – Design Criteria

RESOLVED: that the Local Plan Sub-Committee agreed appendix 4.

Appendix 5 – Affordable Housing

Jon Bishop, Chorley Wood Residents Association, addressed the meeting and raised the following points.

- Policy point 2 seems to be flawed for very small developments. If a development only delivers one new home, this policy would imply that the new home would have to be affordable, i.e. 100%. It is suggested that the policy says that "*For developments of over 10 new homes,*".
- Whilst we understand the desperate need for more homes for social rent, with the number of newly built socially rented homes across the country that are not being taken up by Housing Associations, what confidence do you have that the level of socially rented homes provided for by the policy will all be taken up by Housing Associations? Housing Associations should be spoken to now, to confirm their capacity to taken on new socially rented housing. It should also be confirmed that this level of new socially rented housing will not require a change in rental level policy (which we believe is set at a maximum of the level of housing benefit) to ensure their take up by Housing Associations.

The Head of Planning Policy and Conservation commented that the policy had been discussed with the Housing Team in detail and approved and as such was not concerned about a potential lack of uptake.

Officers agreed to review the wording of policy point 2 to make the meaning clearer.

Officers clarified the figures on social housing percentages. Members discussed whether the percentages for affordable rented accommodation and affordable homes to purchase should be changed. Officers clarified that the overall figure for affordable housing of 40%, was what officers considered realistically viable in terms of delivery. The whole plan viability assessment would test the viability of the figure both upward and downward, on all the policies and housing types. If the data showed a need for it to change, it would be brought back to Committee.

Officers explained that the Local Housing Needs Assessment analysis showed that there was a much higher need across the district for affordable rent (57% of the districts housing need) rather than affordable home ownership.

RESOLVED: that the Local Plan Sub-Committee agreed appendix 5.

Appendix 6 – First Homes

The Head of Planning Policy and Conservation clarified that in the draft NPPF consultation, this appendix was likely to be removed.

A Member raised a concern that there was no requirement for a local connection and requested a local connection test was applied to first home properties via a section 106 agreement. A higher percentage was also requested but this was not supported by other Members.

The Head of Planning Policy and Conservation would research the request and review the wording in the policy or Supplementary Planning Document (SPD).

RESOLVED: that the Local Plan Sub-Committee agreed appendix 6, subject to the above amendments.

Appendix 7 – Employment and Economic Development

The Head of Planning Policy and Conservation confirmed that the Article 4 directives would be added as requested.

RESOLVED: that the Local Plan Sub-Committee agreed appendix 7 subject to the above amendment.

Appendix 8 – Provision for Gypsies, Travellers and Travelling Showpeople

A Member requested that in paragraph 1F the word 'adjacent' was changed to 'nearby occupiers'. This was agreed by officers.

RESOLVED: that the Local Plan Sub-Committee agreed appendix 8 subject to the above amendment.

Appendix 9 – Retail and Leisure

A Member requested and officers agreed to change the word 'target'.

Officers would circulate the emerging retail hierarchy following the meeting.

A Member requested that the wording 'shop fronts and displays should be appropriate to the character and function of the area. All development should adhere to further SPD policy' be added to 1.1 or as a separate number 4. Officers agreed to review adding the wording.

Officers agreed that shop front guidance could potentially be included in SPG.

RESOLVED: that the Local Plan Sub-Committee agreed appendix 9 subject to the above amendment.

Appendix 10 – Open Space, Play Space, Sport and Recreation

A Member raised a query about the maintenance of the spaces. It was suggested that in paragraph 6 the wording 'may be required' was changed to 'will be required'. Officers would clarify with Legal and Development Management colleagues if this would be acceptable.

Officers would review the wording in points 6.3 and 6.4 so that there was no ambiguity.

RESOLVED: that the Local Plan Sub-Committee agreed appendix 10 subject to the above amendments.

Appendix 11 – Health and Wellbeing

RESOLVED: that the Local Plan Sub-Committee agreed appendix 11 subject to the above amendments.

Appendix 12 – Green and Blue Infrastructure

Jon Bishop, Chorley Wood Residents Association, addressed the meeting and raised the following points.

- In point 3d we would recommend adding Designated Open Spaces to the list. The vast majority of these already have built up areas on at least two sides, so these could easily get cut off from surrounding countryside / green spaces if corridors are not maintained. This could have a significant detrimental impact on the biodiversity of these sites.
- Point 6 needed rephrasing to make it read properly and strengthening it to avoid applicants seeking to circumvent its requirements. It was suggested that it was re-worded to:

“Public Rights of Way and other sustainable transport links between spaces in the Green Infrastructure network should be protected and enhanced through development proposals. Where these are within green spaces or form links between green spaces prior to development, buffers of at least 20m around Rights of Way should be incorporated into masterplans. Diversions of Public Rights of Way will only be appropriate where an alternative route of equal or improved character, amenity, safety, directness and convenience is provided.”

The Head of Planning Policy and Conservation agreed to add Designated Open Spaces to point 3d. Members requested adding the Aquadrome and surrounding lakes to the list and officers suggested adding the phrase ‘that it was not an exhaustive list’ or ‘not limited to’.

The Senior Planning Officer confirmed that there would either be a separate Biodiversity Net Gain (BNG) policy or BNG would be included in a larger biodiversity policy.

Officers agreed to review the wording of point 6 regarding the 20m buffer zone.

RESOLVED: that the Local Plan Sub-Committee agreed appendix 12, subject to the above amendments.

Appendix 13 – Trees, Woodlands and Landscaping

The Head of Planning Policy and Conservation agreed to add ‘Hedgerows’ to the appendix title and to add to paragraph 1 ‘such as hedgerows’.

RESOLVED: that the Local Plan Sub-Committee agreed appendix 13, subject to the above amendments.

Appendix 14 – Waterways

RESOLVED: that the Local Plan Sub-Committee agreed appendix 14.

Appendix 15 – Broadband and Electronic Communications

The Senior Planning Officer confirmed that broadband and electronic communications could be assessed for impact on the character of the area, for example for size and colour.

A Member requested that wording be added to the policy to ensure that it was a requirement to minimise the impact on the character of the area and any nearby conservation areas from where it might be seen.

Officers agreed to review the wording and change ‘should be served’ to ‘must be served’.

A Member requested that officers research adding to point 2, that there is a requirement for no post development engineering works for major developments.

Officers agreed to add the word 'relevant' to paragraph 2.

RESOLVED: that the Local Plan Sub-Committee agreed appendix 15, subject to the above amendments.

Appendix 16 – Sustainable transport and Travel

Jon Bishop, Chorley Wood Residents Association, addressed the meeting and raised the following points.

- The new point 1 in the policy is unclear and it is recommended it is rephrased to read “New development will be located in areas where the opportunity for sustainable travel to, from and within the site is realistic.”
- In point 5a, we would ask for the removal of the words “short distance” so that it reads “facilitates and encourages trips by walking and cycling”. This will avoid applicants misusing the term to limit the use of walking and cycling. We need to encourage the use of walking and cycling as widely as possible.
- Point 6f could be read as being just within the site. We strongly recommend that an additional point should be added to the policy to make clear this includes linking up to local facilities, amenities and public transport hubs. Suggested wording is “It is linked to local facilities, amenities and public transport hubs through roads which provide sufficient width to allow vehicles to maintain the separation from pedestrians, cyclists and other road users required by the Highway Code.”
- Should the concept of 20-minute neighbourhoods be in the policy text rather than just in the supporting text? This concept is key to creating truly sustainable communities and there should be no doubt about it being an essential requirement of any new development.
- In point 16.4, the definition of a 20-minute neighbourhood given in the second sentence needs amending to remove the words “or bike” so that it reads “Creating neighbourhoods where everything a resident needs can be reached within 20 minutes by foot will not only improve quality of life”. This accords with the definition of a 20-minute neighbourhood provided by the Town and Country Planning Association and other expert bodies in this area.
- To justify this, in the supporting text (possibly following point 16.4), further explanation of a 20-minute neighbourhood could be provided to make it clear that the concept is actually based on a 10 minute walk each way. You could quote from the TCPA paper on this subject, which states “Why 20 minutes? Research undertaken in Australia shows that 20 minutes is the maximum time that people there are willing to walk to meet their daily needs, with Melbourne adopting the position that the 20-minute journey represents an 800 metre walk from home to a destination, and back again (10 minutes each way).

The Head of Planning Policy and Conservation agreed to change the wording in point 1 to ‘New development will be located in areas where the opportunity for sustainable travel to, from and within the site is realistic’ and would remove ‘short distance’ in point 5a. The wording in point 16.4 and 6f would be reviewed.

Members discussed in depth the inclusion, relevance, definition and the wording around 20-minute Neighbourhoods.

Councillor Hearn moved, seconded by Councillor Cooper to remove the reference to 20-minute neighbourhoods from paragraph 16.14 and change the wording to 'where residents daily needs are in walking distance'.

Voting was 2 For, 7 Against and 1 Abstention. The motion was NOT CARRIED.

The Chair moved, seconded by Councillor Price, to incorporate the wording 'daily need', change the wording to walking, rather than cycling and keep the reference to 20-minute neighbourhoods. Officers to clarify the definition of a 20-minute neighbourhood including 10 minutes walking each way.

The voting was unanimous and the motion was CARRIED.

RESOLVED: that the Local Plan Sub-Committee agreed appendix 16, subject to the above amendments.

RESOLVED:

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

- Green Belt Policy (Appendix 1)
- Development in the Green Belt Appendix (Appendix 2) • Housing Density Policy (Appendix 3) • Design Criteria (Appendix 4)
- Affordable Housing Policy (Appendix 5)
- First Homes Policy (Appendix 6)
- Employment and Economic Development Policy (Appendix 7)
- Gypsies, Travellers and Travelling Showpeople Policy (Pages 11 - 92) Page 2 (Appendix 8)
- Retail and Leisure Policy (Appendix 9)
- Open Space, Play Space, Sport and Recreation Policy (Appendix 10) • Health and Wellbeing Policy (Appendix 11)
- Green and Blue Infrastructure Policy (Appendix 12)
- Trees, Woodlands and Landscaping Policy (Appendix 13)
- Waterways Policy (Appendix 14)
- Broadband and Electronic Communications Policy (Appendix 15)
- Sustainable Transport and Travel Policy (Appendix 16)

CHAIRMAN