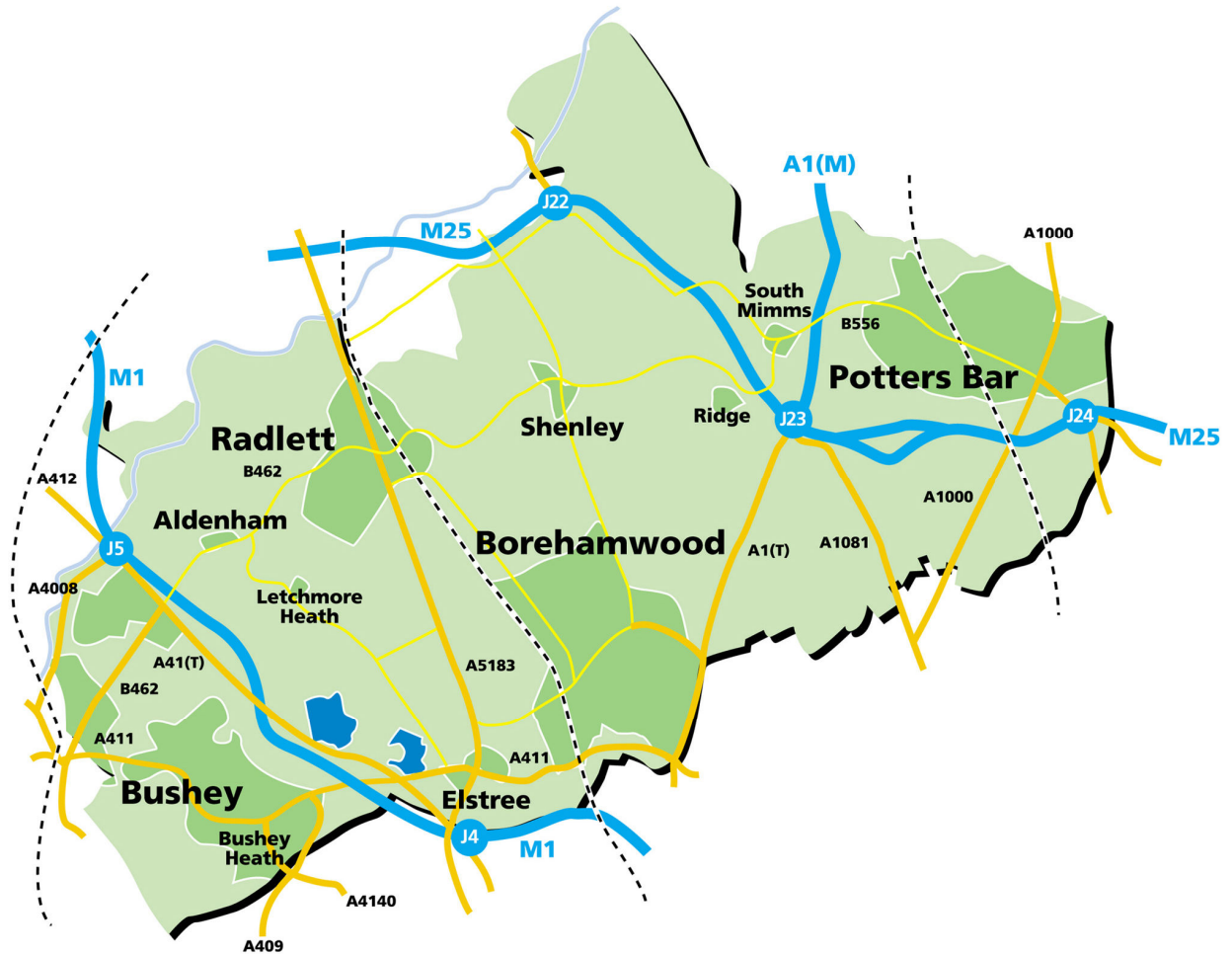


# Hertsmere Borough Council Local Development Framework



## Local Development Scheme 2011

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# Chapter 1 Introduction

In its capacity as the Local Planning Authority, Hertsmere Borough Council is responsible for preparing planning policy documents to guide long-term strategic development decisions in the Borough and to enable planning applications to be determined in a robust and consistent way. In accordance with the Planning & Compulsory Purchase Act, which came into force in 2004, Hertsmere Borough Council has been/is preparing a number of planning policy documents of different types, the collection of which (as they are completed) is known as the Local Development Framework (LDF).

The main role of this document, called the Local Development Scheme (LDS), is to describe the documents that Hertsmere Borough Council is preparing, or has already prepared, as part of its LDF. It explains the purpose of the individual documents and how they relate to each other and sets out the timetable for their preparation, including the stages during which public consultation will take place. In addition, the LDS provides the following information:

- an overview of the present planning system and a discussion of the changes that may be expected as a result of the change of Government in May 2010
- a Supporting Statement summarising the evidence required to support the policy documents in the LDF; the resources needed to prepare them; and the risks to their completion in accordance with the timescales set out in this LDS
- information about how to keep informed about progress with LDF documents and how to participate in their preparation.

This LDS supersedes the Hertsmere Local Development Scheme August 2006, and the subsequent updates in May 2007, January 2009, July 2010 and November 2011.

## Chapter 2 Overview of the Planning System

**2.1** The Planning & Compulsory Purchase Act (PCPA), 2004 is presently the overarching piece of primary legislation with which Hertsmere Borough Council must comply for plan-making purposes. Certain elements of the PCPA were updated by the Planning Act, 2008 and 2009 (including Section 15, which relates to the content of the LDS), but none changed the fundamental requirements of LDF preparation. Most significantly, Section 38(6) of the PCPA states that *“If regard is to be had to the **development plan** for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”*

**2.2** The Development Plan is essentially a document, or series of documents, containing the planning policies that the local planning authority will take into account when determining applications for development. It is therefore important to know that some of the documents that Hertsmere Borough Council is preparing as part of its LDF form part of this statutory Development Plan. These are the policy-setting documents called “Development Plan Documents” (DPDs).

### The Statutory Development Plan

**2.3** Under the PCPA, the Development Plan for a Borough Council should ultimately comprise of the following: a Regional Spatial Strategy (RSS), prepared by the Regional Assemblies/Partnership Boards, and Development Plan Documents (DPDs), prepared by the District/Borough Councils, as part of LDFs.

**2.4** Under transitional arrangements from the pre-PCPA system, policies in old-style Local Plans prepared by the District/Borough Councils (as well as any Structure Plan Policies prepared by County Councils) can be saved as part of the Development Plan with the agreement of the Secretary of State.

### The Current Development Plan for Hertsmere Borough Council

**2.5** At the time of adopting this LDS, the current Development Plan for Hertsmere Borough comprises of:

- The RSS, i.e. the East of England Plan, prepared by the East of England Regional Assembly/Partnership Board and adopted May 2008.
- Accommodation for Gypsies and Travelling Showpeople in the East of England – A Revision to the Regional Spatial Strategy for East of England – July 2009
- The Core Strategy DPD, prepared by Hertsmere Borough Council
- Saved Policies in the Local Plan, prepared by Hertsmere Borough Council and adopted May 2003 (see Appendix 1 for a list of saved policies)

**2.6** While the East of England Plan is at present part of the Development Plan, it should be noted that the Government has stated its intention to revoke all Regional Strategies and it has already abolished the Regional Assemblies that prepared them. In fact, the Secretary of State for Communities and Local Government (CLG), did issue a letter revoking Regional Strategies on 6 July 2010, but that decision has been ruled to be unlawful as a result of a successful challenge in the High Court by CALA Homes. The CLG subsequently advised that the High Court decision *“changes very little”* because the Government’s stated intention to revoke Regional Strategies should be treated as a material consideration. However, this advice itself has also been successfully challenged.

### Future Development Plan Documents

**2.7** The Localism Act was enacted on 15<sup>th</sup> November 2011 this provides the foundations for a future revocation of the RSSs.

**2.8** Provided the LDF system for local authority planning remains in a similar form (see para. 2.13 below further), Hertsmere Borough Council will have a greater control of the Development Plan Documents it wishes to prepare locally as part of its LDF. Preparation of the following DPDs is underway:

- Core Strategy DPD
- Site Allocations and Development Management DPD (referred to in the previous LDS as two separate DPDs Site Allocations and Development Control Policies DPD)
- Elstree Way Area Action Plan DPD
- Development Management Policies DPD

**2.9** More information about these documents can be found in Section 3.5 of this LDS.

## The Local Development Framework

**2.10** As indicated above, the LDF is a collection of planning documents prepared by the Borough Council. The purpose of some of these documents is to set planning policy. These are the Development Plan Documents (DPDs) already referred to.

**2.11** The LDF can also include other documents that do not set policy or form part of the Development Plan, but are nonetheless useful for planning purposes. These are generally procedural documents or guidance documents. Table 1 below summarises the role of the different types of LDF documents.

**Table 1: Role of LDF Documents**

Document	Description
<b>Procedural Documents</b>	
Local Development Scheme	This document. Description and project plan of the LDF.
Statement of Community Involvement	Sets out how Hertsmere will engage with stakeholders and the public in the preparation and revision of the LDF and how it will consult on planning applications.
Annual Monitoring Report	Is produced at the end of each calendar year to assess progress on LDF preparation and to monitor the effectiveness of Development Plan policies.
<b>Development Plan Documents (DPDs)</b>	
Core Strategy	To provide the overarching planning strategy for the Borough. It contains a spatial vision; strategic objectives; and core policies Core Strategy for delivering development across the whole Borough. Crucially, it sets out how much development will be delivered and where it will go. Other DPDs must be in conformity with the Core Strategy.
Site Specific Allocations	To identify and allocate specific sites where necessary to accommodate the different types of development required by the Core Strategy.
Area Action Plans	To provide a comprehensive planning framework for specific areas where significant change or conservation is necessary.
Development Management Policies	To provide detailed, often subject-specific policies, for issues that are neither strategic nor site-specific. They are used primarily in the determination of planning applications.
Proposals Map	To illustrate the policies and proposals in the LDF visually on an Ordnance Survey base map.
Sustainability Appraisal	SA/SEA <b>is not a DPD</b> , but must accompany each DPD to assess the extent to which its policies will result in sustainable

	development and ensure that those policies are the most appropriate of the alternatives considered.
Supplementary Planning Documents (SPDs)	
General SPDs	To provide further guidance, where needed, about how to implement policies and proposals in DPDs
Other documents	
Conservation Area Appraisals	To set out the key characteristics of, and provide design guidance for, proposals within defined Conservation Areas

**2.12** The following chapters of this report provide more information about the Borough's specific LDF documents.

### **Possible Changes to the Planning System**

**2.13** The Localism Bill was published on 13<sup>th</sup> December 2010 and received Royal Assent on 15<sup>th</sup> November 2011. The key measures of the act are:

- **Abolition of Regional Strategies:** As stated above, the Act provides for the abolition of regional strategies, including Regional Spatial Strategies – for us, the East of England Plan. The effect of this would be to remove the requirement for Hertsmere Borough Council's LDF to conform with policies prepared at the Regional level.
- **Local Development Schemes & Annual Monitoring Reports:** Local planning authorities will no longer be required to submit their Local Development Schemes to the Secretary of State for approval. While he/she will retain a power to direct changes, this will only be for the purpose of achieving effective plan coverage. Similarly, while local authorities will still be required to report on the implementation of the LDS and development plan policies direct to the public, it will no longer be necessary to make a report to the Secretary of State
- **Development Plan Documents:** DPDs, prepared by local planning authorities, will continue to provide the strategic planning framework for the local authority area.
- **Independent Examination:** In the examination of a Local Development Document the Inspector's recommendations to amend the development plan document are no longer binding on the authority.
- **Neighbourhood Planning & Community Right to Build:** Communities, most commonly Parish Councils or other elected bodies (but potentially different groupings), will be able to prepare Neighbourhood Plans relating to development and use of land in their areas. It should be noted, however, that Neighbourhood Plans must conform with national policy and guidance; strategic policies in local development plans (prepared by the local planning authority) and EU requirements. Neighbourhoods will have the freedom to bring forward proposals for more development than is set out in the local development plan for their area. They will also be able to grant planning permission for specific sites or to generally permit certain types of development in an area by preparing Neighbourhood Development Orders (NDOs). On a smaller scale, community-led development, where the benefit of development will be retained by the community, could be brought forward by a Community Right to Build Order

**2.14** The Localism Act has now been enacted and is currently being implemented, however, the basic development plans system will remain unchanged and Hertsmere Borough Council

can be confident in continuing with its programme for DPD preparation as set out in this LDS. The Council will continue to monitor the progress of the National Planning Policy Framework, which could have implications for the production of future Development Plan Documents.



## Chapter 3 LDF Development Plan Documents

**3.1** As explained in Chapter 2, Hertsmere's LDF will include a number of documents of different types: procedural documents; policy-setting DPDs and saved policies from the Local Plan; and other documents providing planning guidance. This chapter provides details about Hertsmere Borough Council's policy-setting DPDs, while Chapter 4 provides a summary of the other LDF documents.

**Appendix 2** shows how all the different documents fit together. **Figure 1** illustrates the timetable for production of the LDF.

### Development Plan Documents (DPDs)

**3.2** In addition to saved policies in the 2003 Local Plan, Hertsmere Borough Council is well advanced in the production of the Core Strategy. The Core Strategy will provide the overarching strategy and principles for development in the Borough up to 2027, including the amount and distribution of development expected in the different areas of the Borough. The Council is seeking to submit the Core Strategy to the Secretary of State in early 2012. In addition to the Core Strategy, Hertsmere Borough Council has commenced preparation of three further DPDs: the Elstree Way Area Action Plan DPD, and the Site Allocations and Development Management DPD. A profile of each of these DPDs is provided below.

### DPD Document Profiles

**3.3** The document profiles below provide the following summary information about each DPD:

- Adoption Status
- Purpose and Subject Matter
- Geographical Coverage, i.e. to which areas of the Borough the policies relate
- Chain of Conformity – with other relevant documents
- Timetable for Preparation and Revision
- Resources and Evidence for Preparation

<b>Document Details</b>	
Title	<b>Core Strategy DPD</b>
Role and Subject	Sets out the strategic vision, objectives and spatial strategy for the area up to 2027. Contains core strategic policies, including the distribution of new housing numbers.
Geographical Coverage	Borough wide. Key diagram shows relationships to neighbouring areas.
Chain of Conformity	General conformity with national PPGs/PPSs/NPPF, East of England Plan, saved Structure Plan policies, and Waste and Minerals Development Plan Documents. All other LDDs must be in conformity with the Core Strategy.
Inter-relationships	Community Strategy, Local Transport Plan, utilities & other infrastructure plans and strategies, Housing Strategy, Environment Policy and Action Plan, Crime Reduction Strategy, Cultural and Leisure Strategy, other legislation.
<b>Arrangements for Production</b>	
Lead Organisation / Department	Hertsmere Borough Council's Policy and Transport Team
Management Arrangements	Project Manager: Policy & Transport Manager; Project Team: Policy & Transport team; Quality assurance: Head of Planning.
Joint Working	Local Strategic Partnership, key stakeholders
Stakeholder/Community Involvement	Dependent upon the range of target audiences and the resources available to facilitate different methods. Expanded upon in the SCI.
Studies/Evidence Required	Desktop study of all inter-related plans and strategies plus topic based studies.
Resources Required	Cost of any required technical studies, Sustainability Appraisal, Examination and a Programme Officer
<b>Timetable for production</b>	
Pre-production / survey, including preparation of a Sustainability Appraisal (SA) scoping report.	Desktop study of all inter-related plans and strategies January–April 2005. Studies undertaken during 2005/06. Outcome of RSS key to Core Strategy.
Prepare Issues and Alternative Options ( <i>Regulation 25</i> )	May – December 2005. Consultation period February – March 2006
Pre-submission public participation on Preferred Options and formal SA report. ( <i>Regulation 26</i> )	November 2007
Submit to SoS and invite representations ( <i>Regulations 28 and 29</i> )	December 2008
Core Strategy Withdrawn	January 2010
Regulation 25 Consultation	December 2010-January 2011
Publish DPD and invite representations on the "soundness" of the Plan (i.e. whether it is justified, effective and consistent with national policy)( <i>Regulation 27/28</i> )	December 2011 to January 2012
Examination Period ( <i>Regulation 34</i> )	Spring 2012
Receive Inspector's Report	Early Summer 2012
Adopt and publish DPD ( <i>Regulation 36</i> )	Summer 2012
<b>Monitoring and Review Arrangements</b>	
Progress to be reviewed as part of the Annual Monitoring Report.	
<b>Risk Assessment</b>	
Lack of capacity in-house to deliver on time or diversion onto other priorities. Unable to retain or recruit staff with appropriate skills. PINS availability for examination and report received in time. Legislative and Regulatory changes to/reforms of the planning system. The Council does not take a decision in time due to the democratic process and timetabling of meetings. Insufficient budget to undertake studies and SA process. Large number of representations received at all stages. Change of National Guidance or Planning Policy structure.	

<b>Document Details</b>	
Title	<b>Site Allocations and Development Management DPD</b>
Role and Subject	Identifies site-specific allocations for a range of uses such as housing, employment, retail, leisure and community uses. To be produced in parallel with the Development Management DPD.
Geographical Coverage	Borough wide.
Chain of Conformity	General conformity with national PPGs/PPSs, East of England Plan, saved Local Plan Policies and Core Strategy.
Inter-relationships	Community Strategy, Housing Strategy, Environment Policy and Action Plan, Crime Reduction Strategy, Cultural and Leisure Strategy, other legislation.
<b>Arrangements for Production</b>	
Lead Organisation / Department	Hertsmere Borough Council's Policy and Transport Team
Management Arrangements	Project Board: The Council, the Executive; Project Manager: Policy & Transport Manager; Project Team: Policy & Transport team; Quality assurance: Head of Planning.
Joint Working	Employ consultants to undertake studies. Opportunities for joint commissioning.
Stakeholder/Community Involvement	Methods dependent upon the range of target audiences and the resources available to facilitate different methods.
Studies/Evidence Required	Employment land study, housing capacity study, open space and leisure study. Possibly other studies on hotels, cemeteries, health uses, allotments, and elderly care provision.
Resources Required	Cost of any required technical studies, Sustainability Appraisal, Examination and a Programme Officer
<b>Timetable for production</b>	
Pre-production / survey, including preparation of a Sustainability Appraisal (SA) scoping report.	Studies undertaken during 2005/06. Hold initial discussions with developers, landowners and the community to identify and consider site specific proposals
Prepare Issues and Alternative Options	March – December 2006. Consultation period February – March 2007 (six weeks)
Public Participation/Consultation (Regulation 25)	March 2012
Publish DPD and invite representations on the "soundness" of the Plan (i.e. whether it is justified, effective and consistent with national policy)(Regulation 27/28)	December 2012
Submit DPD to Secretary of State - Examination begins	February 2013
Examination Period ( <i>Regulation 34</i> )	Spring 2013
Receive Inspector's Report	June 2013
Adopt and publish DPD ( <i>Reg. 36</i> )	July 2013
<b>Monitoring and Review Arrangements</b>	
Progress to be reviewed as part of the Annual Monitoring Report.	
<b>Risk Assessment</b>	
Lack of capacity in-house to deliver on time or diversion onto other priorities. Unable to retain or recruit staff with appropriate skills. PINS availability for examination and report received in time. Legislative and Regulatory changes to/reforms of the planning system. The Council does not take a decision in time due to the democratic process and timetabling of meetings. Insufficient budget to undertake studies and SA process. Large number of representations received at all stages. Change of National Guidance or Planning Policy structure.	

<b>Document Details</b>	
Title	<b>Elstree Way Area Action Plan DPD</b>
Role and Subject	To provide a comprehensive planning framework for the Elstree Way Corridor
Geographical Coverage	Elstree Way Corridor, Borehamwood (From Junction of Shenley Road/Elstree Way to Studio Way)
Chain of Conformity	General conformity with national PPGs/PPSs, East of England Plan, saved Local Plan Policies, Core Strategy and Site Allocations.
Inter-relationships	Core Strategy and Site Allocations DPD and relevant SPD, other legislation.
<b>Arrangements for Production</b>	
Lead Organisation / Department	Hertsmere Borough Council's Policy and Transport Team
Management Arrangements	Project Board: The Council, the Executive; Project Manager: Policy & Transport Manager; Project Lead Senior Planning Officer; Quality assurance: Head of Planning.
Joint Working	Council Estates Department, and Other Key Landowners including Hertfordshire County Council and Hertfordshire Constabulary
Stakeholder/Community Involvement	Methods dependent upon the range of target audiences and the resources available to facilitate different methods.
Studies/Evidence Required	Elstree Way Feasibility Study and Borehamwood Transport Study Complete
Resources Required	
<b>Timetable for production</b>	
Pre-production / survey, including preparation of a Sustainability Appraisal (SA) scoping report.	Studies undertaken during 2005/06. Hold initial discussions with developers, landowners and the community to identify and consider site specific proposals
Prepare Issues and Alternative Options	March – December 2006. Consultation period February – March 2007 (six weeks)
Public Participation/Consultation (Regulation 25)	April 2012
Publish DPD and invite representations on the "soundness" of the Plan (i.e. whether it is justified, effective and consistent with national policy)(Regulation 27/28)	October 2012
Submit DPD to Secretary of State - Examination begins	December 2012
Examination Period ( <i>Regulation 34</i> )	March 2013
Receive Inspector's Report	April 2013
Adopt and publish DPD ( <i>Reg. 36</i> )	May 2013
<b>Monitoring and Review Arrangements</b>	
Progress to be reviewed as part of the Annual Monitoring Report.	
<b>Risk Assessment</b>	
Lack of capacity in-house to deliver on time or diversion onto other priorities. Unable to retain or recruit staff with appropriate skills. PINS availability for examination and report received in time. The Council does not take a decision in time due to the democratic process and timetabling of meetings. Insufficient budget to undertake studies and SA process. Large number of representations received at all stages. Change of National Guidance or Planning Policy structure. Failure to reach agreement between different landowners.	

<b>Document Details</b>	
Title	<b>Community Infrastructure Levy Charging Schedule</b>
Role and Subject	The charging schedule sets out the rates of CIL which will apply in the authority's area. This will involve consultation and independent examination. CIL rates must be expressed as pounds per square metre, as CIL will be levied on the gross internal floorspace of the net additional liable development. The published rate(s) within the charging schedule will enable liable parties to anticipate their expected CIL liability.
Geographical Coverage	Borough wide.
Chain of Conformity	General conformity with national PPGs/PPSs/NPPF, East of England Plan, saved Structure Plan policies, and Waste and Minerals Development Plan Documents. All other LDDs must be in conformity with the Core Strategy.
Inter-relationships	Community Strategy, Local Transport Plan, utilities & other infrastructure plans and strategies, Housing Strategy, Environment Policy and Action Plan, Crime Reduction Strategy, Cultural and Leisure Strategy, other legislation.
<b>Arrangements for Production</b>	
Lead Organisation / Department	Hertsmere Borough Council's Policy and Transport Team
Management Arrangements	Project Manager: Policy & Transport Manager; Project Team: Policy & Transport team; Quality assurance: Head of Planning.
Joint Working	Consultants, Local Strategic Partnership, key stakeholders including Hertfordshire County Council and adjoining authorities.
Stakeholder/Community Involvement	Dependent upon the range of target audiences and the resources available to facilitate different methods. Expanded upon in the SCI.
Studies/Evidence Required	Infrastructure Assessment, viability assessment
Resources Required	Cost of any required technical studies, , Examination and a Programme Officer
<b>Timetable for production</b>	
Pre-production / survey	Winter 2011
Prepare CIL charging schedule	Early 2012
Public Consultation and right to be heard on draft charging schedule	Spring/Summer 2012
Modification on draft charging schedule	Summer 2012
Appoint examiner and programme officer	Autumn 2012
Examination Notification	Late Autumn 2012
Examination	Winter 2012
Inspectors Report	Spring 2012
Introduction of Charge	Mid 2013
<b>Monitoring and Review Arrangements</b>	
Progress to be reviewed as part of the Annual Monitoring Report.	
<b>Risk Assessment</b>	
Lack of capacity in-house to deliver on time or diversion onto other priorities. Unable to retain or recruit staff with appropriate skills. PINS availability for examination and report received in time. Legislative and regulatory changes to/reforms of the planning system. The Council does not take a decision in time due to the democratic process and timetabling of meetings. Insufficient budget to undertake studies. Large number of representations received at all stages. Change of National Guidance or Planning Policy structure.	

**Figure 1: Hertsmere Local Development Framework Gantt Chart**

	2011		2012												2013											
	November	December	January	February	March	April	May	June	July	August	September	October	November	December	January	February	March	April	May	June	July	August	September	October	November	December
Core Strategy	Regulation 25 Consultation	Regulation 25 Consultation	Submission		Examination	Examination			Inspectors Report	Adopt																
Site Allocations and Development Management					Regulation 25 Consultation	Regulation 25 Consultation								Regulation 25 Consultation	Regulation 25 Consultation	Submission	Examination	Examination		Inspectors Report	Adopt					
Elstree Way Area Action Plan						Regulation 25 Consultation	Regulation 25 Consultation					Regulation 25 Consultation	Regulation 25 Consultation	Submission	Examination	Examination		Inspectors Report	Adopt							

<b>Key</b>	
Regulation 25 Consultation	Red
Regulation 27/28 Consultation	Orange
Submission	Green
Examination	Blue
Inspectors Report	Purple
Adopt	Yellow

## Chapter 4: Other LDF Documents

**4.1** This chapter provides a brief description of the procedural documents and guidance documents that form part of the LDF.

### Procedural Documents

**4.2** This **Local Development Scheme (LDS)** is itself part of the LDF. As explained in Chapter 1, it essentially describes Hertsmere's present and future LDF and provides a programme for its preparation. Hertsmere has also prepared the following procedural documents:

- **Statement of Community Involvement (SCI)** adopted September 2006. The SCI sets out how the Council will engage with stakeholders in preparing Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) as part of its LDF. It also provides information about how consultation on individual planning applications takes place.
- **Annual Monitoring Report (AMR)**. Hertsmere Borough Council published its last AMR in December 2010. It provides up-to-date statistics about key issues in the Borough and assesses the performance of existing Development Plan policies. The next AMR will be published in December 2011.

### General Supplementary Planning Documents

**4.3** Unlike DPDs, Supplementary Planning Documents (SPDs) do not set policy and, as such, they do not form part of the statutory Development Plan. As their name suggests, the role of SPDs is to provide supplementary guidance (only where such guidance is necessary) to assist with the implementation of a particular policy or policies in the Development Plan.

**4.4** Amendments to the PCPA as a result of the Planning Act, 2008, mean that SPDs do not need to be formally recorded in the LDS before they can be prepared. Hertsmere Borough Council therefore has greater flexibility to produce and renew guidance as necessary. However, it is still considered helpful to provide a description of the existing SPDs and to highlight those new ones which will be prioritised in the short term (although it should be noted that DPD preparation will always take priority over SPD preparation)

**Table 2: Existing Hertsmere SPDs**

Document Title	Current Status	Next Stage of Review	Scope and Purpose
<b>Guidance linked to adopted Local Plan and emerging Core Strategy Planning Obligations</b>	Adoption - December 2010		
<b>Affordable Housing</b>	Adopted SPD (1st Oct 2008)	December 2011 – Public Consultation on revised draft,	To provide detailed guidance on the application of affordable housing policies
<b>Parking Standards</b>	Adopted SPD (1st Oct 2008)	Revisions(see row below)	Sets out detailed off-street parking standards for residential and non residential development, including provision for disabled spaces and guidance on Green Travel Plans
<b>Parking Standards</b>	SPD amendments Adoption - December 2010		Amended guidance on the discounting of parking provision in accessibility zones
<b>Biodiversity, Trees and Landscape SPD</b>	Adopted SPD December 2010	Adoption - December 2010	Provides advice on potential impacts of development on protected species, habitats, trees and landscape and sets out best practice approaches to mitigate, improve and enhance biodiversity.
<b>Planning and Design Guidance</b>			
<b>Part A - Overview and Context</b>	Adopted SPD (1st Nov 2006)		Sets out the Council's standards in relation to development.
<b>Part B - Permitted Development</b>	Adopted SPD (April 2009)		To be updated, following amendments to the PD rights.
<b>Part C - Site Appraisal: Design and Access Statements</b>	Adopted SPD (1st Nov 2006)		
<b>Part D - Site Appraisal: Guidelines for Development</b>	Adopted SPD (1st Nov 2006)	Draft review underway. Early 2012	Planned review in light of changes to PPS3 on development density and 'garden land'. May also explore need for guidance on room sizes and back to back distances
<b>Part E - Guidelines for residential extensions and alterations</b>	Adopted SPD (1st Nov 2006)		
<b>Part F - Shopfronts</b>	Adopted SPD (March 2011)		



**4.5** In addition to the above, Hertsmere Borough Council has saved the following Supplementary Planning Guidance (SPG) that was prepared under the pre-PCPA planning system:

- Sustainability indicators
- Recreation provision
- Watling Chase Community Forest
- Elstree Way Corridor Planning and Design Brief
- Warren Estate (Bushey Heath) Design Guide
- Joseph Rowntree Foundation Lifetime Homes

<b>Good Practice Guidance/Advice</b>			
<b>Streetscene Manual</b>	Good Practice Guidance, Draft published June 2011		Guidance on hard and soft landscaping and streetscene enhancement
<b>Building Futures (Guide and Website)</b>	Good Practice Guidance Endorsed 12 Nov 2008		Guidance on sustainable development
<b>Elstree Way (LDO area)</b>	Design advice, Adopted February 2011		Design advice published alongside implementation of Local Development Order (LDO)
<b>Area Development Briefs</b>			
<b>Radlett Key Locations</b>	Development Brief with SPD status, Adopted March 2011		Sets out planning policies and assesses development potential of 4 key sites in Radlett centre
<b>Rosway Drive Industrial Estate , Bushey</b>	Development Brief with SPD status	In Preparation	Consultation - early 2012 with adoption by summer 2012
<b>Bhaktidavanta Manor, Letchmore Heath</b>	Development Brief with SPD status	In preparation	Consultation -Early 2012 with adoption by Sept 2012

## **Conservation Area Appraisals**

**4.6** Under Section 69 of the Planning (Listed Buildings & Conservation Areas) Act, 1990, local planning authorities (LPA) have a duty to designate as Conservation Areas "*any areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*". Such a designation gives the LPA greater control over demolition, minor development, works to trees and advertisements in these areas. The specific purpose of a Conservation Area Appraisal (CAA) is to define the key characteristics that give the area its special character and should, therefore, be conserved or enhanced.

**4.7** There are currently 15 Conservation Areas (CA) in Hertsmere. It is important to ensure that the character of these areas is maintained and, as such, consents for demolition should not be granted without first securing an appropriate replacement scheme.

## **Programme for New or Revised CAAs**

**4.8** The Council has an obligation to review conservation areas from time to time and to determine whether any additional adjoining sites should be included or sections removed.

This is under Section 69 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Hertsmere is currently progressing a programme of reviewing existing and new conservation areas, it includes the following:

- Radlett North - complete
- Bushey Village - complete, this includes the designation of new Melbourne Road CA as a result of appraisal
- Radlett South - consultation completed
- Shenley - consultation completed
- Potters Bar – proposed new conservation area,
- Elstree Village CA - appraisal underway
- Bushey High Road/Heath CA - appraisal underway
- The Lake/Warren Estate, Bushey CA - appraisal underway
- Sparrows Herne, Bushey - consideration of possible CA

## Chapter 5: Supporting Statement - Evidence, Resources and Risks

**5.1** Hertsmere Borough Council prepares its remaining DPDs in accordance with the timescales set out in this LDS. This is important both for delivering the necessary development, and to ensure that interested parties are aware of the public participation stages although the Council has an extensive LDF mailing database with over 1,000 individuals, developers and other stakeholders who are automatically notified of relevant new documents. The purpose of this supporting statement is to demonstrate that, in setting these timescales, Hertsmere Borough Council has taken account of the resources available for preparing LDF documents and the evidence needed to support them. It concludes with a Risk Assessment which highlights the most significant risks to meeting the timescales set.

### Evidence

**5.2** The adopted Core Strategy is supported by a considerable amount of evidence that has been collected and, where necessary, updated, over the past five years. Much of the same evidence is being used to inform the preparation of the remaining DPDs and the studies in table 3 are frequently used on a day to day basis to inform individual decisions on planning applications.

**5.3** However, as indicated in the DPD Document Profiles in Chapter 3, further work will be required. When the DPDs are submitted to the Secretary of State for independent examination, the Planning Inspector will test whether their policies and proposals are "justified" with reference to up to date and robust evidence. It should be noted, however, that the evidence should be proportionate to the task and this is reiterated in the emerging NPPF.

**Table 3: Hertsmere LDF Evidence Base**

#### Commissioned by Hertsmere Borough Council

Evidence	Purpose
Viability Study - Development Economics Study	The Development Economics Study examines the viability of delivering affordable housing by considering a range of possible different policy options for thresholds and percentages for requiring the provision of affordable housing. (Three Dragon Consulting May 2010)
Strategic Flood Risk Assessment	A Level 1 Strategic Flood Risk Assessment in accordance with Planning Policy Statement 25. (Halcrow May 2008)

#### Jointly commissioned with neighbouring authorities and other authorities

Evidence	Purpose
Strategic Housing Market Assessment	The Strategic Housing Market Assessment considers how the local housing markets operate and assesses housing need and demand in the area. The Strategic Housing Market Assessment was produced in cooperation with Hertfordshire County Council, Dacorum Borough Council, Hertsmere Borough Council, St Albans District Council, Three Rivers District Council, Watford Borough Council and Welwyn Hatfield

	Borough Council, to consider the wider housing market. (ORS Consulting April 2010)
Housing Needs Survey	Hertsmere Borough Council and Welwyn Hatfield District Council jointly commissioned David Couttie Associates to examine the levels of housing demand and supply in each District. (November 2005)
Gypsy and Traveller Accommodation Needs Survey	The Centre of Urban and Regional Studies at the University of Birmingham undertook an assessment of need for gypsy and traveller sites and pitches in 2005. This is a joint project between Hertfordshire County Council, Dacorum Borough Council, Hertsmere Borough Council, St Albans City and District Council, Three Rivers District Council and Watford Borough Council. (CURS April 2005)
Identification of potential Gypsy and Traveller sites	Following the completion of the Gypsy and Traveller Accommodation Needs Survey in April 2005, independent consultants were appointed to prepare a report on potential sites. (Scott Wilson September 2006)
Hertfordshire London Arc Jobs Growth and Employment Land	The study's purpose is to provide a sub-regional overview of future requirements for employment land, comprising factories, warehouses and offices, in the plan period to 2026. It follows up earlier work on the Central Hertfordshire Employment Land Review. (Roger Tym and Partners, March 2009)
Central Hertfordshire Employment Land Review	Hertsmere Borough Council commissioned a joint report with Welwyn Hatfield District Council and St Albans City & District Council to analyse the quantity and quality of employment land in the Borough (Roger Tym & Partners November 2006)
GreenArc Strategic Green Infrastructure Plan	Provides an overview of existing strategic green infrastructure assets within the GreenArc (Hertfordshire and Essex), including consideration of assets and proposals which are significant for national and sub national/regional green infrastructure planning; (Land Use Consulting March 2011)
Hertsmere Green Infrastructure Study	Provides an overview of existing strategic green infrastructure assets and provides an action plan for Green Infrastructure within Hertsmere. (Land Use Consulting March 2011)
Hertfordshire Infrastructure and Investment Strategy	The Hertfordshire Local Authorities, comprising the ten District Councils and the County Council, commissioned Atkins Ltd, Roger Tym and Partners and URS to undertake the HIIS Study, an assessment of Hertfordshire's future infrastructure requirements and the identification of funding mechanisms necessary to secure its provision. (Atkins Ltd, Roger Tym and Partners and URS August 2009)
Elstree Way Corridor Feasibility Study	The study seeks to prepare a viable master plan scenario for the redevelopment of the Elstree Way Corridor. (Colin Buchanan and Partner June 2010)

**Prepared in-house by HBC**

Evidence	Purpose
Strategic Housing Land Availability Assessment (SHLAA)	The document includes an assessment of potential sites and locations for housing and provides a picture of the quantity and timing of future housing supply over the next 15 years. The SHLAA will be kept under annual review to maintain an up to date understanding about where development potential may exist in that may contribute towards the creation of sustainable mixed communities. (Hertsmere Borough Council, September 2010 and Update November 2011)
Local Significant Employment Sites	The purpose of the Local Significant Employment Sites was to recommend sites currently in B, or physically similar Sui Generis, use for allocation as Local Significant Employment Sites in the Borough's Local Development Framework. (Hertsmere Borough Council August 2009 and updated September 2010)
Retail Topic Paper	The topic paper set out the existing robust evidence base regarding the retail needs assessments that covers Hertsmere but have been prepared by authorities that adjoin Hertsmere. This justifies Hertsmere Borough Council's position regarding the informed decision not to allocate any major retail sites itself and the choice not to undertake an additional full retail needs / capacity assessment. (Hertsmere Borough Council August 2009)
Town Centres and Shopping Study	The study evaluates the health of the six existing town and district centres and provides guidance to assist the Council in the evaluation and assessment of planning applications and proposals for retail development within the Borough in the future. (Hertsmere Borough Council July 2008)
Hertsmere Open Space Report	This study aims to identify the quantity and quality of open spaces and recreational opportunities available to residents of Hertsmere. By establishing actual and / or anticipated levels of demand, the study will identify the land requirements for open space for the period to 2021. (Hertsmere Borough Council October 2011)
Employment Site Allocations	This report seeks to assess the boundaries of these allocated sites, to establish whether they are still relevant, and make recommendations in respect of whether they should be altered before these existing sites are considered for reallocation in the Council's emerging Site Allocations and Development Management Development Plan Document (DPD).

**Commissioned by HCC**

Evidence	Purpose
Building Futures	Building Futures is an evolving web-based guide, designed to provide practical, user-friendly and up to

	date guidance for planning officers, developers and the general public on how to make development in Hertfordshire more sustainable and of a higher quality in design terms. (Hertfordshire County Council)
Hertfordshire Renewable and Low Carbon Energy Technical Study	The study identifies options for delivering Renewable and Low Carbon opportunities to Hertfordshire. It provides an understanding of the local feasibility and potential for renewable and low-carbon technologies. (Aecom July 2010)
Borehamwood and Elstree Transport Plan	This transport plan, below, provides a framework to focus transport improvements and manage congestion in Borehamwood and Elstree over the next five years. (Hertfordshire County Council July 2007)
South West Hertfordshire Transport Strategy Review and Action Plan	The Review provides a forward vision for the area which is in accordance with local and national policies, challenges and targets and the identified objectives for the South West Herts area. (November 2008)
Potters Bar UTP	Hertfordshire County Council is developing an Urban Transport Plan for Potters Bar which sets out the priorities for transport investment for the next five years and beyond.

## Emerging Studies

**5.4** The Council is currently in the process of producing additional supporting information, this includes:

- Infrastructure Topic Paper (To be published December 2011)
- Review of Major Developed Sites (To be published January 2012)
- Urban Open Spaces and Amenity Greens Report (To be published May 2012)
- Community Infrastructure Levy Viability Work (Work was commissioned in December 2011 on CIL. It is the Council's intention to adopt a CIL charging schedule by mid-2013)

## Resources

**5.5** Hertsmere is a small Council with limited resources, and the new planning system, with its increased emphasis on evidence based plan-making and community engagement, has placed a significant additional resource burden on the Council. The Council has balanced the need for a high quality; sound evidence based Local Development Framework against speed of production.

**5.6** The Local Development Framework is prepared by the Planning Policy Team, with the input of other teams as necessary. The team currently comprises the Planning Policy Manager, a Senior Planning Officer, and two Planning Officers. A second Senior Planning Officer is due to start in January 2012 to work on CIL and the Elstree Way Area Action Plan. The team also includes a Conservation and Design, this is provided by consultants from a company called BEAMS who primarily provide comments on planning applications, review conservation areas and produce conservation area appraisals. The team also includes an arboricultural officer and traffic engineer.

## Risks

**5.7** There are a number of risks that could impact in the delivery of the Local Development Framework. These are considered below:

- **Funding and departmental resources**, a budget has been built up over several years for the LDF process (excluding staff costs). However, the Council needs to make significant savings over the next few years and so this budget cannot be relied upon to continue to be maintained at historic levels. Therefore it will be necessary to keep costs at a minimum through smarter working. *(Potential Risk: High)*
- **Revocation of the RSS and changes to national planning structure**, The Government is currently reviewing national guidance and the Council will monitor this closely to see what the impact is on the LDF. Changes to the planning system introduced by Government are out of the Council's direct control but have some procedural and resource implications for Hertsmere Borough Council. There is sufficient flexibility in the LDS to deal with any changes in the regional planning framework, such as changes to the Regional Spatial Strategy. *(Potential Risk: High)*
- **Staff turnover/difficulty in recruitment**, should staff leave, we would seek to new recruit staff by advertising quickly, unless posts are frozen. If difficulties in recruiting suitable and qualified staff arise, we will explore other options including the use of focussed consultants or agency staff, subject to resources. *(Potential Risk: Medium)*
- **“Soundness” of Development Plan Documents**, The Council will minimise this risk in several ways. We will liaise closely with the Planning Inspectorate, our partners, our own Legal advisors, in particular regarding meeting statutory requirements, and by using the PAS 'soundness self assessment toolkits'. *(Potential Risk: Medium)*
- **Programme Slippage**, The Council will continue to monitor the progress of DPDs against the LDS and report these in the AMR each year. We have sought to ensure that the timing of resource intensive stages on the Local Development Documents do not clash to the extent that our resources are overstretched, and this will be kept under review. The LDS will itself be kept under review with interim updates published as necessary. *(Potential Risk: Medium)*
- **Capacity of the Planning Inspectorate**, there is a risk that PINS will be unable to cope with examination demand nation-wide. Progress nationwide with LDF production is beginning to accelerate after a slow start. The Council has kept PINS informed of its Core Strategy timetable and they have raised no concerns. Should PINS not be able to meet the Council's timing requirements for the Examination, we would wish to be advised of this at a very early stage. *(Potential Risk: Low)*
- **Legal Challenge**, There is a risk that third parties could mount such a challenge to the adoption of a DPD. We will minimise this risk by ensuring that DPDs are “sound” and founded on a robust evidence base and well-audited community engagement. We will also work closely with our Legal Services officers. *(Potential Risk: Low)*
- **Failure of external parties to meet project deadlines**, there is a risk that consultants or other stakeholders do not supply evidence base studies on time, or that consultants cannot be sourced. *(Potential Risk: Medium)*
- **Scale of stakeholder engagement**, It is not possible to predict accurately the likely scale of responses at various stages of consultation. However, should this be higher than expected, the Council will seek to gain additional admin/planning support to process them. We will seek to engage people by targeting key stakeholders in organisations and 'hard to reach' groups. *(Potential Risk: Low to Medium)*

## Chapter 6 Keep Informed

**6.1** This LDS can be downloaded from Hertsmere Borough Council's website at [www.hertsmere.gov.uk/planning](http://www.hertsmere.gov.uk/planning). This page will be kept up to date with details of forthcoming events and any minor alterations to timetables. If you wish to be included on the Council's mailing list please email [core.strategy@hertsmere.gov.uk](mailto:core.strategy@hertsmere.gov.uk), or write to Planning Policy Team, Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, Herts, WD6 1WA.

**6.2** Paper copies of the LDS are available for reference at the following locations:

Address	Opening times	Address	Opening times
<b>Civic Offices</b> Elstree Way Borehamwood WD6 1WA	Monday - Thursday: 8.30am - 5.15pm Friday 8.30am - 5.00pm	<b>Aldenham Parish Council</b> Radlett Centre 1 Aldenham Avenue Radlett WD7 8HL	Monday - Friday: 9.00am - 4.00pm
<b>The Bushey Centre</b> High Street Bushey WD23 1TT	Monday - Friday: 9.30am - 2.00pm	<b>Wyllyotts Centre</b> Wyllyotts Place Darkes Lane Potters Bar EN6 2HN	Monday - Friday: 9.30am - 2.00pm
<b>Borehamwood Library</b> Elstree Way Borehamwood WD6 1JX	Monday and Wednesday: 09.00 - 19.00 Tuesday: 14.00-19.00 Thursday: 11.00-19.00 Saturday: 09.00-16.00 Friday and Sunday: Closed	<b>Radlett Library</b> 1 Aldenham Avenue Radlett WD7 8HL	Monday & Thursday: 14.00 - 18.00 Tuesday & Friday: 09.00 - 18.00 Saturday: 09.00 - 16.00 Wednesday and Sunday: Closed
<b>Bushey Library</b> Sparrows Herne Bushey WD23 1FA	Monday and Wednesday: 14.00-18.00 Tuesday and Friday: 09.00-18.00 Thursday and Sunday: Closed Saturday: 09.00-16.00	<b>Oakmere Library</b> High Street Potters Bar EN6 5BZ	Monday and Wednesday: 09.00 - 18.00 Tuesday and Friday: 14.00 - 18.00 Thursday and Sunday: Closed Saturday: 09.00 - 16.00

Opening hours correct at 18/11/2011



# Appendix 1

## Hertsmere Local Plan Saved Policies

Policy K1:	Sustainable Development
Policy K2:	Development Strategy
Policy C1:	Green Belt
Policy C2:	Safeguarded Land General Principles
Policy C3:	Reuse of Buildings in the Green Belt
Policy C4:	Development Criteria in the Green Belt
Policy C5:	House Extensions and Replacement Dwellings in the Green Belt
Policy C6:	Elstree and Shenley Villages - Infilling
Policy C7:	Watling Chase Community Forest
Policy C8:	Watling Chase Community Forest Gateway Sites
Policy C9:	Landscape Conservation Areas
Policy C10:	Landscape Character
Policy C11:	Agricultural Land - Protecting Higher Grades
Policy C12:	Agricultural, Forestry and Equestrian Workers' Dwellings
Policy C13:	Agricultural, Forestry and Equestrian Workers' (temporary) Dwellings
Policy C14:	Agricultural, Forestry and Equestrian Workers' Dwellings - occupancy
Policy C15:	Farm and Countryside Diversification
Policy C16:	Equestrian Developments
Policy C17:	Cemeteries and Memorial Gardens
Policy C18:	Major Developed Sites in the Green Belt
Policy C19:	Shenley Hospital
Policy C20:	Harperbury Hospital
Policy H1:	Housing Land - Overall Supply Planned Regeneration
Policy H2:	Housing Sites - Estimated
Policy H3:	Surplus Schools in Borehamwood
Policy H4:	Green Belt Safeguarded Land for Housing
Policy H6:	Retention of Existing Residential Accommodation
Policy H8:	Residential Development Standards
Policy H9:	Redevelopment for Apartments in Existing Urban Areas
Policy H10:	Back Garden Development
Policy H11:	Residential Conversions
Policy H12:	Sheltered Housing
Policy H13:	Changes of Use to Residential
Policy H14:	New Residential Development in Town and District Centre Locations
Policy H15:	Accessible Housing and the Ability to Adapt
Policy H16:	Affordable Housing Provision
Policy H17:	Affordable Housing Provision in Rural Villages and Settlements
Policy B1:	Employment Areas
Policy B2:	Employment Areas - Offices and Other Employment Generating Uses
Policy B3:	Cranborne Road Employment Area
Policy B4:	Stirling Way Employment Area
Policy B5:	Centennial Park
Policy B6:	Class B1(a) Development
Policy B7:	Borehamwood Town Centre - Revitalisation
Policy B8:	Re-use or Redevelopment of Employment Sites Located Outside Employment areas and Town and District Centres
Policy B9:	Employment Development - Environmental and Design Considerations
Policy B10:	Small Business Units
Policy B11:	Home working
Policy T1:	Town and District Centre Action Plans

Policy T2:	Town and District Centre Regeneration Proposals
Policy T3:	Town and District Centres - Retail and Commercial Developments
Policy T4:	Shop Units - Redevelopment Opportunities
Policy T5:	Shopping Facilities - Areas of Deficiency
Policy T6:	Non-Retail Uses - Locational Criteria
Policy T7:	Non-Retail Uses - Other Criteria
Policy T8:	Development in Shopping Centres – Environmental Considerations
Policy T9:	Car Boot Sales and Other Forms of Temporary Sales
Policy L1:	Leisure and Recreational Developments – General Principles
Policy L2:	Leisure and Recreational Developments - Environmental Criteria
Policy L3:	Urban Open Land Areas
Policy L4:	Public Open Space: Proposed Sites
Policy L5:	Recreational Provision for Residential Developments
Policy L6:	Sports Facilities
Policy L7:	Playing Fields - Retention for Community Needs
Policy L8:	Allotments
Policy L9:	Tourism
Policy S1:	Social & Community Facilities - Existing
Policy S2:	Surgeries
Policy S3:	Residential Care and Supported Accommodation
Policy S4:	Provision of New Schools or Colleges
Policy S5:	Extensions to Existing Schools or Colleges
Policy S6:	Nurseries and Crèches
Policy S7:	Community Centres and Religious Buildings
Policy S8:	Libraries
Policy S9:	Gypsies and Travellers
Policy M1:	Movement Management
Policy M2:	Development and Movement
Policy M3:	South West Hertfordshire Transportation Strategy
Policy M4:	Borehamwood Transportation Strategy
Policy M5:	Pedestrian Needs
Policy M6:	Cyclists
Policy M7:	Equestrian Needs
Policy M8:	Rights of Way - Existing Definitive and Non-Definitive Public Networks
Policy M9:	Rights of Way - New 'Off Road' Routes and Greenways
Policy M10:	Passenger Transport Facilities 142
Policy M11:	Passenger Transport Enhancement
Policy M12:	Highway Standards
Policy M13:	Car Parking Standards
Policy M14:	South Mimms (Bignell's Corner) Special Policy Area
Policy E1:	Sites of Special Scientific Interest
Policy E2:	Nature Conservation Sites - Protection
Policy E3:	Species Protection
Policy E4:	Features of Major Importance for Nature Conservation
Policy E5:	Nature Conservation Sites - Management
Policy E6:	Nature Conservation Sites - Opportunities Arising from Development
Policy E7:	Trees and Hedgerows - Protection and Retention
Policy E8:	Trees, Hedgerows and Development
Policy E9:	Archaeology - Assessment of Sites
Policy E10:	Archaeology - Nationally Important Sites
Policy E11:	Archaeology - Sites of Less than National Importance
Policy E12:	Listed Buildings - Demolition
Policy E13:	Listed Buildings - Alteration and Extensions
Policy E16:	Listed Buildings - Development Affecting the
Policy E17:	Listed Buildings - Submission of Drawings

Policy E18: Buildings of Local Interest  
Policy E19: Conservation Areas - Demolition  
Policy E20: Conservation Areas - Redevelopment  
Policy E21: Conservation Areas - Retention of Character  
Policy E22: Conservation Areas - Preservation and Enhancement  
Policy E23: Conservation Areas - Design of Development  
Policy E24: Conservation Areas - Cumulative Effect of Small  
Policy E25: Conservation Areas - Detailing and Materials  
Policy E26: Conservation Areas - Submission of Detailed  
Policy E27: Conservation Areas - Adjacent Development  
Policy E28: Conservation Areas - Open Space  
Policy E29: Conservation Areas - Streetscape  
Policy E30: Conservation Areas - Shopfronts  
Policy E31: Historic Parks  
Policy E32: Battlefield  
Policy D1: Watercourses, River Corridors, Floodplains and  
Policy D2: Open Water Areas  
Policy D3: Control of Development Drainage and Runoff Considerations  
Policy D4: Groundwater Protection  
Policy D5: Water Supply & Sewerage Facilities for New Development  
Policy D6: Safeguarding Mineral Supplies  
Policy D7: Re-use and Recycling in Construction  
Policy D8: Telecommunications  
Policy D9: Shopfronts  
Policy D10: Advertisements  
Policy D11: Blinds and Awnings  
Policy D12: Street Furniture  
Policy D13: Noise Sensitive Development  
Policy D14: Noisy Development  
Policy D15: Energy Efficiency - Design and Layout of Development  
Policy D16: Renewable Energy Sources  
Policy D17: Pollution Control  
Policy D18: Hazardous Substances  
Policy D19: Lighting Installations and Light Pollution  
Policy D20: Supplementary Guidance  
Policy D21: Design and Setting of Development  
Policy D22: Amenity Greens  
Policy D23: Access for People with Disabilities  
Policy R2: Developer Requirements

## Appendix 2

### Structure of the Hertsmere Local Development Framework

