

Hertsmere Local Development Framework
Development Plan Document

Core Strategy

Statement of representations received following
publication of the Hertsmere Core Strategy for
submission to the Secretary of State

pursuant to Regulation 30 (1) (e) of The Town and Country Planning
(Local Development) (England) (Amendment) Regulations 2008

6th March 2009



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1. Introduction

The role of this document

1.1 This Statement of Representations contains details of the representations received following publication of the Hertsmere Core Strategy Development Plan Document (DPD) in December 2008 for submission to the Secretary of State. The purpose of this document is to set out:

1. how many representations were made on the Core Strategy DPD in accordance with Regulation 28(2)¹; and
2. a summary of the main issues raised in those representations.

1.2 This document should be read in conjunction with the separate Statement of Consultation, which is being published in accordance with Regulation 30 (1) (d) of the 2008 regulations and which provides details of the extensive consultation carried out prior to publication of the Core Strategy DPD. This includes details of who was consulted, how they were consulted, a summary of the main issues raised and how those issues have been addressed.

The need for this document

1.3 The Planning and Compulsory Purchase Act 2004 introduced major changes to the planning system. The Hertsmere Local Plan, adopted in 2003, is being replaced with a suite of documents which will make up a Local Development Framework (LDF). The new legislation introduced new requirements to ensure that effective public and stakeholder consultation was undertaken. Hertsmere Borough Council's Statement of Community Involvement, adopted in September 2006, set out how the Council intends to undertake public consultation and participation in the preparation of the various documents which will comprise its LDF.

1.4 The Core Strategy has been prepared against a background of substantial reform to the planning system and the associated procedural and legislative change. Amendments to the original regulations which accompanied the 2004 Act were introduced in 2008, along with a new national policy statement and plan making manual, to "reflect the lessons learned from the first three years of operation of the new planning system in England."²

1.5 The Council has taken the consultation undertaken between 2005 and 2007, under the old Regulations 25 and 26, as satisfying the requirement of the new Regulation 25. This was allowed for under the transitional arrangements which applied to Councils for consultation undertaken until 1st September 2008.

¹ Regulation 28(2) of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008
² Planning Policy Statement 12: Local Spatial Planning (2008)

- 1.6 It should be noted that the recently enacted Planning Act 2008, which included provisions to create a national Infrastructure Planning Commission and impose a Community Infrastructure Levy, does not include any measures which would have procedural implications for the Hertsmere Core Strategy. At the time of writing, the regulations relating to the 2008 Act had not been introduced.
- 1.7 Hertsmere Borough Council is required to produce a Statement of Consultation and this Statement of Representations under Regulations 30(d) and 30 (e) respectively to accompany the submission of the Core Strategy DPD to the Secretary of State. It is intended that the Statement of Consultation will assist the Inspector, appointed by the Secretary of State, to carry out the Core Strategy examination in determining whether the DPD complies with the minimum requirements for involvement and government guidance. It is hoped that this document (the Statement of Representations) will enable the Inspector to be aware of the key issues raised by stakeholders and the public at an early stage in the examination process.

2. Publication of the submission Core Strategy

- 2.1 Prior to the publication of the Core Strategy for submission to the Secretary of State, Hertsmere Borough Council had already undertaken extensive consultation during the preparation of the Core Strategy. This involved three separate consultation exercises (Issues Scoping, Issues and Options³ and Preferred Options⁴), the details of which are set out in a separate Statement of Consultation.
- 2.2 The Core Strategy DPD was approved at a meeting of the full Council on 19th November 2008 and formally published on 8th December 2008 with representations invited over an eight-week period closing on 2nd February 2009. Appendix 1 lists the bodies and persons invited to make representations on the published Core Strategy.
- 2.3 The publication of the Core Strategy in December 2008 provided an opportunity for representations to be made prior to submission of the DPD. This did not constitute a conventional period of public consultation but it was emphasized at the time that representations received would be taken into account at the Core Strategy examination, rather than resulting in any further significant changes to the DPD. The Council did not hold any public meetings, exhibitions or drop-in sessions, although letters were sent out to all organisations, stakeholders and individuals on the Council's substantial LDF database.
- 2.4 A very limited number of minor changes have been proposed (a) in the light of typographical errors and (b) a small number of representations seeking small changes which can be made without the need for further public consultation and sustainability appraisal. These are set out in a separate schedule of minor changes.
- 2.5 A total of 246 duly-made representations were received from 45 different respondents. Appendix 2 summarises the representations received. Four late representations were accepted by the Council because of an extreme weather event which saw exceptionally heavy snowfall across much of England on the closing date for submission of representations. These representations were from Robson Planning Consultants (on behalf of Gilston Investments Limited), Hertsmere Borough Council's Environmental Health Department, Hertfordshire County Council's Environmental Health Department and The Highways Agency.

³ Hertsmere Local Development Framework, Issues and Options (February 2006)

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3. Summary of the main issues raised in the representations

- 3.1 The key issues raised by representations submitted are set out below, starting with general comments applicable to the whole document or suggestions for a new policy which is not currently included within the Core Strategy DPD.

Conformity with Regional Spatial Strategy

- 3.2 The East of England Regional Assembly (EERA) assesses consultations on DPDs to confirm whether or not they are in 'general conformity' with the Regional Spatial Strategy (RSS) for the East of England – the East of England Plan. Hertsmere Borough Council's Submission Core Strategy was considered to be in general conformity with the RSS.
- 3.3 The submission from EERA considered the Hertsmere Core Strategy against policies in the RSS. The representations acknowledged that no Green Belt review at Hertsmere is proposed in the RSS and notes that whilst the majority of new growth can and will be accommodated on previously developed land, some limited release of greenfield or Green Belt land may be required towards the end of the plan period.

General comments

- 3.4 Around 65% fewer representations were made on the submission DPD than at the preferred options stage and the majority of representations received focused on specific parts of the DPD rather than the document as a whole.
- 3.5 Representations made by Government Office for the East of England (GO-East) on the submission Core Strategy did not make any reference to matters of soundness, compliance with PPS12 or general conformity with the RSS. Earlier and more detailed representations from GO-East on the Preferred Options version of the Core Strategy⁵, resulted in significant changes to the DPD which are outlined in the separate Statement of Consultation.
- 3.6 GO-East representations on the submission Core Strategy recommended that elements of the Core Strategy relating to housing delivery and compliance with PPS3 be reviewed. Clarification was also sought over the extent of any employment land development in the Green Belt.
- 3.7 The largest proportion of representations focused on housing capacity, delivery and the phasing of any Green Belt releases. A number of representations made by consultants, including those submitted on behalf of Gilston Investments Ltd and Potters Bar Golf Course, considered the DPD to be unsound on the basis that projections of future urban capacity relied on the on previously developed windfall sites, which was considered to be contrary to the provisions of PPS3. The

⁵ Core Strategy Preferred Options (November 2007)

reliance on the possible future disposal of BBC Elstree Centre in Borehamwood was also challenged, as were perceived flaws in with the evidence base with the Council's use of an Urban Capacity Study rather than any Strategic Housing Land Availability Assessment. The absence of a Strategic Housing Market Assessment was also criticised. These representations considered that a shortfall in land to meet the regional housing targets necessitated the release of Green Belt sites earlier in the plan period.

3.8 Other issues of soundness which were raised included:

- the location of areas of search for future Green Belt development (various representors);
- the exclusion of Bushey as a location for any expansion into the Green Belt (Rolfe Judd Planning for Zog Limited);
- the inclusion of what are seen to be arbitrary housing phasing thresholds (Jeremy Peters Associates for 27-31 Heath Road, Potters Bar);
- the inclusion of what are seen to be arbitrary housing mix requirements (Rolfe Judd Planning for Zog Limited);
- the absence of any reference to the Strategic Flood Risk Assessment in the policy wording (Environment Agency);
- the need for a more flexible approach to meeting future employment needs (Maze Planning for Amesbury Developments); and
- the absence of a Retail Capacity Study (Peacock and Smith for WM Morrison).

Requested new policies

3.9 Two representations provided the suggested wording for a new policy. Thames Water sought the inclusion of a specific policy requiring adequate water and sewerage infrastructure to be in place ahead of new development (Thames Water). RPS (for Willows Farm Village) sought the inclusion of a tourism policy in which the Council would support proposals for the extension of existing attraction and tourist sites.

3.10 Boyer Planning (for Lowerland (2004)) sought the inclusion of a policy containing provisions for Green Belt boundary changes, referring to the changes made to the South Cambridgeshire Core Strategy.

Section 1 - Introduction and Context

3.11 There were no significant objections to the content of this section. However, revisions are sought to one Community Strategy objective (page 8), the 'Other External Influences' section and Table 2, Spatial Implications of other plans, strategies and programmes.

3.12 Phillips Planning Services, on behalf of Mr Mark Homan, consider the fifth key Community Strategy objective ('To work towards meeting local housing needs',

page 8) unclear and request that it be revised so that the housing requirements contained in the RSS for the East of England and Government policy can be met.

- 3.13 Thames Water request that the 'Other External Influences' section specify sewage infrastructure as a key cross boundary issue with neighbouring authorities.
- 3.14 Hertfordshire Biological Records Centre have requested that Table 2 include reference to the *'Hertfordshire Biodiversity Action Plan: A 50 year vision for the wildlife and natural habitats of Hertfordshire'*.

Section 2 - Spatial Vision and Development Strategy

Policy SP1 - Creating sustainable development

- 3.15 The distribution of development described in this policy and supporting statement attracted a number of objections, largely centred around the Council's prioritising of previously developed urban land in existing urban areas before development of Green Belt sites. Several objectors, including Robson Planning Consultants (on behalf of Gilston Investments Limited) and Barton Wilmore (on behalf of Kayterm Plc), contend that this approach is inflexible, will hinder the deliverability of new housing (as required by PPS3) and therefore the Council's ability to meet the housing targets specified in RSS14. They also contend that urban intensification will be detrimental to the prevailing character of these existing urban areas and would involve development of employment land, which is not supported by the Central Hertfordshire Employment Land Review (CHELR). This approach would also involve leaving any potential Green Belt boundary review until late in the plan period and is therefore not consistent with Planning Policy Guidance 2. On this basis, they consider the distribution of development unsound, inconsistent with national policy and/or recommend a comprehensive review of existing Green Belt boundaries in the Borough.
- 3.16 Several submissions requested Green Belt boundary changes to specific sites or areas, a greater degree of protection for green space, strengthening of support for development in certain urban areas, mention of infrastructural constraints and/or recognition of the needs of specific groups in the Borough

Key Diagram

- 3.17 A large number of submissions relating to the Key Diagram were concerned with the location, scale and potential release dates of the Areas of Search for Green Belt development. For example, Boyer Planning Limited (on behalf Lowerland (2004) Ltd), Barton Wilmore (on behalf of Kayterm Plc), Rolfe Judd Planning Limited (on behalf of ZOG Limited) and the Metropolitan Police Authority contend that land around Bushey and Elstree should be considered as Areas of Search. Shire Consulting question whether the Areas of Search are large enough to contain the housing levels proposed and also request that consideration occurs

early in the plan period when the issues can be more readily assessed. In contrast, however, Peacock and Smith (on behalf of Mr & Mrs Morley) support the present location of the Areas of Search around Potters Bar and Borehamwood.

Section 3 - Housing

General Comments

3.18 As noted above, housing policies attracted the largest number of comments the bulk of which object to the Council's preference to develop previously developed urban land before Green Belt land. These objections seek allocation of Green Belt land for housing based on the following reasons:

- The 40 dwelling per hectare minimum density for new development in urban areas (specified in paragraph 3.9) is considered "overly optimistic" given the constraints associated with developing brownfield land, such as existing character and infrastructure (KJD Solicitors, on behalf of the Potters Bar Golf Course);
- The housing trajectory in Table 8 is not sound. The type of trend based analysis used is seen as "overly simplistic". Furthermore, the past annual completion rates shown are unusually high due to the level of windfall completions and trend toward smaller units (i.e. 1-2 beds). Due to changing market conditions, this is not likely to continue. (PGA Design Consulting (on behalf of Veladail Leisure Limited), Shire Consulting and KJD Solicitors (on behalf of the Potters Bar Golf Course));
- The reliance on windfall completions for housing provision is not consistent with Planning Policy Statement 3 (PPS3) (KJD Solicitors (on behalf of the Potters Bar Golf Course), PGA Design Consulting (on behalf of Veladail Leisure Limited) and Robson Planning Consultants (on behalf of Gilston Investments Limited));
- The Urban Capacity Study used to inform housing capacity in urban areas is not prepared in accordance with current government policy advice which requires the preparation of a Strategic Housing Land Assessment (SHLA) (Robson Planning Consultants (on behalf of Gilston Investments Limited), KJD Solicitors (on behalf of the Potters Bar Golf Course) and Shire Consulting);
- There is perceived to be a conflict between this section and Section 4 (Employment and Economy). If only 'very limited' (paragraph 4.21) employment sites are to be released for housing land, then to rely on such sites for housing is not feasible (Barton Wilmore, on behalf of Kayterm PLC);
- The Council's latest Annual Monitoring Review (2007/08) show an average housing completion rate of 228 dwellings per hectare. At this rate, the RSS14 housing targets will not likely be met, notwithstanding a downturn

from the current recession (KJD Solicitors, on behalf of the Potters Bar Golf Course);

- Table 9 is considered to show a disparity between brownfield housing capacity and the 5,000 dwelling housing target prescribed for Hertsmere in RSS14 (KJD Solicitors, on behalf of the Potters Bar Golf Course);
- It was stated that the BBC site (paragraph 3.7) and other urban development opportunities may not come forward during the plan period. Furthermore, it is unlikely that the entire BBC site will be used for housing given its prime location for mixed use development, infrastructure constraints and the character of existing development in Borehamwood. The loss of this site for film and television production and as an employment site is also not consistent with Policy CS11 and paragraph 2.6 (PGA Design Consulting (on behalf of Veladail Leisure Limited), Robson Planning Consultants (on behalf of Gilston Investments Limited) and KJD Solicitors (on behalf of the Potters Bar Golf Course);

3.19 Some submitters requested that recognition be given to previously developed and major developed sites as housing development opportunities in the Green Belt. This was on the grounds that such sites may be more sustainable than development in other parts of the green belt and/or some brownfield sites.

3.20 Rolfe Judd Planning, on behalf of ZOG Limited, requested that reference to the forthcoming review of the East of England Plan, which is likely to increase housing targets, should be made.

Policy CS1 – The location and supply of new homes

3.21 Several representors queried the 5,000 home housing target, the date by which this target is to be met and the end date of the Plan Period. KJD Solicitors (on behalf of the Potters Bar Golf Course) and Robson Planning Consultants (on behalf of Gilston Investments Limited) noted that, should the Core Strategy be adopted in 2009 or 2010, land supply for only 11-12 years has been provided. This is not consistent with PPS3 as a 15 year housing supply has not been provided for and the target date should be revised to 2024-2025. Further to this point, Phillips Planning Services, on behalf of Mr Mark Homan, recommends that the 5,000 home housing target should be revised to 6,250 new homes. This is based on a projection of the housing provision contained in RSS14 and 2026.

3.22 A number of representations objected to the percentage figures in this policy considering them to be arbitrary and likely to hinder development in the affected settlements. Being derived from the relative size of the towns, the method for determining these percentages was also questioned. Other representations however, sought alterations to these percentage figures or the inclusion of other settlements in the borough.

- 3.23 Other representations sought the addition of new, or modification to the existing matters to be taken into account of in this policy. This included allowing for Green Belt development on the edge of urban areas and consideration of the efficient use of land, in addition to the density of surrounding areas, when considering areas for new housing.
- 3.24 Other representations were supportive of this policy or sought minor wording changes.

Policy CS2 – Housing beyond existing built up areas

- 3.25 Several respondents objected to this policy. CGMS Consulting (on behalf of The Metropolitan Police Authority) and Barton Willmore (on behalf of Kayterm PLC) object on the ground that it does not permit consideration of areas not described and shown on the Key Diagram. As such, the policy is inflexible and/or does not allow consideration of potentially more sustainable sites outside those locations. In contrast, Rolfe Judd Planning (on behalf of ZOG Limited) and Drivers Jonas (on behalf of CEMEX) requested that locations around Radlett and Bushey be included as broad areas of search.
- 3.26 Shire Consulting consider the criteria for assessing the areas of search not detailed enough. As such, they do not contain any means of measurement and are incapable of producing a meaningful sustainability assessment. Shire Consulting also do not consider it appropriate to assess the areas of search until the forthcoming Site Allocations DPD, and have requested that an assessment be undertaken as part of the Core Strategy DPD. This is in contrast to CGMS Consulting (on behalf of The Metropolitan Police Authority), who consider it appropriate to consider the areas of search as part of the Site Allocations DPD.
- 3.27 Phillips Planning Services (on behalf of Mark Homan) requested that specific provision be made in this policy for development of land currently safeguarded in Policy H4 of the Hertsmere Local Plan (adopted 2003).

Policy CS3 – Phasing of Development

- 3.28 Jeremy Peters Associates (on behalf of the owner/occupiers of 27-31 Heath Road, Potters Bar), Rolfe Judd Planning (on behalf of ZOG Limited), Robson Planning Consultants (on behalf of Gilston Investments Limited), KJD Solicitors (on behalf of Potters Bar Golf Course) and Phillips Planning Services (on behalf of Mr Mark Homan) considered that the phasing approach specified is not consistent with RSS14. Policy H14 of RSS14 specifies that housing targets are minima that are to be exceeded. However, this policy implies that they are maxima and not to be exceeded. These respondents also consider that the 50 unit / 20% threshold is arbitrary and/or it is unclear whether these restrictions will still apply if infrastructure and community facilities are in place. Given the above, this policy is

considered to be inflexible and therefore contrary to PPS12. Policy CS4 – Affordable Housing

- 3.29 Several respondents objected to the threshold and/or proportions of affordable housing required by this policy. Preston Bennett Planning (on behalf of Cairnpark Properties) consider the reference to site size threshold (i.e. 0.5 ha) to be inconsistent with PPS3. This same respondent also considers it unclear whether 15 units is the maximum number of units that can be provided with no affordable housing requirement or if the policy applies to developments of 15 units or above. Barton Willmore (on behalf of Kayterm PLC) noted that the level of affordable housing provision should be modified to reflect the findings of a Strategic Housing Market Assessment or a financial viability assessment on a case by case basis.
- 3.30 Robson Planning Consultants (on behalf of Gilston Investments Limited) and KJD Solicitors (on behalf of Potters Bar Golf Course) do not object to this policy, but do note that failure to release Green Belt land will make it more difficult for the Council to meet its affordable housing targets given the constraints and viability issues that afflict brownfield sites.
- 3.31 Other representations have requested changes to this policy to provide for affordable housing for the elderly or disabled persons and a flexible approach to affordable housing on contaminated sites.

Policy CS5 – Affordable Housing in rural area on “Exception” sites

- 3.32 There were relatively few objections to this policy, although Apcar Smith Planning (on behalf of Mr. R. Leon) noted that this policy may be inconsistent with Planning Policy Guidance 2 and the Hertfordshire Structure Plan Review 1991-2011, in that it implies that private housing schemes would not be considered acceptable in areas over-washed by the Green Belt designation.

Policy CS6 – Gypsy and Traveller sites.

- 3.33 Hertfordshire County Council considered that Criterion iv) (potential sites for gypsies and travellers to “avoid prejudicing nearby residential or rural amenity as a result of visual intrusion, excessive noise, lighting, traffic generation or activity at unsocial hours”) be removed as it is overly restrictive. Remaining representations on this policy were supportive or raised relatively minor wording issues.

Policy CS7 - Housing mix

- 3.33 There were a number of objections to this policy. Hertfordshire County Council noted that the proportion for sheltered or very sheltered housing is not stated and that the mechanism for achieving sheltered/very sheltered housing is unclear. Planning Works Limited (on behalf of Rachel Charitable Trust) had similar

concerns, but also noted that there is a need for a range of specialised housing accommodation in the Borough that is not specified in this policy.

- 3.34 Two objections were concerned with the viability implications of this policy. Rolfe Judd Planning (on behalf of ZOG Limited) consider this policy impractical on small sites whilst Vincent & Goring (on behalf of National Grid Gas) request that some flexibility be included in this policy to account for the viability issues associated with developing contaminated land. Rolfe Judd Planning and Kayterm PLC do however support the requirement for housing mix to reflect the prevailing character of the area.

Section 4 - Employment and the Economy

General Comments

- 3.35 The general comments on this section were largely supportive. The East of England Regional Assembly (EERA) acknowledges that this section provides an adequate account of local economic conditions to explain the development of employment land policies whilst appropriate employment locations are identified. The Highways Agency also supports this policy as it supports concentration of development in main towns, thereby encouraging public transport use.

Policy CS8 – Scale and distribution of employment land.

- 3.36 There was one objection to this policy. Boyer Planning Limited, on behalf of Lowerland (2004) Ltd consider this policy unduly restrictive as it relates only to B class business activity and limits provision to identified locations. They request that it be modified accordingly.
- 3.37 Whilst Hertfordshire County Council did not oppose this policy, they comment that the release of previously designated land within the Elstree Way Employment Area for new housing or housing led mixed-use development should not prejudice the implementation of the Elstree Way Corridor Planning Brief.

Policy CS9 – Local Significant Employment Sites

- 3.38 No significant issues were raised in response to this policy.

Policy CS10 - Land use within employment areas

- 3.39 There were no significant objections to this policy. Hertfordshire County Council have indicated support for this policy as it permits waste management uses on employment land.

Policy CS11 – Promoting film and television production in Hertsmere

- 3.40 There were no objections to this policy although some respondents, including the Government Office for the East of England, noted a potential conflict between this policy and use of the BBC Elstree site for housing, as discussed in section 3.

Section 5 - Open Land and the Environment

General Comments

- 3.41 Most representations on this section were broadly supportive or raised relatively minor wording issues. The Hertfordshire Biological Records Centre (HBRC) note a number of technical errors in the supporting text, including that Hertsmere does not contain 25% of Hertfordshire's Heathland (paragraph 5.5), but rather 3.79 %, and that the classification of land (e.g. SSSIs) is confused with the nature of the land itself (e.g. hedgerows). Council's own Environmental Health team recommend amending paragraph 5.32 to provide more background into the legal context and issues affecting Hertsmere with regards to Air Quality.
- 3.42 The Environment Agency are supportive of this section as it sets out protection of 'riparian habitats' and a presumption against any development which has an adverse effect on natural assets, including the need to maintain sufficient distance between new development river corridors.

Policy CS12 – Protection and enhancement of the natural environment

- 3.43 The strategic gaps described in this policy attracted a number of comments. Natural England and Planning Works Limited (on behalf of the Rachel Charitable Trust) query the strategic gaps as they are located entirely within Green Belt land and do not appear to serve any function not already covered by policy in PPG2. Although not opposing the purpose of the strategic gaps, CGMS Consulting (on behalf of the Metropolitan Police Authority) consider that they should exclude Major Developed and Previously Developed Sites within the Green Belt to help facilitate the provision of new homes and recreational needs.
- 3.44 Hertfordshire County Council noted that the green belt designation currently acts as a constraint on the development of school sites. Accordingly, these sites should be removed from the Green Belt or given Major Developed Site status.
- 3.45 Hertfordshire Biological Records Centre and Natural England recommend that this policy include the protection, enhancement and maintenance of local wildlife sites and wildlife corridors to avoid fragmentation of habitats. Hertfordshire Biological Records Centre and Natural England also recommend that protection of priority species be included in this policy. Both parties contend that these changes would be in accordance with Planning Policy Statement 9 (PPS9).

- 3.46 Peacock and Smith (on behalf of Mr and Mrs Morley) support this policy as it will assist in protecting the Boroughs valuable natural environment from inappropriate development. The Environment Agency also support this policy as they consider it consistent with PPS9.

Policy CS13 – Protection and enhancement of historic assets

- 3.47 No significant issues were raised in response to this policy although Shire Consulting contend that it repeats guidance in Planning Policy Guidance 15.

Policy CS14 – Promoting recreational access to open spaces and the countryside

- 3.48 Most representations were broadly supportive of this policy or raised minor wording issues. Natural England - wishes to see a gain in green infrastructure and an approach which does not permit development that could compromise the integrity of the overall green infrastructure network. Accordingly, policy wording that refers to the protection and enhancement of existing green space and the provision of new green space in accordance with English Nature's Natural Green Space Standards is recommended. This policy wording should also require the retention of as many existing wildlife features as possible, and provision of new features, such as green roofs.

Policy CS15 – Environmental Impact of development

- 3.49 Barton Willmore (on behalf of Kayterm PLC) and Shire Consulting contend that the measures in this policy, such as the 10% on-site renewable provision, may place an undue burden on developers and would therefore make development of such sites unviable. Furthermore, they might not be suitable for all sites, in accordance with guidance in Planning Policy Statement 22.
- 3.50 In the view of two respondents, this policy omits details relating to flooding. Thames Water note that this policy does not refer to flooding from sewer or surface water. On this basis, Thames Water have requested that this policy be changed so that development does not occur in areas prone to this type of flooding and does not result in sewer or surface water flooding elsewhere. The Environment Agency note that this policy does not include the policy recommendations of the Council's Strategic Flood Risk Assessment (SFRA). As such, Thames Water recommend inclusion of the strategic policy recommendations of the SFR to ensure consistency with national policy.
- 3.51 The East of England Regional Assembly are supportive of this policy given its inclusion of the Hertfordshire Planning Authorities 'Building Futures' document as a consideration in assessing development applications. Remaining representations raised minor wording issues.
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Section 6 – Building Sustainable Communities

General Comments

- 3.52 Hertfordshire County Council support the production of a Planning Obligations Supplementary Planning Document (SPD) (paragraph 6.13). The County Council did however query whether this same paragraph might preclude use of their Planning Obligations Toolkit before this SPD is produced.
- 3.53 The County Council as well as the British Horse Society raised relatively minor wording issues with respect to the content of Table 15 (Potential items to be incorporated into a future Section 106 standard charge for Hertsmere)

Policy CS16 - Access to services

- 3.54 Relatively few representations were received on this policy and these were largely supportive. Sport England do however recommend a reference to a Planning Policy Guidance 17 assessment of indoor and outdoor sport facility needs in this policy.

Policy CS17 – Key community facilities

- 3.55 Two respondents objected to this policy. As this policy contains a general presumption against the use of residential property for health and elderly care, Shire Consulting (on behalf of the College of Osteopaths) contend that this policy is not consistent with other parts of the Core Strategy (i.e. paragraph 6.7 and the Strategic Objectives (Table 5)). Hertfordshire County Council consider this policy unreasonable, as the requirement that satisfactory accommodation suits all users for displaced community uses could be used by any person objecting to a development proposal.

Policy CS18 - Securing mixed use development

- 3.56 There are no objections to this policy. When assessing Mixed Use development proposals, Hertfordshire County Council have requested that this policy include consideration of existing services to ensure no further burdens are placed on services that are already operating at capacity. Hertfordshire Biological Records Centre request that reference should be made to habitat creation in this policy, to ensure consistency with Table 15 (Potential items to be incorporated into a future Section 106 standard charge for Hertsmere).

Policy CS19 – Standard charge and other planning obligations

- 3.57 Rolfe Judd Planning Limited (on behalf of ZOG Limited) and Barton Willmore (on behalf of Kayterm PLC) consider the proposed standard charge inflexible and that it may make the development of some sites unviable. On this basis, both respondents suggest that contributions should be assessed on a site specific basis. Remaining representations on this policy raised relatively minor wording issues.

Policy CS20 – Securing a high quality and accessible environment.

3.58 No significant issues were raised in response to this policy

Section 7 - Transport and Parking

General Comments

3.59 The text of this section attracted relatively minor wording issues.

Policy CS21 – Development and accessibility to services and employment

3.60 No significant issues were raised in response to this policy

Policy CS22 – Accessibility and parking

3.61 This policy attracted two comments. Shire Consulting (on behalf of The Aldenham School Charity) note that this policy should provide for the historic location of development (e.g. away from public transport) when assessing off-street parking provision. Barton Willmore (on behalf of Kayterm PLC) commended the flexible approach towards car parking provision in this policy. They did however note that the Parking SPD should not restrict parking provision to the extent that the development of a site would lead to excessive on-street parking with associated detrimental impacts on road safety and amenity.

Policy CS23 – Promoting alternatives to the car.

3.62 There were relatively few submissions on this policy. Shire Consulting (on behalf of The Aldenham School Charity) note that this policy should provide for the historic location of development (e.g. away from public transport) when assessing new development. Remaining representations on this policy raised relatively minor wording issues.

Section 8 - Town Centres and Shopping

General Comments

3.63 Several respondents noted that the evidence base for this section is insufficient in that an up-to-date Retail Capacity Study has not been undertaken, in accordance with Planning Policy Statement 6 (PPS6).

Policy CS24 – Town centre strategy

3.64 There were relatively few representations on this policy. GO-East query whether this policy fully reflects the provisions of paragraph 3.8 of PPS6.

Policy CS25 – Strengthening town centres

3.65 No significant issues were raised in response to this policy.

Policy CS26 – Retail and commercial development in Shenley

3.66 No significant issues were raised in response to this policy.

Policy CS27 – Safe and attractive evening economy

3.67 There were relatively few representations on this policy. The Theatres Trust request inclusion of the Sui Generis use class in this policy as it contains uses vital to the evening economy

Section 9 - Implementation and Monitoring Framework

3.68 One respondent commented on this section. The Hertfordshire Biological Records Centre have suggested different or additional sources of data for monitoring the 'Open Space and Environment Theme' in Table 20. This is because some of the indicators noted are not appropriate or do not make use of the best available data.

Appendices

3.69 The Hertfordshire Biological Records Centre (HBRC) have suggested a change to Key Aim 4 of Strategic Objective 2 in Appendix 2. For both 'Delivering Sustainable Communities' and 'Open Space', the test is Number of Local Wildlife Sites. HBRC suggest that this should also include SSSIs given their national significance, as well as LNRs given their focus on public awareness and enjoyment of sites of wildlife value.

Sustainability Appraisal

3.70 Hertfordshire County Council note that the Sustainability Appraisal does not contain results from the process of applying the high-level criteria (paragraph 3.13) for selecting areas of search nor a clear assessment of why the chosen areas perform better than others areas. As such, they contend it is not in accordance with the EU Strategic Environmental Assessment Directive which requires an assessment of alternative options during the preparation of a plan.

3.71 The Hertfordshire Biological Records Centre (HBRC) did query some of the data sources to be monitored, the omission of maintenance of the Green Belt in addition to its protection and some of the conclusions reached with respect to Sustainability Appraisal Objective 12 (Biodiversity) in Appendix D. The above matters were recorded in the assessment options proposed in the Core Strategy Preferred Options (November 2007), which are recorded in the final Sustainability Appraisal Report.

Appendix 1

List of organisations and persons notified at Regulation 27 submission stage

Non-statutory Consultees
A.C.P. Askew
A.I.R Dev
ADER
Advisory Council for the Education of Romany
Aitchison Raffety
Aldenham Sailing Club
Aldenham War Memorial Hall Trust
Aldwyck Housing Association Ltd
Amber Cottage
Amesbury Development Ltd
Ancient Monuments Society
Anderson
Apcar Smith Planning
Architects Co. Partnership
Architects Corporation Ltd
AtisReal
Atisreal UK Ltd
Attenborough Surgery
BADFA
BADFA
Baker Pearce
Banner Homes Group plc
Barker Parry Town Planning
Barnet Friends of The Earth
Barnet Meeting Room Trust
Barratt Homes Limited, North London Division
Barton Willmore
Barton Willmore Planning Partnership
BASE
Beacon (Mimms) Ltd
Beechwood Homes Ltd
Bellissima Shoes Ltd
Bellway Homes Ltd.
Bellway Homes North London Division
Bidwells Property Consultants

Bio Products Laboratory
Birchville Court Nursing Home
Bishopswood Estates Ltd
Blue Sky Planning
Borehamwood Youth Football club
Boyer Planning
British Heart Foundation
British Horse Society
British Land Company PLC
Brown Associates
Broxbourne Borough Council
Bushey Conservative Club
Bushey Hall School
Bushey in Balance Residents Group
Bushey in Balance Residents Group
Bushey Meads School
Bushey Museum
Bushey Museum & Art Gallery
Bushey Residents Action Group
Bushey United Reformed Church
Caldecote Farm (Elstree) Limited
Campaign for Real Ale
Cannon Morgan & Rheinberg
Carter Jonas
CGMS
Cherry Tree Lane Green Belt Protection Group
Chris Thomas Ltd
Clappison
Cliff Walsingham & Company
Clivenden Homes
Cllr Payne
Colliers CRE
Colney Heath Parish Council
Commission for Racial Equality

Community Development Agency for Hertfordshire
Consensus Planning Ltd
Council for British Archaeology
Councillor Graham
Countryside Management Service
Countryside Properties (Southern) Ltd
CPRE Herts
CPRE The Hertfordshire Society
Cranborne Residents Association
Dacorum Borough Council
Dame Alice Owen's School
Darnhills Ltd
David Ames Associates
David Russell Associates
Development Land & Planning Consultants Ltd.
Development Planning Partnership
Devplan UK
DLA Town Planning Ltd
DPDS Consulting Group
DPP
Dr Bissett
Dr Booth
Dr Carreras
Dr Connock
Dr Dullforce
Dr Goddard
Dr Grossman
Dr Haberman
Dr Hirsch
Dr Justice
Dr Missen
Dr Murray
Dr Puri
Dr Slater
Dr & Mrs Bliss

Dr & Mrs Halliday
Dr & Mrs McDermott
Dr & Mrs Pegg
Dr & Mrs Swaminathan
Drivers Jonas LLP
DTZ Planning & Development
E M Pick Planning
East Herts District Council
East of England Tourist Board
Edaw PLC
Elliott Burkeman Minton Group
Elstree and Borehamwood Green Belt Society
Elstree Light & Power plc
English Golf Union
English Nature - Essex Herts & London Team
Fairview New Homes Ltd.
Fisher German LLP
Fosters of Radlett
Fountain, Suite 2A
Frank Timothy Associated Ltd Architects
Freeth Melhuish
Friends of Fishers Field
Friends of the Earth
Garden History Society
Generics (UK) Ltd
George Wimpey South Midlands Ltd.
George Wimpey Strategic Land
GHM Rock Townsend
GL Hearn Property Consultants
Golfwatch Residents' Association
Great Bear Group
Groundwork Hertfordshire
Guinness Housing Trust
Haberdashers Aske's Boys School
Haberdashers Aske's School for Girls

Hadley Wood Assoc. Council
Haringey Council
Haydon Hill House (Garden Association) Ltd
Heath-ways Residents Association
Heaton Planning
Hepher Dixon Ltd
Hertfordshire Association for The Disabled
Hertfordshire Building Preservation Trust
Hertfordshire Constabulary, County Architectural Liaison
Hertfordshire Gardens Trust
Hertfordshire Learning and Skills Council
Herts & Middlesex Wildlife Trust
Herts Education Service
Hertsmere Borough Council
Hertsmere Chamber of Trade
Hertsmere Council for Voluntary Service
Hertswood Secondary School
Hightown Praetorian & Churches Housing Association
Hightown Praetorian HA
Highwood JMI School
Hollywell House
Home Builders Federation
HSE Health & Safety Executive
Ian Harding Ltd.
Iceni Projects Limited
Immanuel College
Imperial Cancer Research Fund
Indigo Planning
International University
J Griffin Decorators
J S Hunter & Sons
Jarvis Homes

Jennifer Lampert Associates Ltd
Jeremy Peter Associates
Jewish Care
John Anderson Planning
John Griggs and Son LTD
John Grooms Housing Association
John Martin & Associates
Jones Day
Jones Lang LaSalle
Kent Jones and Done
Kestrel Grove Nursing Home
King and Graham Chartered Surveyors
KJD Solicitors
Knight Frank LLP
Knight Strip Metals Limited
L M & RM Gomez
Laboratory Cottage
Lafarge Aggregates Ltd.
Lambert Smith Hampton
Land Access & Recreation Association
Land Securities Trillium
Landmark Information Group
Lanesborough Estates
Leach Homes
Leidh Planning
Lennon Planning
Letchmore Heath Village Trust
LEVVEL
Little Orchard
Local Agenda 21 Transport & Pollution Group
Local Dialogue
London Borough of Barnet
London Borough of Enfield
London Borough of Harrow, Directorate of Urban Living
London Colney Parish Council

London Essex and Hertfordshire Amphibian & Reptile Trust
London TrAvenuel Watch
Long Meadow
Longwood School and Nursery
Lord Aldenham
Lynholme
M J Mapp LLP
Manor Court Residents Association
Manor Pharmacy
Marks and Spencer
Maze Planning Ltd
McCarthy & Stone Ltd
McGuire Architecture & Design
Merry Hill Residents Association
Metroline Bus Co.
Metropolitan Home Ownership
Metropolitan Housing Partnership
Michael Shanly Homes
Mike Hastings Design
Millard Architects
Miss Bushell
Miss Dawson
Miss Dean
Miss Hounsell
Miss Inkster
Miss Mahony
Miss Miller
Miss Richardson
Miss Syreti
Miss Thomas
Miss Tomlinson
Miss Wright
Miss Concar
Miss Smith
Mono Consultants Limited
Mount Grace School
Mr Ahmad
Mr Annal

Mr Armoogum
Mr Ashbolt
Mr Atkins
Mr Atkinson
Mr Ballard
Mr Bassett
Mr Batchelor
Mr Beardwell
Mr Belsman
Mr Beral
Mr Berman
Mr Biggs
Mr Birch
Mr Biscoe
Mr Blane
Mr Bolt
Mr Brafman
Mr Brant
Mr Brazell
Mr Bromley
Mr Brompton
Mr Bruck
Mr Bryan
Mr Bulkan
Mr Bund
Mr Burkett
Mr Bury
Mr Cannon
Mr Caprario
Mr Carr
Mr Carter
Mr Christie
Mr Chrysanthon
Mr Clements
Mr Connatty
Mr Coombes
Mr Cornish
Mr Cousins
Mr Creed
Mr Cross
Mr Crouch
Mr Culnane

Mr Cummins
Mr Cunningham
Mr Dacosta
Mr Daly
Mr DAvenuey
Mr Davidson
Mr Davis
Mr Dawe
Mr Dawson
Mr DeRivaz
Mr Disborough
Mr Dooris
Mr Doughty
Mr Dover
Mr Draper
Mr Duncan
Mr Earl
Mr East
Mr Elliott
Mr Engelsman
Mr Falk
Mr Fenton
Mr Findlay
Mr Fitzjohn
Mr Flashman
Mr Flood
Mr Fordham
Mr Forman
Mr Fort
Mr Francis
Mr Fraser
Mr Freedman
Mr Fuller
Mr Gatfield
Mr Gibbs
Mr Gibson
Mr Gill
Miss Stammers
Mr Gillams
Mr Goddard
Mr Godfrey
Mr Gold

Mr	Goodman
Mr	Gordon
Mr	Goulding
Mr	Grady
Mr	Green
Mr	Griffiths
Mr	Grossman
Mr	Gruder
Mr	Gunn
Mr	Gwynn
Mr	Hadley
Mr	Hagger
Mr	Halls
Mr	Hamilton
Mr	Hansford
Mr	Hardwick
Mr	Haribhai
Mr	Hathway
Mr	Hawkins
Mr	Hayward
Mr	Heath & Ms J Arthur
Mr	Hellerman
Mr	Helyer
Mr	Hemming
Mr	Herman
Mr	Hoban
Mr	Holt
Mr	Horobin
Mr	Horowitz
Mr	Horrod
Mr	Howard
Mr	Howman
Mr	Hurst
Mr	James
Mr	Jeens
Mr	Jindal
Mr	Johnson
Mr	Jones
Mr	Julius
Mr	Kaneria
Mr	KeAvenuey
Mr	Kempster

Mr	Kenny
Mr	Kent
Mr	King
Mr	King-Hamilton
Mr	Kirby
Mr	Konizi
Mr	Kutchinsky
Mr	Landau
Mr	Lane
Mr	Langdon
Mr	Larholt
Mr	Lawrence
Mr	Lehang
Mr	Leon
Mr	Levy
Mr	Lewis
Mr	Lewy
Mr	Lickiss
Mr	Lickorish
Mr	Livingston
Mr	Lobb
Mr	Lockey
Mr	Lowndes
Mr	Mackay
Mr	Magee
Mr	Mahendran
Mr	Major
Mr	Marks
Mr	Marley
Mr	Marlow
Mr	Marshall
Mr	Martin
Mr	Martin
Mr	Marx
Mr	Masters
Mr	Matthews
Mr	Matthews
Mr	McDermott
Mr	McDonagh
Mr	McKinley
Mr	McManus
Mr	Minn

Mr	Mitchell
Mr	Mitchell
Mr	Morgan
Mr	Murrey
Mr	Needleman
Mr	Norton
Mr	O'Brien
Mr	O'Brien
Mr	Ogden
Mr	O'Keefe
Mr	Owen
Mr	Page
Mr	Paraskevaides
Mr	Patel
Mr	Payne
Mr	Pepper
Mr	Perkins
Mr	Plested
Mr	Pole
Mr	Popkin
Mr	Possener
Mr	Potter
Mr	Powell
Mr	Price
Mr	Prigmore
Mr	Purdom
Mr	Purser
Mr	Rajabali
Mr	Reid
Mr	Reynolds
Mr	Richards
Mr	Richardson
Mr	Ridley
Mr	Roberts
Mr	Rodol
Mr	Rosenfeld
Mr	Ross
Mr	Rowson
Mr	Ryner
Mr	Shavick
Mr	Sheppard
Mr	Sheridan

Mr	Sigler
Mr	Silver
Mr	Silverbeck
Mr	Simmonds
Mr	Sissons
Mr	Slyper
Mr	Smith
Mr	Snaith
Mr	Stanley
Mr	Stephens
Mr	Stewart
Mr	Swaine
Mr	TAvenuener
Mr	Taylor
Mr	Taylor
Mr	Taylor
Mr	Temple
Mr	Theobald
Mr	Thomas
Mr	Thomas
Mr	Tilbury
Mr	Todd
Mr	Tomsett
Mr	Toombs
Mr	Traill-Stevenson
Mr	Trotter
Mr	Turner
Mr	Tyler
Mr	Verghese
Mr	Vickers
Mr	Vincent
Mr	Walters
Mr	Warren
Mr	Webber
Mr	Webster
Mr	Weil
Mr	Weller
Mr	Wells
Mr	Wetherly
Mr	Whitcutt
Mr	Whitehead
Mr	Wien

Mr	Wiggins
Mr	Wiggs
Mr	Wilkinson
Mr	Wilson
Mr	Winocour
Mr	Winton
Mr	Wood
Mr	Woods
Mr	Woolidge
Mr	Wright
Mr	Wright
Mr	Wyatt
Mr	Young
Mr	Bass
Mr	Plested
Mr	Wenman
Mr	Whitaker
Mr	Whitehead
Mr & Mrs	Thorn
Mr & Miss	Turner
Mr & Mr	Martin
Mr & Mrs	Ackerman
Mr & Mrs	Allen
Mr & Mrs	Ames
Mr & Mrs	Anthony
Mr & Mrs	Ashby
Mr & Mrs	Ashenden
Mr & Mrs	Austin
Mr & Mrs	Baker
Mr & Mrs	Baker
Mr & Mrs	Barnes
Mr & Mrs	Behrman
Mr & Mrs	Bell
Mr & Mrs	Benstead
Mr & Mrs	Bermange
Mr & Mrs	Biddle
Mr & Mrs	Blake
Mr & Mrs	Blustin
Mr & Mrs	Boland
Mr & Mrs	Bowden
Mr & Mrs	Braidman
Mr & Mrs	Brazel

Mr & Mrs	Brittain
Mr & Mrs	Broad
Mr & Mrs	Brone
Mr & Mrs	Brothers
Mr & Mrs	Browne
Mr & Mrs	Burton
Mr & Mrs	Butler
Mr & Mrs	Byrne
Mr & Mrs	Cappuccinni
Mr & Mrs	Carlton
Mr & Mrs	Casman
Mr & Mrs	Caterer
Mr & Mrs	Chalkley
Mr & Mrs	Civval
Mr & Mrs	Clough
Mr & Mrs	Cohen
Mr & Mrs	Cook
Mr & Mrs	Costello
Mr & Mrs	Costi
Mr & Mrs	Court
Mr & Mrs	Crawford
Mr & Mrs	Crofts
Mr & Mrs	Cumberworth
Mr & Mrs	Cummin
Mr & Mrs	Daly
Mr & Mrs	Devine
Mr & Mrs	Dickson
Mr & Mrs	Donnelly
Mr & Mrs	Dora
Mr & Mrs	Durkin
Mr & Mrs	Edmunds
Mr & Mrs	Edwards
Mr & Mrs	Fabiyi
Mr & Mrs	Featherman
Mr & Mrs	Field
Mr & Mrs	Fielden
Mr & Mrs	Fitzgerald
Mr & Mrs	Foster
Mr & Mrs	Franks
Mr & Mrs	Frost
Mr & Mrs	Frot
Mr & Mrs	Galvin

Mr & Mrs Garraway
Mr & Mrs Gell
Mr & Mrs Gerrard
Mr & Mrs Gerred
Mr & Mrs Gilbert
Mr & Mrs Gilliam
Mr & Mrs Gladwin
Mr & Mrs Grahame
Mr & Mrs Grant
Mr & Mrs Green
Mr & Mrs Greenfield
Mr & Mrs Griffiths
Mr & Mrs Hale
Mr & Mrs Hall
Mr & Mrs Hand
Mr & Mrs Hanson
Mr & Mrs Hanwell
Mr & Mrs Harris
Mr & Mrs Hartnell
Mr & Mrs Hatter
Mr & Mrs Hatton
Mr & Mrs Hawes
Mr & Mrs Haworth
Mr & Mrs Hayward
Mr & Mrs Henderson
Mr & Mrs Hill
Mr & Mrs Hinds
Mr & Mrs Hinshelwood
Mr & Mrs Hodgson
Mr & Mrs Holpin
Mr & Mrs Hopkins
Mr & Mrs Howard
Mr & Mrs Hurley
Mr & Mrs James
Mr & Mrs Jarvis
Mr & Mrs Jennings
Mr & Mrs Jones
Mr & Mrs Kanena
Mr & Mrs Katz
Mr & Mrs Kenney
Mr & Mrs King
Mr & Mrs Kingston

Mr & Mrs Klein
Mr & Mrs Lane
Mr & Mrs Lawrence
Mr & Mrs Lees
Mr & Mrs Lefton
Mr & Mrs Lemer
Mr & Mrs Leonard
Mr & Mrs Lim
Mr & Mrs Livingston
Mr & Mrs Lowe
Mr & Mrs Lucas
Mr & Mrs Luetchford
Mr & Mrs Lynch
Mr & Mrs Mahoney
Mr & Mrs Manescachi
Mr & Mrs Marett
Mr & Mrs Marks
Mr & Mrs Marsterson
Mr & Mrs Marynoik
Mr & Mrs McCarthy
Mr & Mrs McFarlane
Mr & Mrs Melville
Mr & Mrs Miller
Mr & Mrs Milne
Mr & Mrs Missah
Mr & Mrs Mitchell
Mr & Mrs Mydat
Mr & Mrs Nayar
Mr & Mrs Nelson
Mr & Mrs Newman
Mr & Mrs Newstead
Mr & Mrs Nicholls
Mr & Mrs Noakes
Mr & Mrs Oke
Mr & Mrs Orros
Mr & Mrs Paddison
Mr & Mrs Pampel
Mr & Mrs Panayiotou
Mr & Mrs Pannick
Mr & Mrs Park
Mr & Mrs Patel
Mr & Mrs Pattrick

Mr & Mrs Payne
Mr & Mrs Pearce
Mr & Mrs Peten
Mr & Mrs Phipps
Mr & Mrs Psaras
Mr & Mrs Reason
Mr & Mrs Richardson
Mr & Mrs Rickard
Mr & Mrs Rickards
Mr & Mrs Ridge
Mr & Mrs Robinson
Mr & Mrs Rowson
Mr & Mrs Saggars
Mr & Mrs Scott
Mr & Mrs Shah
Mr & Mrs Shayer
Mr & Mrs Simpson
Mr & Mrs Smith
Mr & Mrs Smith
Mr & Mrs Smith
Mr & Mrs Steel & family
Mr & Mrs Steiner
Mr & Mrs Stickland
Mr & Mrs Stoneham
Mr & Mrs Strack
Mr & Mrs Strack
Mr & Mrs Sweeting
Mr & Mrs Thornton
Mr & Mrs Townsend
Mr & Mrs Townshend
Mr & Mrs Wachtel
Mr & Mrs Walker
Mr & Mrs Wallace
Mr & Mrs Wallis
Mr & Mrs Warne
Mr & Mrs Watson
Mr & Mrs Watts
Mr & Mrs Weinberger
Mr & Mrs Willaims
Mr & Mrs Williams
Mr & Mrs Willox
Mr & Mrs Winfield

Mr & Mrs Wise
Mr & Mrs Wyatt
Mr & Mrs Yefet
Mr & Mrs Anayiotos
Mr & Ms Cohen
Mr & Ms Curran
Mr & Ms Douglass
Mr & Ms Hickey
Mr & Ms Moss
Mr & Ms Phillips
Mr & Ms Reid
Mr & Ms Shah
Mr & Ms Sherrard
Mr & Ms Simmonds
Mr & Ms Trevayne
Mr & Ms Walker
Mr & Ms Walton
Mr & Ms Wiggs
Mr & Mrs Balsdon
Mr & Mrs Boston
Mr & Mrs Burr
Mr & Mrs Gale
Mr & Mrs Haines
Mr & Mrs Harwin
Mr & Mrs Howe
Mr & Mrs Jolly
Mr & Mrs Kamdar
Mr & Mrs Levick
Mr & Mrs Reissner
Mr & Mrs Shepherd
Mr & Mrs Stovey
Mr & Mrs Rogers
Mr Cooke
Mr/Mrs David
Mr/Ms Bass
Mr/Ms Batter
Mr/Ms Bird
Mr/Ms Blakeley
Mr/Ms Bourton
Mr/Ms Clark
Mr/Ms Cox
Mr/Ms Craig

Mr/Ms Dodwell
Mr/Ms Doneo
Mr/Ms Dunham
Mr/Ms Falworth
Mr/Ms Garrett
Mr/Ms Gavin
Mr/Ms Gibbs
Mr/Ms Goodman
Mr/Ms Harman
Mr/Ms Jearrad
Mr/Ms Landes
Mr/Ms Laurier
Mr/Ms Leslie
Mr/Ms Leventhal
Mr/Ms McDonald
Mr/Ms Miller
Mr/Ms Noise
Mr/Ms O'Shea
Mr/Ms Page
Mr/Ms Patel
Mr/Ms Pearce
Mr/Ms Randall
Mr/Ms Richards
Mr/Ms Riley
Mr/Ms Rose
Mr/Ms Rostron
Mr/Ms Rowe
Mr/Ms Shaw
Mr/Ms Sheen
Mr/Ms Silver
Mr/Ms Slater
Mr/Ms Steenvoorden
Mr/Ms Stern
Mr/Ms Stevens
Mr/Ms Sullivan
Mr/Ms Swain
Mr/Ms Tarrant
Mr/Ms Vine
Mrs Adams
Mrs Allday
Mrs Backman
Mrs Bannister

Mrs Barton
Mrs Bateman
Mrs Beare
Mrs Bennett
Mrs Biscoe
Mrs Blockley
Mrs Brown
Mrs Caneparo
Mrs Cant
Mrs Carrington
Mrs Castelow
Mrs Chaney
Mrs Child
Mrs Claydon
Mrs Cook
Mrs Cootes
Mrs Copeland
Mrs Corrie
Mrs Cranfield
Mrs Craythorne
Mrs Curran
Mrs Curry
Mrs Curtis
Mrs Davis
Mrs Dawes
Mrs De Charriere
Mrs Detheridge
Mrs Diamond
Mrs Dimmer
Mrs Drabble
Mrs Dudman
Mrs Dunn
Mrs Edmunds
Mrs El Idrissi
Mrs Evans
Mrs Farkas
Mrs Finestone
Mrs Fisher
Mrs Flack
Mrs Foley-Comer
Mrs Foster
Mrs Fox

Mrs	Garber
Mrs	Garcia
Mrs	Gerson
Mrs	Gibson
Mrs	Gill
Mrs	Golding
Mrs	Green
Mrs	Hamment
Mrs	Harris
Mrs	Haselden
Mrs	Hearn
Mrs	Herbert
Mrs	Hershman
Mrs	Holland
Mrs	Howard
Mrs	Hughes
Mrs	Hutchings
Mrs	Jacobs
Mrs	John
Mrs	Johnson
Mrs	Jolly
Mrs	Jones
Mrs	Kay
Mrs	Kennett
Mrs	Kibbler
Mrs	King
Mrs	Kings
Mrs	Kirk
Mrs	Korn
Mrs	Koss
Mrs	Kyte
Mrs	Lambe
Mrs	Lambert
Mrs	Lane
Mrs	Large
Mrs	Lawson
Mrs	LeFort
Mrs	Lewis
Mrs	Lye
Mrs	Mackintosh
Mrs	MacPherson
Mrs	Major

Mrs	Makey
Mrs	Mapplebeck
Mrs	Marsh
Mrs	Matley
Mrs	Matley
Mrs	Mayers
Mrs	McCabe
Mrs	McMaster
Mrs	Meltzer
Mrs	Mermet
Mrs	Merrills
Mrs	Miles
Mrs	Miller
Mrs	Monsellato
Mrs	Moses
Mrs	Murray
Mrs	Nash
Mrs	Nichols
Mrs	Nolan
Mrs	Norcross
Mrs	Oakley
Mrs	Oxley
Mrs	Pantlin
Mrs	Park
Mrs	Parker
Mrs	Paterson
Mrs	Pdahtzur
Mrs	Ponting
Mrs	Porter
Mrs	Posner
Mrs	Pownall
Mrs	Pritchard
Mrs	Pritchard
Mrs	Proctor
Mrs	Radford
Mrs	Rendle
Mrs	Richardson
Mrs	Robertson
Mrs	Root
Mrs	Rose
Mrs	Rouse
Mrs	Rowland

Mrs	Saletes
Mrs	Sheard
Mrs	Sheehan
Mrs	Short
Mrs	Simpson
Mrs	Smith
Mrs	Smith
Mrs	Smith
Mrs	Smith
Mrs	Spencer
Mrs	Stephens
Mrs	Stilwell
Mrs	Stopp
Mrs	Stranks
Mrs	Tarrant
Mrs	Tobias
Mrs	Todd
Mrs	Wackrow
Mrs	Wallace
Mrs	Welch
Mrs	Wicks
Mrs	Wilks
Mrs	Williams
Mrs	Wilson
Mrs	Wintle
Mrs	Woolgar
Mrs	Worth
Mrs	Yannagas
Mrs	Young
Mrs	Copeland
Mrs	Peters
Mrs	Pownall
Mrs & Miss	Davies
Ms	Baker
Ms	Baugally
Ms	Berman
Ms	Brooker
Ms	Carmicheal
Ms	Clarkson
Ms	Dawson
Ms	Dear
Ms	Dibley

Ms	Edwards
Ms	Gilby
Ms	Goggin
Ms	Hails
Ms	Hammond
Ms	Hanson
Ms	Harris
Ms	Haywood
Ms	Jordan
Ms	Knighton
Ms	Lee
Ms	Legate
Ms	Leigh
Ms	Lewin
Ms	Lewis
Ms	Lindsell
Ms	Lucas
Ms	Mayes
Ms	McCarten
Ms	McMorran
Ms	Pagni
Ms	Pasha
Ms	Richards
Ms	Sandleson
Ms	Sinclair
Ms	Singer
Ms	Solomons
Ms	Soultanian
Ms	Stacey
Ms	Stoltzman
Ms	Tarragano
Ms	Taylor
Ms	Thornton
Ms	Vile
Ms	Webb
Ms	Wheatley
Ms	Wiggs
Ms	Wren
MVM Planning	
Mymmsmead Land Trust	
Nathaniel Lichfield & Partners	
National Air Traffic Services	

National Farmers Union
National Grid Property Holdings Limited
National Institute for Biological Standards
Natural England
Nava Blossom
Network Rail (Town Planning)
Network Watford
Newberries JMI School
Newlands Managements
Newlyn Forge
North Bushey Newsagents
North Bushey Residents Group
North Hertfordshire District Council
North Mymms District Green Belt Society
North Mymms Parish Council
Oaklands College
Oaktree Landscape Garden Services
Old Road Securities PLC
Open Spaces Society
Origin Group - St Pancras Housing
Ottaways Solicitors
Oxhey Village Environment Group
Paradigm Housing Group
Parish of Bushey
Patchetts Green Bridleways Trust
Patchetts Green, Roundbush & Aldenham Conservation Society
Peacock and Smith
Pearson Associates
Pegasus Planning Group
Petley
PGA Design Consulting
Phillips Planning Services Ltd
Planning Issues

Planning Perspectives
Planning Potential
Planning Works Ltd
Post Office Property Holdings
Potters Bar and District Society for Mencap
Potters Bar and District Society for Mencap
Potters Bar Congregation of Jehovah's Witnesses
Potters Bar in Focus
Potters Bar Society
Preston Bennett Planning
Pro Planning
Prof & Mrs Clark
Queens' School
Radlett Society & Green Belt Association
RAID (Residents Against Inappropriate Development)
Railtrack plc
Rapley's
Redrow Homes (Eastern) Ltd.
Rev Eames
Revd Carter
Rialto Homes Ltd
Ridgehill Housing Association
Robin Bretherick Associates
Robson Planning Consultancy
Rolfe Judd Planning
Rosenfelder Associates
Royal Society for the Protection of Birds (RSPB), East of England Regional Office
RPS
RSPB
Rumball Sedgwick
S & M Building
Sanctuary Housing Association
Save the Green Belt Association
Scott Land Properties

Scott Wilson
Shenley Village Society
Sheppard Robson
Shire Consulting
Sir Sweetnam
Slough Estates plc
Society for Protection of Ancient Bldgs
South Hertfordshire Footpaths Society
South Midlands & Greater London Housing Society Ltd
South Mimms & Ridge Protection Committee
SPOKES
St Albans City & District Council
St Hilda's School
St Margaret's School
St Modwen Developments Ltd
St Peter's Church
Stansgate Planning Consultants
Stewart Ross Associates
Strutt & Parker
Swanland Road Residents' Group
Swift Dry Cleaners
Symmons
System Design & Engineering - NSS
Tabard Rugby Football Club
Taylor Hobbs & Partners
Terrence O'Rourke
Tesco Stores Ltd
Tetlow King Planning
Thames Water Property Services
Thames Water Property Services
Thameslink
The Bell Cornwell Partnership
The British Horse Society

The British Wind Energy Association
The Bushey Forum
The Education Centre
The London Green Belt Council
The Planning Bureau Limited
The Planning Inspectorate
The Power Service
The Ramblers' Association
The Ridgeway Road Association
The Royal Society for the Protection of Birds
The Royal Veterinary College
The Theatres Trust
The Victorian Society
The Woodland Trust, Policy Office
The Woodman Inn
Theoco
Three Rivers District Council
Trewins
Tribal MJP
Veolia Water Partnership
Village Homes
Vincent & Gorbing
Wakelin Associates
Watford Borough Council, Planning and Transportation
Watford Chamber of Commerce and Industry
Watford Mail Centre
Watford Rural Parish Council
Welcome Break Group Ltd
Welwyn Hatfield District Council
West Herts College
Whose!
Widacre Homes Ltd
William Sutton HA
Wimpey Homes
Windsor-Lewis
Winfield Estate

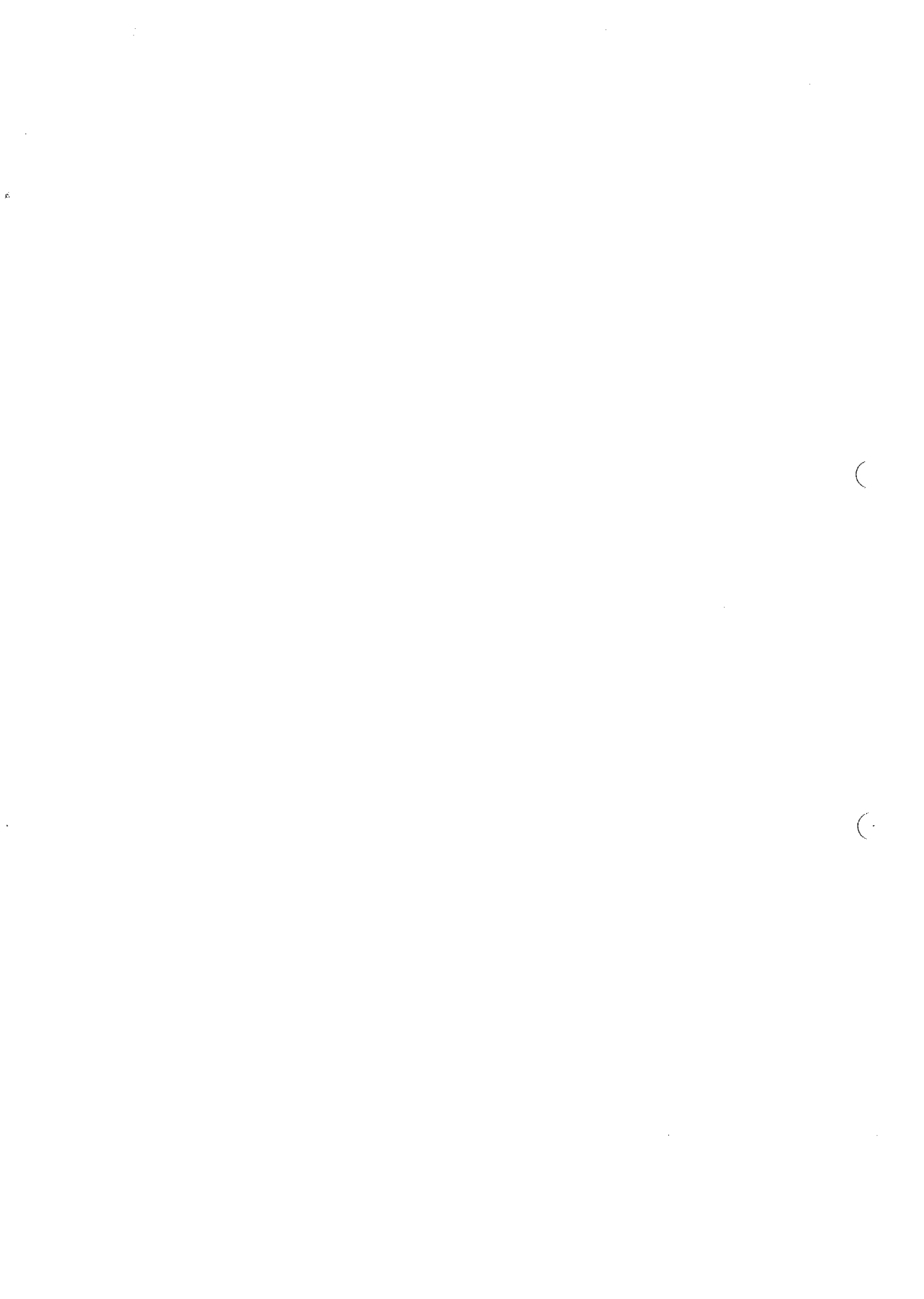
Woolf Bond Planning on behalf of George Wimpey UK Ltd
Wreks
Wrotham Park Settled Estates
Wroxham Residents Action Group
WYG Planning & Design
Zog Limited

Statutory Consultees
Aldenham Parish Council
Countryside Agency (East of England Region)
Crown Estate Office
Defence Estates
Department for Transport, Airports Policy Division
East of England Regional Assembly
EEDA
Elstree & Borehamwood Town Council
English Heritage, East of England Region
Environment Agency
GO- East
Greater London Authority
HCC Fire & Rescue Service
Hertfordshire Constabulary
Hertfordshire Partnerships NHS Foundation Trust Head Office
Highways Agency
HM Prison Service Headquarters
Ministry of Defence
National Grid Transco
National Trust
National Grid Property
Ridge Parish Council
Royal Town Planning Institute
Shenley Parish Council
Sport England (East Region)

Thames Water Property Services Ltd
The Coal Authority
The Forestry Commission
The Planning Inspectorate
Three Valleys Water PLC
Transco Network Analysis Department
West Hertfordshire Health Authority

Appendix 2

Summary of representations made



Rep Number CS/R27//4554/1/S
Name Hertfordshire Constabulary
On behalf of Hertfordshire Constabulary

Section
CS document as a whole

Do you Consider the DPD		Do you consider if DPD is unsound because it is not:		
	(1) Legally (2) Sound	Yes Yes	Justified	Effective
Q.6	We welcome the changes from the preferred options to take on board the majority of our comments in our responses dated 14/12/07. We consider that HfBC properly and fully address issues of community safety, crime and disorder, and the fear of crime within this DPD.			Consistent with National policy.
Q.7				
Q.8	No			
Q.9				

Rep Number Name East of England Regional Assembly
CS/R27/1275/19/S East of England Regional Assembly
On behalf of

Section
CS document as a whole

Do you Consider the DPD

- (1) Legally
- (2) Sound

Do you consider if DPD is unsound because it is not:

Justified

Effective

Consistent with National policy:

Q.6 The Core Strategy is consistent with policy LA1.

Q.7

Q.8 No

Q.9

Rep Number Name East of England Regional Assembly
CS/R27/1275/20/S East of England Regional Assembly
On behalf of

Section
CS document as a whole

Do you Consider the DPD

- (1) Legally
- (2) Sound

Do you consider if DPD is unsound because it is not:

Justified

Effective

Consistent with National policy:

Q.6 Overall, Hertsmere Borough Council's Submission Core Strategy is considered to be in general conformity with the RSS.

Q.7

Q.8 No

Q.9

Rep Number Name East of England Development Agency
CS/R27/14558/1/O East of England Development Agency
On behalf of

Section
CS document as a whole

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally Yes
- (2) Sound Yes

Q.6 EEDA made reference to the London Arc, CHELR, the East of England Plan, PPS1, PPS12 and RES as guidance for the Core Strategy, however no comments were made to the soundness of the document directly.

Justified Effective Consistent with National policy.

Q.7

Q.8 No

Q.9

Rep Number Name East of England Regional Assembly
CS/R27/11275/1/S East of England Regional Assembly
On behalf of

Section
CS document as a whole

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Q.6 Hertsmere Lies within the London Arc Sub-region (policy LA1). RSS policies E3 and E4 support the continued growth of mature and emerging clusters, e.g. the multimedia clusters at Elstree Studios in Borehamwood.

Justified Effective Consistent with National policy.

Q.7

Q.8 No

Q.9

Rep Number Name Maze planning Ltd
 CS/R27/4502/1/O Maze planning Ltd
 On behalf of
 Exchange ltd
 Do you Consider the DPD

Section
 CS document as a whole

Do you consider if DPD is unsound because it is not:

(1) Legally Yes
 (2) Sound No

Justified Effective Consistent with National policy:

Q.6 The Council's approach to a long term review of the green belt boundaries is piecemeal and selective. The Areas of Search shown on the key diagram are limited in area, and only to parts of Borehamwood and Potters Bar. A more comprehensive review of green belt boundaries should have been a strategic options/development scenario, including villages and rural settlements.

Q.7 The inspector should ask the Council to review the whole of the Boroughs green belt boundaries, including its rural settlements, as a long term strategic development scenario/option. The current market crisis will put back complex land assembly sites in urban areas by many years and the new market conditions require radical approach to housing supply.

Q.8 No

Q.9 No

Rep Number Name Maze planning Ltd
 CS/R27/4502/2/O Maze planning Ltd
 On behalf of
 Amesbury Development LTD
 Do you Consider the DPD

Section
 CS document as a whole

Do you consider if DPD is unsound because it is not:

(1) Legally Yes
 (2) Sound No

Justified Effective Consistent with National policy:

Q.6 "The Council's approach to the long term review of green belt boundaries is piecemeal, selective and not comprehensive. The green belt boundaries in Bushey and Otterspool should have been included as areas of search identified. In addition the Council's approach to strategic employment land is inflexible and not responsive enough to markets needs. The Core Strategy does not recognise the key relationship to Watford and its role in RSS."

Q.7 Reference to the representation made on behalf of the same customer to Core Strategy Preferred Options. "In order to strengthen the soundness of the Core Strategy, the Inspector should ensure that green belt areas of search include Bushey and Otterspool. Need for more strategic employment sites and flexible response to market needs." Reference is made to a Technical Note submitted to HBC on 11th Dec 2008 containing site appraisals for employment land around Bushey, which notes that development at Otterspool would not affect the Strategic Gap in the Key Diagram.

Q.8 Yes

Q.9 "My clients land holdings are a key strategic resource that should be used for a range of beneficial land uses."

Rep Number Name Barton Willmore Planning Partnership Section
CS/R27/1631/1/O Barton Willmore Planning Partnership CS document as a whole

On behalf of
Kayterm Plc.
Do you Consider the DPD

(1) Legally
(2) Sound

Q.6 Given the absence of some documents and that some could be considered to be out of date our client considers that the Core Strategy can not be found sound, which is the basis for our overall objection.

For clarity it would be helpful to provide a full list of documents that comprise the evidence base in the Core Strategy. PPS12 states that to be considered 'sound' a Core Strategy should be justified, effective and consistent with national policy. Due to the absence of certain documents and the fact that some are seen to be out of date, the Core Strategy is seen as unsound.

Q.7 see above

Q.8 No

Q.9

Rep Number Name PGA Design Consulting Section
CS/R27/4451/1/O PGA Design Consulting CS document as a whole

On behalf of
Veladail Leisure Ltd
Do you Consider the DPD

(1) Legally
(2) Sound

Q.6 The possible release of Green Belt sites for long term housing needs (based on the support for the CS) should be identified now.

Q.7

Q.8 Yes

Q.9 The fundamental lack of consideration of large tracts of land is fundamental to many of the policies and conclusions of the core strategy. An explanation of the current situation deserves discussion.

Rep Number Name Rolfe Judd Planning
CS/R27/14277/0 Rolfe Judd Planning

Section
Policy CS19 Standard charge and other planning obligations

On behalf of
ZOG Limited
Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

Q.6	(1) Legally		Justified	Effective	Consistent with National policy:
	(2) Sound	No			
Q.6					
Q.7					

A standard charge for contributions towards infrastructure and affordable housing for sites of less than 15 units is inflexible and fails to take proper account of the costs of bringing forward new development, particularly within what is a challenging economic environment. Such an approach may deter developers from progressing residential developments on small to medium sized sites (which is likely to represent a large proportion of potential development sites within the Borough), which in turn will restrict the ability of the Council to meet projected housing need.

The scale of future contributions towards infrastructure and affordable housing should not preclude new development from coming forward. Rather the scale of such contributions should be properly related to the viability and costs associated with bringing forward new development (particularly residential development) within the Borough.

The Policy should encourage the use of viability assessments to establish the maximum reasonable scale of contribution for an individual development – having regard to the cost of bringing that development forward.

We recognise and support the opportunity for developers to make contribution in lieu of the provision of off-site affordable housing (where this cannot reasonably be accommodated on-site).

However, it is vital that the scale of this contribution is properly related to the viability of the development (as outlined above).

Q.8 Yes
Q.9 Our client is a key local developer who is currently considering development proposals on several sites within the Borough. As a result, our client is keen to play a leading role in the formulation of the future policy.

Rep Number Name John Anderson Planning
CS/R27//3990/1/O *John Anderson Planning*
On behalf of

G & T Roberts Trust
Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally (2) Sound No Justified Effective Consistent with National policy:

Q.6 I refer to the last two items
This should be raised in importance to a full policy suggested new policy as worded below.

Q.7 Every opportunity should be taken to develop opportunities for sporting activities including release of land.
These include pitches for team games, tennis courts, swimming pools, golf courses and driving ranges, cycling, horse riding and athletic facilities.
Some sites could be in the green belt.

Q.8 No

Q.9

Rep Number Name Hertfordshire County Council - Environment Department
CS/R27/4553/15/O Hertfordshire County Council - Environment
On behalf of

Section:
Table 20. Monitoring Framework

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Table 20 - 'Monitoring framework' refers to 'area transport plans'. The correct nomenclature is 'urban transport plans'.

Q.7

Q.8 No

Q.9

Rep Number Name Hertfordshire Biological Records Centre
CS/R27/1286/1/O Hertfordshire Biological Records Centre
On behalf of

Section
Appendix 2

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Under Strategic Objective 2, under Key Aim 4, for both Delivering Sustainable Communities and Open Space, the test is Number of Local Wildlife Sites. We would suggest that this should also include SSSIs given their national significance, as well as LNRS given their focus on public awareness and enjoyment of sites of wildlife value, a particular aspect relating to provision of a community facility. See below.

Q.7 Include Test: No. of SSSIs, LNRS and other local Wildlife Sites.

Q.8 No

Q.9

Do you Consider the DPD (1) Legally (2) Sound No Justified Effective Consistent with National policy:

Q.6 The monitoring framework as expressed in Table 20 and referred to in Paragraph 9.5 does not make best use of available data relating to habitats condition or management under Protection of environmental assets. This could be improved as shown below. Also, all of the BAP habitats and species may not relate to Hertsmere - e.g. chalk grassland, Pasque Flower and Stone-curlief. Consequently the extent of plans implemented is not a sound indicator. Until specific plans directly appropriate to the Borough have been identified and actions achievable have been expressed, and which can (and more importantly, will) be measured, we do not consider this to be a good indicator in its current form and advise that it should be removed. Area / type of new habitats created may be measured from agri-environment schemes, other projects and planning measures, and if recorded would in any event form part of a relevant BAP. Measures which have not been included - again covered by some BAPs and SAPS - would include measures such as sites and species protected through the planning system, or enhancements made to sites or as part of landscaping schemes. This would reflect advice regarding habitats and protected species and could be captured by the HBRC / HMWT reporting systems. See below.

Q.7 -'Condition of SSSIs in Hertsmere,'
 -National Indicator 197 - 'Improved Local Biodiversity - proportion of Local Sites where positive conservation management has been or is being implemented',
 -'Comments on Planning Applications that have considered biodiversity issues' from statutory agencies or other advisors (HBRC, HMWT).

Remove BAP progress as an indicator, at least at this stage, as this needs to be more SMART to be effective.

Q.8 No

Q.9

Rep Number Name The Theatres Trust
CS/R27/4051/4/O The Theatres Trust
On behalf of

Section
Policy CS27 Safe and attractive evening economy

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Please note that nightclubs, casinos, amusement centres and theatres come under the sui generis Use Class which is not mentioned in this policy. For clarity and accuracy we suggest the text be amended to include this class which is particularly relevant to the evening economy.

Q.7 see above

Q.8 No

Q.9

Rep Number Name Shire Consulting
CS/R27/1210/12/O Shire Consulting
On behalf of

Section
8.6 The health of individual centres

Do you Consider the DPD

(1) Legally
(2) Sound

No

Effective

Justified

Consistent with National policy:

Do you consider if DPD is unsound because it is not:

Q.6 They point out that the evidence base for the LDF is limited in extent, and for the most part out of date. They previously commented about the failings of the evidence base relating to housing, but there is apparently a total absence of empirical support relating to the retail section. As part of the plan preparation process, it is essential that policies are founded on a robust and credible evidence base, for example on the basis of up-to-date retail assessments that cover, amongst other matters, the matter of shopping area 'health checks' and quantitative need. No indication is given that the council has undertaken such assessment, or intends to do so (the reference to the "recent health check" at paragraph 8.6 is undated and does not appear at all upon the schedule of "Evidence Base" documentation on the councils website).

Q.7 The evidence base is not sufficient, attention is needed - please see above for details.

Q.8 No

Q.9

Rep Number Name The Theatres Trust
CS/R27/4051/3/S The Theatres Trust
On behalf of

Section
Policy CS25 Strengthening town centres

Do you Consider the DPD

(1) Legally
(2) Sound

Yes
Yes

Effective

Justified

Consistent with National policy:

Do you consider if DPD is unsound because it is not:

Q.6 These policies contain all the elements required for a thoughtful and forward looking framework for the future cultural needs of the Borough. Good quality community and cultural facilities are essential components in the development of sustainable communities. It is important to provide, protect and promote cultural facilities for their leading role in the quality of cultural life and for their valuable contribution to the character and function of see above

Q.7

Q.8 No

Q.9

Rep Number Name GO-East
CS/R27/4550/3/O GO-East
On behalf of

Section
Policy CS24 Town centre strategy

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

- (1) Legally
 - (2) Sound
- No Justified Effective Consistent with National policy:

Q.6 You might also wish to consider whether policy CS24 fully reflects the provisions of Paragraph 3.8 of PPS6.

Q.7

Q.8 No

Q.9

Rep Number Name The Theatres Trust
CS/R27/4051/2/S The Theatres Trust
On behalf of

Section
Policy CS24 Town centre strategy

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

- (1) Legally
 - (2) Sound
- Yes Justified Effective Consistent with National policy:
Yes

Q.6 These policies contain all the elements required for a thoughtful and forward looking framework for the future cultural needs of the Borough. Good quality community and cultural facilities are essential components in the development of sustainable communities. It is important to provide, protect and promote cultural facilities for their leading role in the quality of cultural life and for their valuable contribution to the character and function of

Q.7 see above

Q.8 No

Q.9

Rep Number CS/R27/1621/1/O Name Peacock and Smith Peacock and Smith

Section 8.5 Town centre strategy

On behalf of WM Morrison Supermarkets Plc.

Do you Consider the DPD

(1) Legally Yes
(2) Sound No

Consistent with National policy:

Effective

Justified

Do you consider if DPD is unsound because it is not:

Q.6 We object to paragraph 8.5 of the document which states that:

"... Given the number and size of supermarkets in the Borough (in Borehamwood and Potters Bar), the size of the Boroughs other settlements and the close proximity of nearby supermarkets (Watford, London Colney, Edgware and Stanmore), it is possible that no further need exists for significant new food retailing floorspace." This statement is not based on a robust evidence basis. The Council have not produced a Retail Capacity Study despite Government guidance contained in PPS6.

This statement is not based on a robust evidence base and we would question where the council have reached this conclusion, without undertaking the necessary background work. The council have not produced a Retail Capacity Study despite Government guidance contained in PPS6, which clearly states that through Local Development Documents, Local Planning Authorities should assess the need for further main town centre uses and ensure that there is capacity to accommodate them.

The Core Strategy should contain a realistic assessment of need for retail development in Hertsmere, taking into account of both quantitative and qualitative considerations, which should be informed with an up to date retail Study.

We consider that the Submission Core Strategy is currently deficient in this respect and that paragraph 8.5 is not based on any clear evidence.

Q.7

Q.8 No

Q.9

Rep Number Name BADFA
CS/R27/1079/2/S BADFA
On behalf of

Section
Policy CS23 Promoting alternatives to the car

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Yes
Yes

Justified

Effective

Consistent with National policy:

Q.6 BADFA supports this policy and paras 7.20 to 7.24 as being sound, achievable and reasonable. It should lead to significant improvements in Hertsmere's quality of life in the future.

Q.7

Q.8

No

Q.9

Rep Number CS/R27/1225/6/O Name The Aldenham School Charity
 On behalf of *The Aldenham School Charity* Section Policy CS23 Promoting alternatives to the car

Do you Consider the DPD (1) Legally (2) Sound No Justified Effective Consistent with National policy:
 Q.6 Relating to making improvements to the existing education provision at the Aldenham campus, draft policies, such as CS22 & CS23 which relate to car parking provision and promoting alternatives to car travel should take into account that some activities rely upon car access for historic reasons of their location and new development will need to be supported by additional car parking.
 Q.7 see above
 Q.8 No
 Q.9

Rep Number CS/R27/1616/4/O Name British Horse Society
 On behalf of *British Horse Society* Section Policy CS23 Promoting alternatives to the car

Do you Consider the DPD (1) Legally (2) Sound Yes No Justified Effective Consistent with National policy:
 Q.6 In CS23 (iii), "walking, cycling or riding" Should be "walking, cycling and riding"
 Q.7 change "or" to "and" in CS23 (iii) last line
 Q.8 No
 Q.9

Rep Number Name Hertfordshire County Council - Environment Department Section
CS/R27/4553/13/O Hertfordshire County Council - Environment 7.19 Promoting alternatives to the car
On behalf of

Do you Consider the DPD

- (1) Legally
- (2) Sound

No

Justified

Effective

Consistent with National policy:

Do you consider if DPD is unsound because it is not:

Q.6 Paragraph 7.19 states that the SW Herts Strategy '...may set out whether such an option needs to be considered...'. The review is complete and so the position should be known.

Q.7

Q.8 No

Q.9

Rep Number Name Hertfordshire County Council - Environment Department Section
CS/R27/4553/14/O Hertfordshire County Council - Environment 7.22 Promoting alternatives to the car
On behalf of

Do you Consider the DPD

- (1) Legally
- (2) Sound

No

Justified

Effective

Consistent with National policy:

Do you consider if DPD is unsound because it is not:

Q.6 Paragraph 7.22 - Greenways are not an '... alternative to the car' but they do provide a network which encourages use of modes other than the car.

Q.7

Q.8 No

Q.9

Rep Number CS/R27/1225/5/O Name The Aldenham School Charity
 On behalf of The Aldenham School Charity Section Policy CS22 Accessibility and parking

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally (2) Sound No Justified Effective Consistent with National policy:
 Q.6 Relating to making improvements to the existing education provision at the Aldenham campus, draft policies, such as CS22 & CS23 which relate to car parking provision and promoting alternatives to car travel should take into account that some activities rely upon car access for historic reasons of their location and new development will need to be supported by additional car parking.
 Q.7 see above
 Q.8 No
 Q.9

Rep Number CS/R27/4553/12/O Name Hertfordshire County Council - Environment Department
 On behalf of Hertfordshire County Council - Environment Section 7.18 Promoting alternatives to the car

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally (2) Sound No Justified Effective Consistent with National policy:
 Q.6 Paragraph 7.18 - 'Hertsmere Community' in the last line should be 'Hertsmere Community Transport'.
 Q.7
 Q.8 No
 Q.9

Rep Number Name Hertfordshire County Council - Environment Department Section
CS/R/27/4553/10/O Hertfordshire County Council - Environment 7.8 Parking standards
On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

Q.6 Paragraph 7.8 - the increased flood risk caused by creating permeable areas for parking could be added. (1) Legally No Justified Effective Consistent with National policy:
(2) Sound

Q.7

Q.8 No

Q.9

Rep Number Name Hertfordshire County Council - Environment Department Section
CS/R/27/4553/11/O Hertfordshire County Council - Environment 7.10 Parking standards
On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

Q.6 Paragraph 7.10 and table 16 - the link is misleading since the table shows 'Average car ownership in Hertsmere by house size' not 'Average car ownership in Hertsmere by household size' as labelled. The same change should be made in the last line in the Paragraph. (1) Legally No Justified Effective Consistent with National policy:
(2) Sound

Q.7

Q.8 No

Q.9

Rep Number Name Hertfordshire County Council - Environment Department
CS/R27/4553/8/O Hertfordshire County Council - Environment
On behalf of

Section
7.4 The location of new development

Do you Consider the DPD

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Paragraph 7.4 - There is no mention of residential development in the list at the end. Policy CS21 on the next page suggests that the threshold should be 25 units. It might be appropriate to add '25 flats or 10 family houses'.

Do you consider if DPD is unsound because it is not:

Q.7

Q.8 No

Q.9

Rep Number Name Highways Agency
CS/R27/4486/4/S Highways Agency

Section
Policy CS21 Development and accessibility to services
and employment

On behalf of

Do you Consider the DPD

(1) Legally
(2) Sound

Yes

Yes

Justified

Effective

Consistent with National policy:

Do you consider if DPD is unsound because it is not:

Q.6

Transport CS21 - CS23
Major developments will be subject to sufficient highway capacity being available to serve all stages of development. We are pleased to note that Policy CP-19 takes account of Transport Assessment and Transport Statement accompanying development proposals where appropriate. These assessments will need to confirm to current Government Policy in circumstances where development traffic impacts on the Trunk Road Network.

We are encouraged by sustainable travel modes associated with development that incorporate Travel Plans. We would encourage a strategic partnership with the highways authority for monitoring and enforcing Travel Plans after implementation. The Highways Agency considers the transport policies to be sound.

Q.7

Q.8 No

Q.9

Rep Number CS/R/27/4553/6/O Name Hertfordshire County Council - Environment Department
 On behalf of Hertfordshire County Council - Environment Section
 7.2 Transport and Parking

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

Q.6 Paragraph 7.2 - HCC is the 'local Highway Authority'. Justified Effective Consistent with National policy:

Q.7

Q.8 No

Q.9

Rep Number CS/R/27/4553/7/O Name Hertfordshire County Council - Environment Department
 On behalf of Hertfordshire County Council - Environment Section
 7.2 Transport and Parking

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

Q.6 Paragraph 7.2 - By the time the LDF is adopted there will be a new LTP so the 2006-2011 document will be outdated and the new one is likely to look very different. It might therefore be better simply to refer to the objectives of the 'Local Transport Plan'.

Q.7

Q.8 No

Q.9

Rep Number Name Hertfordshire County Council - Environment Department Section
 CS/R27/4553/5/O Hertfordshire County Council - Environment 7. Transport and Parking
 On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally	Justified	Effective	Consistent with National policy:
(2) Sound	No		Chapter 7 - Transport and Parking - there are several references to planning obligations which are all in terms of section 106. Given that the Government is working on a replacement/complementary (CIL) system perhaps the description in the Strategy needs to be less specific.

Q.6
 Q.7
 Q.8 No
 Q.9

Rep Number Name Barton Willmore Planning Partnership Section
 CS/R27/1631/21/S Barton Willmore Planning Partnership 7. Transport and Parking
 On behalf of
 Kayterm Plc.

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally	Justified	Effective	Consistent with National policy:
(2) Sound			A flexible approach towards car parking standards and the Council's proposed strategy in Policy CS22 is supported. Our client also notes that a separate Supplementary Planning Document (SPD) will be prepared to provide further guidance on the matter. However, this document should not restrict parking provision to the extent that the development of a site would lead to excessive on-street parking with associated detrimental impacts on road safety and amenity.

Q.6
 Q.7
 Q.8 No
 Q.9

Rep Number CS/R27/1616/3/O Name British Horse Society
British Horse Society

Section
Table 15. Potential items to be incorporated into a future
section 106 standard charge for Hertsmere

On behalf of

Do you Consider the DPD

(1) Legally
(2) Sound

No

Do you consider if DPD is unsound because it is not:

Justified

Effective

Consistent with National policy:

Q.6 The Leisure section of table 15 should also refer to space for informal leisure provided by town and village greens. Developers should be required to dedicate greens under S.16 Commons act 2006 if agreed in a S.106 agreement.

Q.7 Add "Space for informal recreation by dedication of town and village greens" to second row of second column of table 15

Q.8 No

Q.9

Rep Number CS/R27/1275/16/S Name East of England Regional Assembly
East of England Regional Assembly

Section
Policy CS20 Securing a high quality and accessible
environment

On behalf of

Do you Consider the DPD

(1) Legally
(2) Sound

Do you consider if DPD is unsound because it is not:

Justified

Effective

Consistent with National policy:

Q.6 The Core Strategy provides an appropriate framework for ensuring that future development is of both high quality and that it has due regard for sustainability issues.

Q.7

Q.8 No

Q.9

Rep Number
CS/R27/4519/14/O
On behalf of

Name
Hertfordshire Property - Hertfordshire County Council
Hertfordshire Property - Hertfordshire County

Section
6.10 Funding sustainable communities

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified Effective Consistent with National policy:

Q.6 A Planning Obligations Guidance Document Toolkit for Hertfordshire, which provides guidance on the range of contributions and provisions sought by the County Council, which reasonably and proportionately arise, to mitigate the impacts of new development was approved in January 2008. Those Departments on behalf of whom contributions/provision is sought are listed at paragraph 1.2 above.

It is noted that the Borough Council are to produce a Planning Obligations SPD. This is welcomed and the County Councils Planning Obligations Officers would be willing to assist in the production of the document. It is hoped that the HCC 'Toolkit' can be used prior to the production of the SPD, contrary to the indication of paragraph 6.13.

Paragraph 6.11 states that it is important that a standard charge is not set at 'a disproportionately high level' leading to sites becoming too costly to develop for housing. This is a moot point for the HHS project team however, as a general rule since each development should adequately mitigate its impact. Sites with viability issues would be considered individually by the Local Planning Authority.

The reference in Table 15 to Education, Housing and Community should refer to fire and rescue facilities not fire hydrants; a standard charge is currently sought for these services, but may be as part of CIL. Adult care services should also be included here, although a standard charge does not exist yet, it could in the future be used to fund facilities such as day care centres.

The Council's intention to develop an index linked standard charge for schemes of less than 15 units, to be secured through a planning obligation, is noted. It is further noted that this will be derived from the Community Infrastructure Levy (CIL) to be agreed across Hertfordshire. However, work on HHS has not been finalised and the wording could be more flexible to accommodate any changes to this initial approach.

Q.7

Q.8 Yes

Q.9

Rep Number CS/R27/1631/20/O
Name Barton Willmore Planning Partnership
On behalf of Barton Willmore Planning Partnership
Kayterm Plc.
Do you Consider the DPD

Section 6.10 Funding sustainable communities

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy.

Do you consider if DPD is unsound because it is not:

Q.6 Introducing a standard charge on schemes of less than 15 units could make some sites unviable for development and therefore our client objects to this approach on that basis. Our client also considers that if this standard charge is to be progressed, then it should not form a 'shopping list' for the Council, regardless of site-specific considerations.

Q.7 Therefore taking the above into account, a policy setting out Section 106 requirements should refer to the need for consideration to be given on a site by site basis.

Q.8 No

Q.9 No

Rep Number CS/R27/4519/13/O Name Hertfordshire Property - Hertfordshire County Council Hertfordshire Property - Hertfordshire County Section Policy CS18 Securing mixed use development On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified Effective

Consistent with National policy:

Q.6 It is important that in considering any mixed use developments the capacity of existing services is assessed prior to approving schemes to ensure no further burdens are placed on services that are already operating at capacity.

Q.7 The information contained in 2.3 to 2.15 details the issues regarding the provision of school places throughout the Borough.

Q.8 Yes

Q.9

Rep Number Name Hertfordshire Property - Hertfordshire County Council
CS/R27/4519/12/O Hertfordshire Property - Hertfordshire County
On behalf of

Section
Policy CS17 Key community facilities

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified

Effective

Consistent with National policy:

Q.6 In terms of the loss of key community facilities, from time to time there may be a closure of a County Council facility, such as a school or a day centre. The proposed policy states that the loss, reduction or displacement of key community will not be permitted unless the facilities are genuinely surplus and any replacement accommodation is satisfactory for all of its users.

If facilities are 'displaced' then by definition they are being reprovided elsewhere. It is highly likely that these would be reprovided with more modern facilities. It is therefore considered unreasonable to include 'displacement' of facilities in this policy.

In addition, the inclusion of the wording 'that any replacement accommodation elsewhere is satisfactory for all of its users' is so general that it could be used by anyone wanting to object to a proposal.

The County Council as a major provider of community services and facilities needs to be able to recycle its property assets as it sees fit. It should be borne in mind that capital receipts from the disposal of surplus County Council property assets are reinvested in public facilities and services.

Q.7 see above

Q.8 Yes

Q.9

Rep Number Name The College Of Osteopaths
CS/R27//4313/1/O The College Of Osteopaths
On behalf of

Section
Policy CS17 Key community facilities

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

No

Justified

Effective

Consistent with National policy.

Q.6 Policy CS17 ("key community facilities") does not reflect paragraph 6.7 which accepts the conversion and/or adoption of existing buildings to community activities. This is also despite the draft Core Strategy previously stating in its Strategic Objectives at Table 5, and again at paragraph 6.4, that the promotion of healthy communities will be supported. Such contradiction calls into question whether the document can pass the 'test of

Q.7 Adjustment of policy to reflect eh statements previously given? The new policy should be sufficiently flexible to accommodate cases where there are wider benefits from losing a particular existing community facility.

Q.8 No

Q.9

Rep Number CS/R27/4519/1/O
 Name Hertfordshire Property - Hertfordshire County Council
 On behalf of Hertfordshire Property - Hertfordshire County

Section Policy CS16 Access to services

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified

Effective

Consistent with National policy:

Q.6 Paragraphs 2.3 to 2.15 outline the issues relating to school places in Hertsmere. Once sites are identified in the Site Allocations DPD the County Council will be in a better position to advise on any impact this may have on its ability to provide services.

The County Council fully supports the concept of new development properly mitigating its impact through appropriate planning contributions secured through planning obligations.

The County Council in its role as the provider of Education, Library, Social Services and Fire Authority, would expect new development to mitigate its impact in accordance with the advice contained in Circular 05/05.

Q.7 see above

Q.8 Yes

Q.9

Rep Number CS/R27/4051/1/S
 Name The Theatres Trust
 On behalf of The Theatres Trust

Section Policy CS16 Access to services

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Yes

Justified

Effective

Consistent with National policy:

Q.6 These policies contain all the elements required for a thoughtful and forward looking framework for the future cultural needs of the Borough. Good quality community and cultural facilities are essential components in the development of sustainable communities. It is important to provide, protect and promote cultural facilities for their leading role in the quality of cultural life and for their valuable contribution to the character and function of

Q.7 see above

Q.8 No

Q.9

Rep Number CS/R27/1487/3/O Name Sport England (East Region)
On behalf of Sport England (East Region)

Section Policy CS16 Access to services

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Consistent with National policy:

Effective

Justified

No

Q.6 Whilst Sport England welcomes the spirit and broad content of these policies, as noted in our representations on the Preferred Options document, direct reference should be made to the evidence base which helped to inform the development of the policy, for sport and recreation this should be a PPG 17-compliant assessment of indoor and outdoor sports facility needs. This also acts as the benchmark against which new proposals should be considered. Reference is made in paragraph 1.7 of the DPD to an evidence base to support open space requirements but its findings in relation to supporting policies such as this have not been referenced. The supporting text to both policies should therefore refer to the specific aspects of the evidence base which justify the policy content e.g. new sports facilities required as part of new housing development or the protection of playing fields. I would wish to advise that at the first examination relating to a submitted core strategy DPD in England, the Inspector who considered the Lichfield Core Strategy DPD concluded that the documents open space policy was unsound because of a lack of credible evidence base to support the aspect of the policy relating to the provision of open space in new development. The lack of credible evidence base was one of the two reasons why this core strategy was considered to be unsound and the DPD was subsequently withdrawn.

Q.7

Q.8 No

Q.9

Rep Number: CS/R27/1275/17/S
 Name: East of England Regional Assembly
 On behalf of: East of England Regional Assembly

Section: Policy CS15 Environmental Impact of development

Do you Consider the DPD is unsound because it is not:

Q.6 (1) Legally Justified Effective Consistent with National policy:
 (2) Sound
 The Core Strategy provides an appropriate framework for ensuring that future development is of both high quality and that it is has due regard for sustainability issues. Local policy CS15 directs developers towards the Hertfordshire Planning Authorities 'Building Futures'. This provides guidance on all aspects of sustainable development. It is the Councils intention that that 'Building Futures' will be formally approved as a material planning consideration to help ensure it is carried through into practice by the development industry.

Q.7
 Q.8 No
 Q.9

Rep Number: CS/R27/1631/19/S
 Name: Barton Willmore Planning Partnership
 On behalf of: Barton Willmore Planning Partnership
 Section: 6. Building Sustainable Communities

Do you Consider the DPD is unsound because it is not:

Q.6 (1) Legally Yes
 (2) Sound Yes
 Do you consider if DPD is unsound because it is not:
 Justified Effective Consistent with National policy:

Q.7
 Q.8 No
 Q.9

Rep Number CS/R27/4345/4/O Name Thames Water Property Services Ltd Section Policy CS15 Environmental impact of development
 On behalf of Thames Water Property Services Ltd

Do you Consider the DPD Do you consider if DPD is unsound because it is not:
 (1) Legally Yes No Justified Effective Consistent with National policy:
 (2) Sound No
 Q.6 Within paragraph 5.30 it is acknowledged that new development can increase the risk of flooding by causing increased run-off and that where necessary, appropriate alleviation measures will be sought, including investment in sewerage discharge capacity and treatment. Policy CS15 refers to the need to avoid development in the floodplain but the policy does not refer to sewer or surface water flooding.
 Q.7 In order to comply with the objectives of PPS25 'development and flood risk' and to ensure that the core strategy is 'sound' it is considered that the policy should be expanded to ensure that no development takes place within areas at risk from sewer or surface water flooding and that new development would not result in sewer or surface water flooding elsewhere.

Q.8 No
 Q.9

Rep Number CS/R27//4493/1/O Name Environment Agency Section Policy CS15 Environmental impact of development
 On behalf of Environment Agency

Do you Consider the DPD Do you consider if DPD is unsound because it is not:
 (1) Legally Yes No Justified Effective Consistent with National policy:
 (2) Sound No
 Q.6 Policy CS15 (pg66) does not include the policy recommendations of the Councils Strategic Flood Risk Assessment (SFRA). See attached sheet: section 6, for further detail.
 Q.7 For Policy CS15 to be consistent with national policy and justified it should include the more high-level, Strategic policy recommendations of the SFRA. See attached sheet: section 7, for further detail.

Q.8 Yes
 Q.9 To be available to provide further explanation or clarity on the issue if required by the inspector.

Rep Number CS/R27/12257/10
On behalf of The Aldenham School Charity

Name The Aldenham School Charity
Section Policy CS15 Environmental Impact of development

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Draft policy CS15 requires measures of offset at least 10% of total carbon emissions through combination of sustainable design and construction and on-site renewable generation on schemes of 10 new homes, or developments of 1,000 sq m or above. PPS22 on "renewable energy" warns that policies of this type must not place an undue burden on developers' and not all sites are suited to such measures. Furthermore, the technology in relation to many forms of renewable energy is not proven to produce sufficient energy to justify its costs.

Q.7 see above.

Q.8 No

Q.9

Rep Number CS/R27/1631/18/O
On behalf of Kayterm Plc.
Do you Consider the DPD

Name Barton Willmore Planning Partnership
Barton Willmore Planning Partnership

Section Policy CS15 Environmental Impact of development

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 The Core Strategy should recognise that on constrained sites the cost of such measures may make development of the site financially unviable.

Q.7

Q.8 No

Q.9

Rep Number CS/R27/4555/4/S Name Preston Bennett Planning Section Policy CS14 Promoting recreational access to open spaces and the countryside
 Preston Bennett Planning

On behalf of
 Cairnpark Properties
 Do you Consider the DPD

Do you consider if DPD is unsound because it is not:
 (1) Legally Yes
 (2) Sound Yes
 Justified Effective Consistent with National policy:
 Q.6 In general support of the policy, but would seek to ensure that it does not restrict sites with suitable characteristics with open space designations that are not readily accessible, to be to be promoted for residential allocation through the LDF process, in line with policy CS1 and overall policy

Q.7

Q.8 No

Q.9

Rep Number CS/R27/4557/1/O Name Hertsmere Borough Council - Environmental Health Dpt Section 5.32 The environmental impact of new development
 Hertsmere Borough Council - Environmental

Do you Consider the DPD

(1) Legally Yes
 (2) Sound No
 Justified Effective Consistent with National policy:
 Q.6 To replace para 5.32 1st para in Air Quality with the following: 'Poor air quality can have adverse effects on human health. The Government's Air Quality Strategy 1997, second Strategy 2000 addendum 2003 revised 2007, requires local authorities to monitor air quality in their districts. Hertsmere Borough Council does not have much heavy industry that would produce emissions to make the air quality poor. Major transport and junction corridors of the A1 (M), M25 and the M1, surround the Borough and these are the source of most of the Borough's poor air quality. Nitrogen Dioxide, a transport pollutant, is monitored in the borough on a monthly basis and an average level recorded. The Council also runs a continuous Air Quality Monitoring Station situated in Borehamwood which monitors three different pollutants. Hertsmere since 2003 have declared six air quality management areas (AQMA), set out in table 14. These are areas in the borough that have been designated as having poor air quality. Four of these AQMA's which are due to busy major roads and motorways.'

Q.7 see above

Q.8 No

Q.9

Rep Number Name Sport England (East Region)
CS/R27/1487/2/S Sport England (East Region)

Section
Policy CS14 Promoting recreational access to open
spaces and the countryside

On behalf of

Do you Consider the DPD

(1) Legally Yes
(2) Sound Yes

Do you consider if DPD is unsound because it is not:
Justified Effective Consistent with National policy:

Q.6 Sport England supports this policy and its supporting text as an important part of using the Boroughs assets to promote healthier, more active lifestyles.

Q.7

Q.8 No
Q.9

Rep Number Name Natural England (Four Counties Gov Team)
CS/R27/4551/6/S Natural England (Four Counties Gov Team)

Section
Policy CS14 Promoting recreational access to open
spaces and the countryside

On behalf of

Do you Consider the DPD

(1) Legally Yes
(2) Sound Yes

Do you consider if DPD is unsound because it is not:
Justified Effective Consistent with National policy:

Q.6 Natural England wishes to see a net gain in green infrastructure and an approach which does not permit development that could compromise the integrity of the overall green infrastructure network. We would suggest that the following points are included in the policy wording:
- Protection and enhancement of a multi-functional network of green space resulting in an overall net gain over the period of the Core Strategy.
- All development should incorporate sufficient new green space in accordance with English Nature's Natural Green Space Standards of achieving natural greenspace within 300m of every home. In addition as many existing wildlife features as possible should be retained, and new features such as green roofs created.

Q.7 see above

Q.8 No

Q.9

Rep Number Name BADFA
CS/R27/1079/1/S BADFA

Section
Policy CS14 Promoting recreational access to open spaces and the countryside

On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally Yes
(2) Sound Yes

Justified Effective Consistent with National policy:

Q.6 BADFA welcomes this policy. It is of benefit to the community both short and long term. It is environmentally sound and the Greenway Strategy promotes sustainability. It complements the basic rights of way duties of the county council, which alone would be inadequate for the people of

Q.7

Q.8 No

Q.9

Rep Number Name East of England Regional Assembly
CS/R27/1275/13/S East of England Regional Assembly

Section
Policy CS14 Promoting recreational access to open spaces and the countryside

On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Justified Effective Consistent with National policy:

Q.6 Appropriate protection is afforded to Watling Chase Community Forest.

Q.7

Q.8 No

Q.9

Rep Number CS/R27/1078/2/O Name Open Spaces Society
 Open Spaces Society
 On behalf of

Section Policy CS14 Promoting recreational access to open spaces and the countryside

Do you Consider the DPD (1) Legally Yes (2) Sound Yes
 Do you consider if DPD is unsound because it is not:
 Justified Effective Consistent with National policy:
 Q.6 The Open Spaces Society welcomes this policy. Greenways if done properly in line with the strategy, can be of great benefit to the community. They allow shared-use to work, unlike on some existing bridleways.

At line 5 'a risk', we would prefer for it to read 'a substantial risk' as otherwise undue weight might be given to biodiversity/environment, but perhaps 'a risk' already implies 'substantial risk' or at least 'significant risk', if so we are content with it.

Q.7

Q.8 No

Q.9

Rep Number CS/R27/1616/2/O Name British Horse Society
 British Horse Society

Section Policy CS14 Promoting recreational access to open spaces and the countryside

On behalf of

Do you Consider the DPD (1) Legally No (2) Sound No
 Do you consider if DPD is unsound because it is not:
 Justified Effective Consistent with National policy:

Q.6 Policy says: "as set out in.. Greenways strategy will be actively sought where they do not pose a risk to the biodiversity value.. Everything poses a risk. What we must do is ensure the risk is acceptable or low enough.

Q.7 change "where they do not pose a risk" to "where they do not pose an unacceptable risk to..". This then allows the local planning authority some discretion.

Q.8 No

Q.9

Rep Number CS/R27/1616/1/O Name British Horse Society
 On behalf of British Horse Society

Section
 5.22 Access to open spaces and the countryside

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally No
 (2) Sound No

Justified Effective Consistent with National policy:

Q.6 The least restrictive option should be stated as applying to all public rights of way, not just footpaths. BS5709 applies the least restrictive option to
 bridleways and other rights of way as well as to footpaths.

Q.7 Change "footpaths" to "footpaths and bridleways".

Q.8 No

Q.9

Rep Number CS/R27/1286/9/O Name Hertfordshire Biological Records Centre
 On behalf of Hertfordshire Biological Records Centre

Section
 5.23 Access to open spaces and the countryside

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally No
 (2) Sound No

Justified Effective Consistent with National policy:

Q.6 The 'Countryside in and around towns' report promotes a wide range of uses, but key to delivery is management of the countryside in a functional
 manner, particularly in relation to farming and food production. This is essential in maintaining the character of the countryside. This is not reflected
 in the explanatory text - see suggestion below.

Q.7 ...emphasis on the positive use and management of Green Belt Land....?

Q.8 No

Q.9

Rep Number CS/R27/4551/5/S Name Natural England (Four Counties Gov Team) Section Policy CS12 Protection and enhancement of natural environment
 Natural England (Four Counties Gov Team)

On behalf of

Do you Consider the DPD (1) Legally Yes Do you consider if DPD is unsound because it is not:
 (2) Sound Yes Justified Effective Consistent with National policy:

Q.6 We consider that the Core Strategy policy should include the following additional points:

1. Protection and enhancement of the network of local wildlife sites and wildlife corridors, links and stepping stones between areas of natural green space to avoid fragmentation of habitats. PPS9 states specifically at paragraph 12 that "local authorities should aim to maintain networks by avoiding or repairing the fragmentation and isolation of natural habitats through policies in plans."
2. Promoting wildlife enhancements which contribute to the habitat restoration targets set out in National, Regional and Local Biodiversity Action

Q.7 see above

Q.8 No

Q.9 No

Rep Number CS/R27/1225/4/O Name The Aldenham School Charity Section Policy CS13 Protection and enhancement of historic assets
 The Aldenham School Charity

On behalf of

Do you Consider the DPD (1) Legally No Do you consider if DPD is unsound because it is not:
 (2) Sound No Justified Effective Consistent with National policy:

Q.6 Policies CS12 & CS13 contain a number of statements relating to development in the green belt and the historic environment that add nothing to the government policy already in place on these topics set out in PPGs 2 and 15. Therefore is suggested to be 'unsound'.

Q.7 make the above policies less alike to the national policies already in place.

Q.8 No

Q.9 No

Rep Number CS/R27/1621/6/S Name Peacock and Smith Section Policy CS12 Protection and enhancement of natural environment
Peacock and Smith

On behalf of Mr & Mrs D Morley
Do you Consider the DPD
Do you consider if DPD is unsound because it is not:
(1) Legally Justified Effective Consistent with National policy:
(2) Sound Yes Yes
On behalf of our clients, we support draft policy CS12. It is considered that this policy will assist in protecting the Boroughs valuable natural environment from inappropriate development.

Q.6
Q.7
Q.8 No
Q.9

Rep Number CS/R27/4493/3/S Name Environment Agency Section Policy CS12 Protection and enhancement of natural environment
Environment Agency

On behalf of
Do you Consider the DPD
Do you consider if DPD is unsound because it is not:
(1) Legally Justified Effective Consistent with National policy:
(2) Sound Yes Yes
We support policy CS12 'Protection and enhancement of the natural environment' as it endorses the principles of PPS9, to protect and enhance the natural environment, including habitat creation.

Q.6
Q.7
Q.8 No
Q.9

Rep Number Name East of England Regional Assembly
CS/R27/1275/6/S East of England Regional Assembly

Section
Policy CS12 Protection and enhancement of natural
environment

On behalf of

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Justified

Effective

Consistent with National policy:

Q.6 No Green Belt review at Hertsmere is proposed in the RSS. In recognising that the majority of new growth can and will be accommodated on PDL, and that the Council is aware of potential brownfield sites that could come forward (Core Strategy Paragraph 2.28), the Assembly notes that some limited release of greenfield or Green Belt land may be required towards the end of the plan period. The strategy also recognises the needs of businesses in the green belt. The described process for the strategic gap is understood but this should not compromise the integrity of the remaining

Q.7

Q.8 No

Q.9

Rep Number Name East of England Regional Assembly
CS/R27/1275/18/S East of England Regional Assembly

Section
Policy CS12 Protection and enhancement of natural
environment

On behalf of

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Justified

Effective

Consistent with National policy:

Q.6 Sand and gravel reserves within the district are identified in the Hertfordshire County Council's Minerals Local Plan.

Q.7

Q.8 No

Q.9

On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified Effective Consistent with National policy:

Q.6 This proposed policy states that there will be a presumption against inappropriate development in the Green Belt. Paragraph 3.4 of Planning Policy Guidance Note 2 - Green Belts (PPG2) identifies the categories of development that are considered 'not inappropriate', which do not include the provision or extension of schools.

The presence of a Green Belt designation, washing over sites being used for education, acts as a constraint and obstacle in being able to respond to the need to provide new, or to enhance existing, facilities. It is noted that although some school sites in the Borough located within the Green Belt have Major Developed Site (MDS) status, this does not apply to them all.

In the event that it is determined that removing school sites from the MGB is not appropriate, consideration should be given to the identification of the school sites as Major Developed Sites within the Green Belt. Such designation would be consistent with the advice contained within Annex C to PPG2 which explicitly mentions education establishments. It is appreciated that drawing broad Major Developed Site boundaries to include existing playing fields would not be totally consistent with the advice contained in Annex C of PPG2 which suggests boundaries should be drawn tight to the footprint of existing buildings.

Q.7 The County Council would therefore ask, in order of preference, that consideration is given to

- a) the removal of Green Belt designation from school sites;
- b) the identification of MDS status for those schools which are currently washed over by the Green Belt;
- c) the revision of those school sites with MDS status to review whether the boundaries of the site enable the growth required to meet any increase in needs as a result of further development in those areas and the requirements of BSF, Academy and PCP initiatives. (see representation for more

Q.8 Yes

Q.9

Rep Number CS/R27/1631/17/O Name Barton Willmore Planning Partnership
Barton Willmore Planning Partnership

Section Policy CS12 Protection and enhancement of natural environment

On behalf of Kayferm Plc.

Do you Consider the DPD

- (1) Legally
- (2) Sound

No

Justified

Effective

Consistent with National policy:

Do you consider if DPD is unsound because it is not:

Q.6 Our client recommends that a comprehensive review of the Green Belt is carried out, or alternatively that land to the north and east of Bushey is considered for inclusion within the Area of Search for Green Belt Housing Sites.

Q.7

No

Q.8

No

Q.9

Rep Number CS/R27/14427/3/O Name CGMS Consulting
CGMS Consulting

Section Policy CS12 Protection and enhancement of natural environment

On behalf of Metropolitan Police Authority (MPA)

Do you Consider the DPD

- (1) Legally
- (2) Sound

No

Justified

Effective

Consistent with National policy:

Do you consider if DPD is unsound because it is not:

Q.6 The policy refers to the protection of the strategic gap between Bushey and Watford.

Q.7 see above

Q.8 No

Q.9

We consider that the strategic gap should exclude Major Developed and Previously Developed Sites within the Green Belt in order to help facilitate the provision of new homes and recreational needs as required by policies elsewhere within the Core Strategy.

Rep Number Name The Aldenham School Charity
CS/R27/1225/3/O
Section Policy CS12 Protection and enhancement of natural environment

On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally (2) Sound No Justified Effective Consistent with National policy:
Q.6 Policies CS12 & CS13 contain a number of statements relating to development in the green belt and the historic environment that add nothing to the government policy already in place on these topics set out in PPGs 2 and 15. Therefore is suggested to be 'unsound'.
Q.7 make the above policies less alike to the national policies already in place.

Q.8 No
Q.9

Rep Number Name Hertfordshire Biological Records Centre
CS/R27/1286/8/O Hertfordshire Biological Records Centre
Section Policy CS12 Protection and enhancement of natural environment

On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally (2) Sound No Justified Effective Consistent with National policy:
Q.6 To fully comply with PPS9, mention should be made of protection of priority species when considering development proposals. Also need to consider opportunities for subsequent management where appropriate.
Q.7 ...Including biodiversity such as priority habitats and species, sites of ecological and geological value as well as landscape character, in order to maintain...: 'life of a development, and where appropriate secure long term management through planning obligations. There will be...'

Q.8 No
Q.9

Rep Number Name Hertfordshire Biological Records Centre
CS/R27/1286/5/O Hertfordshire Biological Records Centre
On behalf of

Section
5.19 Historic assets

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6

The information relating to Wildlife Sites could be improved as it is currently inaccurate. Protected species are protected by law in any event, wherever they are, and all are not found on Wildlife Sites alone. Furthermore we do not see the need to provide Table 13 as this is out of context and in itself provides no guidance. A map and full list of sites and their year of designation would be provided as part of the Wildlife Sites and Biodiversity SPD (Not SPG), which itself would need to be updated as new sites are recognised or former sites removed if their interest has declined. We feel W/S would be better described as below.

Q.7

...Guidance and reflect Biodiversity Action Plan priority habitats within the borough. They are designated on the basis of meeting rigorous ecological selection criteria for habitats and species. The list... by the Wildlife Sites ratification Committee which includes Natural England, HMWT and HBRC, who update all local authorities in Hertfordshire. Detailed criteria ... Policies DPD (Not DPP). The location and full list of Wildlife Sites can be found within the SPD.

Q.8

No

Q.9

Rep Number Name Hertfordshire Biological Records Centre
CS/RZ7/1286/7/O Hertfordshire Biological Records Centre

Section
5.13 Protection and enhancement of the natural and historic environment

On behalf of

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified Effective Consistent with National policy:

Q.6 The opening sentence could express natural assets better. Furthermore the impact of new development in relation to important sites should be considered. See below.

Q.7 ...whether that be species, habitat, landscape...: ...related. In relation to new development there is a need to maintain the integrity of river corridors and ensure that it does not further fragment or isolate habitats of importance. Previously...

Q.8 No

Q.9

Rep Number Name Environment Agency
CS/RZ7/4493/2/S Environment Agency

Section
5.13 Protection and enhancement of the natural and historic environment

On behalf of

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Yes
Yes

Justified Effective Consistent with National policy:

Q.6 We support paragraph 5.13 as it includes the following statement: "There will be a continued presumption against any development which has an adverse effect on any natural asset, whether that be species, landscape, agricultural or geologically related. This will include the need to maintain sufficient distance between new development river corridors."

Q.7

Q.8 No

Q.9

Rep Number Name Hertfordshire Biological Records Centre
CS/R27/1286/6/O Hertfordshire Biological Records Centre

Section
5.10 Protection and enhancement of the natural and
historic environment

On behalf of

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Description of resources in the Borough could be better. Why describe just ancient woodland and RIGS? Suggestion for improving the description is given below, although a more comprehensive account could be given in the SPD.

Q.7 'Hertsmere supports a number of ancient, semi-natural woodlands as well as other woodland and parkland. Extensive ecologically important grasslands are still present on some old estates and farms, whilst there are two large open water bodies and numerous small watercourses draining into the Colne. There are also Regionally Important Geological Sites at Radlett and Shenley. 1,759 ...'

Q.8 No

Q.9

Rep Number Name East of England Regional Assembly
CS/R27/1275/8/S East of England Regional Assembly

Section
5.6 Protection and enhancement of the natural and historic environment

On behalf of

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Justified Effective Consistent with National policy:

Q.6 5.6 - 5.8

No Green Belt review at Hertsmere is proposed in the RSS. In recognising that the majority of new growth can and will be accommodated on PDL, and that the Council is aware of potential brownfield sites that could come forward (Core Strategy Paragraph . 2.28), the Assembly notes that some limited release of greenfield or Green Belt land may be required towards the end of the plan period. The strategy also recognises the needs of businesses in the green belt. The described process for the strategic gap is understood but this should not compromise the integrity of the remaining

Q.7

Q.8 No

Q.9

Rep Number Name St Modwen Developments Ltd.
CS/R27/4556/7/S St Modwen Developments Ltd.

Section
5.8 Protection and enhancement of the natural and historic environment

On behalf of

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Justified Effective Consistent with National policy:

Q.6 Yes Yes

Q.7

Q.8 No

Q.9

Rep Number Name Hertfordshire Biological Records Centre
CS/R27/1286/4/O Hertfordshire Biological Records Centre

Section
5.5 Protection and enhancement of the natural and historic environment

On behalf of

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Paragraph 5.5 states that Hertsmere supports 25% of all of the heathland in Hertfordshire. There is no evidence for this. The 1998 District Habitat Survey report states it has 3.79% of the county's heathland. Substantial heath has not been recreated since, so this figure is inaccurate and should be removed. The list of assets also mixes 'designations' or classification of land e.g. SSSIs along with the nature of the land itself e.g. hedgerows. This is inconsistent but unless all such appropriate designations or features are listed, either as one or the other, or both, this list will be a mixture. If this is still considered acceptable, please see suggestions for an improved text below.

Q.7 'The diverse range of natural and historic assets in the Borough includes both statutory and non-statutory sites or features of national as well as local importance, such as:'

Q.8 No

Q.9

Rep Number Name Environment Agency
CS/R27/4493/4/S Environment Agency

Section
5.5 Protection and enhancement of the natural and historic environment

On behalf of

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Yes

Justified

Effective

Consistent with National policy:

Q.6 We support paragraph 5.5 (page 58) of the document. In light of our previous comments, the council amended the list of assets to include 'riparian habitats'. It was also amended to take account of protected species.

Q.7 see above.

Q.8 No

Q.9

On behalf of Rachel Charitable Trust

Do you Consider the DPD

(1) Legally Yes/
 (2) Sound Yes

Justified Effective Consistent with National policy:

Do you consider if DPD is unsound because it is not:

Paragraph 5.8 outlines the Council's proposal to create a one mile wide strategic gap designation within the Green Belt between Watford, Bushey and Stanmore. The paragraph goes on to state that:

'Much of Bushey remains physically separate from Watford and there is a clear break between Bushey and Stanmore. The importance of maintaining established settlement patterns and a gap between the towns is considered to be particularly pressing. There are a large number of previously developed sites in the Green Belt in and around Bushey and the strategic gap will serve to control the scale of any development in these locations...'

Paragraph 1.2 of PPG2 outlines the five purposes of including land in Green Belt as:

1. To check the unrestricted sprawl of large built-up areas;
2. To prevent neighbouring towns from merging into one another;
3. To assist in safeguarding the country from encroachment;
4. To preserve the setting and special character of historic towns; and
5. To assist urban regeneration by encouraging the recycling of derelict and other urban land.

The proposed strategic gap designation is located entirely within Green Belt land. The role of the proposed strategic gap appears to be exactly the role that the Green Belt is already performing. The proposed strategic gap is therefore an unnecessary land designation, as new development proposed in the designated area would already be controlled by Green Belt policy. Indeed, paragraph 5.9 of the Core Strategy acknowledges that the Green Belt is an overarching designation within which various other levels of protection exist.

Therefore, PPG2 already provides ample protection from development of the area of land where the strategic gap is proposed and there is no need for such an additional designation. The wording of Policy CS 12 should be reviewed and the any reference to strategic gap should be removed from the Core Strategy.

Q.7 Yes

Q.8 Yes

Q.9

Rep Number CS/R27/1631/16/O
Name Barton Willmore Planning Partnership
On behalf of Barton Willmore Planning Partnership
Kayterm Plc.

Section 5. Open Land and the Environment

Do you consider the DPD is unsound because it is not:

- Q.6 (1) Legally No Justified Effective Consistent with National policy:
A review of Green Belt boundaries is required in Hertsmere, especially in areas that form hinterlands to urban areas. In appropriate circumstances, sustainable sites should be released from the Green Belt for housing development. A review of the Green Belt in this manner would aid in the long term protection of the Green Belt as an asset.
- Q.7
- Q.8 No
- Q.9

Rep Number Name GO-East
CS/R27/4550/1/O GO-East

Section
Policy CS11 Promoting film and television production in
Hertsmere

On behalf of

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally Yes
(2) Sound No

Justified Effective Consistent with National policy:

Q.6 We consider that there is a lack of clarity around housing delivery and compliance with PPS3 particularly in respect of the developable land supply in years 6-10. It would appear from your housing trajectory that Greenfield releases may be needed by year 8 (assuming adoption in 2009) but the consideration of greenbelt release is put off until later in the plan period. You also refer to the possible coming onstream of the BBC Elstree centre though this would be contrary to your aspiration in Policy CS11.

Q.7 We recommend that you review these elements of the Core Strategy to enable you to demonstrate more clearly that you have realistic and viable options for delivering you full housing allocation.

Q.8 No

Q.9

Rep Number Name St Modwen Developments Ltd.
CS/R27/4556/3/S St Modwen Developments Ltd.

Section
Policy CS11 Promoting film and television production in
Hertsmere

On behalf of

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally Yes
(2) Sound Yes

Justified Effective Consistent with National policy:

Q.6

Q.7

Q.8 No

Q.9

Rep Number Name Hertfordshire Property - Hertfordshire County Council
CS/R27/4519/9/S Hertfordshire Property - Hertfordshire County
On behalf of

Section
Policy CS10 Land use within employment areas

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally

Justified

Effective

Consistent with National policy:

Q.6 The inclusion of waste management uses on employment areas is welcomed. The HCC waste transfer site is currently located on the Cranborne Road, Potters Bar Employment Area.

Q.7

Q.8

Yes

Q.9

Rep Number Name Highways Agency Highways Agency
 CS/R27/4486/3/S On behalf of
 Section Policy CS8 Scale and distribution of employment land

Do you Consider the DPD Do you consider if DPD is unsound because it is not:
 (1) Legally Yes Justified Effective Consistent with National policy:
 (2) Sound Yes
 Q.6 Employment CS8 - CS11
 The Highways Agency is pleased to note that the policies advocate employment growth to be centred mainly in Market towns, such as Borehamwood
 encouraging the use of public transport and minimise the need to travel by car. We consider the employment policies outline in the document to be

Q.7
 Q.8 No
 Q.9

Rep Number Name St Modwen Developments Ltd. St Modwen Developments Ltd.
 CS/R27/4556/4/S On behalf of
 Section Policy CS8 Scale and distribution of employment land

Do you Consider the DPD Do you consider if DPD is unsound because it is not:
 (1) Legally Yes Justified Effective Consistent with National policy:
 (2) Sound Yes
 Q.6
 Q.7
 Q.8 No
 Q.9

Rep Number CS/R27/4519/8/O
On behalf of Hertfordshire Property - Hertfordshire County Council
Hertfordshire Property - Hertfordshire County

Section
Policy CS8 Scale and distribution of employment land

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified

Effective

Consistent with National policy:

Q.6 The proposed release of up to 4 hectares of previously designated land within the Eistree Way Employment Area for new housing or housing led mixed-use development should not prejudice the implementation of the Eistree Way Corridor Planning and Design Brief.

Q.7

Q.8 Yes

Q.9

Rep Number CS/R27/1275/1/S
On behalf of East of England Regional Assembly
East of England Regional Assembly

Section
Policy CS8 Scale and distribution of employment land

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified

Effective

Consistent with National policy:

Q.6 CS8-CS11. Appropriate large scale employment locations are identified. The Core Strategy also seeks to identify and maintain a supply of smaller 'locally significant' employment sites, and promotes the retention of the media cluster around Borehamwood.

Q.7

Q.8 No

Q.9

Do you consider if DPD is unsound because it is not:

(1) Legally	Yes	Justified	Effective	Consistent with National policy:
(2) Sound	No	Justified	Effective	Consistent with National policy:

It is important that the Core Strategy does not restrict economic development. Whilst Policy CS8 allows for "at least" 100 hectares, indicating that additional land can be brought forward as necessary, it is unduly restrictive in the following respects:

- it considers only B class employment;
- it limits provision to identified locations

These limitations stem to a large extent from the Councils reliance on the CHELR (which we note is being up-dated). It does not provide a comprehensive assessment of employment as a whole or, more significantly in planning terms, area and floorspace requirements for other forms of employment activity with land requirements- e.g. commercial, leisure, hotel use etc.

Furthermore, Paragraph . 4.18 of the Core Strategy suggests that any shortfall in office accommodation will be more that off-set by a predicted surplus in industrial/warehousing space. Demand for modern office space is unlikely to be met on surplus industrial/warehousing land, especially where it comprises older stock in sub-optimal locations. In any event the planning system is not able to intervene to any significant extent to override normal market forces over such matters.

Q.7 Policy CS8 should be broadened and/or an additional policy should be included in the Core Strategy that is permissive of non-B Class forms of employment generating commercial development, and gives greater flexibility over the location of strategic B1 and non-B class employment

Q.8 Yes

Q.9 The issue raised relates to a key policy issue.

Rep Number Name St Modwen Developments Ltd.
CS/R27/4556/5/S St Modwen Developments Ltd.
On behalf of

Section
4.16 The Central Hertfordshire Employment Land Review

Do you Consider the DPD

(1) Legally
(2) Sound

Yes

Do you consider if DPD is unsound because it is not:

Justified

Effective

Consistent with National policy:

Q.6

Q.7

Q.8 No

Q.9

Rep Number Name GO-East
CS/R27/4550/2/O GO-East

Section
Table 12. B-space land requirements (based on proposed
changes to the East of England Plan)

On behalf of

Do you Consider the DPD

(1) Legally
(2) Sound

No

Do you consider if DPD is unsound because it is not:

Justified

Effective

Consistent with National policy:

Q.6 In respect of employment provision it is suggested that some Greenfield expansion of existing employment sites may be necessary. Table 12 on pg 52 would seem to imply that that is not the case.

Q.7 Again we recommend that you clarify this issue and give consideration (as above) as to the need to deal with the issue of greenbelt release sooner rather than later.

Q.8 No

Q.9

Rep Number Name East of England Regional Assembly
CS/R27/1275/9/S East of England Regional Assembly
On behalf of

Section
4. Employment and the Economy

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified

Effective

Consistent with National policy:

Q.6 While it will continue to push for compliance, the Assembly acknowledges that the job targets set out in E1 are indicative, and that no specific target has been set for Hertsmeire. The Core Strategy gives an adequate account of the local economic conditions, particularly the demand and supply of different types of business premises, to explain the development of employment land policies.

Q.7

Q.8 No

Q.9

Rep Number Name East of England Regional Assembly
CS/R27/1275/10/S East of England Regional Assembly
On behalf of

Section
4. Employment and the Economy

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified

Effective

Consistent with National policy:

Q.6 Appropriate large scale employment locations are identified. The Core Strategy also seeks to identify and maintain a supply of smaller 'locally significant' employment sites, and promotes the retention of the media cluster around Borehamwood.

Q.7

Q.8 No

Q.9

Rep Number Name RPS
CS/R27/14552/1/O RPS
On behalf of
Willows Farm Village
Do you Consider the DPD

Section
4. Employment and the Economy

Do you consider if DPD is unsound because it is not:

(1) Legally	Yes	Justified	Effective	Consistent with National policy:
(2) Sound	No			

Core Strategy is not in accordance with paragraph 3.13 of the 'Good Practice Guide on Planning Tourism (DCLG 2006).

Q.6 CS makes no reference at all which is surprising given that the largest farm park in the UK is in the Borough.
Proposed changes to the CS are:

Q.7 Add to Chapter 4 Employment and the Economy the following policy and supporting text:
Tourism Development

The Council recognises that tourism is a fast-changing industry, and is keen to support tourism initiatives, particularly where the provision of facilities may help to provide all year round facilities for residents and visitors. The Council will support proposals for the extension of existing tourist attractions. Application for new tourist attractions and/or extensions to existing tourist attractions will require careful consideration given the need to balance potential benefits to the local economy from increased employment and visitor numbers against the need to protect the high quality landscape within which they are located.

Policy CSXX - Promoting tourism in Hertsmere

The Council will support proposals for the extension of existing tourist attractions and sites. Any proposals for tourism development will be required to satisfactorily meet access, parking and environmental conditions and other relevant DPD/ Local Plan policies.

Q.8
Q.9

No

Section
4. Employment and the Economy

Rep Number Name Barton Willmore Planning Partnership
CS/R27/1631/15/O Barton Willmore Planning Partnership

On behalf of
Kayterm Plc.

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

No

Effective

Consistent with National policy:

Q.6 Whilst our client agrees with this statement, there is a clear conflict between this and housing strategy as proposed in Section 3 of the Core Strategy. If only 'very limited' employment sites are to be released for housing land, then to rely on such sites in the housing strategy is not feasible.

Therefore, Greenfield sites should also be considered for release for housing, alongside those very limited employment sites.

Q.7

Q.8 No

Q.9

Rep Number Name East of England Regional Assembly
CS/R27/1275/15/S East of England Regional Assembly
On behalf of

Section
Policy CS7 Housing mix

Do you Consider the DPD

- (1) Legally
- (2) Sound

Do you consider if DPD is unsound because it is not:
Justified Effective

Consistent with National policy:

Q.6 The Core Strategy provides an appropriate framework for ensuring that future development is of both high quality and that it has due regard for sustainability issues.

Q.7

Q.8 No

Q.9

Rep Number Name Barton Willmore Planning Partnership
CS/R27/1631/14/S Barton Willmore Planning Partnership
On behalf of
Kayterm Plc.
Do you Consider the DPD

Section
Policy CS7 Housing mix

- (1) Legally
- (2) Sound

Do you consider if DPD is unsound because it is not:

Yes

Justified

Effective

Consistent with National policy:

Q.6 The Councils decision not to overly prescribe the mix of housing types and sizes within this Policy is supported. Our Client is happy for housing mix to be determined on a site-by-site basis considering the Borough's housing need and prevailing character of the area.

Q.7

Q.8 No

Q.9

Rep Number Name Vincent & Gorbung
CS/R27/4539/4/O Vincent & Gorbung

Section
Policy CS7 Housing mix

On behalf of
National Grid Property Holdings & NationalGridGas

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally Yes
(2) Sound No

Justified Effective Consistent with National policy:

Q.6 We consider that the issue of viability is extremely important with regard to contaminated sites. The abnormal costs associated with making contaminated sites, such as former gas works, ready for development, mean that all local authority requirements must be considered carefully. A specified mix of uses, planning obligations and other additional costs can adversely affect the viability of a contaminated site. As set out in our comments on Policy CS4 above, this can then run contrary to government policy on re-using previously developed land.

Policy CS7 should take account of the potential viability implications of requiring a specific housing mix on a contaminated site. Flexibility should be included within the policy to take account of these factors.

It is suggested that point i) is amended as follows --

'...subject to proposals respecting the prevailing character of the area; and that the required mix has no adverse impact on viability of the site; and'

As such we consider that policy CS7 is unsound by reason of inconsistency with national policy (PPS3, promotion of redevelopment of previously developed land), and lack of effectiveness (the policy as written is inflexible and jeopardises the delivery of housing on previously developed land by lack of flexibility).

Q.7 see above

Q.8 No

Q.9

Rep Number Name Hertfordshire Property - Hertfordshire County Council
CS/R27/45197/O Hertfordshire Property - Hertfordshire County
On behalf of

Section
Policy CS7 Housing mix

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
(2) Sound

Justified

Effective

Consistent with National policy:

Q.6 As stated in 2.22 of this representation, the Strategic Housing Market Assessment should identify the accommodation requirements of specific groups, including older people. This should provide details of the housing mix to be delivered through any new residential development.

Criteria (i) of proposed policy CS7 refers to the need for the provision of a proportion of sheltered or very sheltered housing on large allocated sites. Paragraph 3.53 implies that this will be sites of 25 units or more, but the proportion is not stated.

In addition, the mechanism for achieving sheltered/very sheltered housing is unclear. The text accompanying the policy suggests that such housing could form part of an affordable housing or a market housing scheme. If the number of units to be provided is small and therefore it is not viable to provide a scheme within the development site, consideration could be given to the receipt of committed payments from developers towards the provision of elderly person housing by other providers, such as the Borough or County Councils.

A housing mix should also include provision of housing for people with other special needs, such as learning difficulties. Standalone schemes of such housing can successfully form part of a larger residential development. They can also form part of the affordable housing provision.

Q.7 see above

Q.8 Yes

Q.9

Rep Number CS/R27/1427/6/O
On behalf of ZOG Limited

Name Rolfe Judd Planning
Robson Planning Consultancy

Section Policy CS7 Housing mix

Do you consider if DPD is unsound because it is not:

(1) Legally Yes
(2) Sound No

Justified Effective Consistent with National policy:

Q.6 The 10-unit threshold for variations in housing mix is arbitrary and is impractical on small sites. The reference for proposals to respect the prevailing character of an area, is supported, and should guide the nature of proposals on sites, which fall below 25-units/1 hectare.

Q.7 The 10-unit threshold should be deleted and Policy CS 7 should be cross-referenced to the criteria in Policy CS 1 - notably for housing mix to reflect the character and density of existing buildings in the surrounding area.

Q.8 Yes

Q.9 Our client is a key local developer who is currently considering development proposals on several sites within the Borough. As a result, our client is keen to play a leading role in the formulation of the future policy.

Rep Number CS/R27/4029/8/O
On behalf of Gilston Investments Ltd

Name Robson Planning Consultancy
Robson Planning Consultancy

Section Policy CS7 Housing mix

Do you consider if DPD is unsound because it is not:

(1) Legally No
(2) Sound No

Justified Effective Consistent with National policy:

Q.6 - Reliance on housing delivery from previously developed sites tends to result in a surplus of one and two bedroom units. Release of Green Belt land would result in a more varied mix of housing type.

Q.7 see above.

Q.8 No

Q.9

Rep Number Name Hertfordshire Property - Hertfordshire County Council
CS/R27/4519/6/O Hertfordshire Property - Hertfordshire County
On behalf of

Section
Policy CS6 Gypsy and Traveller sites

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified

Effective

Consistent with National policy:

Q.6 Criterion (v) requiring any potential sites for gypsies and travellers to avoid prejudicing nearby residential or rural amenity as a result of visual intrusion, excessive noise, lighting, traffic generation or activity at unsocial hours, could be used in almost any situation by anyone wishing to object to a proposal. This results in an overly restrictive policy and should be deleted.

The references to the single issue review undertaken by EERA of the East of England Plan relating to Planning for Gypsy and Traveller Accommodation are noted. The assessment of potential sites being carried out by the Local Planning Authority as part of its forthcoming Site Allocations DPD is welcomed. The County Council's Gypsy Section would welcome the opportunity to comment on the merits or otherwise of any of these sites in advance of the publication of the DPD.

Q.7 see above

Q.8 Yes

Q.9

Rep Number Name Highways Agency
CS/R27/4486/2/S Highways Agency
On behalf of

Section
Policy CS6 Gypsy and Traveller sites

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Yes

Justified

Effective

Consistent with National policy:

Q.6 The Highways Agency has no comment to make on the proposed pitch sites and areas of land identified in the consultation process. We consider the Gypsy and Traveller Sites Policy to be sound.

Q.7

Q.8 No

Q.9

Rep Number Name Open Spaces Society
CS/R27/1078/1/O Open Spaces Society
On behalf of

Section
Policy CS6 Gypsy and Traveller sites

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally Yes
(2) Sound Yes

Justified Effective Consistent with National policy:

Q.6 We have an observation/request for clarification at CS6 (iii) in the use of the word 'existing'. This could be interpreted to exclude rights of way which are not yet on the definitive map of such paths. Or it could exclude future rights of way e.g. those on the rights of way improvement plan and greenways

Q.7 We request deletion of this word 'existing' and we strongly support 'highlighting the use of rights of way' as a valid and important contra-indicating consideration.

Q.8 No

Q.9

Rep Number Name BADFA
CS/R27/1079/3/O BADFA
On behalf of

Section
Policy CS6 Gypsy and Traveller sites

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally Yes
(2) Sound No

Justified Effective Consistent with National policy:

Q.6 CS6 (iii) needs clarification. At least one of the initially proposed sites would have inhibited an unrecorded right of way. Would that be considered unambiguously to be 'existing'? Impact on Rights of way is very significant for Gypsy/Traveller site implementation.

Q.7 We would like to see 'existing' deleted.

Q.8 No

Q.9

Rep Number Name East of England Regional Assembly
CS/R27/1275/4/S East of England Regional Assembly

Section
Policy CS5 Affordable Housing in rural areas on
exception sites

On behalf of

Do you Consider the DFD

- (1) Legally
- (2) Sound

Do you consider if DFD is unsound because it is not:

- Justified
- Effective
- Consistent with National policy.

Q.6 Local Policy CS5 supports the provision of affordable housing in rural areas on "exception" sites.

Q.7

Q.8 No

Q.9

Rep Number CS/R27/1172/10 Name Aparc Smith Planning
Aparc Smith Planning

Section Policy CS5 Affordable Housing in rural areas on exception sites

On behalf of Mr R Leon

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally Yes
(2) Sound No

Justified Effective Consistent with National policy:

Q.6 This policy suggests that only small scale affordable housing schemes will be permitted as an exception to normal policies in designated "smaller" settlements in the Green Belt. It therefore appears to suggest that private housing schemes (even for one dwelling) would not be considered acceptable in such villages over-washed by Green Belt designation. However this would be in consistent with relevant Government advice and also relevant policy of the Hertfordshire Structure Plan Review 1991-2011.

PPG2 (which represents the Government's most up to date advice on Green Belts and development within such areas) sets out national policy on which basis the Core Strategy should be drafted. Paragraph 3.4 of PPG2 refers to limited infilling in existing villages being acceptable (under the circumstances described in the following paragraph 2.11 in PPG2). This "box" in turn refers to the need to ensure, in such circumstances, no adverse effect on the character of the village concerned. No aspect of PPG2 or indeed PPS3 suggest that in such circumstances infill development can only be for affordable housing.

Similarly Policy 5 of the Hertfordshire Structure Plan Review 1991-2011 whilst presuming against inappropriate development in the Green Belt advises that Local Plans may list settlements within the Green Belt where infilling will be permitted under the guidance contained in PPG2 (and in accordance with Policy 6 of the Structure Plan Review). Again there is no reference to such infilling being limited to affordable housing. Likewise Policy 6 of the Structure Plan Review, when referring to other settlements within the Green Belt where limited development may be appropriate, does not seek to suggest that this should be limited to affordable housing.

Q.7 It is recognised that it would be appropriate to limit the scale of "infill" development in the designated smaller settlements. We would suggest that it would be appropriate to allow "private" infill development (as well as small scale affordable housing schemes) of one or two dwellings. This would result in the policy complying with relevant Government advice and Structure Plan Policy. It is acknowledged that any larger development in the designated smaller settlements should be for small scale affordable housing schemes and not private, in accordance with advice in PPS3. Such an amendment to the policy would not prevent any future planning applications for small private infill developments in the smaller settlements being assessed on the basis of the impact on the openness of the Green Belt, character of the area and all other relevant planning considerations. Such a form of amendment would still protect the Green Belt and its role in preventing urban sprawl and the coalescence of towns and would therefore not be inconsistent with LDF Core Strategy Objective 2, Policy CS12, Structure Plan Policy or PPG2.

It may be that the Local Authority are not interested to seek to resist small scale private infill development of one or two dwellings in the smaller settlements. However if this is the case it is not clear from either the wording of the policy or the supporting text.

It is considered that to clarify this matter Policy CS5 should be amended by the incorporation of the following words at the beginning of the text:

- In addition to limited infilling in existing villages in accordance with Government advice contained in PPG2 (Green Belt) - (remaining of text of Policy CS5 to follow)

Q.8 No

Q.9

Rep Number CS/R27/4555/3/O
Name Preston Bennett Planning
On behalf of
Cainmpark Properties
Do you Consider the DPD

Section
Policy CS4 Affordable Housing

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Yes
No

Justified

Effective

Consistent with National policy:

Q.6 The policy refers to affordable housing requirements on "developments involving more than its residential sites of more than 0.5 HA." PPS3 does not have a site size trigger threshold and this reference should be removed from policy CS4.

Q.7 - remove reference to "sites more than 0.5 HA" to ensure policy is consistent with national policy (PPS3)
Clarify whether 15 units is maximum development with no affordable requirement or if policy is applicable to "developments of 15 units or above."

Q.8 Yes

Q.9 Seeking a change in response to the current 'unsoundness' of the policy, to ensure the Core Strategy accords with national policy.

Rep Number CS/R27/4275/12/S
Name East of England Regional Assembly
On behalf of East of England Regional Assembly
Section Policy CS4 Affordable Housing

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Justified

Effective

Consistent with National policy:

Q.6 The increase in the level of affordable housing provision being sought on qualifying sites is noted. (Up from 25 per cent at the Preferred Options Stage to 35 per cent). The proposed tenure mix is consistent with regional policy.

Q.7

Q.8 No

Q.9

Rep Number CS/R27/4539/3/O Vincent & Gorbing
On behalf of National Grid Property Holdings & National Grid Gas

Name Vincent & Gorbing
Section Policy CS4 Affordable Housing

Do you Consider the DPD National Grid Property Holdings & National Grid Gas

Do you consider if DPD is unsound because it is not:

- (1) Legally Yes
(2) Sound No

Q.6 On sites where there are major contamination issues (such as gas works sites), the requirement for the full amount of affordable housing may cause a site to become unviable. These are often the sites which are in most need of re-use due to their contaminated state, and are often in central, sustainable locations. Government guidance in PPS3 supports the re-use of previously developed land. Re-development of such land is the government's priority, and in particular 'derelict sites and buildings' (PPS3, 36).

Justified Effective Consistent with National policy:

We support the inclusion of the phrase, 'where contaminated land is being developed...', in the second sentence of paragraph 3.36 (paragraph 3.32 in preferred options document). In this paragraph the Council recognises that there are circumstances where providing the full affordable housing provision may make a site unviable.

However, we consider that the policy itself should make clear that there will be circumstances where it may be unviable to provide the full amount of affordable housing. The policy should state that in order to make the best use of previously developed land, the Council will take a flexible approach to the provision of affordable housing on contaminated sites. This would clarify the Council's position on this matter and would be consistent with PPS3.

Our comments are particularly pertinent now as the requirement for affordable housing has been increased from 25% in the preferred options document to 35% in the submission document.

As such we consider that policy CS4 is unsound by reason of inconsistency with national policy (PPS3), and lack of effectiveness (the policy as written is inflexible and jeopardises the delivery of housing on previously developed land by lack of flexibility).

Q.7

Q.8

Q.9

No

Rep Number Name Hertfordshire Property - Hertfordshire County Council
CS/R27/4519/5/O Hertfordshire Property - Hertfordshire County
On behalf of

Section
Policy CS4 Affordable Housing

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified Effective Consistent with National policy:

Q.6 The policy does not include the provision of affordable housing for the frail elderly or people with learning, physical/mental disabilities.

Both frail elderly and special needs housing can constitute affordable housing (where provision is socially rented or intermediate rented) and these needs should be included in the target for the Borough, not as an additional requirement. The Strategic Housing Market Assessment required by Planning Policy Statement 3 - Housing (PPS3) will assist in identifying the nature of housing need, but evidence of the demand and need for these two particular types of housing should be prepared in partnership with the Adult Care Services Department (ACS) of the County Council on an ongoing basis.

The Core Strategy needs to identify both existing and potential need and clarify how accommodation might be delivered through new housing development.

The needs of the ageing population should be recognised and supported through the LDF. ACS is working with all Borough and District Councils in Hertfordshire, along with the Primary Care Trusts, to develop accommodation for frail older people. The means of delivery of such care are diverse, and include residential care homes, nursing homes, extra care and sheltered housing. The provision of such housing can be made through both socially funded and private sector schemes. While some of the accommodation may be delivered through the market there is also a need for the provision of similar accommodation as affordable housing.

ACS will work with Hertsmere Borough Council to confirm the level of local need and in developing policies which support provision of accommodation for frail older people. The Core Strategy needs to say how such accommodation will be delivered through new housing development.

Q.7

In relation to accommodation for people with special needs, there should be policies contained within the Core Strategy supporting the development of special needs accommodation for people with physical or learning disabilities, and for people with mental health problems. Special needs see above

Q.8

Yes

Q.9

Rep Number CS/R27/4029/T/O Name Robson Planning Consultancy Section Policy CS4 Affordable Housing
On behalf of Robson Planning Consultancy

Gilston Investments Ltd.

Do you Consider the DPD (1) Legally (2) Sound No Justified Effective Do you consider if DPD is unsound because it is not: Consistent with National policy:

Q.6 - Green Belt release is necessary for affordable housing provision and mix.

Q.7

Q.8 No

Q.9

Rep Number Name Barton Willmore Planning Partnership Section
CS/R27/1631/13/O Barton Willmore Planning Partnership Policy CS4 Affordable Housing

On behalf of Kayferm Plc.
Do you Consider the DPD Do you consider if DPD is unsound because it is not:

Q.6 (1) Legally No Justified Effective Consistent with National policy:
(2) Sound No Justified Effective Consistent with National policy:
The proportion of affordable housing required should be modified to reflect the findings of an SHMA and financial viability assessment (carried out by the local authority).

Q.7 No
Q.8 No
Q.9 No

Rep Number Name John Anderson Planning Section
CS/R27/3990/2/O John Anderson Planning Policy CS4 Affordable Housing

On behalf of G & T Roberts Trust
Do you Consider the DPD Do you consider if DPD is unsound because it is not:
(1) Legally Yes
(2) Sound No Justified Effective Consistent with National policy:
Many developers interpret 'affordable homes' as small first time buyers homes. It is important to cater for family homes as well. Suggest additional wording to policy.
Q.7 In considering mix, it should be remembered that affordable housing is also for family homes not just starter houses.

Q.8 No
Q.9 No

Rep Number CS/R27/4003/10/O
Name KJD Solicitors
On behalf of KJD Solicitors

Section 3.30 Affordable Housing

The owners of Potters Bar Golf Course

Do you Consider the DPD

(1) Legally Yes
(2) Sound No

Do you consider if DPD is unsound because it is not:

Justified Effective Consistent with National policy:

Q.6 Paragraph 3.30 - this paragraph indicates that the Council is currently falling short of its Affordable Housing provision. Green belt land release would allow for the provision of significant levels of Affordable Housing without the constraints and viability issues that afflict brownfield sites.

Q.7 see above

Q.8 Yes

Q.9 see enclosed statement in relation to oral representation

Rep Number Name Jeremy Peter Associates
CS/R27/4536/1/O Jeremy Peter Associates
On behalf of
27-31 Heath Road, Potters Bar
Do you Consider the DPD

Section
Policy CS3 Phasing development

Do you consider if DPD is unsound because it is not:

Q.6 (1) Legally (2) Sound No Justified Effective Consistent with National policy:
Policy CS3 proposes to prevent the overdevelopment of housing in the borough ahead of required infrastructure and community facilities, unimplemented residential land allocations and new residential proposals and new residential proposals of 50 units (net) or more will not be permitted where the number of projected completions, as detailed in Annual Monitoring Report housing trajectory is forecast to exceed either -20% of the proportion sought in each phase over the following three years; or -the East of England Plan target of 5,000 before 2021.

Firstly it is not clear where the threshold figure of 50 units (net) or the 20% has been derived from and what is the justification for choosing such an arbitrary figures. It could equally be argued that both figures should be much larger. Secondly, if infrastructure and community facilities are in place, does this mean that the restriction will no longer apply? Who is to make such a judgement?

Thirdly, it is noted that the restriction will apply if an excess is forecast over the following three years. Presumably this will be based on previous completions but this can no way be interpreted as likely to continue over the next 3 years. PPS12 advises DPDs to be flexible and it is considered that this restriction contravenes that advise.

Finally, in relation to the East of England Plan being exceeded before 2021, it is made quite clear that the East of England Plan does not provide a ceiling in the housing numbers and the requirement is to be regarded as a minimum target to be achieved.

Q.7 If a restriction is justified in the light of the need to provide infrastructure and community facilities, then the thresholds should be made much more flexible at say 100 units (net) and 40% of the proportion sought in each phase. The reference to the East of England plan target should be removed

Q.8 Yes

Q.9 It is considered that housing supply issues of this type are complex and would benefit from oral examination. However this could be undertaken by way of a round table discussion

Rep Number Name Hertfordshire Property - Hertfordshire County Council
CS/R27/4519/4/O Hertfordshire Property - Hertfordshire County
On behalf of

Section
Policy CS3 Phasing development

Do you Consider the DPD

- (1) Legally
- (2) Sound

Do you consider if DPD is unsound because it is not:

Justified Effective Consistent with National policy:

Q.6 This proposed policy may prevent the provision of enhanced community facilities as it does not allow for cases where housing development is part of a package to secure improved community facilities.

For example, from time to time HCC dispose of redundant buildings, or vacant sites, for residential development to substantially fund enhanced community facilities, such as new school buildings on another site in the locality. If the disposal of these sites is delayed because of the requirement to phase development, the provision of self-financing schemes to enhance HCC services and facilities for the benefit of Hertsmere residents may be

Q.7 see above

Q.8 Yes

Q.9

Section
Policy CS3 Phrasing development

Rep Number Name Robson Planning Consultancy
 CS/R27/4029/6/O Robson Planning Consultancy
 On behalf of Gliston Investments Ltd.
 Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally Justified Effective Consistent with National policy;
 (2) Sound No Justified Effective Consistent with National policy;

Q.6 - Object to the phrasing approach contained within this policy as there is a demonstrable need to release additional housing now.

Q.7 see above.

Q.8 No

Q.9

Rep Number Name Phillips Planning services Ltd Section
 CS/R27/4491/1/4/O Phillips Planning services Ltd Policy CS3 Phrasing development
 On behalf of
 Mr Mark Homan
 Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally Justified Effective Consistent with National policy;
 (2) Sound No Justified Effective Consistent with National policy;

Q.6 Policy CS3 appears to make provision for housing up to 2024. This should be made explicit, despite its conflicts with paras 3.15 and 3.19 rejecting the provision of 15 years supply.

Q.7 The phrasing proposed is inflexible and has a spurious and inappropriate level of accuracy. The start of the plan period should be revised to Delete policy CS3 or revise extensively to allow for greater flexibility in implementation. Revise start date to 2010 and end date to 2025 or 2011-2026 to synchronise with the RSS.

Q.8 Yes

Q.9 To adequately represent our client.

Rep Number CS/R27/4029/5/O
On behalf of Gilston Investments Ltd.
Do you Consider the DPD

Name Robson Planning Consultancy
Robson Planning Consultancy
Section Policy CS3 Phasing development

Do you consider if DPD is unsound because it is not:

	(1) Legally	(2) Sound	No	Justified	Effective	Consistent with National policy:
Q.6	- The CS only looks at housing provision until 2021 (in accordance with EEP) and not for 15 years from the date of the latest housing land supply assessment (AMR 31/03/08) as required by PPS3					
	- Paragraph 3.4 of the CS specifies "a need for the Council to identify allocate at least five years of developable land". "Developable" should be replaced with "deliverable", in accordance with PPS3.					
	- The assumption that suitable urban sites will come forward for housing development is flawed. This is because the UCS used to underpin this assumption fails to make an assessment of the constraints of bringing urban sites forward for development. The UCS is also not prepared in accordance with latest government guidance requiring the preparation of a SHLA to determine the availability, suitability or achievability of land for housing, having regard to PPS3. Furthermore, the availability of the BBC Elstree site (see Paragraph 37) cannot be determined, and its use to bolster housing supply cannot be guaranteed. Accordingly, early release of Green Belt land is needed to secure land supply for housing.					
	- Failure to release Green Belt land for housing early in the plan period will result in social, economic and demographic strains within the borough.					
	- The Green Belt does not have any intrinsic landscape or natural quality that would preclude its use for housing.					
	- Green Belt release for housing should be done as part of the Site Allocations DPD to ensure greenfield release in parallel with brownfield release rather than later in the plan period. This would ensure an adequate supply of land is available.					

Q.7 see above.

Q.8 No

Q.9

Rep Number Name Barton Willmore Planning Partnership
CS/R27/1631/12/O Barton Willmore Planning Partnership
On behalf of Kayferm Plc.
Do you Consider the DPD

Section
Policy CS3 Phasing development

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Restricting the development of Greenfield sites to the third phase of the plan is in conflict with the advice in PPS3. The brownfield supply may not come forward when anticipated, or by its very nature may be constrained, therefore policies of the Core Strategy should be sufficiently flexible to allow Greenfield sites to come forward earlier than 2016.

Q.7 Bearing in mind this advise our client considers that this element of the Core Strategy is unsound and requires amending in accordance with PPS3.

Q.8 No

Q.9

Rep Number Name KJD Solicitors
CS/R27/40037/O KJD Solicitors
On behalf of
The owners of Potters Bar Golf Course
Do you Consider the DPD

Section
Policy CS3 Phasing development

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Policy CS3 - the phasing policy is inconsistent with the EOE plan in that it treats housing targets as maxima, not minima. Furthermore, this policy is not consistent with PPS3 as it does not allow for a continuous supply of housing for at least a 15 year period.

Q.7 see above

Q.8 Yes

Q.9 see enclosed statement in relation to oral representation

Rep Number CS/R27/1427/5/O
On behalf of ZOG Limited

Name Rolfe Judd Planning
Rolfe Judd Planning

Section
Policy CS3 Phasing development

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally No
(2) Sound No

Justified Effective Consistent with National policy:

Q.6 The fourth paragraph of Policy CS 3 states unimplemented residential land allocations and residential proposals of 50 units or more will not be permitted where the number of projected completions is forecast to exceed either:

-20% of the proportion sought in each phase over the following three years; or

-The East of England Plan target of 5,000 homes before 2021.

It should be reiterated that the East of England Plan targets set out in Policy H1 are minimum targets to be exceeded, not a ceiling. Adopting a restrictive policy approach is considered to be contrary to the objectives of PPS3 and the East of England Plan.

Furthermore, given the anticipated review of the East of England Plan (and the potential for regional/Borough housing targets to increase further), the current policy drafting is likely to prevent the Borough from meeting future housing need.

Q.7 The fourth paragraph of Policy CS 3 should be deleted.

Q.8 Yes

Q.9 Our client is a key local developer who is currently considering development proposals on several sites within the Borough. As a result, our client is keen to play a leading role in the formulation of the future policy.

Rep Number CS/R27/4451/10/O
Name PGA Design Consulting
On behalf of PGA Design Consulting
Veladail Leisure Ltd

Section 3.25 Phasing and implementation strategy

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

Q.6 Paragraph 3.25 indicated over reliance on windfall sites (for medium term housing targets) that have yet to be identified.

(1) Legally	No	Justified	Effective	Consistent with National policy:
(2) Sound	No			

Q.7

Q.8 Yes

Q.9 The fundamental lack of consideration of large tracts of land is fundamental to many of the policies and conclusions of the core strategy.
An explanation of the current situation deserves discussion.

Rep Number CS/R27/4555/2/O Name Preston Bennett Planning Section 3.19 Phasing and implementation strategy
 On behalf of Preston Bennett Planning

Cairnpark Properties
 Do you Consider the DPD

Do you consider if DPD is unsound because it is not:
 Justified Effective Consistent with National policy.

Q.6 Sentence referring to 'windfall developments to 2024' is incomplete and cannot be interpreted in its current form.
 Q.7 see above
 Q.8 No
 Q.9

Rep Number CS/R27/4551/4/S Name Natural England (Four Counties Gov Team) Section 3.21 Phasing and implementation strategy
 On behalf of Natural England (Four Counties Gov Team)

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:
 Justified Effective Consistent with National policy.

Q.6 Whilst Natural England is supportive of the approach to release brownfield land first in preference to greenfield sites, we are concerned that previously developed land is often valuable for wildlife which is not fully acknowledged in the Core Strategy's approach. Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9) specifically states at paragraph 13 that where Previously Developed Land has "significant biodiversity or geological interest of recognised local importance, local planning authorities, together with developers, should aim to retain this interest or incorporate it into any development of the site". We would therefore like to see this point acknowledged within the Core Strategy.
 Q.7 see above
 Q.8 No
 Q.9

Rep Number Name Rolfe Judd Planning
CS/R27/1427/4/O Rolfe Judd Planning
On behalf of ZOG Limited
Do you Consider the DPD

Section
3.19 Phasing and implementation strategy

Do you consider if DPD is unsound because it is not:

(1) Legally Yes
(2) Sound No

Justified Effective Consistent with National policy:

Q.6 We understand that the East of England Plan will shortly undergo a further period of review (with a revised Plan timetable for adoption during 2010). In particular, it is understood that regional housing figures (and individual Borough Housing targets) are likely to be significantly increased to address rising population projections and housing need (up to 2031).

Given that this process is already underway and clearly timetable, there is concern that the Core Strategy will be out of step with regional policy at or around the time of adoption. As a result, the Core Strategy may not provide sufficient policy guidance to ensure that rising housing targets can be adequately met. The timing of the formulation and adoption to the Site Allocations Development Plan Document should also be considered to ensure an adequate supply of sites can be identified.

Q.7 Update the last sentence of Paragraph 3.19 to include reference to the forthcoming review of the East of England Plan. Furthermore, policy should also include a clear commitment that housing targets and policy concerning the delivery of new housing will be kept under constant review to ensure consistency with East of England Plan and to ensure projected housing need can be accommodated within the Borough.

Q.8 Yes

Q.9 Our client is a key local developer who is currently considering development proposals on several sites within the Borough. As a result, our client is keen to play a leading role in the formulation of the future policy.

Rep Number Name KJD Solicitors
CS/R27/14003/2/O KJD Solicitors
On behalf of The owners of Potters Bar Golf Course
Do you Consider the DPD

Section
3.19 Phasing and implementation strategy

Do you consider if DPD is unsound because it is not:

(1) Legally Yes
(2) Sound No

Justified Effective Consistent with National policy:

Q.6 Paragraph 3.19 - the reliance on windfall sites stipulated in this paragraph is not consistent with PPS3 and this part of the CS is therefore not in accordance with national policy. Furthermore, the windfall trajectory is extrapolated from a period of unusually high growth that is not likely to continue given the current economic situation. As such, the evidence base is flawed.

Q.7 see above

Q.8 Yes

Q.9 see enclosed statement in relation to oral representation

Rep Number CS/R27/4491/12/O
Name Phillips Planning services Ltd
On behalf of Phillips Planning services Ltd

Section
3.15 Phasing and implementation strategy

Mr Mark Homan
Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified Effective Consistent with National policy:

Q.6 The Council's arguments for not making provision for at least 15 years housing supply from the date of adoption are unjustified and without any evidence base. Not making such provision would be particularly inappropriate in an area of very high housing demand and green belt restraints where a clear long term strategy is particularly necessary.

Q.7 Revise paragraphs 3.15 and 3.19 to make provision for 15 years housing supply from adoption in accordance with the advice and methodology contained in the PPS3 and PPS12.

Q.8 Yes

Q.9 To adequately represent our client.

Rep Number Name Drivers Jonas on behalf of CEMEX Section
 CS/R27/4312/4/S Drivers Jonas on behalf of CEMEX Policy CS2 Housing beyond existing built up areas
 On behalf of
 CEMEX
 Do you Consider the DPD

(1) Legally Yes Do you consider if DPD is unsound because it is not:
 (2) Sound Yes Justified Effective Consistent with National policy:

Q.6 CEMEX welcomes the range of criteria included within CS2 and the acknowledgement that changes in settlement boundaries may be required to accommodate development. Further to this Policy, paragraph 2.30 identifies that in the absence of identifiable brownfield sites in Radlett, planned growth for the town would have to be focused on Green Belt land.

CEMEX, therefore, considers it important to identify sustainable Greenfield sites which may require the adjustment of Green Belt and settlement boundaries. This is in accordance with Central Governments view that 60% of housing should be accommodated on Brownfield land, which means that a further 40% needs to be accommodated on Greenfield sites

Sections of the CEMEX Radlett site could sustainably contribute to the housing requirement of Radlett and form a sustainable extension to the settlement as it is located directly adjacent to the settlement boundary. The development of this site would comply with Policy CS1 and the Settlement Hierarchy, and it would also comply with National Planning Guidance such as PPS7, Objective ii: (see representation form for more details)

Development on the edge of the settlement boundary, such as the CEMEX Radlett site, will also support the Spatial Objectives for Radlett, including the improvement of accessibility at Radlett Station and the maintenance and expansion of key community services.

Q.7

Q.8 No

Q.9

Rep Number CS/R27/4556/2/O St Modwen Developments Ltd. Section Policy CS2 Housing beyond existing built up areas
 On behalf of St Modwen Developments Ltd.

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

Q.6 (1) Legally Yes Justified Effective Consistent with National policy:
 (2) Sound Yes

Q.7

Q.8 No

Q.9

Rep Number CS/R27/1275/5/S East of England Regional Assembly Section Policy CS2 Housing beyond existing built up areas
 On behalf of East of England Regional Assembly

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

Q.6 (1) Legally No Green Belt review at Hertsmere is proposed in the RSS. In recognising that the majority of new growth can and will be accommodated on PDL, and that the Council is aware of potential brownfield sites that could come forward (Core Strategy Paragraph 2.28), the Assembly notes that some limited release of greenfield or Green Belt land may be required towards the end of the plan period. The strategy also recognises the needs of businesses in the green belt. The described process for the strategic gap is understood but this should not compromise the integrity of the remaining
 (2) Sound Justified Effective Consistent with National policy:
 Q.7
 Q.8 No
 Q.9

Rep Number **CS/R27/4491/1/O** Name **Phillips Planning services Ltd** Section
 On behalf of **Phillips Planning services Ltd** Policy CS2 Housing beyond existing built up areas
 Mr Mark Homan
 Do you Consider the DPD

(1) Legally Justified Effective Consistent with National policy:
 (2) Sound
 Appendix 6 refers to this proposed policy replacing saved local plan policy H4 concerning safeguarded land, but no text is included anywhere in the written statement as to how this is achieved or to the future status of safeguarded land.

Q.6 It is noted that in this instance at criteria x) the term 'previously used land' is used and not 'brownfield land'. Reference should be made to the PSS3 definition of previously used land.
 Q.7 Policy CS2 should be modified to refer to the status and prioritisation of safeguarded land to meet housing requirements. Otherwise policy H4 should be retained as part of the Core Strategy.

Q.8 Yes
 Q.9 To adequately represent our client.

Rep Number **CS/R27/4553/9/O** Name **Hertfordshire County Council - Environment Department** Section
 On behalf of **Hertfordshire County Council - Environment** Policy CS2 Housing beyond existing built up areas

Do you Consider the DPD
 (1) Legally
 (2) Sound
 No Justified Effective Consistent with National policy:
 Do you consider if DPD is unsound because it is not:
 Q.6 Policy CS21 - suggest that residential reference should be '25 flats or 10 family houses'. An addition to point j) in CS21 (or add a further point) would be beneficial stipulating that major development will only be promoted where it they do not conflict with the policies in the LTP LTS.
 Q.7
 Q.8 No
 Q.9

Rep Number Name Hertfordshire Property - Hertfordshire County Council Section
 CS/R27/4519/3/O Hertfordshire Property - Hertfordshire County 2.49 Community and Infrastructure
 On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Q.6 The recognition that the cumulative impact of new house building upon existing services and infrastructure will be addressed through planning obligations is welcomed. Justified Effective Consistent with National policy:

Q.7 see above

Q.8 Yes

Q.9

Rep Number Name Hertfordshire County Council - Environment Department Section
 CS/R27/4553/4/O Hertfordshire County Council - Environment 2.49 Community and Infrastructure
 On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Q.6 Paragraph 2.49 - starts 'Greater steps will be taken to ensure that the wider impacts of new development on the community are properly mitigated by developers, regardless of the number of new homes being built.'. Experience is that transport-related planning obligations are only sought by the Borough when their value is a minimum of £5,000. This contrasts with Watford, for example, which seeks contributions for even single units. Justified Effective Consistent with National policy:

Q.7

Q.8 No

Q.9

Rep Number CS/R27/1487/1/O
On behalf of

Name Sport England (East Region)
Sport England (East Region)

Section
Policy SP1 Creating sustainable development

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Although the spirit and purpose of Policy SP1 is welcomed, Sport England considers that it should be wider in its scope, with reference in particular to the opportunities for creating healthier communities through access to services and good design. In respect, there appears to be a retreat from the range of policies proposed in the Preferred Options Document, in this case S4 Promoting Healthier Communities and Leisure and Cultural Opportunities. Given that this is the Strategic Spatial Policy and will therefore be a reference point for all the other policies in the Core Strategy, it is important that the aspirations and scope of these policies are properly registered.

Q.7

No

Q.8

Q.9

On behalf of
Mr & Mrs D Morley
Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally Yes
(2) Sound No

Justified Effective Consistent with National policy:

Q.6 We object to draft Policy SP1 and in particular the omission from the policy, a criterion which seeks to protect the natural environment of the Borough, including greenfield sites, open spaces and the Green Belt, from inappropriate development.

It is considered necessary and appropriate to include an additional objective which seeks to ensure the protection of the natural environment in the Borough. This objective will assist in the protection of open space, greenfield sites and Green Belt land which is outside the Councils Areas of Search for Green Belt Housing Sites, from inappropriate development.

Government policy, provided by PPS1 (2005) states at paragraph 5 that planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by (inter alia) protecting and enhancing the natural and historic environment, the quality and character of the countryside and exiting communities. Furthermore, paragraph 17 states that planning policies should seek to protect and enhance the quality, character and amenity value of the countryside and urban area as a whole.

Q.7 We suggest as follows:

"(viii) conserve and enhance the natural environment of the Borough, including the Green Belt, and not cause harm to the natural environment or the openness and appearance of Green Belt".

Q.8 No

Q.9

Rep Number Name Barton Willmore Planning Partnership Section
 CS/R27/1631/6/O Barton Willmore Planning Partnership Policy SP1 Creating sustainable development
 On behalf of Kayterm Plc.
 Do you Consider the DPD (1) Legally Do you consider if DPD is unsound because it is not:
 (2) Sound

Q.6 Our client considers that the first paragraph of this policy should be amended to read as follows: Justified Effective Consistent with National policy:

"...make efficient use of brownfield land (or sustainable greenfield sites, where suitable brownfield sites cannot be identified) in delivering the land use requirements of the private sector, local service providers and the different needs of the hierarchy of settlements across the Borough."

Q.7
 Q.8 No
 Q.9

Rep Number Name Robson Planning Consultancy Section
 CS/R27/4029/2/O Robson Planning Consultancy Policy SP1 Creating sustainable development
 On behalf of Gilston Investments Ltd.
 Do you Consider the DPD (1) Legally Do you consider if DPD is unsound because it is not:
 (2) Sound

Q.6 Policy SP1 and paragraphs 2.23-2.49 No Justified Effective Consistent with National policy:

- The urban intensification approach would involve occupation of employment land. Because the Central Herts. Employment Land Review (CHELR) does not support loss of employment land, urban intensification would conflict with Paragraph . 2.26 of the CS.
 see above.

Q.7
 Q.8 No
 Q.9

Rep Number: CS/R27/4345/5/O Name: Thames Water Property Services Ltd Section: Policy SP1 Creating sustainable development
 On behalf of: Thames Water Property Services Ltd

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally	Yes	Justified	Effective	Consistent with National policy:
(2) Sound	No			

Q.6 Thames Water support the policy in principle and the requirement for all development to minimise and mitigate the impact on local infrastructure and services detailed within Policy SP1. However, it should be specifically mentioned that local infrastructure includes sewerage facilities. New development increases pressure on the existing sewerage network and it is essential to ensure that required sewerage infrastructure is in place to avoid unacceptable impacts on the environment such as sewage flooding of residential and commercial property, pollution of land and watercourses. New development may need to be phased to allow the prior completion of the necessary infrastructure.

Q.7 Thames water consider that a separate policy is required on water and sewerage infrastructure (refer to comments made to omission of policy on water and infrastructure - Rep no. CS/R27/4345/3/O).

Q.8 No

Q.9

Rep Number: CS/R27/4491/15/O Name: Phillips Planning services Ltd Section: Policy SP1 Creating sustainable development
 On behalf of: Mr Mark Homan

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally	Justified	Effective	Consistent with National policy:
(2) Sound			

Q.6 The policy is unclear and therefore likely to be ineffective.

Q.7 Delete first sentence and simplify remainder of first paragraph to state,
 - In considering the location of new development priority will be given to the use of previously developed urban land within or on the edge of existing urban settlements. All development across the Borough should...

Q.8 Yes

Q.9 To adequately represent our client.

Rep Number CS/R27/1275/2/S Name East of England Regional Assembly Section Policy SP1 Creating sustainable development
On behalf of East of England Regional Assembly

Do you Consider the DPD (1) Legally (2) Sound Do you consider if DPD is unsound because it is not:

Q.6 Through its Urban Capacity Study, the Council has identified sufficient land to accommodate more than 90% of the required RSS housing target on brownfield (PDL) sites.

Q.7

Q.8 No

Q.9

Rep Number CS/R27/1275/14/S Name East of England Regional Assembly Section Policy SP1 Creating sustainable development
On behalf of East of England Regional Assembly

Do you Consider the DPD (1) Legally (2) Sound Do you consider if DPD is unsound because it is not:

Q.6 The Core Strategy provides an appropriate framework for ensuring that future development is of both high quality and that it is has due regard for sustainability issues.

Q.7

Q.8 No

Q.9

Rep Number: CS/R27/4551/3/S Name: Natural England (Four Counties Gov Team) Section: Policy SP1 Creating sustainable development
 On behalf of: Natural England (Four Counties Gov Team)

Do you Consider the DPD (1) Legally Yes Do you consider if DPD is unsound because it is not:
 (2) Sound Yes Justified Effective Consistent with National policy:

Q.6 This overarching strategic policy has taken the place of a number of separate policies in previous versions. Natural England would suggest that the desire to maintain and enhance the existing environment, as per PPS9, should be included more explicitly. We suggest the following wording for point (v).

Q.7 (v) avoid prejudicing, either individually or cumulatively, characteristics and features of the natural and built environment, and should seek see above

Q.8 No

Q.9

Rep Number Name Shire Consulting
CS/R27/1210/8/O Shire Consulting
On behalf of

Section
Key Diagram

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Whilst indicative "areas of search" are shown on the key diagram on page 31, for possible boundary review, none of these designations contains sufficient detail to be convincing that sufficient land will be available. This is a further area that is likely to be judged to be 'unsound'.

Q.7 see above

Q.8 No

Q.9

Rep Number Name The Aldenham School Charity
CS/R27/1225/2/O The Aldenham School Charity
On behalf of

Section
Key Diagram

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 From the figures presented in table 9 on pg 34, there is an identified shortfall in meeting the RSS housing supply total. This does suggest that green belt boundaries will have to be reviewed over the course of the plan period and the appropriate time to have done this would have been at a much earlier stage in the LDF's inception, when the options could have been properly assessed. Whilst indicative "areas of search" are shown on the key diagram on page 31, for possible boundary review, none of these designations contain sufficient detail to be convincing that sufficient land will be see above

Q.7

Q.8 No

Q.9

Section
Key Diagram

Rep Number Name Boyer Planning
CS/R27/1355/3/O Boyer Planning

On behalf of
Lowerland (2004) Ltd
Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

	(1) Legally (2) Sound	Yes No	Justified	Effective	Consistent with National policy:
Q.6	Consistent with our Clients Representations in respect of Paragraph 's 2.27/28 and Policy CS8 it is submitted that land adjoining the Lismirrane Industrial Park at Elstree represents a suitable opportunity for commercial/employment development which should be safeguarded through the LDF				
Q.7	If Green Belt and employment policies are amended in the way that we seek, the development potential of this land can be addressed through a Site Allocations DPD. If however the present approach is maintained whereby areas of search are identified on the Key Diagram but without any supporting policy framework (in respect of non-housing uses), we seek the identification of this land (as shown on the attached plan) as an area of search for employment/commercial development.				

Q.8 Yes

Q.9 The issue raised relates to a key policy issue.

Do you consider if DPD is unsound because it is not:

(1) Legally	Yes	Justified	Effective	Consistent with National policy:
(2) Sound	No			

Q.6 Policy CS 2 and the Key Diagram seek to identify broad locations for housing growth beyond the existing built-up areas. The policy notes that these locations will be the focus for the identification of the future development sites within the Site Allocations DPD. Whilst Bushey is identified as a Strategic Housing Location for the purposes of Policy CS 1, and paragraph 3.11 notes that there are a number of previously developed sites within the area, Policy CS 2 (as drafted) only currently makes reference to development around Borehamwood and Potters Bar.

Q.7 Given that there are a number of redundant and derelict brownfield sites within and adjacent to the Bushey Settlement (which are considered suitable for residential development), it is vital that Policy CS 2 is consistent with the objectives of Policy CS 1 and Paragraph 3.11. This approach would also be consistent with the existing sites allocated as 'safeguarded land for housing' in the saved local plan.

Q.8 Policy CS 2 and the key diagram should be amended to include Bushey as an area for housing growth and subsequently identify suitable sites within the Site Allocations DPD, in line with Policy CS 1 and Paragraph 3.11. This approach would also be consistent with the existing sites allocated as 'Safeguarded Land for Housing' in the saved Local Plan.

Q.9 It should also be made clear that the council will consider the opportunity for future development to include on-site mitigation measures to offset any potential impact when identifying sites against the set of listed criteria.

Q.8 Yes

Q.9 Our client is a key local developer who is currently considering development proposals on several sites within the Borough. As a result, our client is keen to play a leading role in the formulation of the future policy.

Rep Number Name Barton Willmore Planning Partnership Section
CS/R27/1631/7/O Barton Willmore Planning Partnership Key Diagram
On behalf of
Kayterm Plc.

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

No

Effective

Justified

Consistent with National policy:

Q.6 If no Green Belt Review is undertaken, our client considers that the land to the north and east of Bushey (as described before), should be included as an Area of Search for Green Belt Housing Sites and shown as such on the Key Diagram.

Q.7

Q.8 No

Q.9

Rep Number Name Peacock and Smith Section
CS/R27/1621/5/S Peacock and Smith Key Diagram
On behalf of

Mr & Mrs D Morley
Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Yes

Yes

Effective

Justified

Consistent with National policy:

Q.6 On behalf of our clients, we support the Key diagram and in particular the indicated Areas of Search for Green Belt Housing Sites around Pottery Bar and Borehamwood. The exclusion of the towns of Radlett and Bushey from this designation is welcomed.

It is considered appropriate that any sites for new housing development that are proposed to be released from the Green Belt are located in areas in accordance with appropriate criteria as set out in PPS22 and which are already well provided for in terms of access to services and facilities.

Q.7

Q.8 No

Q.9

Rep Number CS/R27/4556/1/S
On behalf of

Name St Modwen Developments Ltd.
St Modwen Developments Ltd.

Section
Key Diagram

Do you Consider the DPD	Do you consider if DPD is unsound because it is not:	
	(1) Legally (2) Sound	Yes Yes
Q.6		
Q.7		
Q.8	No	
Q.9		

Rep Number Name Shire Consulting Section
CS/R27/1210/5/O Shire Consulting 3. Housing
On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:
(1) Legally Justified Effective Consistent with National policy:
(2) Sound No
Q.6 Throughout the housing section (chapter 3) the consultation document refers to an 'Urban Capacity Study'. These studies should have been replaced by Strategic Housing Land Availability Assessments and the Core Strategy will need to be based on Government Policy and up to date evidence. We strongly urge the council to remedy the matter because if this myopic approach continues the Core Strategy will fail the test of soundness at

Q.7 See above.

Q.8 No

Q.9

Rep Number Name KJD Solicitors Section
CS/R27//4003/1/O KJD Solicitors 3. Housing
On behalf of

The owners of Potters Bar Golf Course

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally Yes
(2) Sound No
Q.6 Housing Section generally - Only a UCS has been done, not a SHLA although this is recommended by PPS3. Accordingly, the housing section is not informed by a robust evidence base. Furthermore, the latest AMR (07/08) show an average housing completion rate of 228 dwellings per hectare. At this rate, the EOE housing targets will not likely be met. As these trends were also derived from growth during a buoyant economy, they are not likely to continue give the current recession.
Q.7 see above

Q.8 Yes

Q.9 see enclosed statement in relation to oral representation

Rep Number CS/R27/4491/2/O
Name Phillips Planning services Ltd
On behalf of Phillips Planning services Ltd
Mr Mark Homan
Do you Consider the DPD

Section
3. Housing

Do you consider if DPD is unsound because it is not:

- Q.6 See our other objections to the use of the term 'brownfield'.
(1) Legally
(2) Sound
Justified Effective Consistent with National policy:
- Q.7 Revise 'brownfield' to accord with the definition of previously used land contained in PPS3.
Yes
- Q.8 To adequately represent our client.
- Q.9

Rep Number
CS/R27/4549/3/O

Name
Planning Works Ltd

Section
3. Housing

On behalf of
Rachel Charitable Trust

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Yes
Yes

Justified
Effective
Consistent with National policy:

Q.6 The recognised need for an additional and varied housing supply in the Borough to meet the housing supply target set out in the East of England Plan is supported.
However, there are some concerns regarding the approach of the Council in its consideration of Green Belt land in potentially accommodating new housing development. In particular, paragraph 3.8 states the following:

'...the Council recognises the need to ensure that sufficient housing land becomes available and if neither the BBC site nor other identified development opportunities emerge, Green Belt releases may still need to be considered later in the Plan.'

'Proposed, broad areas of search for potential future housing sites in the Green Belt, should they be required for development, have been identified...'

However, paragraph 3.19 acknowledges that Hertsmere has not been formally identified as a location for Green Belt review in the East of England and so '...it is considered neither practical nor appropriate to identify sites or broad locations for development after 2021.' Furthermore, PPG2, at paragraph 2.7, states that:

'Where existing local plans area being revised and updated, existing Green Belt boundaries should not be changed unless alterations to the structure plan have been approved, or other exceptional circumstances exist, which necessitate such a revision.'

The Borough currently has 15 Major Developed Sites (MDSs) in the Green Belt and a large number of other previously-developed sites which should be considered as MDSs but have not been formally identified by the Council as such.
Where there is a recognised need for a specific type of residential accommodation e.g., sheltered accommodation, residential nursing homes, retirement communities or special needs schools with associated residential accommodation, the need for which would create the very special circumstances needed to overcome Green Belt policy, then these previously developed sites in the Green Belt may be capable of accommodating a significant amount of such development.

The Core Strategy should acknowledge these previously-developed sites as preferred alternatives to other parts of Green Belt where they will contribute to the overriding aim of achieving sustainable development throughout the Borough.
In addition, Policy CS7 - Housing Mix, does not go far enough to securing specialised housing needs throughout the Borough. The policy simply requires sheltered or very sheltered housing to be provided as part of large sites allocated in the Site Allocations DPD. Given the specific need identified for almost 1,200 sheltered housing units up to 2021 in addition to other forms of housing for older people, there would seem to be a strategic need for a range of specialised housing accommodation in the Borough.

Such a recognised housing need should be afforded its own policy detailing the range of specialised housing needs throughout the Borough and acknowledging that, as well as providing such housing as part of larger housing developments, sites should also be brought forward for bespoke developments to cater for one or more specialised housing needs.

The policy should also acknowledge that MDSs in the Green Belt, as well as other previously-developed and sustainably located sites in the Green Belt, may well be suitable to accommodate some of the specialised housing needs in the Borough.

Q.7

Yes

Q.8

Q.9 In order to fully and properly examine the changes sought.

Rep Number CS/R27/4491/1/O Name Phillips Planning services Ltd
is: Phillips Planning services Ltd

Section 3.3 The availability of land for new housing

On behalf of Mr Mark Homan
Do you Consider the DPD Compliant

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Justified

Effective

Consistent with National policy:

Q.6 Does not accord with national policy requiring the identification of 15 years supply of housing land from the expected date of adoption of the Core Strategy and is not compatible with Paragraph 3.4 requiring the identification of 5 years + 10 years of housing land.

Q.7 Revise to make compatible with PPS3 and set out clear calculation of the requirement.

Q.8 Yes

Q.9 To adequately represent our client.

Rep Number CS/R27/1210/4/O
Name Shire Consulting
On behalf of Shire Consulting

Section
Table 8. Hertsmere Housing Trajectory

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

No

Effective

Justified

Consistent with National policy:

Q.6 Table 8 sets out the anticipated housing trajectory and it is noted that very optimistic estimates are made in respect of 2008 to 2011 period, despite the housing recession. The figure for 2006 contains a substantial windfall and therefore be viewed as an anomaly when compared with the performance over 2003 to 2005. Despite this, the estimated completions for 2009 far exceed previous completions thus calling into question the reality of such estimates. If the completion levels for 2008-2011 are not attained then there is likely to be a need for 'greenfield release' at a much earlier stage than the Submission draft envisages.

Q.7

Q.8 No

Q.9

Rep Number CS/R27/1631/9/O
Name Barton Willmore Planning Partnership
On behalf of Barton Willmore Planning Partnership

Section
Table 8. Hertsmere Housing Trajectory

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

No

Effective

Justified

Consistent with National policy:

Q.6 The council have opted for a strategy which involves developing vacant employment land for housing, our client considers that this is not a sustainable position. Whilst our client understands that some surplus employment land will be required to meet housing targets, our client objects to the councils strategy of failing to also consider the release of sustainable greenfield sites to meet the remaining balance of housing numbers required. The council cannot and should not assume that sufficient windfall sites will be available to meet the targets with its first 10 years of supply of housing land as set out in paragraph 59 of PPS3.

Q.7

Q.8 No

Q.9

Rep Number Name KJD Solicitors Section
 CS/R27/4003/3/O KJD Solicitors Table 8, Hertsmere Housing Trajectory
 On behalf of
 The owners of Potters Bar Golf Course
 Do you Consider the DPD

(1) Legally Yes
 (2) Sound No

Do you consider if DPD is unsound because it is not:

Justified Effective Consistent with National policy:

Q.6 Table 8 - the housing target/trajectory only extends until 2021. However, PSS3 requires that a 15 year land supply for housing be delivered. As the CS will likely be adopted in 2009-2010, these targets should extend to 2024-2025. Furthermore, the latest AMR (07/08) housing trajectory shows that the brownfield housing completions are below those shown in this table and it is therefore not based on the most up to date evidence.

Q.7 see above

Q.8 No

Q.9 see enclosed statement in relation to oral representation

Rep Number Name Barton Willmore Planning Partnership Section
 CS/R27/1631/8/O Barton Willmore Planning Partnership 3.4 The availability of land for new housing
 On behalf of
 Kayterm Plc.
 Do you Consider the DPD

(1) Legally
 (2) Sound

Do you consider if DPD is unsound because it is not:

Justified Effective Consistent with National policy:

Q.6 This representation objects to Paragraph 3.4, 3.7 and 3.8 with regards to identifying a five year housing land supply, however as previously mentioned a SHLAA and a SHMA should have been carried out by the council in order to identify suitable housing sites and locations for growth in order to provide the Core Strategy with a robust evidence base. Without these assessments our client considers that it is difficult for the council to effectively assess the location and suitability of potential sites.

Q.7 With reference to our objections to paragraph 3.4, 3.7 and 3.8 our client recommends the Council undertakes a PSS3 compliant SHLAA and SHMA to use as an evidence base for its Core Strategy.

Q.8 No

Q.9

Rep Number Name Shire Consulting
CS/R27/1210/6/O Shire Consulting

Section
Table 9. Anticipated Brownfield Housebuilding Capacity
in Hertsmere

On behalf of

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Table 9 shows that by continuing with Scenario 1 ("Policy restraints in force") the Borough is destined to fall short of its Regional Spatial Strategy (RSS) target by some 20%. Even if Scenario 2 were to be adopted ("Policy restraints relaxed") there is still a 10% shortfall of development land to meet the requirement.

Q.7 This does again suggest that green belt boundaries will have to be reviewed over the course of the plan period and the appropriate time to do this would be at the LDF's inception, where the options can be properly assessed.

Q.8 No

Q.9

Rep Number Name KJD Solicitors
CS/R27/4003/9/O KJD Solicitors

Section
Table 9. Anticipated Brownfield Housebuilding Capacity
in Hertsmere

On behalf of

The owners of Potters Bar Golf Course

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
(2) Sound

Yes

No

Justified

Effective

Consistent with National policy:

Q.6 Table 9 - this table indicates that there will be a housing target shortfall of between 454 and 986 dwellings from brownfield development, depending on which scenario is used. These figures are also derived from trend/design based exercises that may not continue into the future and are overly simplistic. Furthermore, CHELR identifies a shortfall in employment land that militates against use of such land for housing. Lastly, the over reliance on windfall sites is not consistent with PPS3 and not justified by a SHLA.

Q.7 see above

Q.8 Yes

Q.9 see enclosed statement in relation to oral representation

Rep Number Name Phillips Planning services Ltd
CS/R27/4491/16/O Phillips Planning services Ltd

Section
Table 9. Anticipated Brownfield Housebuilding Capacity
in Hertsmere

On behalf of
Mr Mark Homan
Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

Q.6 (1) Legally
(2) Sound

Justified Effective Consistent with National policy:

Q.6 The information contained in tables 9 and 10 does not provide for at least 15 years land supply to be identified from the date of adoption and is over reliant on unidentified windfall sites.

Q.7 Revise tables 9 and 10 to provide for at least 15 years housing requirements from the likely date of adoption and reduce the reliance on windfall sites.

Q.8 Yes

Q.9 To adequately represent our client.

Rep Number Name KJD Solicitors
CS/R27/4003/5/O KJD Solicitors

Section
3.8 The availability of land for new housing

On behalf of
The owners of Pottery Bar Golf Course
Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

Q.6 (1) Legally
(2) Sound

Justified Effective Consistent with National policy:

Q.6 Paragraph 3.8 - the BBC site and other development opportunities may not come forward during the plan period. Furthermore, it is unlikely that the entire BBC site will be used for housing given its prime location for mixed use development, infrastructure constraints and the character of existing development in Borehamwood. The loss of this site for film and television production and as an employment site is also not consistent with Policy CS11 and Paragraph 2.6. As such, green belt release should be looked at earlier in the plan period.

Q.7 see above

Q.8 Yes

Q.9 see enclosed statement in relation to oral representation

On behalf of ZOG Limited

Do you Consider the DPD (1) Legally (2) Sound Yes No

Justified Effective Consistent with National policy.

Q.6 Policy CS 2 and the Key Diagram seek to identify broad locations for housing growth beyond the existing built-up areas. The policy notes that these locations will be the focus for the identification of the future development sites within the Site Allocations DPD. Whilst Bushey is identified as a Strategic Housing Location for the purposes of Policy CS 1, and paragraph 3.11 notes that there are a number of previously developed sites within the area, Policy CS 2 (as drafted) only currently makes reference to development around Borehamwood and Potters Bar.

Q.7 Given that there are a number of redundant and derelict brownfield sites within and adjacent to the Bushey Settlement (which are considered suitable for residential development), it is vital that Policy CS 2 is consistent with the objectives of Policy CS 1 and Paragraph 3.11. This approach would also be consistent with the existing sites allocated as 'safeguarded land for housing' in the saved local plan.

Q.8 Policy CS 2 and the key diagram should be amended to include Bushey as an area for housing growth and subsequently identify suitable sites within the Site Allocations DPD, in line with Policy CS 1 and Paragraph 3.11. This approach would also be consistent with the existing sites allocated as 'Safeguarded Land for Housing' in the saved Local Plan.

Q.9 It should also be made clear that the council will consider the opportunity for future development to include on-site mitigation measures to offset any potential impact when identifying sites against the set of listed criteria.

Q.8 Yes

Q.9 Our client is a key local developer who is currently considering development proposals on several sites within the Borough. As a result, our client is keen to play a leading role in the formulation of the future policy.

Rep Number Name PGA Design Consulting
CS/R27/4451/1/O PGA Design Consulting
On behalf of
Veladail Leisure Ltd
Do you Consider the DPD

Section
3.13 The distribution and location of new housing

Do you consider if DPD is unsound because it is not:

(1) Legally No
(2) Sound No

Justified

Effective

Consistent with National policy:

Q.6 Object to the Core Strategy dealing with open space in a cursory manner. There is no robust assessment for sports facilities (C/S para 3.13), especially with regards to superfluous golf course land and as such it is impossible for the CS to deal with this issue. This is contrary to PPG 17 that advises Assessment of Needs and Opportunities.

Q.7

Q.8 Yes

Q.9 The fundamental lack of consideration of large tracts of land is fundamental to many of the policies and conclusions of the core strategy. An explanation of the current situation deserves discussion.

Rep Number Name PGA Design Consulting Section
CS/R27/4451/7/O PGA Design Consulting 3.13 The distribution and location of new housing
On behalf of
Veladail Leisure Ltd
Do you Consider the DPD

(1) Legally No
(2) Sound No

Justified

Effective

Consistent with National policy:

Q.6 Para 3.13 of the CS (open space criteria) does not mention sport.

Q.7

Q.8 Yes

Q.9 The fundamental lack of consideration of large tracts of land is fundamental to many of the policies and conclusions of the core strategy. An explanation of the current situation deserves discussion.

Rep Number Name PGA Design Consulting Section
CS/R27/4451/8/O PGA Design Consulting 3.13 The distribution and location of new housing

On behalf of Veladail Leisure Ltd
Do you Consider the DPD

(1) Legally No
(2) Sound No
Do you consider if DPD is unsound because it is not: Justified Effective Consistent with National policy:

Q.6 Para 3.13 (relevant PPG2 criteria) states that there should be a buffer of 1 mile which of which there is no evidence and therefore unjustified.

Q.7

Q.8 Yes

Q.9 The fundamental lack of consideration of large tracts of land is fundamental to many of the policies and conclusions of the core strategy. An explanation of the current situation deserves discussion.

Rep Number Name Shire Consulting Section
CS/R27/1210/10/O Shire Consulting Table 10. Projected Distribution of housing capacity in Hertsmere 2001-2021

On behalf of

Do you Consider the DPD (1) Legally (2) Sound No
Do you consider if DPD is unsound because it is not: Justified Effective Consistent with National policy:

Q.6 Table 10 attempts to distribute the 'identified capacity' in Scenario 2 and it is noted that a sizable element (12%) of the still deficient total is to make up of 'windfall' sites. This is contrary to the Government policy in the CLG documents (i.e. "Demonstrating a 5 year supply of deliverable sites", April 2007 and "Strategic Housing and Land Availability Assessments, practice guidance", July 2007), which states that windfalls are not to be included in the calculations of 5-year supply.

Q.7 See above

Q.8 No

Q.9

Rep Number CS/R27/1210/11/O
On behalf of Shire Consulting

Name Shire Consulting
Section Policy CS1 The location and supply of new homes

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

Q.6 (1) Legally (2) Sound No Justified Effective Consistent with National policy:
Policy CS1 allocates arbitrary percentage figures for the distribution of the new housing without any explanation as to why these figures are to be adopted. If the release of green belt land is to be minimised as the plan clearly aims to do, then placing unnecessary limitations upon the development prospects of previously developed sites is self-defeating. Paragraph 52 of PPS3 does indeed refer to "the principles of Plan, Monitor, Manage" is set out as being to ensure that the planning system delivers a flexible, responsive supply of land". PPS3 continues in that same paragraph that LPA's "should develop policies and implementation strategies to ensure that sufficient, suitable land is available to achieve their housing and previously-developed land delivery objectives". The adoption of these rigid criteria and those within the phasing policy, Policy CS3, run entirely counter to this advice and are likely to result in the plan being found unsound.

Q.7 see above.

Q.8 No

Q.9

Rep Number Name Barton Willmore Planning Partnership
CS/R27/1631/10/O Barton Willmore Planning Partnership

Section
Policy CS1 The location and supply of new homes

On behalf of
Kayterm Plc.

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Table 9 'Anticipated Brownfield Housebuilding Capacity in Hertsmere' demonstrates that by relaxing current policy restraints, approximately 4,546 of the total 5,000 new dwelling target for Hertsmere can be met by Brownfield land. However, Table 10 provides a breakdown of the sources of capacity and includes 'Anticipated intensification/redevelopment within residential areas' and 'Other windfall opportunities'. This is in direct conflict with PPS3, Paragraph 59.

Q.7 It cannot therefore, be assumed that such windfalls are deliverable and therefore this element of the Core Strategy can not be considered sound as it fails the effectiveness criteria as detailed in PPS12.

In addition, as windfalls and residential intensification/redevelopment have been included in the anticipated brownfield housebuilding capacity, it is considered that there is the potential for an even greater shortfall in brownfield land than is identified in the Core Strategy. Therefore the Council should seriously consider the release of Greenfield and/or Green Belt sites for housing.

Our client recommends that a combination of utilising surplus employment land and release of sustainable greenfield (including Green Belt) sites is taken forward as the most sustainable. It is therefore suggested that criterion (vi) of Policy CS1 is amended as follows:

- vi) the need to focus development within the boundaries of existing built-up areas, or at the edge of such areas where appropriate.

Q.8 No

Q.9

Rep Number Name KJD Solicitors
CS/R27/4003/8/O KJD Solicitors
On behalf of
The owners of Potters Bar Golf Course
Do you Consider the DPD

Section
Policy CS1 The location and supply of new homes

Do you consider if DPD is unsound because it is not:

(1) Legally Yes
(2) Sound No

Justified

Effective

Consistent with National policy:

Q.6 Policy CS1 - the percentage growth figures for Borehamwood, Potters Bar, Bushey and Radlett restrict the potential of these locations to deliver housing. Being derived solely from the relative size of the towns, they are also a crude and unconsidered means of apportioning growth. They should therefore be treated as flexible and not a cap. These figures also add up to 125% with no explanation.

Q.7 see above

Q.8 No

Q.9 see enclosed statement in relation to oral representation

On behalf of Gilston Investments Ltd.
 Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

	(1) Legally Sound	No	Justified	Effective	Consistent with National policy:
Q.6	- The CS only looks at housing provision until 2021 (in accordance with EEP) and not for 15 years from the date of the latest housing land supply assessment (AMR 31/03/08) as required by PPS3 - Paragraph 3.4 of the CS specifies "a need for the Council to identify allocate at least five years of developable land". "Developable" should be replaced with "deliverable", in accordance with PPS3. - The assumption that suitable urban sites will come forward for housing development is flawed. This is because the UCS used to underpin this assumption fails to make an assessment of the constraints of bringing urban sites forward for development. The UCS is also not prepared in accordance with latest government guidance requiring the preparation of a SHLA to determine the availability, suitability or achievability of land for housing, having regard to PPS3. Furthermore, the availability of the BBC Elstree site (see Paragraph 37) cannot be determined, and its use to bolster housing supply cannot be guaranteed. Accordingly, early release of Green Belt land is needed to secure land supply for housing. - Failure to release Green Belt land for housing early in the plan period will result in social, economic and demographic strains within the borough. - The Green Belt does not have any intrinsic landscape or natural quality that would preclude its use for housing. - Green Belt release for housing should be done as part of the Site Allocations DPD to ensure greenfield release in parallel with brownfield release rather than later in the plan period. This would ensure an adequate supply of land is available.				

Q.7 see above.

Q.8 No

Q.9

Rep Number CS/R27/4491/3/O
On behalf of Mr Mark Homan
Do you Consider the DPD

Name Phillips Planning services Ltd
Phillips Planning services Ltd

Section
Policy CS1 The location and supply of new homes

Do you consider if DPD is unsound because it is not:

(1) Legally

Justified

Effective

Consistent with National policy:

Q.6 1. The policy should refer to a 15 year timescale from adoption.
2. It should set out a clear requirement for at least 6250 new homes based on a projection of the housing provision contained in the East of England Plan.

Q.7 1. Revise first sentence to read:

The council will make provision for the supply of at least 6250 new homes between 2010 and 2026 in accordance with... with a focus on development within the four main urban areas of Borehamwood, Potters Bar, Bushey and Radlett.

2. Delete 3rd sentence beginning with 'Unless there are' and ending 5,000 new homes'.

Q.8 Yes

Q.9 To adequately represent our client.

Rep Number CS/R27/4539/2/O Vincent & Gorbings
 Name Vincent & Gorbings
 On behalf of Vincent & Gorbings
 National Grid Property Holdings & NationalGridGas
 Do you Consider the DPD

Section
 Policy CS1 The location and supply of new homes

Do you consider if DPD is unsound because it is not:

(1) Legally	Yes	Justified	Effective	Consistent with National policy:
(2) Sound	No			

Q.6 As stated in our comments on the Preferred Options consultation, new development need not mimic the density of the surrounding area. There are many examples of well-designed, higher density development sitting comfortably within a lower density area.

PPS3 (section 50) states that 'The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.'

Therefore, to counterbalance criterion ii), we suggest the addition of another criterion set out below:

'The need to make the most efficient use of land'

We would re-iterate our comments to the preferred options document regarding the policy that no more than 50% (40% in the preferred options document) of new housing shall be in Borehamwood. As stated previously this figure appears to be an arbitrary one. This appears even more so now that it has changed from the preferred options document to the submission document. On what basis was it considered justified to only allow 40% of all the Borough's housing in Borehamwood, and what has changed between then and now which means that 50% is justified?

There is no mention of what methodology was used to come up with these percentage ceilings for the different settlements, and no justification for their use. As such we very much question the validity of this part of the policy.

As such we consider that policy CS1 is unsound by reason of inconsistency with PPS3 (making best use of previously developed land, delivering housing in sustainable locations, appropriate densities, lack of a SHLAA as part of the robust evidence base) and unjustified (lack of evidence for the percentage split for housing provision between the different settlements).

Q.7 see above

Q.8 No

Q.9

Rep Number CS/R27//4555/1/O Name Preston Bennett Planning Section Policy CS1 The location and supply of new homes
 On behalf of Calmnpark Properties
 Do you Consider the DPD

Do you consider if DPD is unsound because it is not:
 (1) Legally Yes Justified Effective Consistent with National policy:
 (2) Sound Yes
 Whilst supporting the overall principle of this policy, we would seek to ensure that the development 'split' indicated for the main settlements does not restrict potential development on suitable sites.
 Q.6 We would also seek the inclusion of an additional point between '(j)' and '(v)' along the lines of "the suitability of sites currently designated for other uses that could justifiably be designated for residential development". This would accord with the objective to promote windfall development on
 Q.7 Yes
 Q.8 Seeking a change to policy that's fully appropriate to accord with the overall objectives of the Core Strategy.
 Q.9

Rep Number CS/R27/4312/3/S Name Drivers Jonas on behalf of CEMEX Section Policy CS1 The location and supply of new homes
 On behalf of CEMEX
 Do you Consider the DPD

Do you consider if DPD is unsound because it is not:
 (1) Legally Yes Justified Effective Consistent with National policy:
 (2) Sound Yes
 CEMEX acknowledges that in accordance with the East of England Plan, the council will make provision for the supply of at least 5,000 new homes between 2001 and 2021, and of this, 15% to Radlett and other suitable locations. CEMEX urges the Council to locate a high proportion of this 15% to Radlett due to its prominent position in the settlement Hierarchy, and the availability of the site to accommodate this growth.
 Q.6 With regard to the location of development, CEMEX welcomes Policy CS1's requirement to locate development in the most accessible locations taking into account environmental constraints and compliance. As required by the 'test of soundness', Policy CS1 complies with National Planning Guidance PPS3 which seeks to ensure that (see representation form for more detail).
 Q.7 Policy CS1 also complies with National Planning policy PPS7, Key Principle 1: (see representation form for more detail).
 Q.8 No
 Q.9

Rep Number Name Highways Agency Section
 CS/R27//4486/1/S Highways Agency Policy CS1 The location and supply of new homes
 On behalf of

Do you Consider the DPD (1) Legally (2) Sound Yes Yes Justified Effective Consistent with National policy:

Q.6 Housing CS1 - CS5 The housing requirements for the Borough for the period 2001-2021 in accordance with the requirements of the East of England Plan (RSS 14) are 5,000 new homes. The submission consultation is consistent with National, Regional and Local planning policies in that the majority of development – around 50% - will be concentrated in the market town of Borehamwood, thus encouraging sustainability.

Therein, the objective of selecting development sites that are well served by public transport use, encouraging walking and cycling whilst reducing the need to travel, particularly by car is supported by the Highways Agency. We consider the Housing Policies to be sound.

Q.7
 Q.8 No
 Q.9

Rep Number CS/R27/1210/9/O Name Shire Consulting
On behalf of Shire Consulting

Section Policy CS2 Housing beyond existing built up areas

Do you Consider the DPD

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy.

Do you consider if DPD is unsound because it is not:

Q.6 The list of criteria in Policy CS2 for identifying suitable sites within the 'areas of search' lack any detail and as they do not contain any means of measurement it is not possible to produce any meaningful sustainability assessment. The matter is set aside to be dealt within the Site allocations DPD but there is no indication of timescale for producing this document and no evidence that the process has even commenced.

Q.7 list in CS2 needs more detail?

Q.8 No

Q.9

Rep Number
CS/R27/14271/O

Name Rolfe Judd Planning
Rolfe Judd Planning

Section
Policy CS2 Housing beyond existing built up areas

On behalf of
ZOG Limited

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Yes
No

Justified Effective Consistent with National policy:

Q.6 Policy CS 2 and the Key Diagram seek to identify broad locations for housing growth beyond the existing built-up areas. The policy notes that these locations will be the focus for the identification of the future development sites within the Site Allocations DPD. Whilst Bushey is identified as a Strategic Housing Location for the purposes of Policy CS 1, and paragraph 3.11 notes that there are a number of previously developed sites within the area, Policy CS 2 (as drafted) only currently makes reference to development around Borehamwood and Potters Bar.

Given that there are a number of redundant and derelict brownfield sites within and adjacent to the Bushey Settlement (which are considered suitable for residential development), it is vital that Policy CS 2 is consistent with the objectives of Policy CS 1 and Paragraph 3.11. This approach would also be consistent with the existing sites allocated as 'safeguarded land for housing' in the saved local plan.

Q.7 Policy CS 2 and the key diagram should be amended to include Bushey as an area for housing growth and subsequently identify suitable sites within the Site Allocations DPD, in line with Policy CS 1 and Paragraph 3.11. This approach would also be consistent with the existing sites allocated as 'Safeguarded Land for Housing' in the saved Local Plan.

It should also be made clear that the council will consider the opportunity for future development to include on-site mitigation measures to offset any potential impact when identifying sites against the set of listed criteria.

Q.8 Yes

Q.9 Our client is a key local developer who is currently considering development proposals on several sites within the Borough. As a result, our client is keen to play a leading role in the formulation of the future policy.

Rep Number CS/R27/1631/11/O Name Barton Willmore Planning Partnership
On behalf of Kayterm Plc. Barton Willmore Planning Partnership Section Policy CS2 Housing beyond existing built up areas
Do you Consider the DPP (1) Legally (2) Sound

Q.6 Our client objects of Policy CS2 as it does not provide the flexibility to accommodate development in a number of locations. Do you consider if DPP is unsound because it is not: Justified Effective Consistent with National policy:

Q.7 As such our client believes that there is scope to the north and east of Bushey to consider including this land within the Area of Search for Green Belt Housing Sites (if a comprehensive review of Green Belt boundaries is not to be undertaken). Therefore Policy CS2 should also apply to this land.

Q.8 No
Q.9

Rep Number Name Robson Planning Consultancy Section
 CS/R27/4029/4/O Robson Planning Consultancy Policy CS2 Housing beyond existing built up areas
 On behalf of

Gilston Investments Ltd.
 Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally (2) Sound	No	Justified	Effective	Consistent with National policy:
Q.6	- The CS only looks at housing provision until 2021 (in accordance with EEP) and not for 15 years from the date of the latest housing land supply assessment (AMR 31/03/08) as required by PPS3 - Paragraph 3.4 of the CS specifies "a need for the Council to identify allocate at least five years of developable land". "Developable" should be replaced with "deliverable", in accordance with PPS3. - The assumption that suitable urban sites will come forward for housing development is flawed. This is because the UCS used to underpin this assumption fails to make an assessment of the constraints of bringing urban sites forward for development. The UCS is also not prepared in accordance with latest government guidance requiring the preparation of a SHLA to determine the availability, suitability or achievability of land for housing, having regard to PPS3. Furthermore, the availability of the BBC Elstree site (see Paragraph 37) cannot be determined, and its use to bolster housing supply cannot be guaranteed. Accordingly, early release of Green Belt land is needed to secure land supply for housing. - Failure to release Green Belt land for housing early in the plan period will result in social, economic and demographic strains within the borough. - The Green Belt does not have any intrinsic landscape or natural quality that would preclude its use for housing. - Green Belt release for housing should be done as part of the Site Allocations DPD to ensure greenfield release in parallel with brownfield release rather than later in the plan period. This would ensure an adequate supply of land is available.			

Q.7 see above.

Q.8 No

Q.9

Rep Number **CGMS Consulting** Name **CGMS Consulting** Section
CS/R27/4427/2/O **CGMS Consulting** **Policy CS2 Housing beyond existing built up areas**
 On behalf of **Metropolitan Police Authority (MPA)**
 Do you Consider the DPD Yes No

Q.6 Do you consider if DPD is unsound because it is not: (1) Legally No Justified Effective Consistent with National policy:
 (2) Sound No Justified Effective Consistent with National policy:
 The policy highlights where the proposed changes to the boundaries to the existing built up areas will be focused, should they be required to accommodate the balance of housing required. These are highlighted on the Key Diagram as being around Potters Bar and Borehamwood.

Q.7 It is considered that the highlighted areas of Green Belt should not at this stage be specific as highlighted on the Key Diagram on pg 31 of the Core Strategy, and should be left until the Site Allocations DPD is consulted upon. The current arrangement restricts the consideration of sites within the Green Belt which may be more sustainable than the specified areas.
 see above

Q.8 No

Q.9 No

Rep Number **CGMS Consulting** Name **CGMS Consulting** Section
CS/R27/4451/9/O **PGA Design Consulting** **Policy CS2 Housing beyond existing built up areas**
 On behalf of **Veladail Leisure Ltd**
 Do you Consider the DPD Yes No

Q.6 Do you consider if DPD is unsound because it is not: (1) Legally No Justified Effective Consistent with National policy:
 (2) Sound No Justified Effective Consistent with National policy:
 Policy CS2 does not consider redundant or derelict land.

Q.7 Yes

Q.8 Yes

Q.9 The fundamental lack of consideration of large tracts of land is fundamental to many of the policies and conclusions of the core strategy. An explanation of the current situation deserves discussion.

Rep Number Name Hertfordshire Property - Hertfordshire County Council Section
 CS/RZ7/4519/2/O Hertfordshire Property - Hertfordshire County 2.37 Housing for the community
 On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

	(1) Legally (2) Sound	No	Justified	Effective	Consistent with National policy:
Q.6	Paragraph 2.37 - 2.40 The identification of the increasing proportion of elderly residents in the Borough and the arising need to provide more sheltered or extra-care housing is welcomed. However, this will need to be supported with appropriate policies to facilitate the provision of this type of housing, including through affordable housing policies.				
Q.7	see above				
Q.8	Yes				
Q.9					

Rep Number Name Shire Consulting
CS/R27/1210/3/O Shire Consulting
On behalf of

Section
2.30 Distribution of development

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Traditionally residential development has been carried out in Hertsmere at low density (see comments at pg 24, paragraph 2.25 and 2.33) but as the government warns, in PPQ13 and other documents, the 'profligate' use of land must be avoided. Despite this national policy a conclusion is reached very early on in the consultation document that Radlett "is considered to have limited scope and capacity for significant further growth" (paragraph 2.30) although there is little proper analysis to show how this conclusion is drawn. The densities being achieved even most recently in the Borough are towards the lower end of those required by Government and the LDF should be looking to raise its sights in making better use of land. Before dismissing it out of hand the council should give much greater thought to the option of "urban intensification".

Q.7 The LDF should be looking to raise its sights in making better use of land. The council must also give much greater thought to the option of "urban intensification", see above.

Q.8 No

Q.9

Rep Number Name Thames Water Property Services Ltd
CS/R27/1210/2/O Thames Water Property Services Ltd
On behalf of

Section
2.33 Alternative Options

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Traditionally residential development has been carried out in Hertsmere at low density (see comments at pg 24, paragraph 2.25 and 2.33) but as the government warns, in PPQ13 and other documents, the 'profligate' use of land must be avoided. Despite this national policy a conclusion is reached very early on in the consultation document that Radlett "is considered to have limited scope and capacity for significant further growth" (paragraph 2.30) although there is little proper analysis to show how this conclusion is drawn. The densities being achieved even most recently in the Borough are towards the lower end of those required by Government and the LDF should be looking to raise its sights in making better use of land. Before dismissing it out of hand the council should give much greater thought to the option of "urban intensification".

Q.7 The LDF should be looking to raise its sights in making better use of land. The council must also give much greater thought to the option of "urban intensification". See above.

Q.8 No

Q.9

Rep Number Name East of England Regional Assembly
CS/R27/1275/3/S East of England Regional Assembly
On behalf of

Section
Table 7. The Settlement Hierarchy

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified Effective Consistent with National policy:

Q.6 Local Policy CS5 supports the provision of affordable housing in rural areas on "exception" sites.

Q.7

Q.8 No

Q.9

Rep Number Name Drivers Jonas on behalf of CEMEX
CS/R27/4312/2/S Drivers Jonas on behalf of CEMEX
On behalf of

Section
Table 7. The Settlement Hierarchy

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified Effective Consistent with National policy:

Q.6 CEMEX supports the proposed Settlement Hierarchy and the acknowledgement that Radlett is largely residential in character, with good rail links to London, and a popular town centre servicing both the local population and an increasing number of visitors from further afield. CEMEX also supports paragraph 2.31, which identifies that, the role of Radlett as a focus of local shopping, employment and service provision.

Although paragraph 2.30 identifies Radlett as having limited key services, CEMEX considers that the implementation of the special Objectives for Radlett, such as the aim to maintain and expand key community services in the town, will help to counteract the Councils concerns by enhancing the town and its key facilities. This will therefore aid increasing the scope and capacity for a further growth of the town.

Q.7

Q.8 No

Q.9

Rep Number CS/R27/1631/4/O
Name Barton Willmore Planning Partnership
On behalf of Barton Willmore Planning Partnership
Kayferm Plc.

Section 2.29 Distribution of development

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Whilst our client recognises the need to retain the separation between Watford and Bushey, in order to prevent urban sprawl, it is also believed that there are other current Green Belt designations around Bushey, which would benefit from review. On this basis our client objects to this approach. This is especially so in relation to the north and east of the town and the land that falls up to and between the A41 and M1.

Q.7 Our client considers that there is scope for this in Bushey, taking into account the criteria as set out in PPG2 including the coalescence of towns, encroachment of countryside and so on.

Q.8 No

Q.9

Rep Number Name St Modwen Developments Ltd. Section
CS/R27/4556/6/S St Modwen Developments Ltd. 2.27 Distribution of development
On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:
(1) Legally Yes Justified Effective Consistent with National policy:
(2) Sound Yes

Q.6

Q.7

Q.8 No

Q.9

Rep Number Name Shire Consulting Section
CS/R27/12107/O Shire Consulting 2.28 Distribution of development
On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:
(1) Legally No Justified Effective Consistent with National policy:
(2) Sound

Q.6 Paragraph 2.28 notes that the key diagram is on page 32 when its in fact on page 31.

Q.7 Change 'pg 32' to 'pg 31'.

Q.8 No

Q.9

Rep Number Name CGMS Consulting
CS/R27/4427/1/O CGMS Consulting
On behalf of
Metropolitan Police Authority (MPA)
Do you Consider the DPD

Section
2.27 Distribution of development

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified

Effective

Consistent with National policy:

Q.6 The MPA believes it is pertinent for the council to review the boundary created by the sports ground as part of any Green Belt boundary review, should insufficient brownfield sites not be available to meet longer term housing needs and consider that it should be allocated as a Major Developed Site due to the Green Belt, in particular since the site adjoins other MDS's.

Q.7 To be considered as a MDS - please see above for details

Q.8 No

Q.9

Rep Number Name PGA Design Consulting
CS/R27/4451/4/O PGA Design Consulting
On behalf of
Veladall Leisure Ltd
Do you Consider the DPD

Section
2.27 Distribution of development

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified

Effective

Consistent with National policy:

Q.6 Object to CS paragraph 2.27 where it is stated that any release of Green Belt Land will be released towards the end of the plan. This is contrary to PPG 2 (para 2.12), which states that 'Green Belt boundaries will not need to be altered at the end of the plan period'.

Q.7

Q.8 Yes

Q.9 The fundamental lack of consideration of large tracts of land is fundamental to many of the policies and conclusions of the core strategy. An explanation of the current situation deserves discussion.

Section
2.27 Distribution of development

Rep Number Name Peacock and Smith
CS/R27/1621/3/O Peacock and Smith

On behalf of

Mr & Mrs D Morley

Do you Consider the DPD

(1) Legally Yes
(2) Sound No

Do you consider if DPD is unsound because it is not:

Justified Effective Consistent with National policy.

Q.6 We object to draft Paragraph 2.27. We consider that this paragraph, as currently worded, seeks only to protect Green Belt land which happens also to be greenfield. The preceding text relates to housing development on brownfield land. However, there is no text which explains how and when greenfield sites which are outside the Green Belt will be considered for development. In accordance with the sequential approach, it is suggested that this paragraph should refer to greenfield and/or Green Belt sites. This will encourage the development of brownfield sites first, and would clarify the meaning of this paragraph.

Q.7 Accordingly, it is suggested that Paragraph 2.27 is amended to read as follows:

"The release of greenfield and/or Green Belt land for any development may only be sought later in the plan period if absolutely necessary to accommodate any balance of housing which cannot be accommodated on previously developed land within existing built up areas. The Council also acknowledges that further brownfield land may emerge over time preventing the need for greenfield and/or Green Belt land to be developed in the

Q.8 No

Q.9

Section
2.27 Distribution of development

Rep Number Name Barton Willmore Planning Partnership
CS/R27/1631/5/O Barton Willmore Planning Partnership

On behalf of

Kayterm Plc.

Do you Consider the DPD

(1) Legally No
(2) Sound No

Do you consider if DPD is unsound because it is not:

Justified Effective Consistent with National policy.

Q.6 Paragraph 2.27 and 2.28 of the Core Strategy describe how greenfield land, including Green Belt sites, will only be considered for new development where the balance of housing cannot be accommodated on brownfield land within existing built-up areas. Whilst our client recognises that the preference for development of brownfield land is an important sustainable objective, it is nevertheless considered that this should not be to the detriment of the deliverability of new housing. Deliverability is a key consideration of PPS2 'Housing' on the basis our client objects to these

Q.7 The council should consider the release of greenfield sites, including Green Belt sites, for new housing where they are more sustainable than other brownfield sites. This will aid in the delivery of new housing in the Borough in this respect could be considered sound because it conforms with national policy

Q.8 No

Q.9

Rep Number Name Boyer Planning
CS/R27/1355/1/O Boyer Planning
On behalf of
Lowerland (2004) Ltd
Do you Consider the DPD

Section
2.27 Distribution of development

Q.6 Do you consider the DPD is unsound because it is not:
(1) Legally No
(2) Sound Justified Effective Consistent with National policy:
Paragraph 2.27 anticipates the need to release Green Belt land to accommodate development requirements during the lifetime of the Core Strategy.
Paragraph 2.28 adds that any such release will be focused on areas of search as identified on the Key Diagram. It also makes provision for consideration of small-scale changes to Green Belt boundaries.

Paragraph 2.27 makes it clear that such release will be considered to accommodate not only housing but also 'other development' needs. However except in relation to housing (Policy CS2) the Core Strategy contains neither policy nor monitoring framework by which the need for such releases is to be reviewed.

We consider it essential that the Core Strategy contains provisions for such Green Belt boundary changes to be made. The absence of a specific policy is a serious omission having regard to the guidance in national planning policy (PPG2).

Q.7 An additional policy should be inserted into the Core Strategy to provide for the Green Belt boundary to be reviewed having regard to the principles set out in Paragraph s. 2.27 and 2.28. As a precedent for our submission we draw attention to the South Cambridgeshire Core Strategy (adopted January 2007) where the inspectors inserted such a policy in order to meet the tests of soundness (see representation form for details attached). It is recognised that the details of any boundary changes are a matter for a subsequent DPD.

Q.8 Yes
Q.9 The issue raised relates to a key policy issue.

Rep Number CS/R27/4003/6/O
Name KJD Solicitors
Section 2.26 Distribution of development

On behalf of The owners of Potters Bar Golf Course

Do you Consider the DPD	(1) Legally	Yes	Justified	Effective	Consistent with National policy:
Q.6	Paragraph 's 2.26 and 2.27 are inconsistent with one another and Chapter 4 of the CS. Paragraph 2.26 indicates that new employment areas will be directed toward brownfield land, but Paragraph 2.27 suggests that green belt release for employment purposes may be necessary. Chapter 4 also makes no mention of GB release for employment purposes. GB release needs to be considered for housing purposes if the EOE housing targets are to	No			
Q.7	see above				
Q.8	Yes				
Q.9	see enclosed statement in relation to oral representation				

Rep Number Name The College Of Osteopaths
CS/R27/1210/1/O The College Of Osteopaths
On behalf of

Section
2.25 Distribution of development

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Traditionally residential development has been carried out in Hertsmere at low density (see comments at pg 24, paragraph 2.25 and 2.33) but as the government warns, in PPG13 and other documents, the 'profligate' use of land must be avoided. Despite this national policy a conclusion is reached very early on in the consultation document that Radlett "is considered to have limited scope and capacity for significant further growth" (paragraph 2.30) although there is little proper analysis to show how this conclusion is drawn. The densities being achieved even most recently in the Borough are towards the lower end of those required by Government and the LDF should be looking to raise its sights in making better use of land. Before dismissing it out of hand the council should give much greater thought to the option of "urban intensification".

Q.7 The LDF should be looking to raise its sights in making better use of land. The council must also give much greater thought to the option of "urban intensification", see above.

Q.8

No

Q.9

Rep Number Name Phillips Planning services Ltd
CS/R27/4491/9/O Phillips Planning services Ltd

Section
2.25 Distribution of development

On behalf of

Mr Mark Homan

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Justified

Effective

Consistent with National policy:

Q.6 The exclusion of Radlett as a Strategic Housing location is unjustified. The term brownfield is undefined. The time period being considered should be 2025/2026.

Q.7 Include Radlett as a Strategic Housing location.
Define 'brownfield'
Extend time period to 2025/2026

Q.8 Yes

Q.9 To adequately represent our client.

Rep Number CS/R27/4491/10/O
On behalf of Mr Mark Homan
Do you Consider the DPD

Name Phillips Planning services Ltd
Phillips Planning services Ltd

Section 2.24 Distribution of development

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified Effective Consistent with National policy.

1) The Urban Capacity Study does not identify sufficient land available and deliverable.

2) The term 'brownfield' is undefined and therefore without meaning.

3) The end date of 2021 is incompatible with PPS3 and previous paragraphs of the Core Strategy.

Q.6 - Set out the results of the UCS in the context of PPS3 and PPS12 to deliver clear, effective and deliverable supply of housing land.

- Define 'brownfield'

- Revise in the context of PPS3 requiring 15 years deliverable land from adoption.

Q.8 Yes

Q.9 To adequately represent our client.

Rep Number Name KJD Solicitors
 CS/R27/4003/4/O KJD Solicitors
 On behalf of
 The owners of Potters Bar Golf Course
 Do you Consider the DPD

Section
 2.24 Distribution of development

Do you consider if DPD is unsound because it is not:

(1) Legally
 (2) Sound

Yes No Justified Effective Consistent with National policy:

Q.6 Paragraph . 2.24 - the 40 dph density noted is considered overly optimistic given the constraints associated with developing brownfield land and the existing character. Furthermore, the current trend toward smaller units (i.e 1-2 beds), which has gone some way toward high completion rates, is not likely to continue due to growth in the 20-29 age range. As such, it shouldn't be relied upon.

Q.7 see above
 Q.8 Yes
 Q.9 see enclosed statement in relation to oral representation

Rep Number Name PGA Design Consulting
 CS/R27/4451/5/O PGA Design Consulting
 On behalf of
 Veladall Leisure Ltd
 Do you Consider the DPD

Section
 2.24 Distribution of development

Do you consider if DPD is unsound because it is not:

(1) Legally
 (2) Sound

Yes No Justified Effective Consistent with National policy:

Q.6 Paragraph 2.24 indicates an over reliance of Brown field sites.

Q.7
 Q.8 Yes

Q.9 The fundamental lack of consideration of large tracts of land is fundamental to many of the policies and conclusions of the core strategy. An explanation of the current situation deserves discussion.

Rep Number CS/R27/12757/S Name East of England Regional Assembly East of England Regional Assembly Section 2.23 Distribution of development

Do you Consider the DPD (1) Legally (2) Sound Justified Effective Consistent with National policy:

Q.6 2.23 - 2.36

No Green Belt review at Hertsmere is proposed in the RSS. In recognising that the majority of new growth can and will be accommodated on PDL, and that the Council is aware of potential brownfield sites that could come forward (Core Strategy Paragraph . 2.28), the Assembly notes that some limited release of greenfield or Green Belt land may be required towards the end of the plan period. The strategy also recognises the needs of businesses in the green belt. The described process for the strategic gap is understood but this should not compromise the integrity of the remaining

Q.7

Q.8 No

Q.9

Rep Number CS/R/27/4553/2/O Name Hertfordshire County Council - Environment Department Section Table 6. Spatial objectives by settlement
 On behalf of Hertfordshire County Council - Environment

Do you Consider the DPD (1) Legally (2) Sound No Justified Effective Consistent with National policy:

Q.6 Table 6, Bushey, 7th bullet point - '...roads leading up to Hartspring roundabout;' should read '...roads leading to the Hartspring roundabout;'

Q.7

Q.8 No

Q.9

Rep Number CS/R/27/4553/3/O Name Hertfordshire County Council - Environment Department Section Table 6. Spatial objectives by settlement
 On behalf of Hertfordshire County Council - Environment

Do you Consider the DPD (1) Legally (2) Sound No Justified Effective Consistent with National policy:

Q.6 Table 6, Bushey, 7th bullet point - missing: 'Tackle traffic congestion on Chalk Hill and other roads leading to Bushey Arches;'

Q.7

Q.8 No

Q.9

Section
Table 6. Spatial objectives by settlement

Rep Number Name Planning Works Ltd
CS/R27/4549/2/O *Planning Works Ltd*

On behalf of
Rachel Charitable Trust

Do you Consider the DPD

(1) Legally Yes
(2) Sound No

Do you consider if DPD is unsound because it is not:
Justified Effective Consistent with National policy:
However, there is a concern that Table 6 does not accurately set out the Spatial Objectives that each settlement is capable of achieving.

Q.6 With particular reference to the settlement of Bushey, Table 6 fails to include objectives that respect the recognised needs outlined above which, as specified in Table 5, relate to the whole Borough. Instead, it would appear that Table 6 is limiting certain settlements to accommodating only certain types of development within these defined settlement boundaries only. This is contrary to aims of achieving sustainable patterns of development throughout the Borough and locating specific types of development where it is most needed or most conveniently, and sustainably, located.

Therefore, Table 6 needs to be reviewed and a more flexible approach prescribed for the location of new development which may meet one or more of the objectives of the Core Strategy in the round.

Q.7 see above

Q.8 Yes

Q.9 In order to fully and properly examine the changes sought.

Section
Table 6. Spatial objectives by settlement

Rep Number Name Hertfordshire County Council - Environment Department
CS/R27/4553/1/O *Hertfordshire County Council - Environment*

On behalf of

Do you Consider the DPD

(1) Legally
(2) Sound

Do you consider if DPD is unsound because it is not:
Justified Effective Consistent with National policy:

Q.6 Table 6, Potters Bar, 7th bullet point - 'Reduce congestion including traffic caused...' should read 'Reduce congestion including that caused by traffic.

Q.7

Q.8 No

Q.9

Rep Number: CS/R27/43121/O
On behalf of: CEMEX
Name: Drivers Jonas on behalf of CEMEX
Drivers Jonas on behalf of CEMEX

Section
Table 6. Spatial objectives by settlement

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Yes
Yes
Justified
Effective
Consistent with National policy:

Q.6 CEMEX supports the spatial objectives of the Core Strategy for Radlett and notes that the DPD aims to enhance the town and amongst other positive objectives, maintain and expand key community services. This will not only benefit the existing residents and visitors, but will also sustainably support further development in and adjacent to the town.

Q.7

Q.8 No

Q.9

Rep Number: CS/R27/4491/8/O
On behalf of: Mr Mark Homan
Name: Phillips Planning services Ltd
Phillips Planning services Ltd

Section
Table 6. Spatial objectives by settlement

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Justified
Effective
Consistent with National policy:

Q.6 1) The term 'manage housing availability and affordability' is unclear. It does not state any clear and measurable objectives or ends.
2) Despite our objection as above there is no basis for excluding Radlett from any housing objectives.

Q.7 1) revise the special objective to set out a clear, measurable, deliverable housing objective.
2) Include this housing objective in the objectives for Radlett as one of the four urban areas identified within the District.

Q.8 Yes

Q.9 To adequately represent our client

On behalf of
National Grid Property Holdings & National Grid Gas

Do you Consider the DPD	(1) Legally Sound	Yes	No	Justified	Effective	Consistent with National policy:
Q.6	Core Strategy Objective number 2 is to 'maintain an adequate supply of suitable land, focused on brownfield sites within the principal towns... Borehamwood is the principal town and SHL in the Borough and so it is to be expected that it will have an adequate supply of suitable land to meet the requirements of the East of England Plan.					
Q.7	The lack of a clear objective for delivering housing in the Borough's main settlement is contrary to policy CS1 of the Submission Draft Core Strategy which states that, 'The Council will make provision for the supply of at least 5,000 new homes between 2001 and 2021, in accordance with the requirements of the East of England Plan (RSS14) and with a focus on development within the three Strategic Housing Locations of Borehamwood, Potters Bar and Bushey'. This important policy statement should be distilled into one of the spatial objectives for Borehamwood.					
Q.8	In order to take account of both national and regional policy an objective should be included for Borehamwood which states that Borehamwood will play its part in delivering the housing required by the East of England Plan. The first bullet point in the submission draft should be replaced by: 'Ensure an adequate supply of housing land in Borehamwood to meet the requirements for private and affordable housing, as set out in PPS3 and the East of England Plan'.					
Q.9	As such we consider that the objectives in relation to Borehamwood are unsound by reason of lack of consistency with national policy (PPS3) and ineffective (lack of internal consistency within the document).					

Rep Number Name Phillips Planning services Ltd Section
 CS/R27/4491/7/O Phillips Planning services Ltd Table 5: LDF Core Strategy Objectives
 On behalf of
 Mr Mark Homan
 Do you Consider the DPD

(1) Legally Do you consider if DPD is unsound because it is not:
 (2) Sound Justified Effective Consistent with National policy:

Q.6 Point 3 in table 5 uses the term 'brownfield land', which has no meaning in planning law or national policy advice. The term is used frequently elsewhere in the document.

Q.7 The term brownfield should either be clearly defined in the draft document to refer to the PPS definition of previously used urban land or the term should be deleted throughout the document and replaced by 'previously used urban land'.

Q.8 Yes

Q.9 To adequately represent our client.

Rep Number Name Natural England (Four Counties Gov Team) Section
 CS/R27/4551/2/S Natural England (Four Counties Gov Team) Table 5: LDF Core Strategy Objectives
 On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally Yes
 (2) Sound Yes Justified Effective Consistent with National policy:

Q.6 We remain concerned at the absence of an objective to maintain and enhance landscape character. We therefore suggest that Objective 13 be modified to read as follows:

Q.7 13: To protect and enhance local biodiversity and landscape character.
 see above

Q.8 No

Q.9

Rep Number
CS/R27/1631/2/O
On behalf of
Kayterm Plc.

Name Barton Willmore Planning Partnership
Barton Willmore Planning Partnership

Section
Table 5. LDF Core Strategy Objectives

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

No

Effective

Justified

Consistent with National policy:

Q.6

(Objective 2) - Our client objects to this objective. They are of the view that a comprehensive review of Green Belt is required in the Borough. Whilst we acknowledge that this is happening around Potters Bar and Borehamwood (Areas of Search for Green Belt Housing Sites on Key Diagram), our client considers that some of the boundaries are now updated, especially in relation to Bushey, which has been identified as a Strategic Housing Location. Our client believes that all of the Green Belt boundary should be considered in a comprehensive review, in order to reflect the most sustainable patterns of development.

(Objective 3) - Although our client agrees that it is an important objective of the Core Strategy to ensure the supply of suitable land for development. However, whilst acknowledging the priority for the redevelopment of brownfield land, our client considers that not all development can be accommodated on such sites. In addition to the supply of brownfield land being finite, such locations are not always the most sustainable. It is also the case that PPS3 places importance on the delivery of housing sites rather than on the sequential approach. Without a credible evidence base from the SHLAA/SHMA our client does not believe the Council provides enough flexibility in the potential growth strategy. On this basis our client objects to this objective and is therefore of the opinion that the Council should give careful consideration to the release of sustainable Greenfield sites, including appropriate Green Belt sites, in order to fulfill the objective of achieving sustainable patterns of development.

(Objective 8) - Our client considers that the Core Strategy should promote development in sustainable locations, which include both brownfield and greenfield sites. Policies requiring the provision of accessible buildings should be within the context of current building regulations and should not place additional burdens on developers.

Q.7

No

Q.8

Q.9

Rep Number Name Peacock and Smith
CS/R27/1621/2/O Peacock and Smith
On behalf of
Mr & Mrs D Morley
Do you Consider the DPD

Section
Table 5. LDF Core Strategy Objectives

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Yes
No

Justified

Effective

Consistent with National policy:

Q.6 We object to Table 5 and in particular the omission from the list of objectives, an objective which seeks to protect the natural environment of the Borough, including greenfield sites, open space and the Green Belt, from inappropriate development.

It is considered necessary and appropriate to include an additional objective which seeks to ensure the protection of the natural environment in the Borough. This objective will assist in the protection of open space, greenfield sites and Green Belt land which is outside the Councils Areas of Search for Green Belt Housing Sites, from inappropriate development.

Government policy, provided by PPS1 (2005) states at paragraph 5 that planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by (inter alia) protecting and enhancing the natural and historic environment, the quality and character of the countryside and existing communities. Furthermore, paragraph 17 states that planning policies should seek to protect and enhance the quality, character and amenity value of the countryside and urban area as a whole.

Q.7 We suggest that the addition of the following criterion to Table 5 will ensure that the Core Strategy is consistent with national policy guidance:
"1.6. To protect the natural environment of the Borough, including greenfield sites, open space and the Green Belt from inappropriate development".

Q.8 No

Q.9

Rep Number
CS/R27/11225/1/O
On behalf of

Name The Aldenham School Charity
The Aldenham School Charity

Section
Table 5. LDF Core Strategy Objectives

Do you Consider the DPD	Do you consider if DPD is unsound because it is not:		
	(1) Legally (2) Sound	Justified	Effective
Q.6	Although the draft CS recognises the role of education provision in the promotion of sustainable communities (see Table 5) and it broadly supports new and improved educational facilities, this position is not reflected in the land use policies of the document. The document does not recognise that all educational establishments are within urban areas, so the school objects to the CS in relation to a number of matters, chiefly being: -The lack of any real choice put forward before the council chose its single preferred option; -The lack of genuine rigour to 'test' the discarded 'options' -The fact that the matter of the review of the Major Dev Sites (MDS) designations still seems to be being pursued entirely separately from the rest of the CS.	Consistent with National policy:	
Q.7	see above		
Q.8	No		
Q.9			

Rep Number Name Thames Water Property Services Ltd
CS/R27//4345/1/S Thames Water Property Services Ltd
On behalf of

Section
2.21 LDF Core Strategy Objectives

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Objective 5 "To address issues arising from climate change and flooding and to take advantage of water and other natural resources responsibly" - this is not clear enough to address issues arising from all types of flooding including sewer and surface water flooding.

Q.7 The objective should be made clear to address the above points - therefore becoming more clear to the objectives of the development.

Q.8 No

Q.9

Section
Table 4. LDF Core Strategy Spatial Vision

Rep Number Name Barton Willmore Planning Partnership
CS/R27/1631/3/S Barton Willmore Planning Partnership

On behalf of
Kayterm Plc.

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

Q.6 Our client supports the designation of Bushey as one of the four key settlements within Hertsmere (table 4). The importance of the settlement is reflected in Table 6. Paragraph 2.25 identifies Bushey as a Strategic Housing Location, in which up to 30% of new housing will be accommodated.

Q.7

Q.8 No

Q.9

Section
Table 4. LDF Core Strategy Spatial Vision

Rep Number Name Natural England (Four Counties Gov Team)
CS/R27/4551/1/S Natural England (Four Counties Gov Team)

On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

Q.6 Natural England supports the Spatial Vision as it establishes the principles of sustainable development and how these principles can be applied within the Borough. We are particularly supportive of the intention to create an attractive townscape and protection of the rural environment, but would like this bullet point to be expanded slightly to make clear what needs protecting. Our suggested wording is:

Q.7 .. An attractive townscape and the protection of an ecologically rich and accessible rural environment.

Q.8 No

Q.9

Rep Number Name Hertfordshire Biological Records Centre
CS/R27/1286/3/O Hertfordshire Biological Records Centre
On behalf of

Section
2.16 Spatial Portrait

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Whilst protection of the Green Belt is sound, there is nothing to indicate that its management is also fundamental to maintaining its character. Whilst this can be difficult to control in land-use planning terms, it is critical to the nature of the Green Belt itself. Council support or even recognition of this aspect would be beneficial.

Q.7 "...the Council attaches importance to the protection and appropriate management of this open land..."

Q.8 No

Q.9

Rep Number Name Robson Planning Consultancy
CS/R27/4029/1/O Robson Planning Consultancy
On behalf of
Gilston Investments Ltd
Do you Consider the DPD

Section
2.19 Spatial Vision

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 2.19 - 2.22 (The Spatial Vision & Objectives)

- Considered inflexible in that it focuses solely on urban intensification and does not provide a contingency plan should urban intensification not be able to provide for required housing. In this regard, it is not consistent with Paragraph . 4.46 of PPS12
- The 15 objectives specified in Table 5 are inconsistent with one another in that the protection of the Green Belt specified is at odds with provision of an adequate supply of housing (both market and affordable) and raising levels of access.
- Urban intensification will compromise the character of existing urban areas and is therefore not consistent with Policy LA (1) London Arc

Q.7 see above.

Q.8 No

Q.9

Rep Number Name Hertfordshire Property - Hertfordshire County Council Section
 CS/R27/4519/1/O Hertfordshire Property - Hertfordshire County 2.3 Spatial Portrait
 On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified Effective Consistent with National policy:

Q.6 It is essential for the settlement hierarchy to properly consider the impacts of growth upon the statutory duty of the County Council to provide school places.

Borehamwood, Potters Bar and Bushey are identified as Strategic Housing Locations. The situation in relation to school place provision in these three settlements is given in detail within the representation sheet.

Q.7 see above

Q.8 Yes

Q.9

Rep Number Name PGA Design Consulting Section
 CS/R27/4516/O PGA Design Consulting 2.5 Spatial Portrait
 On behalf of

Veladail Leisure Ltd
 Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

Justified Effective Consistent with National policy:

Q.6 Without regard for the suitability of sites other than surplus employment sites, para 2.5 of the CS is based on false analysis.

Q.7

Q.8 Yes

Q.9 The fundamental lack of consideration of large tracts of land is fundamental to many of the policies and conclusions of the core strategy. An explanation of the current situation deserves discussion.

Section
2. Spatial Vision and Development Strategy

Rep Number Name Planning Works Ltd
 CS/R/27//4549/1/S Planning Works Ltd
 On behalf of Rachel Charitable Trust
 Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
 (2) Sound

Yes Justified Effective Consistent with National policy:

- Q.6 The general thrust of this chapter is supported as it recognises the widespread needs in the Borough to which future new development must be directed. In particular the need identified throughout the Core Strategy to target new development towards:
- Providing sufficient land and buildings required for healthcare and special needs education (Table 2);
 - Providing land and buildings required for more nursing homes (Table 2);
 - Meeting a range of local housing needs (Table 4);
 - Managing housing availability and affordability (Table 6);
 - Absorbing the impact of housing growth on local services (Table 6);
 - Providing health, education, leisure and other community facilities (Table 4);
 - Promoting safe and healthy communities, respecting the diverse needs of the whole Borough (Table 9); and
 - Considering the needs of older and elderly people, with a particular focus on facilitating the provision of more sheltered or extra-care housing, as well as lifetime homes (Paragraph 2.39).

- Q.7
 Q.8 Yes
 Q.9 In order to fully and properly examine the changes sought.

Rep Number Name PGA Design Consulting
CS/R27/4451/3/O PGA Design Consulting

Section
Table 3. Summary of responses received to LDF Issues
and Options consultation, February to April 2006

On behalf of
Veladail Leisure Ltd
Do you Consider the DPD

(1) Legally No
(2) Sound No

Do you consider if DPD is unsound because it is not:

Justified Effective Consistent with National policy:

Q.6 Table 3 indicates that new houses should be located in surplus employment sites. Not all of the different types of land that may become available, such as superfluous golf course land have been looked at which provides an unfair and incomplete picture for public consultation.

Q.7

Q.8 Yes

Q.9 The fundamental lack of consideration of large tracts of land is fundamental to many of the policies and conclusions of the core strategy. An explanation of the current situation deserves discussion.

Rep Number Name Hertfordshire Biological Records Centre
CS/R27/1286/2/O Hertfordshire Biological Records Centre
On behalf of

Section
1.17 National policy, East of England Plan and other
external influences

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 We consider that Table 2, referred to in 1.17, should include the Herts Biodiversity Action Plan 'A 50 year vision for the wildlife and natural habitats of Hertfordshire'. It is one of the major strategic approaches to organising delivery of biodiversity, reflecting National and Regional aspirations, and its lack of inclusion is inconsistent in the context of the other plans that are currently included.

Q.7 Under the Hertfordshire Biodiversity Action Plan, revised 2006 information under the Table Headings could be as follows:
[SEE REPRESENTATION FOR DETAILED SUGGESTED REVISIONS]

Q.8 No

Q.9

Rep Number Name Thames Water Property Services Ltd
CS/R27/4345/2/O Thames Water Property Services Ltd

Section
1.21 National policy, East of England Plan and other
external influences

On behalf of

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 It is stated within this paragraph that "the core strategy must take account of planned developments in these neighbouring authorities and key issues such as traffic congestion, water supply and the viability of nearby town centres."

Q.7 It is considered that sewerage infrastructure should also be considered as there are cross-boundary issues associated with sewerage infrastructure, e.g. the majority of sewage from Hertsmere is treated at Maple Lodge Sewage treatment works (STW) with Three Rivers DC.

Q.8 No

Q.9

Section
1.9 What is the Core Strategy?

Rep Number Name Phillips Planning services Ltd
CS/R27/4491/5/O Phillips Planning services Ltd

On behalf of
Mr Mark Homan
Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally (2) Sound No
Justified Effective Consistent with National policy:

Q.6 The fifth Community Strategy objective

'To work towards meeting local housing needs'

is vague, unclear and ineffective. It implies that housing requirements may not be met and fails to define either 'local or 'needs'.
Revise objective to positively provide land and sites to accommodate the housing requirements contained in the RSS for the East of England and Government policy.

Q.8 Yes
Q.9 To adequately represent our client.

Section
1.12 National policy, East of England Plan and other external influences

Rep Number Name Phillips Planning services Ltd
CS/R27/4491/6/O Phillips Planning services Ltd

On behalf of
Mr Mark Homan
Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally (2) Sound
Justified Effective Consistent with National policy:

Q.6 These paragraphs do not adequately reflect Government advice to identify land for at least 15 years total supply from the date of adoption.

Q.7 Under 'National Policy', fourth bullet point, add

-to enable at least 15 years total supply from adoption of the Core Strategy (PPS3)

In addition the core strategy should clearly set out the advice in PPS3 and PPS12 as how to assess 15 years requirements from the likely date of adoption when the approved RSS sets out requirements for a shorter time scale.

Q.8 Yes
Q.9 To adequately represent our client.

Rep Number Name Hertfordshire Biological Records Centre
CS/R27/1/286/1/S Hertfordshire Biological Records Centre
On behalf of

Section
1.5 About the Hertsmere Local Development Framework

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Yes
Yes

Justified

Effective

Consistent with National policy:

Q.6 We support the inclusion of Wildlife Sites and Biodiversity SPD. However we also draw your attention to the emerging Landscape and Biodiversity module as part of the Building Futures guidance, as this may duplicate some of the generic information provided.

Q.7

Q.8 No

Q.9

Rep Number Name PGA Design Consulting
CS/R27/4451/2/O PGA Design Consulting
On behalf of
Veladail Leisure Ltd
Do you Consider the DPD

Section
1.7 About the Hertsmere Local Development Framework

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No
No

Justified

Effective

Consistent with National policy:

Q.6 Paragraph 1.7 identifies research that is not yet available (open spaces document).

Q.7

Q.8 Yes

Q.9 The fundamental lack of consideration of large tracts of land is fundamental to many of the policies and conclusions of the core strategy. An explanation of the current situation deserves discussion.

Rep Number CS/R27/4491/3/O Name Phillips Planning services Ltd
 On behalf of Phillips Planning services Ltd

Section 1.4 About the Hertsmere Local Development Framework

Mr Mark Homan
 Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally	No	Justified	Effective	Consistent with National policy:
(2) Sound	No			

PPS3 Paragraph 53 makes clear that LDD's should contain policies and proposals for at least 15 years from their date of adoption.

Q.6 Amend Paragraph 14 and all subsequent paragraphs and policies referring to the timescale of the plan, particularly with respect to housing to take into account the clear advice contained in PPS3 to deliver an effective and deliverable strategy for the 15 years from the date of adoption.

Q.8 Yes

Q.9 To adequately represent our client.

Rep Number CS/R27/4491/4/O Name Phillips Planning services Ltd
 On behalf of Phillips Planning services Ltd

Section 1.4 About the Hertsmere Local Development Framework

Mr Mark Homan
 Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally	No	Justified	Effective	Consistent with National policy:
(2) Sound	No			

The Core Strategy is confusing and contradictory and therefore ineffective, unjustified and does not deliver the objectives for Core Strategies set out in PPS12. For example the strategy is unclear and confusing as to whether its end date is intended to be 2021 (likely to be 10 years from adoption) or 2025 (15 years). There is no clear and coherent strategy to show how it will be delivered. Terms are undefined and the role of settlements and policies Amend Paragraph 1.4 and all subsequent paragraphs and policies referring to the timescale of the plan, particularly with respect to housing to take into account the clear advice contained in PPS3 to deliver an effective and deliverable strategy for the 15 years from the date of adoption.

Q.8 Yes

Q.9 To adequately represent our client.

Rep Number Name Hertfordshire Biological Records Centre
CS/R27/128617/S Hertfordshire Biological Records Centre
On behalf of

Section

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

Yes

Justified

Effective

Consistent with National policy:

Q.6

Sustainability Appraisal, Appendix E Assessment of Preferred Policy Options Table E1, Strategic Spatial Policies.

*Re. SA 12. With regard to Policy SP1, Improving and sustaining the quality of the local environment, we are surprised that for SA Objective 12, the effects are only shown as moderately positive, in contrast to the built environment (SA 9) where effects are shown as strongly positive. Clearly, if strongly positive effects under this Policy and Sustainability Objective cannot be achieved - at least in theory - then they never will. Consideration should be given to changing these. However, if the moderately positive effect is supposed to reflect the likelihood of achieving this in the real world, perhaps this grading is understandable, if a little disappointing.

Q.7

No

Q.8

Q.9

Rep Number Name Hertfordshire Biological Records Centre Section
 CS/R27/1286/14/S Hertfordshire Biological Records Centre
 On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally (2) Sound Yes Justified Effective Consistent with National policy:
 Q.6 Sustainability Appraisal, Appendix D, Policy Options Assessment Table D3. Re. SA12. There is a * health warning to the biodiversity comments re Green Belt, namely that whilst expansion may protect habitats from damaging developments, Green Belts do not protect sites from inappropriate development or management. For example, use of land as sports pitches may still meet Green Belt requirements, but destroy a valuable site, as would a change of use from agricultural to horse livery, resulting in intensification of
 Q.7
 Q.8 No
 Q.9

Rep Number Name Hertfordshire Biological Records Centre Section
 CS/R27/1286/15/S Hertfordshire Biological Records Centre
 On behalf of

Do you Consider the DPD Do you consider if DPD is unsound because it is not:

(1) Legally (2) Sound Yes Justified Effective Consistent with National policy:
 Q.6 Sustainability Appraisal, Appendix D, Policy Options Assessment Table D17 *Re. SA 12. Some of the comments relating to tariffs / S106 need to be viewed with caution. Whilst we agree that support raised from developments via this approach would be most helpful, as yet there is no clear mechanism to deliver this, unless site-specific structures are created (e.g. Shenley) or support is given to the LPA, HMWT or CMS to help directly with site management – and this is likely to be limited in all cases. Consequently it is not true to claim that there will be District-wide enhancement of habitats. Many sites will be privately owned with owners unwilling to undertake work simply because money is made available from a development that has nothing to do with them. Furthermore, planning agreements could not fund a site already receiving public money in the form of grant aid such as agri-environment or Woodland Grant Scheme. Whilst we would not dissuade this approach, its practical success would need further consideration in order for it to achieve what is claimed.
 Q.7
 Q.8 No
 Q.9

Rep Number Name Hertfordshire Biological Records Centre
CS/R27/1286/12/S Hertfordshire Biological Records Centre
On behalf of

Section

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

	(1) Legally	Yes	Justified	Effective	Consistent with National policy:
Q.6	Sustainability Appraisal, Appendix C, Baseline Data Table C1				

We support the baseline data with respect to Biodiversity but there is a * 'health warning' to some of the indicators. These include the following:

- Bird data from monitoring year on year is only available from the BTO Breeding Bird Surveys. These can be analysed with a reasonable level of confidence at the county level, but not at the District level as there are not sufficient samples.
- Pond data was obtained as a one-off survey of sample ponds, and is not likely to be repeated for several years - it is not a regularly monitored feature. There is no local data available unless specific surveys are undertaken.
- SSSI data should be used. Even if there are only two sites, there is still a formal Condition report produced (even if not annually) and this reflects the Condition of the Statutory sites.
- County, Regional and National figures should be available for LNFRs, as each site is formally designated by the relevant 'local authority', has a management plan and formally welcomed by NE.
- Some Biodiversity Action Plan habitat data is available from HBRC where specific studies have recorded or assessed the resource. Habitat resources were also analysed within each of the district Reports of the Phase 1 Habitat Survey, representing the best available figures at present.

Q.7

Q.8

Q.9

No

Rep Number Name Defence Estates
CS/R27/1215/1/S Defence Estates
On behalf of

Section

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
- (2) Sound

- Yes
- Yes

Justified

Effective

Consistent with National policy:

Q.6

Q.7

Q.8 No

Q.9

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
(2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6

It is crucial that the core strategy makes reference to the provision of adequate water and sewerage infrastructure to service development to avoid unacceptable impacts on the environment and it is not considered that the existing references within the supporting text would be sufficient to ensure this. Thames Water therefore recommends the inclusion of a specific policy in respect of water and sewerage infrastructure within the core strategy in accordance with PPS 12 in order to meet the "soundness" test and to complement Policy MAT2 of the East of England Plan.

Q.7

The core Strategy should therefore include the following policy and supporting text:
PROPOSED POLICY - WATER AND SEWERAGE INFRASTRUCTURE CAPACITY:
Planning permission will only be granted for developments which increase the demand for off-site service infrastructure where: 1. Sufficient capacity already exists; or 2. Extra capacity can be provided in time to serve the development which will ensure that the environment and the amenities of local residents are not adversely affected. (new paragraph) When there is a capacity problem and improvements in off-site infrastructure are not programmed, planning permission will only be granted where the developer funds appropriate improvements which will be completed prior to occupation of the development.

PROPOSED NEW POLICY SUPPORTING TEXT:

The council will seek to ensure that there is adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve all new developments. Developments will be required to demonstrate that there is adequate capacity both on and off the site to serve the development and that it would not lead to problems for existing users. In some circumstances this may make it necessary for developers to carry out appropriate studies to ascertain whether the proposed development will lead to overloading of existing infrastructure. Where there is a capacity problem and no improvements are programmed by statutory undertaker, the council will require the developer to fund appropriate improvements which must be completed prior to occupation of the development.

A further policy is included due to the timescales of the planning processes for the core strategy and our own investment programmes, the wording should be as follows: **PROPOSED NEW POLICY - utilities development:**

The development or expansion of water supply or waste water facilities will normally be permitted, either where needed to serve existing or proposed development in accordance with the provisions of the development plan, or in the interests of long term water supply and waste water management, provided that the need for such facilities outweighs any adverse land use or environmental impact that any such adverse impact is minimised.

Q.8

No

Q.9

No

Section

Rep Number Name Hertfordshire Biological Records Centre
CS/R27/1286/21/O Hertfordshire Biological Records Centre

On behalf of

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
(2) Sound

No

Effective

Consistent with National policy:

Q.6 Appendix F, Assessment of Additional Preferred Policies Policy CS3.

Re. SA 12, we do not understand why there is a positive short term effect. By virtue of something not happening which may otherwise be damaging, this can hardly be considered positive given that as far as the resource itself is concerned, nothing positive to it has happened. Furthermore the degree of effect cannot really be gauged until the impact has occurred and any measures taken to compensate or mitigate have been undertaken.

Q.7 Change attribute of duration of Short Term effect into 0 / -

Q.8 No

Q.9

Rep Number Name Hertfordshire Biological Records Centre
 CS/R27/1286/19/O Hertfordshire Biological Records Centre
 On behalf of

Section

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
 (2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Sustainability Appraisal, Appendix E Assessment of Preferred Policy Options Table E2 Housing Policies.

Re. SA 12. We do not understand why the Phasing of Housing Development can have medium and long term positive effects, other than limiting the suddenness of impact of a development, which is simply drawn out. This cannot be considered a positive other than in some form of mitigation effect as there is still likely to be a negative impact on most biodiversity unless new gardens are expected to provide compensatory habitats, and these primarily change the nature of biodiversity present to those species which can exploit opportunities afforded by new gardens.

Q.7 We suggest the effect should be expressed as +/-

Q.8 No

Q.9

Rep Number Name Hertfordshire Biological Records Centre
 CS/R27/1286/20/O Hertfordshire Biological Records Centre
 On behalf of

Section

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

(1) Legally
 (2) Sound

No

Justified

Effective

Consistent with National policy:

Q.6 Appendix F, Assessment of Additional Preferred Policies, Policy SP2.

Re. SA 12. we do not agree with the positive attributes associated with Policy SP2, given the negative effects outlined within the Description of Effect and comments / explanation. In some cases there could be little effect but in others it could be significant. The extent to which this could be offset by mitigation / compensation in practice remains to be seen. It is not possible to control vegetation within gardens other than by TPOs, whilst unless resources are available for management, habitat replacement / development may not be achieved.

Q.7 Reconsider each effect as at least +/-

Q.8 No

Q.9

Rep Number Name Herfordshire Biological Records Centre
CS/R27/1286/16/O Herfordshire Biological Records Centre
On behalf of

Section

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
(2) Sound

Consistent with National policy:

Q.6 Sustainability Appraisal, Appendix D, Policy Options Assessment Table D31
Re. SA 12. We are not clear as to where or how the Options were derived. Whilst extension of existing sites to include buffer zones may well be desirable, in practice this land will not meet Wildlife Site criteria, and it is often hard enough defending WS at Inquiry. Furthermore, in both Option 2 and Option 3, there needs to be the ability to deliver appropriate management within buffers or where new habitats are created and this is usually not possible unless there is control of the land and its management, as well as the resources to do it. Currently the impression given is that habitats will increase by increasing the areas on a map, and this is most unlikely to happen even if development is not permitted.

Q.7 Add the comment 'given the availability of appropriate resources and the ability to achieve active management'.

Q.8 Yes

Q.9

Rep Number Name Herfordshire Biological Records Centre
CS/R27/1286/18/O Herfordshire Biological Records Centre
On behalf of

Section

Do you Consider the DPD

Do you consider if DPD is unsound because it is not:

- (1) Legally
(2) Sound

Consistent with National policy:

Q.6 Sustainability Appraisal, Appendix E, Assessment of Preferred Policy Options, Table E2 Housing Policies.
Re. SA 12. With regard to policy CS1, we disagree with the effects given for SA 12 in the Table. At least they should be 0/---, given that new housing could be located where there is little / no ecological damage or to sites where development could be considered to have a higher need than an ecologically valuable site, such as a Wildlife Site. Also, in such cases the status of such a site could be contested or it could be destroyed with impunity before development, the net result being a loss of biodiversity. Furthermore how this can be mitigated by Policy CS11 - Promoting film and television production in Hertsmere - must be an error!

Q.7 Modify effects to 0/--- for ST, MT, LT, and quote correct policy - presumably CS12. We suggest that Policy 15 is advised for cross referencing also - more relevant than CS21?

Q.8 No

Q.9

Rep Number Name Hertfordshire Biological Records Centre Section
 CS/R27/1286/13/O Hertfordshire Biological Records Centre
 On behalf of

Do you Consider the DPP

Do you consider if DPP is unsound because it is not:

(1) Legally
 (2) Sound

Yes

Justified

Effective

Consistent with National policy:

Q.6 Sustainability Appraisal (See associated representation form)
 We consider the comments made with respect to Biodiversity (SA12) within the above Tables to be broadly reasonable, other than some specifics mentioned below*. However, where policies are considered to have positive attributes, whilst this may be true where 'protection' of sites is concerned it may not have any positive impact on management, which is also fundamental to maintaining biodiversity on some sites. The same issue arises with mitigation or compensation measures - subsequent management of habitat resources or features is critical.

Q.7 *Other than Reference to CP11 in CS7.

*Change Policy References to / or include CS12 where appropriate.

*Include 'protection of floodplain from development' within CS15; in this respect the impacts would be at least moderately positive ++.

*Within CS14 (15), where BREEAM is referred to we consider that the DCLG's 'Code for Sustainable Homes' is also referred to as Category 9 specifically deals with on-site Ecology.

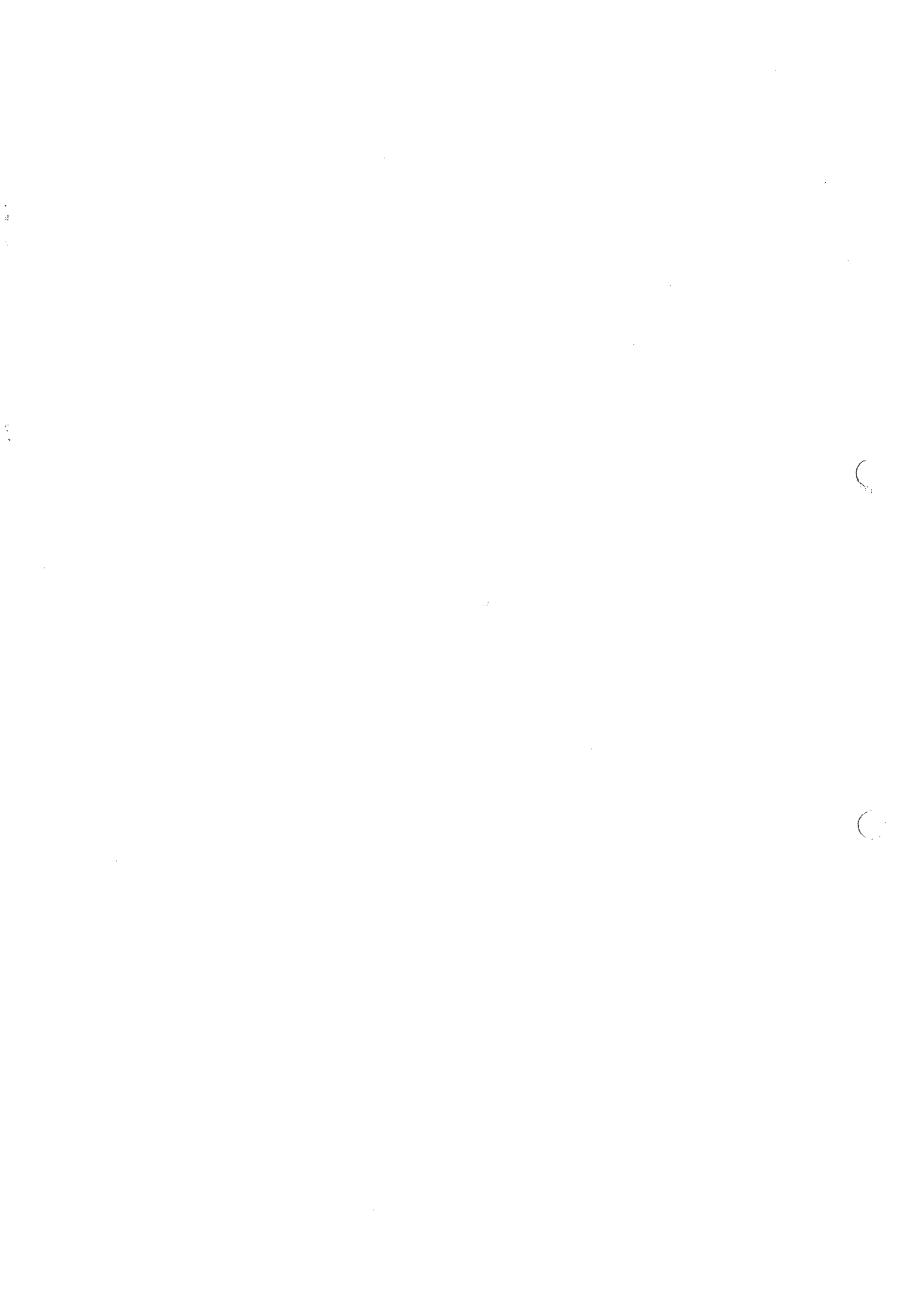
*Within CS(18)/19, reference should be made to Habitat creation as referred to in Table 15.

Q.8 No

Q.9

Appendix 3

Newspaper advertisements from the Watford Observer, Borehamwood Times and Herts. Advertiser, specifying the consultation period for the submission version of the Core Strategy.



**HERTSMERE BOROUGH COUNCIL
LOCAL DEVELOPMENT FRAMEWORK
CORE STRATEGY DEVELOPMENT
PLAN DOCUMENT (DPD)
PROPOSALS MATTERS**

The Town and Country Planning
(Local Development) (England) Regulations 2004
(as amended)

Proposed titles: Local Development Framework
(LDF) Core Strategy

Proposed subject matters and area:
Core Strategy;
Whole Borough of Hertsmere.

The LDF Core Strategy is a report derived from the previous Issues and Options report in March 2006 and the consultation on the Core Strategy Preferred Options in November to December 2007. It establishes strategic objectives for determining where, how and when development should take place in Hertsmere over a fifteen year period.

In accordance with regulation 28 (2) (a) any representations on the Core Strategy may be made within the period from 8 December 2008 - 2 February 2009.

In accordance with regulation 28 (2) (b) representations must be sent in writing or electronically to:

Planning Policy Team
Hertsmere Borough Council
Civic Offices
Elstree Way
Borehamwood
Herts.WD6 1WA

Fax: 020 8207 7444
E-mail: core.strategy@hertsmere.gov.uk

Representations may be accompanied by a request to be notified at a specified address that the Core Strategy DPD has been submitted to the Secretary of State for independent examination (under section 20 of the Act), that the recommendations of the person appointed to carry out the independent examination have been published or that the Core Strategy DPD has been adopted.

Donald Graham
Chief Executive
Hertsmere Borough Council
3 December 2008

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STATEMENT OF FACT**

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(as amended)

In accordance with regulation 27 (a), the LDF Core Strategy DPD is available for inspection at:

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The location and opening times of these venues follow:
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Monday - Friday: 8.30am - 5.00pm

The Bushey Centre, High Street, Bushey, WD23 1TT and Wylyotts Centre, Wylyotts Place, Darks Lane, Potters Bar, EN6 2HN
Monday - Friday: 9.30am - 2.00pm

Aldenham Parish Council, Radlett Centre, 1 Aldenham Avenue, Radlett, WD7 8HL
Monday - Friday: 9.00am - 4.00pm

Borehamwood Library, Elstree Way, Borehamwood, Hertfordshire, WD6 1JX
Monday to Wednesdays and Fridays: 9.00am-8.00pm
Thursdays: 10.00am-8.00pm
Saturdays: 9.00am-4.00pm

Bushey Library, Sparrows Home, Bushey WD23 1FA
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Tuesdays, Wednesdays and Fridays: 9.00am-7.00pm
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Oakmere Library, High Street, Potters Bar EN6 5BZ
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Donald Graham,
Chief Executive,
Hertsmere Borough Council
3 December 2008



Watford Observer

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Donald Graham,
Chief Executive,
Hertsmere Borough Council
3 December 2008



Woodward Times

**HERTSMERE BOROUGH COUNCIL
LOCAL DEVELOPMENT FRAMEWORK
CORE STRATEGY DEVELOPMENT
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Chief Executive
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Donald Graham,
Chief Executive,
Hertsmere Borough Council
3 December 2008



*Heath
Answer
9/12*

