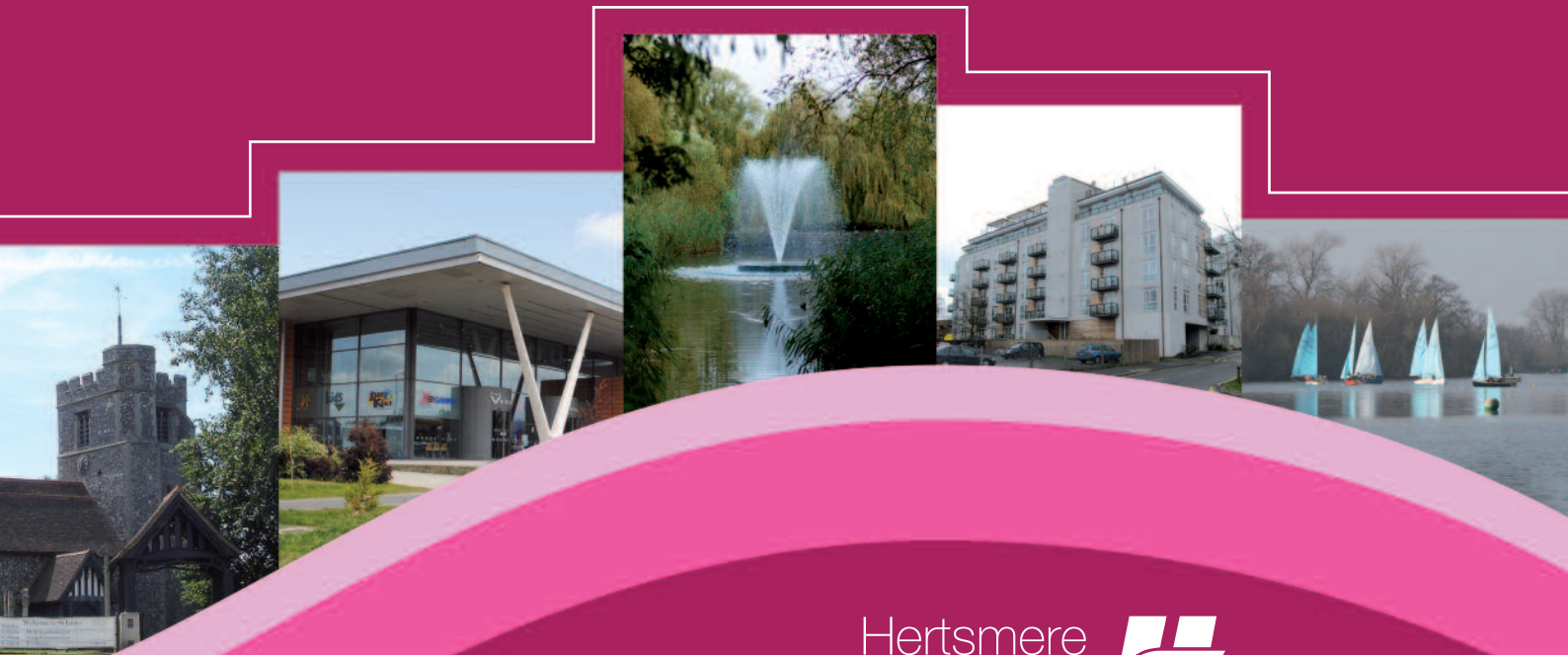


Hertsmere Local Plan

# Site Allocations and Development Management Policies

Consultation Draft

Published March 2014



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## **Foreword**

**The Council's Core Strategy was adopted on 16 January 2013. It is a very important planning document, providing a balance between the Borough's housing and economic development needs, social welfare and protection of the environment. It sets the framework for more detailed planning policies and provides the foundation for decisions on planning applications and development proposals.**

**The Core Strategy is the first of three documents which together will make up the new Local Plan for Hertsmere.**

**This document is the second part – the Site Allocations and Development Management Policies Development Plan Document (SADM for short). SADM has two main purposes:**

- a) to provide environmental criteria, against which all development proposals and planning applications can be judged; and**
- b) to define sites and areas:**
  - these are shown on a Policies Map. They include the Green Belt, towns and villages, town centres, employment areas and housing sites and open spaces. For site proposals, the plan lists specific planning criteria or constraints which should be adhered to.**

**The policies in SADM will help deliver the aspirations, targets and intentions of the Core Strategy. They will provide more clarity and certainty on planning issues for residents, businesses, developers and infrastructure providers alike.**

**This version of SADM is purely for consultation. You can find out more from the Council's website or offices, libraries or one of the exhibitions in your area. We would welcome your comments during the consultation period, as they will help us to refine and improve this document.**

**You may wish to note that the third part of the Local Plan, which comprises an Area Action Plan for the Elstree Way Corridor in Borehamwood, was published In February.**

**Finally, I would like to thank everyone who has been involved in the preparation of SADM and hope that it will effectively manage change so that Hertsmere remains an attractive, safe and prosperous place for everyone who lives and works here.**

**Cllr Dr Harvey Cohen**  
Planning and Localism Portfolio Holder



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# 1. Introduction

- 1.1 As part of the changes to the plan making process introduced in 2012, Local Planning Authorities are required to produce a Local Plan. The new Local Plan for Hertsmere will help direct, plan for and manage development in the Borough up to 2027. It will consist of a number of Development Plan Documents (DPDs).
- 1.2 The National Planning Policy Framework (NPPF) states that individual DPDs that form the Local Plan should be drawn up in accordance with the duty to cooperate, legal and procedural requirements, and be sound. A sound document is positively prepared, justified, effective and consistent with national policy.
- 1.3 The new Hertsmere Plan will supersede the 2003 Hertsmere Local Plan. It will comprise the Core Strategy adopted in January 2013, and the Site Allocations and Development Management Policies DPD and the Elstree Way Corridor Area Action Plan DPD.
- 1.4 The Core Strategy sets out the broad planning framework for the area: it was adopted by the Council following extensive consultation and a Public Examination.
- 1.5 The Site Allocations and Development Management Policies DPD sets out detailed proposals and policies by which the Council sees the aims and objectives of the Core Strategy being best achieved. Appendix C lists the policies in this document and explains how they will supersede the Local Plan. This document is the consultation draft version of the Site Allocations and Development Management Policies DPD. The Council intends to publish the DPD and adopt it by the middle of 2015.
- 1.6 The Council has committed to undertake a review of the Core Strategy within three years of its adoption in order to consider housing and employment needs further. Publication of this review will follow the adoption of the Site Allocations and Development Management Policies DPD.

## Policy Context

- 1.7 The NPPF states in paragraph 150 that '*Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise*'. Policies should be consistent with the principles in the NPPF, including the presumption in favour of sustainable development.
- 1.8 The Local Plan Core Strategy 2013 Objectives establish the Council's overall principles for planning and development. The policies within this Site Allocations and Development Management Policies DPD are based on these objectives.
- 1.9 The Site Allocations and Development Management Policies DPD should therefore be consistent with the strategic direction and policies of the Core Strategy. In turn, the consultation and technical appraisal which underpin the Core Strategy are relevant to the Site Allocations and Development Management Policies DPD itself.
- 1.10 Further public consultation and technical appraisal will relate to the particular detail covered in this DPD (see following paragraphs).

- 1.11 The Elstree Way Corridor in Borehamwood is also the focus of an Area Action Plan (AAP), which will provide guidance for the redevelopment of a number of sites along Elstree Way. The AAP is due for submission to the Secretary of State for Examination in Public in the first part of 2014.

#### **What are Site Allocation policies?**

- 1.12 Site allocations establish the principle that a specific form of development should be located on a particular site or within a given area. The purpose is to provide developers, service providers, the local authority and residents with some certainty about which sites will be developed, how they will be managed and for what purpose. The allocation of a site does not necessarily mean that it will be developed straight away, although it is important to allocate some sites for development which can be delivered in the short term.
- 1.13 The allocation of a site does not convey planning permission to any particular development proposal; this will still need to be secured through the planning application process.
- 1.14 The Site Allocations policies identify land required to deliver the scale of growth and development set out in the Core Strategy 2013. The identification of sites in this document is the result of a number of technical studies and reports. A key study was the Strategic Housing Land Availability Assessment (SHLAA) which was carried out in 2010, and formally updated in 2011 and again for the Core Strategy examination process in 2012. There have been several calls for sites for the SHLAA, and again for this document, to ensure that evidence is up to date. Sites have been suggested through representations in the course of preparing the Core Strategy. Major Developed Sites in the Green Belt have had their own individual assessment and consultation through the Green Belt Sites Report which was published in March 2013. Employment Areas, the Key Employment Site, Locally Significant Employment Sites and green spaces have also been subject to individual assessment.

#### **What are Development Management policies?**

- 1.15 Development Management Policies set out criteria by which all planning applications will be judged. The policies will enable the delivery of the objectives and long term vision for the Borough in the Hertsmere Core Strategy. They have been informed by a broad evidence base, sustainability appraisal and consultation with statutory bodies.
- 1.16 The aim of development management policies is to reduce complexity for parties involved in the development process. The challenge of the NPPF is to be positive and proactive, and provide a flexible and balanced approach to planning. The policies together provide a clear framework for managing development and enhancing the natural, built and historic environment.
- 1.17 The policies in this document are supported by text outlining the main issues for Hertsmere and the strategic context that the development management principles sit within. The supporting text and policies may also refer to other documents, such as Supplementary Planning Documents produced by the Council to provide additional guidance on existing policies.



## **Duty to Co-operate**

- 1.18 The Duty to Cooperate requires local planning authorities to constructively and actively engage with relevant bodies as part of an on-going process to maximise effective working on the preparation of the Local Plan in relation to strategic matters. The NPPF states that *'the Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities'*<sup>1</sup>.
- 1.19 The Council has committed to a partial review of the Core Strategy within 3 years of its adoption in order to address fully the housing and employment needs of the respective market areas in co-operation with neighbouring authorities. The Core Strategy was adopted on the basis that the Plan set out an appropriate way of planning for the Borough. The Site Allocations and Development Management Policies have been prepared in accordance with the Core Strategy and seek to replace all remaining saved Local Plan 2003 policies.
- 1.20 The Council continues to work in co-operation with neighbouring authorities, including those in Hertfordshire, on relevant issues and on strategic priorities. The boroughs and districts in the County established a 'memorandum of understanding' in 2013 on matters pertaining to the duty to co-operate.

## **Consultation**

- 1.21 Consultation with the community and key stakeholders helps to inform and mould the policies and proposals of the Site Allocations and Development Management Policies DPD.
- 1.22 The Council undertook a consultation exercise in 2006 on the three separate elements of the new Local Plan. Development management and site allocations were two of the elements, alongside the strategic aspects for the Core Strategy. The consultation included correspondence with 1,500 consultees and other stakeholder involvement. The results of the consultation are reported in the Core Strategy Statement of Consultation March 2009. The consultation not only provided an important input to the Core Strategy, but also was relevant to site allocations and development management issues.
- 1.23 Relevant issues arising from that consultation were taken into account when formulating the Consultation Draft Site Allocations and Development Management Policies DPD. Key points were:
- the desire for continued protection of the Green Belt;
  - concern over traffic and parking provision;
  - the visual impact of new buildings in a local context;
  - implications for infrastructure; and
  - the protection of trees.
- 1.24 Before drafting began, the Council contacted a large number of individuals and organisations in April 2013 in compliance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Council asked for any suggestions for additional topics, issues or sites to be included in the Site Allocations and Development Management Policies document.

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<sup>1</sup> NPPF Paragraph 178

- 1.25 A Report of Consultation, starting with the call for sites and topics in April 2013, is being published separately. It covers notification and publicity, comments received on issues and drafts of the DPD, and responses given by the Council.

### **Evidence base and sustainability appraisal**

- 1.26 All DPDs that form part of the emerging Hertsmere Local Plan are supported with appropriate evidence. This ensures that the Plan is justified, in accordance with the requirements of the NPPF. It also ensures that the Site Allocations and Development Management Policies DPD is in accord with the Core Strategy. The evidence comprises technical studies and reports on various topics and issues.
- 1.27 Other sources of information and reference include the Council's Corporate Plan and Community Strategy. These plans are regularly reviewed by the Local Strategic Partnership and the Council, and updated where appropriate.
- 1.28 Sustainability Appraisal is required for each of the documents in the Local Plan. This ensures that consideration has been given to the social, economic and environmental implications of the policies in the document. The appraisal process has informed the Draft Site Allocations and Development Management Policies DPD, and will continue throughout preparation of the DPD. The Sustainability Appraisal should be read in conjunction with this document: a separate Habitats Regulations Assessment is not required.

### **How is this document set out?**

- 1.29 The written part of this document is divided into topic based chapters in line with the Core Strategy. The chapters, together with the main subjects covered, are as follows:
- Housing
    - New housing allocations and residential development
    - Safeguarded land for housing
    - Accommodation for Gypsies and travellers
  - Employment and the economy
    - Employment areas and sites
    - Safeguarded land for employment use
  - Open land and the environment
    - The natural environment
    - Natural resources
    - Pollution and Environmental Impacts
    - The Green Belt, including minor adjustments to the boundary and standards for appropriate development
    - Key Green Belt sites
    - Protecting the natural environment
  - Building sustainable communities
    - Design
    - Protection of community facilities
    - Allocation and protection of green spaces
    - Introduction of a special character area
  - Transport and parking
    - Detailed highway standards
    - South Mimms Special Policy Area
  - Town centres and shopping
    - Town and district centre boundaries and frontages

- Managing appropriate uses in shopping areas
- Implementation and monitoring framework

1.30 Appendix A contains maps showing site allocations, proposal sites and policy areas.

### **Monitoring**

1.31 Monitoring is important in order to be able to review the effectiveness and delivery of the policies over the plan period. There are some aspects of the Development Management Policies which need to be monitored in addition to those included in the Monitoring Framework for the Core Strategy.

1.32 The authority's monitoring report will use indicators and targets to ascertain the effectiveness of policies, and identify trends in the wider economic, social and environment context affecting the Borough. The monitoring framework for this document can be found in Chapter 8. It relates primarily to the delivery of housing allocations and aspects of development management. It is supported by the Monitoring Framework in Table 17 of the Core Strategy.

## 2. Housing

*'...working to support the community's housing needs by encouraging the provision of the right housing, in the right place through our strategic housing role'*  
**Corporate Plan 2009-2013, page 30**

*'Create better living conditions for Hertsmere residents'*  
**Community Strategy strategic objective, page 9**

*'Work to increase the supply of decent homes'*  
**Community Strategy Priority 1, page 17**

### **National Policy**

- 2.1 The National Planning Policy Framework (NPPF) states that planning applications for housing development should be considered in the context of the presumption in favour of sustainable development. It gives general advice on making provision for housing over the period of a development plan. It is the responsibility of the local planning authority to plan for housing development that reflects local demand.

### **Strategic Context**

- 2.2 The Core Strategy establishes the scale and distribution of housing development up to 2027. There are mechanisms in place to ensure that if the targets are not being met the Council can review the approach, and there is a commitment for the housing requirement to be reviewed in 2016 in co-operation with neighbouring authorities.
- 2.3 The overall approach is that the housing target for the Borough can be met in existing urban areas and other suitable locations, such as previously developed land in the Green Belt in line with the requirements of the NPPF and within settlement envelopes. An Area Action Plan (AAP) is being prepared for the Elstree Way Corridor in Borehamwood. This is an area earmarked in the Core Strategy for residential-led redevelopment, resulting in a substantial contribution to the housing target over the plan period. The AAP is scheduled for Examination in 2014.

### **Housing Supply**

- 2.4 Table 1 provides an update on the housing supply in Hertsmere, including site allocations and contributions from other sources. It shows a supply of 4,005 dwellings over 15 years. A majority could be delivered in the next 5 years of the Plan.
- 2.5 All potential site allocations were assessed against detailed criteria based on the principles of sustainable development.

**Table 1: Site Allocations in relation to the Housing Supply 2012 - 2027**

<b>Source of Supply</b>	<b>Number of Units (Net)</b>
<b>Completions 2012/13</b>	<b>292</b>
<b>Commitments at 1 April 2013</b>	
Commitments <sup>1</sup>	1,268
Elstree Way Corridor <sup>2,3</sup>	970
Small Scale SHLAA sites (under 10 units) <sup>3</sup>	96
Town Centre Sites (under Policy SADM36) <sup>3</sup>	53
<i>Windfall</i> <sup>4</sup>	
Small Scale Urban Windfall	270
Rural Windfall <sup>5</sup>	117
Large Scale Windfall	288
<b>Allocations in Policy SADM1</b>	<b>651</b>
<b>Total</b>	<b>4,005</b>

- Notes: <sup>1</sup> Commitments includes two sites given planning permission after 31 March 2013 – i.e. West Herts College Annexe (22 units) and Horizon One, Borehamwood (130 units). All commitments have planning approval from the Council.
- <sup>2</sup> Within the area defined by the Proposed Submission Draft of the Area Action Plan.
- <sup>3</sup> A discount of 6% has been applied to these sites in accordance with the methodology used in the Core Strategy.
- <sup>4</sup> Windfall is the same definition as in the Core Strategy: 1 years supply has been deducted from the totals in the Core Strategy because the estimate for future commitments covers 14, instead of 15, years.
- <sup>5</sup> Excludes some areas of previously developed land which have been identified in the Green Belt and are included in the Strategic Housing Land Availability Assessment.

2.6 Matters taken into consideration included:

- flooding;
- proximity to hazardous substances;
- contaminated land;
- transport and highways access;
- proximity to shops, schools, employment and public transport; and
- the potential impact on the landscape and wider environment.

2.7 These criteria were developed through consultation with key stakeholders to ensure that all relevant issues were addressed and in turn result in the most appropriate and sustainable sites being selected.

2.8 A key factor was compliance with the Core Strategy and the NPPF. Sites had to conform to the Core Strategy: for residential sites, this meant compliance with Policy CS1. Sites in the Green Belt were not selected unless they contained a significant element of previously developed land, and their development would not contradict the five purposes for including land in the Green Belt (which are set out in the NPPF). In addition sites were only included if they were likely to be available and deliverable within the plan period (15 years). Only sites with an estimated capacity of 10 or more units have been specifically allocated.

## Housing Allocations

2.9 The principle of residential development at the sites in Policy SADM1 is acceptable, subject to any site specific requirements identified. The sites have been selected having regard to their availability, deliverability and viability. The estimated number of dwellings in Policy SADM1 has taken into account:

- information contained within the SHLAA;
- identified development constraints; and
- indicative schemes put forward by agents or site owners through the call for sites and which have been discussed with officers informally or through a formal planning pre-application meeting.

<b>Policy SADM1 - Housing Allocations</b>			
Part or all of the following sites, which are identified on the Policies Map, are allocated for housing development:			
<b>Ref. No.</b>	<b>Site</b>	<b>Site Specific Requirements</b>	<b>Estimated Number of Dwellings</b>
H1	Directors Arms Public House, Ripon Way, Borehamwood	Mixed residential development incorporating flats and houses. A high quality design is required on this prominent corner plot. A building height of up to 4 storeys may be achievable fronting the roundabout.	26
H2	Gas Holders site, Station Road, Borehamwood	Flatted residential development. A building height of up to 4 storeys may be acceptable fronting Station Road. The height and design of building to the rear of the site must not harm the amenity of occupants of neighbouring two storey properties. A flood risk assessment is required in support of any planning application. Contamination and remediation strategy to be provided. The Retort House, a locally important building, should be retained.	43
H3	Land to the south of Elstree and Borehamwood Station	Mixed residential development incorporating flats and houses. A building height of 3 storeys is acceptable on parts of the site. The height and design of buildings must not harm the amenity of the occupiers of neighbouring two storey properties. The primary vehicular access should be taken from Station Road, and a convenient pedestrian link provided to the station. A noise and vibration assessment is required: relevant mitigation measures must ensure a satisfactory residential living environment.	50
H4	Land at Bushey Hall Golf Club, Bushey	Flats and houses will be acceptable. Development should be no more than two storeys, though there may be opportunities	13

		for accommodation within roof spaces. The priority is to ensure an open, treed setting that protects the Green Belt.	
H5	Land at Rossway Drive, Bushey	A mix of houses to be provided including a majority of 2 and 3 bedroom properties. The site layout should provide significant areas of open space in order to enhance the openness of the Green Belt. A master plan is required to guide the detailed planning of the site. The master plan should include the parcel of land to the immediate south of the site, as this could potentially become available for housing development in the longer term.	61
H6	Hertswood Upper School, Thrift Farm Lane, Borehamwood	Mixed residential development, incorporating flats and houses and a number of sheltered/extra-care units which must be provided in agreement with the Council. Vehicular access is preferred from Shenley Road and Studio Way. Convenient pedestrian links to be provided to the south and to the Hertswood Lower School site. All site accesses to be provided in line with the Highway Authority's technical guidance. A transport assessment is required to show that the cumulative impact on the highways network, taking into account planned development in the Elstree Way Corridor, can be adequately mitigated. Protected trees should be retained and, if any are lost, they should be replaced. Sustainable drainage system to be agreed with Hertfordshire County Council. Leisure and public amenity space to be provided on site. Residential development is linked to and must enable the development of new school facilities on the Hertswood Lower School site. Relocation of Hertswood Upper School, playing fields and The Ark Theatre to the Hertswood Lower School site. Programme of development on the two sites to be agreed to enable the immediate replacement of the theatre and ensure the proper level of school facilities, including playing fields, is available throughout the development period	276
H7	Land at Lincolnsfield, Bushey	Building coverage should be limited to enhance the openness of the Green Belt. A flood risk assessment should be submitted in support of any planning application. Protected trees should be retained and development limited to unused land and offset by removal of derelict buildings.	11

H8	Europcar House, Aldenham Road, Bushey	The design and layout of the new development should create a stronger building line, improve the street scene and provide a better relationship with other surrounding properties. Development should be no more than two storeys, although there may be opportunities for accommodation within roof spaces. A back to back arrangement should be achieved wherever possible. Semi-detached and/or terraced houses should front Aldenham Road.	19
H9	Former Sunny Bank School, Potters Bar	Housing development should respect the character of the surrounding area, particularly the adjacent conservation area. Dwellings should be either detached or semi-detached with spacious plots including front and rear gardens. Building heights should not exceed two storeys. Large flatted blocks will not be acceptable. Accesses may be taken from Field View Road, Sunny Bank Road and/or Meadow Way. Development should provide a continuation of the existing established building lines. The remaining educational/community uses must be satisfactorily relocated. A minimum of 1.4ha should be provided and managed as a public open space. This must be usable, well-designed and safely and conveniently accessible from the surrounding housing area. The public open space will be treated as Local Green Space for planning policy purposes thereafter.	43
H10	Birchville Court and adjoining haulage yard, Heathbourne Road, Bushey Heath	Flats and/or houses will be acceptable, with a mix of two and three storeys. The layout and design should allow for open views within the site and reinforce the sense of openness adjoining the Green Belt. Existing trees should be retained and supplemented.	39
H11	Potters Bar Bus Garage, High Street, Potters Bar	The bus depot use must be suitably relocated by the bus operator. Mixed residential development incorporating flats and houses. Building heights of 2-4 storeys are appropriate. The design and layout should ensure that the effects of noise and any other pollution from the adjoining Hollies Way Industrial Park are mitigated, and a satisfactory level of amenity provided for future residential occupiers.	70
<b>TOTAL UNITS FROM HOUSING ALLOCATION SITES:</b>			<b>651</b>



Development proposals must meet the site specific requirements and all relevant policies within the Local Plan, including Policy SADM27 on design.

The Council will also require the applicant to demonstrate that the necessary infrastructure required to support proposals will be delivered. This includes appropriate community infrastructure.

### **Safeguarded Land**

2.10 It is important to retain some safeguarded land both for future housing supply and to maintain the permanence of the Green Belt in the long term.

2.11 Potential housing sites safeguarded under Policy H4 in the Local Plan 2003 have been reassessed:

- (i) Hayden Dell Farm is being redeveloped for housing and is no longer safeguarded;
- (ii) Land east of Farm Way, Bushey is still safeguarded, though it is not thought to be currently available;
- (iii) Land bounded by Heathbourne Road, Windmill Lane and Clay Lane contains a significant proportion of previously developed land. The largest proportion of previously developed land is at the haulage yard and Birchville Court. This area is allocated for housing development. The remaining area to the north of this site will stay safeguarded: this comprises Greenacres House, The Callanders and Birchville Cottage. Two small piece of land to the south of the housing allocation are removed from safeguarding and are now within the urban area. These are County End and the vacant site to the west which abuts the southern boundary of the haulage yard;
- (iv) Starveacres, 16 Watford Road, Radlett comprises a single dwelling with a very large curtilage. It remains safeguarded;
- (v) Land at Byron Avenue/Vale Avenue in Borehamwood has been designated as a village green. This site is returned to full Green Belt status and Safeguarded Land designation removed;
- (vi) West Herts, College Annex in Bushey has planning permission: the principle of housing has been accepted and the land no longer needs to be subject to safeguarding. It is being included within the urban area.

2.12 Sites which continue to be subject to safeguarded are covered by Policy SADM2.

#### ***Policy SADM2 - Safeguarded Land for Housing***

The following sites are identified as Safeguarded Land for Housing on the Policies Map:

- a) Land east of Farm Way, Bushey;

- b) Land bounded by Heathbourne Road, Windmill Lane and Clay Lane, Bushey; and
- c) Starveacres, 16 Watford Road, Radlett.

These sites will only be released for housing in the event that a review of this plan indicates that there is insufficient land available from within the then defined urban area to meet longer term housing needs. Until that time the sites will be treated as if they are in the Green Belt: there will be a presumption against their inappropriate development.

## Housing Development

- 2.13 The policy for residential development builds on the principles contained in the NPPF and the approach established in the Core Strategy. The retention of existing residential units is an important foundation in the delivery of the housing target.
- 2.14 The NPPF allows local authorities to set their own guidelines for when the development of residential gardens is appropriate. Part D of the Planning and Design Guide sets out where such development will and will not be acceptable. Planning applications for developments of garden land will also be determined in accordance with other relevant development plan policies.
- 2.15 The conversion of existing buildings to residential uses and the redevelopment of sites for flats are normally acceptable in existing urban areas, subject to provision for other important uses, infrastructure capacity, and local character and amenity. This also includes development for sheltered housing, including extra-care and self-contained housing for the elderly.
- 2.16 The changes to permitted development rights in May 2013 which allow premises in B1(a) office use to change to C3 residential use, subject to prior approval, are acknowledged. However given the fact that these new rights have been introduced in exceptional circumstances and are only in place until May 2016, bearing in mind the 15 year span of the development plan it is considered prudent that the Council should retain policies which to prevent the loss of employment floorspace in the employment areas designated in the Core Strategy.
- 2.17 The Strategic Housing Market Assessment (SHMA) found that the private rented sector including the buy to let sector, had expanded considerably in recent years. It also found that a third of Hertsmere's housing stock is made up of semi-detached properties, and the rest is split evenly between detached, terraced and flatted accommodation. One of the SHMA conclusions was that '*there is consistently high need for...a significant number of larger homes*'. Hertsmere was also found to be the joint second authority in London Commuter Belt (West) area with the highest proportion of overcrowding, after Watford.
- 2.18 Investment and adaptation of the housing stock is an importance part of a process of urban renewal and delivery of a range of homes. However, a concentration of housing conversions and houses in multiple occupation (HMOs) in an area can have a detrimental effect on local character and neighbours' amenity. An increase in the number of households in a small area may also add significantly to pressures on infrastructure. Although the conversion of a dwelling house in Use Class C3 is permitted to Use Class

C4 (an HMO consisting of 3-6 unrelated individuals) without planning permission, it is important to take these houses into account when considering the effect of intensification of use in a small area. A small area is a street or possibly a neighbourhood, depending on local character. An over-concentration of converted dwellings is considered to occur at a level of 1 in 5 houses. More than that would have an adverse impact on the amenity of the local area.

- 2.19 Housing proposals should result in satisfactory living conditions for new occupiers and existing local residents. They should therefore comply with standards in Policy SADM3 and any other relevant policies and guidance.

### ***Policy SADM3 - Residential Developments***

Proposals which would result in the net loss of satisfactory residential units or accommodation will not be permitted. Replacement accommodation will be sought where it is necessary for homes to be demolished as part of a redevelopment scheme.

The redevelopment of sites for residential use will be supported in existing urban areas, subject to the requirements of relevant development plan policies. In particular, development on existing residential gardens must respect its immediate surroundings, and as far as possible improve the quality of the area. Such proposals will only be supported by the Council where they comply with the requirements set out in the Planning and Design Guide SPD.

For any development which provides a new flat or flats, the following principles will apply:

- (i) each flat should be self-contained with access direct from a street frontage or a common entrance hall; and
- (ii) suitable communal or private garden provision should be made for each flat.

The conversion of larger homes to smaller self-contained units or houses or buildings in multiple occupation (Use Class C4 or *sui generis*) will be refused planning permission if :

- (i) they fail to meet the minimum floor space requirements set out in the Planning and Design Guide SPD;
- (ii) there would be insufficient off-street parking provision in line with the Parking Standards SPD and the potential effect on the adjoining highway would be unsatisfactory;
- (iii) the size of garden space would be inadequate or access to it would be difficult; or
- (iv) there would be more than 1 in 5 conversions in a defined row of houses.

### **Gypsies and Travellers**

- 2.20 The Council's approach to the provision of Gypsy and Traveller pitches is set out in the adopted Core Strategy. This says that provision should be made to accommodate identified pitch requirements up to 2017. Provision has been made up to the end of 2013/2014. An additional 8 pitches are therefore needed for the four years to 2017/18.
- 2.21 Sites are identified in Policy SADM4. One site involves a small intensification and the other two entail regularisation of unauthorised but tolerated accommodation.

- 2.22 The Council will also protect existing authorised Gypsy and Traveller sites to ensure that pitches are not lost to alternative development and to ensure that the identified growth can be achieved.
- 2.23 A fresh Gypsy and Traveller assessment is being undertaken to address accommodation need after 2017/18. This has been commenced. The Council will take steps to accommodate any new need arising, if necessary through the allocation of new Gypsy and Traveller sites.

**Table 2: Existing Authorised Gypsy and Traveller Sites**

Site	Number of authorised pitches
Brookes Place, Potters Bar (formerly known as the 'Pylon Site')	25 permanent pitches
South Mimms transit site, Bignells Corner, South Mimms	1 permanent pitch and 15 transit pitches
Woodlands Yard, Shenleybury Cottages, Shenley	1 permanent pitch
Sandy Lane HCC traveller site, Bushey	30 permanent pitches
One Acre, Hilfield Lane, Aldenham	1 permanent pitch
The Conifers, Elton Way, Bushey	1 temporary pitch

***Policy SADM4 - Gypsy, Traveller and Travelling Showpeople Sites***

*Existing provision*

The Gypsy and Traveller sites listed in Table 2 will be protected for their existing use. Proposals which would result in the net loss of pitches will not be permitted.

*New provision*

New pitches will be provided on the following sites:

Reference	Site	Estimated pitches
GT1	Sandy Lane HCC traveller site, Bushey	3 additional
GT2	Gullimore Farm, Sandy Lane, Bushey	4 (regularised)
GT3	Chapman's Yard, Elton Way, Bushey	2 (regularised)

The Council will also consider whether there is scope for any further pitches to be provided on existing Gypsy and Traveller sites.

All new pitches should meet the criteria of Core Strategy Policy CS6.

### 3. Employment and Economy

*'One of the key roles of the local development plan is to maximise economic development and employment opportunities in the Borough'*

**Core Strategy paragraph 4.17**

*'The Council will support development proposed in appropriate locations, which attract commercial investment, maintain economic competitiveness and provide employment opportunities for the local community.'*

**Core Strategy Policy CS8**

*'...encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value'*

**NPPF Core planning principle**

- 3.1 The NPPF states that Council's approach should be flexible and be open to different sectors expanding within the Borough. The Core Strategy recognises the importance of the five Employment Areas and the Key Employment Site in the Borough. A review of the boundaries of the employment areas was undertaken in 2011: this review also considered development trends and pressures in the Borough and whether there was a need for a more responsive approach to employment land allocations, including the safeguarding land for employment.
- 3.2 The NPPF advocates that plans should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. They should have regard to market signals and the relative need for different uses to support local communities.
- 3.3 The Core Strategy identified the Employment Areas, Key Employment Site, Locally Significant Employment Sites and Safeguarded Land for Employment. This document, defines the boundaries of those sites.
- 3.4 Some boundaries are different from the 2003 Local Plan. Some land has been removed from employment area designation. The Elstree Way Employment Area in Borehamwood has been significantly reduced on its western side. The area removed is allocated for residential-led redevelopment in the Elstree Way Corridor Area Action Plan. Sites, including Studio Plaza on Elstree Way/Studio Way corner and the Gemini House site on Elstree Way/Manor Way corner, have come forward through planning applications for housing development and have been removed from the Employment Area. Stirling Corner has also been rationalised following the development of the Morrisons supermarket. There has been no reason to change boundaries at Cranborne Road and Otterspool Way.

#### **Policy SADM5 - Employment Areas**

The following sites identified on the Policies Map are allocated as Employment Areas. Detailed policy requirements for these sites are set out in Policy CS8 and Policy CS10 of the Core Strategy:

- a) Elstree Way, Borehamwood;
- b) Stirling Way, Borehamwood;

- c) Cranborne Road, Potters Bar;
- d) Station Close, Potters Bar; and
- e) Otterspool Way, Bushey.

3.5 The Key Employment Site, Centennial Park, covers 15 hectares and provides modern facilities for a range of users. Centennial Park is located within the Green Belt but comprises a significant amount of development, within which there may be scope for infilling or redevelopment. The site is well located on the major transport network, is increasingly serviced by public transport and is just 2.5 km from Elstree and Borehamwood railway station.

***Policy SADM6 - Key Employment Site***

The following site identified on the Policies Map is allocated as a Key Employment Site. Policy requirements for this site are set out in Policy CS8 of the Core Strategy:

- Centennial Park, Elstree

Infilling, additions or redevelopment for employment purposes will be acceptable provided it complies with Policy SADM 23.

3.6 Locally significant employment sites have a history of providing accommodation for small businesses, particularly those who provide employment to the local workforce or employment to those with lower-level skills. Their importance is recognised in an employment land review carried out for the Council in 2006. The allocations are not Use Class specific but their general use and character is more important for the local economy.

***Policy SADM7 - Locally Significant Employment Sites***

The following sites identified on the Policies Map are allocated as Locally Significant Employment Sites. Detailed policy requirements for these sites are set out in Policy CS9 of the Core Strategy:

- a) Wrotham Business Park;
- b) Borehamwood Enterprise Centre and adjoining sites;
- c) Theobald Court and adjoining site, Borehamwood;
- d) Lismirrane Industrial Park, Elstree;
- e) Hollies Way Business Park, Potters Bar;
- f) Beaumont Gate, Radlett; and
- g) Farm Close sites, Shenley.

3.7 The Core Strategy identifies two sites as Safeguarded Land for employment use, land to the north west of Cranborne Road in Potters Bar, and land between Rowley Lane and the A1 at Elstree Way in Borehamwood. As a result, neither area is in the Green Belt. Both areas may be used for B class development needs beyond the plan period. Land at Rowley Lane is re-designated in order to be consistent with the Council's safeguarding policies. This land includes the Holiday Inn site in line with paragraph 5.9 in the Core Strategy. It also includes a former sports ground, on which a sports hub or sports centre

of excellence may also be considered appropriate, particularly if it creates new jobs and can be accommodated satisfactorily in its surroundings.

***Policy SADM8 - Safeguarded Land for Employment Development***

The following sites are identified as safeguarded land for employment development on the Policies Map:

- a) Land adjacent to the Cranborne Road Employment Area
- b) Land on Rowley Lane adjacent to the Elstree Way Employment Area.

These sites will be released for employment purposes in the event that a review of this Plan indicates that there is insufficient land available from within the then defined urban area to meet longer term employment needs. Until that time they will be treated as if they are in the Green Belt.

## 4. Open Land and the Environment

*'Celebrate diversity, culture and heritage of Hertsmere'*  
**Community Strategy 2010-2021 page 20**

*'To protect the Green Belt and its role in preventing urban sprawl and the coalescence of towns.'*

**Local Plan Core Strategy Objective 2**

*'To address issues arising from climate change, and all types of flooding and to take advantage of water and other natural resources responsibly.'*

**Local Plan Core Strategy Objective 5**

*'To protect and enhance the environment in Hertsmere by address local causes and impacts of pollution.'*

**Local Plan Core Strategy Objective 7**

*'...community forests are helping to improve the environment, assist in economic growth and enhance the health, wellbeing and quality of life...'*

**Watling Chase Community Forest Plan 1995**

*'To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources'*

**NPPF paragraph 97**

*'Local planning authorities should take into account...the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring'*

**NPPF paragraph 126**

### Natural Environment

- 4.1 The NPPF states that the planning system should actively enhance and protect the natural environment. It is important to take account of all aspects of the environment to ensure that the determination of planning applications supports the creation, protection, enhancement and management of the natural environment. The Framework draws attention to the difference between international, national and locally defined sites.
- 4.2 The White Paper, 'The Natural Choice,' defined the natural environment in 2011 as 'all living things in all their diversity: wildlife, rivers and stream, lakes and seas, urban green space and open countryside, forests and farmed land'.
- 4.3 Policies protecting and enhancing the natural environment build on the principles contained in the Core Strategy, and complement specific allocations on the Policies Map. The advice of Hertfordshire Biological Records Centre (HBRC), Thames Water, Natural England, the Forestry Commission, the Environment Agency, the Lead Local Flood Authority at the County Council, and the Tree Officers in the Local Authority has been taken. These stakeholders also provide comments on planning applications.



- 4.4 The Core Strategy provides a broad framework in which more detailed policies on sites and management can sit. It establishes certain principles:
- the list of natural assets of statutory, national and local importance;
  - the use of different documents in determining applications such as the
    - Hertfordshire Biodiversity Action Plan,
    - Green Arc Strategic Green Infrastructure Plan with Hertfordshire (2011),
    - Hertsmere Borough Green Infrastructure Plan (2011), and
    - Biodiversity, Trees and Landscape SPD (2010);
  - the promotion of opportunities for habitat creation and enhancement
  - support for partnership working to safeguard, enhance and facilitate nature conservation.
- 4.5 Sites that are protected by statutory and non-statutory designations are regularly reviewed by other organisations such as the Wildlife Trust, Natural England, and the Hertfordshire Biological Records Centre. These are working lists. Because of species mobility and fragility of habitats, maps will be updated from time to time. Subsequent updates will be visible on the interactive map on the Council's website. The status of a site is based on its designation, taking account of its context in the local environment, the setting of the Borough and the wider ecological network.

***Policy SADM9 – Biodiversity and Habitat Sites***

Sites of Special Scientific Interest (SSSI), Regionally Important Geological Sites (RIGS), Local Nature Reserves (LNR) and Wildlife Sites are identified on the Policies Map. These sites and their boundaries are reviewed by the responsible organisations from time to time: the Policies Map will be updated where necessary over the plan period to reflect any such decisions.

- 4.6 The Council supports habitat conservation, improvement and extension, and where necessary mitigation measures. It is important to retain the ecological, geological and biodiversity benefits of sites. Policies also seek protection of species. Where it has been identified that a habitat or species protected in European or Statutory legislation could be affected by a proposed development, the Council will require sufficient survey information at the time the application is submitted. This is to ensure that an assessment is undertaken of the possible impacts, any appropriate mitigation or compensatory measures, including planning obligations, and future management of the site and any protected species.

***Policy SADM10 – Biodiversity and Habitats***

Development that would adversely affect a Site of Special Scientific Interest (SSSI), Local Nature Reserve (LNR), Wildlife Site or protected species under UK or European Law, or identified for conservation by the Hertfordshire Biodiversity Action Plan will not normally be permitted.

The Council will consider the acceptability of development proposals having regard to:

- (i) the designation, status and nature conservation value of the site
- (ii) the level of protection that the development proposal offers to the wildlife or habitat affected;
- (iii) the ability to create, incorporate, enhance, or restore habitats or biodiversity;
- (iv) the future management of the wildlife or habitat affected by the proposal;

- (v) the availability of alternative development sites where the impact on wildlife or habitats would be less; and
- (vi) the detailed design of the proposal including its conformity with the Biodiversity, Trees and Landscape SPD.

The Council will also consider whether the benefits of the development would clearly outweigh the harmful impact on wildlife or habitats.

The Council will work in partnership with the Hertfordshire Local Nature Partnership, Hertfordshire Biological Records Centre, the Wildlife Trust and Natural England to minimise the impacts on biodiversity, habitats and geodiversity in Hertsmere.

### **Trees and Landscaping**

- 4.7 Trees are an important part of the environment. The Biodiversity, Trees and Landscape SPD (adopted in 2010) identifies the following benefits of trees:
- visual amenity;
  - improving air quality;
  - providing habitat for wildlife;
  - providing shelter;
  - reducing storm water run-off;
  - reducing energy use in buildings;
  - screening;
  - historical and cultural values; and
  - health and wellbeing.
- 4.8 Trees subject to particular protection will normally be retained, though replacement planting may be necessary on occasion (e.g. following storm damage or as a result of disease). The Council also will use its powers under the Hedgerow Regulations 1997 (and any successive legislation) to protect hedgerows.
- 4.9 When there is a proposal for a development at a site where there are existing trees, consideration needs to be given to the impact of the proposals on the natural environment, including trees, hedgerows and other forms of landscaping.
- 4.10 If a loss of trees is proposed, the Council expects a landscaping scheme to be prepared, either as part of an application, or as the subject of a condition when an application is granted planning permission. The scheme should have regard to the requirements in the Biodiversity, Trees and Landscaping SPD Part C and be sufficiently detailed to identify particular species within the proposed layout. Development proposals should provide sufficient space between buildings and hard standing areas to enable the development to take place without adversely affecting existing and proposed landscape features.
- 4.11 The Council may impose conditions relating to the storage of construction materials, protective fencing, and the location of utility services to protect existing trees. These requirements are explained in detail in the Biodiversity, Trees and Landscaping SPD.

#### ***Policy SADM11 – Trees, Landscaping and Development***

Planning permission will be refused for development which would result in the loss, or likely loss, of:

- i) trees subject to a Tree Preservation Order; or
- ii) any healthy, high quality trees and/or hedgerows that make a valuable contribution to the amenity of the area in which they are located

Where possible, Tree Preservation Orders will be made to ensure that existing trees, or groups of trees, which are healthy and contribute to the amenity of the area, are retained and protected.

The Council will have regard to the Biodiversity, Trees and Landscape SPD (or any subsequent guidance) and BS5837 in the determination of planning applications affecting trees or hedgerows. This includes the requirement for appropriate landscaping schemes and, if necessary, replacement trees.

### **Water, Drainage and Flood Risk**

- 4.12 The Local Flood Risk Management Plan shows that Hertsmere has 4,400 properties that are at risk of surface water flooding. The Thames Catchment Flood Management Plan 2009 recognised that 250-500 properties in Hertsmere are at risk of a 1% annual probability of river flooding.
- 4.13 New development should not increase flood risk. The NPPF states that '*inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere*'. Information on how these principles are to be implemented is found in the technical guidance published alongside the NPPF. Policy CS16 in the Core Strategy states that proposals must not create an unacceptable level of flood risk.
- 4.14 While flood risk should not be increased, it can also sometimes be reduced through development proposals, e.g. by restoring the natural flood plain, by removing or relocating buildings, by replacing solid buildings with buildings on stilts and/or by increasing the ground area that is permeable.
- 4.15 The Council is committed to addressing issues arising from climate change and all types of flooding. Part of the responsibility rests in the determination of planning applications. Advantage can be taken of water and other natural resources: watercourses and the areas around them can contribute to the natural environment by providing habitats, increased biodiversity, and green infrastructure. Development in the natural flood plain should be avoided and the requirements of the NPPF and the Environment Agency for flood prevention and mitigation measures met in line with the aims and objectives of the EU Water Framework Directive 2000.
- 4.16 As the new Lead Local Flood Authority (LLFA), the County Council is responsible for developing, maintaining, applying and monitoring a Local Flood Risk Management Strategy (LFRMS) across Hertfordshire. The Strategy addresses flooding from surface runoff, groundwater and ordinary watercourses, and was formally adopted in March 2013.
- 4.17 The Council will continue to work closely with the Environment Agency on specific sites to ensure that development does not increase vulnerability to the impacts resulting from climate change including flood risk. An 8m buffer is required to be maintained between the watercourse and any proposed development. The Strategic Flood Risk Assessment

(SFRA) undertaken for Hertsmere identified the location of all watercourses and established the buffer required. These are identified through Policy SADM12.

- 4.18 The Flood and Water Management Act 2010 requires the incorporation of Sustainable Urban Drainage Systems (SuDS) to improve the drainage at sites and the impact of new development on surface water and runoff. SuDS can be a useful tool in managing water flows and minimising flood risk by increasing permeable surfaces in an area. These allow water to seep into the ground rather than running into the drainage system. The County Council as the LLFA will become the SuDS Approving Body (SAB) in 2014. The statutory process will be closely linked with the development management process. For developments in all areas, SuDS should be implemented to reduce runoff from the site.
- 4.19 The evidence base for this area of planning is extensive and technical. The Thames Catchment Flood Management Plan (2009) identifies this area of the Thames Basin as being an area of low, moderate or high flood risk 'where we are already managing the flood risk effectively but where we may need to take further actions to keep pace with climate change'. The South West Hertfordshire Water Cycle Study (2010) identified that the Blackbirds Sewage Treatment Works will likely be in need of expansion and upgrading before 2031.
- 4.20 The Hertsmere Strategic Flood Risk Assessment in 2008 included recommendations to:
- achieve flood risk reduction through spatial planning and site design;
  - enhance and restore the river corridors;
  - reduce the risk of groundwater flooding;
  - reduce surface water runoff from new developments;
  - safeguard functional floodplains and areas for future flood alleviation schemes;
  - improve flood awareness and emergency planning;
  - improve multi-agency working and collaboration; and
  - take into account the cumulative effect of new development in Hertsmere on downstream river locations.
- 4.21 It also contained recommendations for each of the flood zones described in the SFRA and advice on the type of development that is acceptable in each. These recommendations are considered to be met within the Core Strategy and the requirements of the NPPF and the Environment Agency. The 'Technical Guidance to the NPPF' for Flood Risk will be important in the determination of planning applications, particularly in relation to suitable uses in the different flood zones, compatible land uses, the sequential and exceptions tests, the Flood Risk Assessment process, and managing residual flood risk.
- 4.22 Every planning application should be assessed for flood risk from surface and ground water flooding as part of the development management process. When a flood risk assessment is required to fully assess the impact of development, it should be proportionate to the proposal. On occasion it may simply be a desktop study. Consultation in these instances should involve the LLFA, the Highway Authority, Hertfordshire Fire Services and the Engineering Department at the local authority. In other cases a more extensive FRA will be required.
- 4.23 Further guidance for applicants on ways to manage water and deliver SuDS is provided in Building Futures: A Hertfordshire Guide to Promoting Sustainability in Development ([www.hertslink.org/buildingfutures](http://www.hertslink.org/buildingfutures)).

***Policy SADM12 – Flood Zones***

New built development will normally be directed to Flood Zone 1, in preference to Flood Zones 2, 3a and 3b shown on the Policies Map. The Council will follow the technical guidance to the NPPF when assessing the effect of development on flood risk and the type of development that is appropriate in a particular flood zone.

***Policy SADM13 – Water, Drainage and Flood Risk***

The natural environment of water courses and areas of water will at least be maintained.

Where possible, watercourses including culverts, land adjacent to rivers, functional floodplains and flood storage areas will be restored to their natural state.

The risk of flooding will not be worsened and, where possible, will be improved as a consequence of development. Where development is proposed in an area at risk of flooding, a flood risk assessment (FRA) and/or drainage impact study will be required from the applicant. An FRA or drainage impact study may also be required where the development is not in an area at risk of flooding but where a risk might be created as a consequence of the development. An applicant may also be required to provide details of the measures proposed to control runoff from the site.

Where necessary, planning permission will be conditional upon flood protection and/or runoff control measures being operative in advance of other site works.

Reservoirs and water attenuation areas which help reduce flood risk downstream will be retained.

Development that would be likely to pollute the aquifer or unduly affect the water table will not be granted permission. Where there may be a risk to groundwater the criteria adopted will be as described in the Environment Agency's publication 'Groundwater protection: Principles and practice (GP3)' (as amended).

***Policy SADM14 – Sustainable Urban Drainage Systems***

Development proposals will be required to comply with the principles and standards set out by the Lead Local Flood Authority for Sustainable Urban Drainage Systems (SuDS). The Council expects applicants to incorporate information on SuDS as part of any planning application to ensure that any required SuDS approval can be assessed concomitantly from the Lead Local Flood Authority.

- 4.24 The Council will seek to ensure that there is adequate water supply, surface water, foul drainage and sewage treatment capacity to serve all new developments. For major development proposals developers will be required to demonstrate that there is adequate capacity to serve the development and that it would not lead to problems for existing users. Smaller scale developments can also impact on water supply and drainage infrastructure, and developers are encouraged to contact the relevant utility

company for advice at an early stage. In some circumstances a study may be required to ascertain whether the proposed development would lead to an unacceptable overloading of existing infrastructure. Where there is an identified capacity problem, the Council may require the developer to fund appropriate improvements, which must be completed prior to occupation of the development.

***Policy SADM15 – Water Supply and Waste Water***

Development proposals must take into account the demand for off-site water service infrastructure. The Council will support applications where:

- (i) sufficient infrastructure capacity already exists; or
- (ii) extra capacity can be provided in time to serve the development

**Minerals and Waste**

- 4.25 Planning for minerals and waste underlies the prudent use of natural resources and the reduction of pollution. The County Council is responsible for the Minerals and Waste Development Framework and is the Waste Disposal Authority.
- 4.26 The Minerals Local Plan guides mineral extraction and associated development. Tyttenhanger Quarry at Colney Heath is identified as a major source of sand and gravel up to 2032: the site is being progressively extracted and infilled with inert waste. Mineral reserves, particularly sand and gravel, will be safeguarded from the sterilising effect of new development (i.e. new building, engineering works and land cover). Minerals Policy 5: Mineral Sterilisation encourages the extraction of minerals before any other development is considered appropriate. The County Council has defined Mineral Consultation Areas to support this policy. Councils and developers are expected to consider the effect of prospective development on mineral resources in these areas at an early stage. This excludes the small-scale developments listed in the County Council's Supplementary Planning Document on Mineral Consultation Areas which would have little effect (e.g. householder development). The Mineral Consultation Area in Hertsmere is shown on the Policies Map.
- 4.27 The Waste Core Strategy and Development Management Policies, and Waste Site Allocations documents set out the County Council's overall vision and strategic objectives for waste planning and establish the broad locations for strategic waste facilities. They also allocate sites, indicate areas of search for future waste uses and contain waste safeguarding areas. There is an existing strategic site at Redwell Wood Farm, Ridge, and other opportunities for waste management uses may also exist in some of the Borough's employment areas. The Waste DPDs will be used as a basis for future waste planning, and in the determination of planning applications.

***Policy SADM16 – Mineral Consultation Area***

Within the Mineral Consultation Area shown on the Policies Map, building or other development will not be permitted to sterilise or prevent the future extraction of the mineral resource. The Council will seek the advice of Hertfordshire County Council as the Mineral Planning Authority on any significant proposal which may affect the resource.

## **Pollution and Environmental Impacts**

- 4.28 The NPPF sets out the Government's intention that development should be encouraged where there will be no risk from pollution hazards and it will not cause or contribute to environmental pollution.
- 4.29 Hertsmere's Core Strategy addresses the potential causes and strategic reduction of environmental pollution. For individual schemes, the Council will expect development proposals to provide a healthy environment for future occupiers of the land and demonstrate that the development will cause no adverse impact on the surrounding environment. Core Strategy Policy CS16 sets out principles for controlling the environmental impact of development.
- 4.30 The Council will seek to ensure that development will not result in a detrimental impact on public health by requiring all development to promote healthy environments. A key aspect of a healthy environment is an environment where the risks associated with pollution and pollutants are minimised. Many sources of pollution are regulated and monitored by public bodies such as the Environment Agency (e.g. where there would be risk to controlled waters), and local authority departments such as Hertsmere's Environmental Health Department (e.g. air quality, nuisance such as noise, odour and light, and contaminated land). Nevertheless, planning has an important role to play in identifying, mitigating and remediating the impacts of pollution.
- 4.31 The Council will work with developers in order to provide satisfactory mitigation schemes to remove any potential impacts on environmental quality. However, where a mitigation scheme would be unsatisfactory, the proposed development itself will be considered unacceptable in principle.
- 4.32 Where necessary, and in line with any future SPD on this matter, the developer or landowner will be required to provide appropriate remediation and monitoring strategies.

### *Air*

- 4.33 It is important that the air that sustains life is clean. The Council is responsible for monitoring the air quality in the Borough. The Government's National Air Quality Strategy requires Hertsmere to meet national standards for eight air pollutants: benzene, 1,3 butadiene, carbon monoxide, lead, nitrogen dioxide, particulate matter and sulphur dioxide. Progress made in achieving better air quality in the Borough is reported to the Department for Environment Food & Rural Affairs (Defra).
- 4.34 Some areas may require special attention. There are six Air Quality Management Areas (AQMAs) which have been designated by the Council as a result of residential areas being affected by emissions from adjacent high volume traffic corridors. As air quality continues to be monitored it is possible that AQMA's may be revoked, amended or newly designated in future. Areas that surround major roads and intersections such as the A1, A1(M), M1, A41 and M25, require close monitoring.
- 4.35 Development proposals in or adjacent to existing AQMA's will need to be assessed by a competent person regarding the impact (including any cumulative impacts) that the proposal and its associated traffic could have on air quality. Where developments are proposed within or adjacent to existing AQMA's, the Council expects any risks to the occupiers' health or overall environmental quality to be mitigated through design, landscaping or green alternative technology. Details of the assessment and mitigation should be included with the development proposal.

- 4.36 Where new industrial and commercial developments are proposed, impacts on air quality from increased trip generation and processes with emissions to air will need to be assessed by a competent person. Details of the assessment and any proposed mitigation should be included with the development proposal. Air pollution can also be caused by non-road transport sources such as railways. Where changes to these sources are proposed and development would occur, air quality impacts must be assessed as part of any proposed development.

#### *Land Contamination*

- 4.37 The Council maintains a contaminated land register and has a contaminated land strategy. Whilst potential sources of pollution are now effectively regulated to prevent land contamination, appropriate regulation may not always have been in place therefore it cannot be assumed that land is not contaminated. Land contamination in Hertsmere is often the result of a previous land use such as historic landfill or industrial use. Whilst contaminated land that is left in situ often poses little risk to health, the development process could disturb contaminants.
- 4.38 Where land is known or suspected to be contaminated or polluted, the developer or landowner will be expected to appoint a competent person to carry out an assessment. It is desirable for land to be remediated through the development process, taking into account the impact of the development on health and the environment together with any remediation measures. It may be that, even with remediation, land may not be suitable for more sensitive forms of development.

#### *Noise and vibration*

- 4.39 Noise can cause stress to people and have a significant effect on the quality of the environment. Nuisance is regulated by Hertsmere's Environmental Health Department. However, the planning system can play a role in protecting new noise-sensitive development from existing sources of noise, as well as ensuring new development does not impact adversely on existing sensitive receptors. In Hertsmere, residential development pressures have led to some developments being located close to sources of noise such as railways. With adequate mitigation measures, development need not result in an unacceptable environment to future occupiers of the site.
- 4.40 Where development is proposed next to an existing noise source, an assessment of the noise exposure will need to be undertaken by a competent person and submitted as part of the development proposal. An assessment in accordance with BS 4142:1997 should be submitted with development proposal. For residential developments close to sources of transport noise, the four Noise Exposure Categories (NECs) and corresponding noise levels in Appendix B will aid the assessment of proposals. Regard must also be given to BS 8233:1999 – Sound Insulation and Noise Reduction for Buildings.
- 4.41 Where new development is likely to generate noise above existing background noise levels, mitigation measures should be proposed alongside any application. An assessment by a competent person in accordance with BS 4142:1997, together with any new government technical guidance, should be submitted as part of a development proposal, where it is likely to generate noise and is located close to existing sensitive receptors. The assessment should demonstrate that any noise produced will not cause an increase in background noise level beyond the development site boundary. Any noise generated should be 10dB below the existing background noise level.
- 4.42 The main types of noise generating development include entertainment venues and industrial and commercial uses. Different conditions may be attached to mitigate any



potential for noise nuisance. Conditions may relate to restrictions on activity type and hours of activity.

*Light*

- 4.43 Light pollution occurs when areas are excessively lit and/or light installations are poorly designed. Light pollution can impact on the environment and amenity and disturb residential areas. For developments in sensitive locations, or where significant lighting schemes are proposed, details of the schemes are required as part of the development proposal. Details of the intensity of illumination and predicted lighting contours should be provided.

*Odour*

- 4.44 Odour pollution can arise from various sources, including industrial facilities, agricultural practices, wastewater treatment and commercial premises. Proposed development should not produce odour that is detectable beyond the development site boundary. However, if this is expected, mitigation measures and a suitable odour management plan should be detailed as part of the development proposal.

***Policy SADM17 – Promoting Healthy Environments***

Development should not result in any adverse impact to public health or wellbeing, or significantly add to contamination or pollution, taking into account the situation following any mitigation and remediation measures. Development proposals will be judged against the principles below and any future Contaminated Land, Air Quality or Noise and Vibration SPD.

**Air**

- (i) Development which would significantly exacerbate poor air quality in Air Quality Management Areas will not be permitted.
- (ii) Sensitive development that is proposed to be located in or adjacent to Air Quality Management Areas will be permitted provided:
  - i the impacts of poor air quality will not result in an undue impact on health; and
  - ii satisfactory mitigation measures are included alongside the application.

**Land**

- (i) Development on land that is known to be or suspected to be contaminated (or polluted) will only be permitted where a contaminated land assessment shows that the proposed development would not be likely to result in a threat to the health of the future users or occupiers of the site after any remediation measures are taken into account.
- (ii) The use of the site must be considered compatible with the level of pollution or contamination that is present or would be present after remediation measures are taken into account.
- (iii) Remediation measures should, where necessary, identify provision for the Environmental Health Department to monitor the site.

**Noise and vibration**

- (i) New residential development should not be exposed to existing significant

- sources of noise pollution, unless it can be shown that mitigation measures would be successful in reducing noise impacts to an acceptable level.
- (ii) Development which would create increases in background noise levels should be sited away from noise-sensitive development as far as possible: in addition, noise mitigation measures should be taken to ensure there is no increase in background noise levels beyond the site boundary.
  - (iii) The Council will use the more detailed criteria and guidance in Appendix B to interpret these principles.

#### Light

- (i) Lighting installations should be suitable for the area in which they are situated and not harm the amenity of residents or the natural environment.
- (ii) Well-designed lighting installations are considered to be those that use the minimum lighting intensity and hours of operation for security purposes, minimise light spillage and do not cause harm to local ecology or dazzle drivers.

#### Odour

Development which potentially could create polluting odours should be designed with appropriate controls to ensure that there would be no odour detectable beyond the site boundary.

### **Hazardous Substances**

- 4.45 The Planning (Hazardous Substances) Act 1990 and the associated regulations introduced a duty for Councils to hold a list of all sites that are defined as 'notifiable installations' by the Health and Safety Executive. These sites hold substances that are at, or exceed, the 'controlled quality' as set out in the Planning (Hazardous Substances) Regulations 1992 (as amended by the Planning (Control of Major Accident Hazards) Regulations 2005).
- 4.46 Where new notifiable installations are proposed, the Council will seek advice from the Health and Safety Executive.

#### ***Policy SADM18 – Hazardous Substances***

In determining applications under the Planning (Hazardous Substances) Act 1990 and associated regulations particular regard will be paid to the following:

- (i) the means of transporting any hazardous material to and from the application site;
- (ii) the level and type of any pollution likely to be caused;
- (iii) the impact on adjoining occupiers and other land uses in the vicinity;
- (iv) the need to ensure that no long term land contamination takes place which could prevent an acceptable after use of the site; and
- (v) the relationship of the site to existing undertakings in the vicinity where the storage of hazardous materials takes place or is permitted, or where hazardous industrial processes are undertaken.

## Green Belt

- 4.47 Green Belt covers almost 80% of the Borough. It is part of the Metropolitan Green Belt around London. The allocation washes over the smaller villages in Hertsmere. The boundary has been tightly drawn around the main towns and the most urban parts of Elstree and Shenley, excluding them from the Green Belt.
- 4.48 The NPPF sets out the main principles for protecting the Green Belt and managing development to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence.
- 4.49 Changes have been made to the Green Belt boundary which was in the Local Plan 2003:
- (a) In accordance with the Core Strategy, the former Shenley Hospital housing estate has been removed from the Green Belt. In addition, there have been a number of other minor adjustments to:
- remove Colney Fields, Barnet Road from the Green Belt;
  - remove land at Heath Road from the Green Belt;
  - remove the Spire Hospital, Heathbourne Road from the Green Belt; and
  - redraw the boundary around Oakbank; 5-23 (odd nos.) Watling Street; First Place Nursery; and 10 Cobden Hill to form a more logical boundary.
- (b) The following sites are allocated for housing development in Policy SADM1 and have been removed from the Green Belt:
- Print Works at Bushey Hall Golf Course, Bushey;
  - Former Sunny Bank School, Potters Bar.
- (c) The following land is designated as Safeguarded Land for Employment Development in Policy SADM8 and is removed from the Green Belt:
- Land on Rowley Lane adjacent to the Elstree Way Employment Area, Borehamwood.
- (d) Following a review of safeguarded land for housing, land at Byron Avenue/Vale Avenue, Borehamwood is returned to full Green Belt status.

### **Policy SADM19 - Green Belt Boundary**

The amended boundary of the Green Belt, to which Policy CS13 (Core Strategy) and Policy SADM23 apply, is shown on the Policies Map.

- 4.50 The Core Strategy establishes where particular development management policies should apply, including defined Key Green Belt Sites and infilling areas in the service villages. Policy CS13 in the Core Strategy reflects the principles of the NPPF and states that *'there is a general presumption against inappropriate development which will not be permitted unless very special circumstances exist'*. The policies below provide the criteria for considering the scale of development in Green Belt.
- 4.51 Infilling areas in the service villages are defined by village envelopes. Their boundaries are drawn reasonably tightly around the main built area of each village, taking into account green space, larger sites with minimal development and gaps in the built

frontage. It is considered that permitting small-scale development in the infilling areas will have limited impact on the openness of the Green Belt.

### ***Policy SADM20 - Village Envelopes***

Village envelopes are shown on the Policies Map for parts of Elstree, Shenley and South Mimms. The areas defined by the village envelopes are part of the Green Belt, within which limited infilling may be appropriate. Such infilling will be considered appropriate if it complies with Core Strategy Policy CS13 and other relevant plan policies.

### **Key Green Belt Sites**

- 4.52 Key Green Belt Sites are the larger, previously developed sites in the Green Belt with educational, research and development, utility service and leisure uses. They are established sites with important uses, which should be maintained and supported. They contain a significant amount of building, and any future development needs to be carefully integrated into the landscape.
- 4.53 A number of sites, particularly secondary schools have undergone major redevelopment during the last plan period, and as a result site boundaries and envelopes of infilling areas have been reviewed.
- 4.54 Two sites have been removed from Key Green Belt Site status and normal Green Belt policies will now apply. They previously contained non-residential uses and have been redeveloped for housing. These are:
- International University, The Avenue, Bushey
  - Watford Campus, University of Hertfordshire, Wall Hall, Aldenham
- 4.55 Four sites are newly designated as Key Green Belt Sites: i.e.
- Blackbirds Sewage Works, Oakridge Lane, Aldenham
  - Electricity Transforming Station, Hilfield Lane
  - Elstree Aerodrome, Hogg Lane, Elstree
  - Willows Farm Village, London Colney
- 4.56 The NPPF recognises that '*limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing redevelopment*'. There is value in acknowledging key sites which play an important role in the economy of Hertsmere and allowing the establishments to meet their physical development needs to comply with national requirements.
- 4.57 There are three Key Green Belt Sites which are subject to redevelopment. The Bushey Academy, formerly known as Bushey Hall School, is being redeveloped. The governors of Hertswood Lower School, formerly known as Nicholas Hawksmoor School, are seeking new (redeveloped) school premises. St Margaret's School in Bushey is promoting redevelopment together with some school buildings on the south side of Merry Hill Road. The infilling envelopes for the sites may be amended in the future when the extent of the redevelopment proposals is clearer.

### **Policy SADM21 - Key Green Belt Sites**

The following Key Green Belt Sites are identified on the Policies Map:

- a) Aldenham School, Letchmore Heath
- b) Bio Products Laboratory, Dagger Lane, Aldenham
- c) Blackbirds Sewage Works, Oakridge Lane, Aldenham
- d) The Bushey Academy, formerly Bushey Hall School, London Road, Bushey
- e) Bushey Meads School, Coldharbour Lane, Bushey
- f) Dame Alice Owen's School, Sawyers Lane, Potters Bar
- g) Electricity Transforming Station, Hilfield Lane, Elstree
- h) Elstree Aerodrome, Hogg Lane, Elstree
- i) Haberdashers' Aske's School (Boys), Aldenham Road, Elstree
- j) Haberdashers' Aske's School (Girls), Aldenham Road, Elstree
- k) Cancer Research UK, formerly Imperial Cancer Research Fund, Blanche Lane, Potters Bar
- l) National Institute for Biological Standards and Control (NIBSC), Blanche Lane, Potters Bar
- m) Hertswood Lower School, formerly Nicholas Hawksmoor School and Sports Centre, Cowley Hill, Borehamwood
- n) Queen's School, Aldenham Road, Bushey
- o) Purcell School, Aldenham Road, Bushey
- p) St Margaret's School, Merry Hill Road, Bushey
- q) Willows Farm Village, London Colney

Their continued use is supported.

Infilling or redevelopment may be appropriate within the defined 'envelope' area in each site, taking full account of the following factors:

- (i) the impact on the openness of the Green Belt and the purpose of including land within it;
- (ii) whether the proposal would be ancillary to, or support an existing or approved use on the site;
- (iii) the impact on the amenity of adjacent properties;
- (iv) the impact of the relocation or introduction of a hard surfaced area such as car park or playground; and
- (v) whether the proposal would lead to any significant increase in motorised traffic generation.

Green Transport Plans should accompany planning applications for any significant development at these sites.

The submission of long term plans for Key Green Belt Sites indicating future investment and development is encouraged. In cases where comprehensive development of the site is proposed, a planning brief should be prepared in consultation with the local planning authority.

### **South Mimms Services (Bignell's Corner)**

- 4.58 Motorway service areas (MSAs) are places where drivers can leave a motorway to refuel, rest, or take refreshments. They perform an important road safety function in that

they provide road users with the opportunity to stop and take a break in the course of their journey. The Government specifies that all MSAs must offer:

- fuel;
- free short term parking for all types of vehicle;
- free toilets and hand washing facilities (in sufficient quantity to cater reasonably for the traffic flow on the motorway) and baby changing facilities;
- access for up to two hours for those carrying out emergency repairs to broken down vehicles;
- access to all facilities for disabled people; and
- access to a cash operated telephone; and
- be open and available all the time.

- 4.59 A Special Policy Area covering the MSA is shown on the Policies Map next to Junction 23 of the M25. Considerable development has taken place in recent years in an ad hoc manner close to a number of pre-existing uses. As a result, the area is poorly laid out and suffers from congestion. Resolving the problems associated with this area will take concerted effort and co-operation.
- 4.60 The Council wishes to work with the other statutory agencies, the owners of the sites and the occupiers to introduce a phased programme of improvements which will rationalise the land uses and improve access to, and circulation through, the area. This will take time and resources, and will require action beyond the scope of this DPD. Where planning permission is sought for works or development in the area, an agreement under Section 278 of the Highways Act 1980 will be required in order to secure funding towards off site highway improvements within the Special Policy Area.
- 4.61 Appendix A contains a plan which shows the preferred rationalisation of the site which is designed to:-
- reduce conflict between the different uses which occupy the area;
  - improve vehicle circulation;
  - ensure that the most environmentally sensitive uses are located in the most appropriate parts of the site;
  - improve safety; and
  - improve environmental conditions.
- 4.62 The Council wishes to prepare a brief for the area in liaison with relevant organisations based on the layout illustrated in this plan. It is recognised that rationalisation may result in the eventual relocation of some uses and that some additional land may be needed to achieve it. The site of Charleston Paddocks will be held in reserve for this purpose and may be released for development in due course.
- 4.63 Proposals will be considered in relation to the following policy, which seeks to ensure that the SPA only accommodates development for motorway related uses, and that proposals which would prejudice the long term improvement and rationalisation of the area will be resisted.
- 4.64 The site is also a nominated Gateway Site in the Watling Chase Community Forest. Gateway Sites are locations where information facilities can be located and be a focus for activities and visitor attractions. Although no events are expected at South Mimms, it is considered to be a Gateway Site as it provides information and interpretation of the Community Forest; allows the use of the existing natural area at Wash Lane Common; and is a rest and refreshment facility for those using non-motorised transport in the adjacent off-road network.

### ***Policy SADM22 - South Mimms Special Policy Area***

Within the Special Policy Area defined on the Policies Map planning permission will only be granted for development for facilities for the movement of people and goods on the motorway network, including those supporting the immediate needs of drivers, passengers and their vehicles.

Uses primarily for sleeping, rest and refreshment should be located at least 250 metres from elevated and ground level primary road carriageways and 100 metres from such carriageways in cuttings. Other uses or operations, including alterations to the road network, should be located in less sensitive locations.

New development proposals should as far as possible:

- (i) improve vehicular and pedestrian circulation within the site for users of the Motorway Service Area and for through traffic; and
- (ii) incorporate tree planting to screen the site and improve environmental quality.

Proposals will not be supported which:

- (i) exacerbate existing traffic or environmental conditions;
- (ii) prejudice the rationalisation and improvement of the area, or
- (iii) are located in the flood plain of Mimmshall Brook.

The former Charleston Paddocks site will be held in reserve for motorway service uses to assist the rationalisation of the area.

The Council will prepare a development brief to guide the improvement and rationalisation of the land uses within the Special Policy Area in liaison with the relevant organisations.

### **Development Standards for the Green Belt**

- 4.65 The Council accepts that residents and businesses within the Green Belt may wish to make changes to buildings and sites. It is essential that these changes are of a scale and design that do not impact on the openness or rural character of the Green Belt, but support its continued functioning and maintain its open character. Types of development which are not necessarily inappropriate in the Green Belt are listed in the NPPF, but these must be judged against local circumstances. Policy SADM23 will be used to control the impact of development - i.e. buildings, extensions, additions, works and uses - and ensure that it is appropriate in its surroundings.

### ***Policy SADM23 – Development Standards in the Green Belt***

The Council will assess all applications for development in the Green Belt to ensure they comply with the following principles:

- (i) developments should be located as unobtrusively as possible and advantage should be taken of site contours and landscape features in order to minimise the visual impact;
- (ii) buildings should be grouped together: isolated buildings in the countryside should be avoided;
- (iii) existing open and green space in the area, including garden areas, should be retained;
- (iv) the scale, height and bulk of the development should be sympathetic to, and

- compatible with, its landscape setting and not be harmful to the openness of the Green Belt;
- (v) developments should use materials which are in keeping with those of the locality, and, where modern materials are acceptable, they should be unobtrusive;
  - (vi) existing trees, hedgerows and other features of landscape and ecological interest should be retained and enhanced in order to enrich the character and extent of woodland in the Community Forest in line with PolicySADM11;
  - (vii) the viability and management of agricultural sites should not be undermined, there also being a strong presumption against development which would fragment a farm holding.

The scale of development will be controlled. In particular:

- (i) a replacement building (which is for the same use) must not be materially larger than the one it replaces;
- (ii) an extension or alteration to a building must not individually or cumulatively be disproportionate to the original building; the addition(s) must be subordinate to the original;
- (iii) limited infilling or redevelopment on a previously developed site must have no greater impact on the openness or character of the Green Belt than the existing permanent development.

In judging scale the Council will make a comparison between the existing and proposed development having regard to:

- i. the proposed change in floor space;
- ii. the proposed changes to the site coverage of building and hardstanding;
- iii. the proposed changes in height and orientation of development; and
- iv. the proposed change and intensity of the use(s) and the buildings at the site.

A like for like replacement in terms of building is not necessarily acceptable. The nature and intensity of the new use, its effect on amenity and landscape and local character will be important considerations.

### ***Policy SADM24 – Diversification and Development supporting the Rural Economy***

Proposals for the diversification of farm enterprises or for forestry, equestrianism or other rural business, which involve new building and/or works, will be supported, provided:

- the site is of a lower agricultural land grade (i.e. Grade 3b, 4, 5 or non-agricultural); or
- there is a robust case that overrides the need to protect agricultural land of a higher quality; and/or
- there is a reliable prospect that the land will be restored to at least its original quality.

Equestrian facilities should connect to and enhance the network of Greenways and bridleways.

New dwellings for agricultural, forestry or equestrian holdings will be permitted where it is demonstrated that:



- the holding is economically viable and has long term prospects;
- there is a proven need for a worker to be on site ; and
- there is no other reasonable alternative.

All development, which is supported in principle under this policy, must also satisfy the requirements of Policy SADM23.

### **Watling Chase Community Forest**

- 4.66 The Watling Chase Community Forest covers 188 square kilometres and includes areas in St. Albans, Welwyn, Hatfield and Barnet. It is a long term initiative that was started by the Countryside Agency and the Forestry Commission. Within the Forest area grant aid is targeted towards planting, woodland management, habitat maintenance and creation, and access to the countryside for open air sport and recreation.
- 4.67 The NPPF advocates Community Forests as they provide opportunities for improving the environment around towns and cities. The NPPF states that the main considerations for Community Forests are the upgrading of the landscape and providing for recreation and wildlife. The Forest Plan for Watling Chase has a number of specific aims to:
- produce a supply of home grown timber;
  - offer an alternative to agricultural use of land;
  - contribute to rural employment;
  - create attractive sites for people to enjoy;
  - enhance the natural beauty of the countryside;
  - create wildlife habitats; and
  - reduce atmospheric pollution by absorbing pollutant gasses.
- 4.68 There are four 'gateway sites' in Hertsmere falling under Policy CS15 of the Core Strategy, which are Aldenham Country Park, Willows Farm Village, Shenley Park and South Mimms Bignell's Corner Motorway Service Area.
- 4.69 While the Forest Plan (and supporting documents) will be used to guide planning decisions, much of the Watling Chase Community Forest is covered by Green Belt designation: normal Green Belt policies will also apply here.

#### ***Policy SADM25 – Watling Chase Community Forest***

The Watling Chase Community Forest and its gateway sites are indicated on the Policies Map. The Forest Plan and supplementary planning guidance will be material considerations in the determination of planning applications in the Forest area. The Forest Plan also provides the framework for formulating and implementing projects in partnership with the Countryside Management Service, Natural England, Forestry Commission and the other local authorities.

### **Historic Environment**

- 4.70 The conservation of heritage assets is essential to the character of Hertsmere. The Core Strategy sets out the elements of the historic environment. The policies in this section

control developments that would affect heritage assets so that they are protected, preserved and, where possible, enhanced.

- 4.71 Heritage assets are irreplaceable. All development should therefore have regard to the effect on relevant heritage assets and their setting. The NPPF accords stronger protection to the more important assets but also recognises the role of local designations. The setting of a heritage asset includes adjacent development and the wider street scene. It may also relate to landscaping, trees, open spaces and other features which add to the significance of the site or structure.
- 4.72 The Council keeps the boundaries of conservation areas and management policies relating to their character under review (see table below). Conservation Areas Appraisals will provide additional guidance for decisions on development proposals and/or enhancement projects.

Conservation Area	Designation	Most Recent Review
South Mimms	24.03.1969	03.10.1996
Shenley	24.03.1969	19.06.2012
Letchmore Heath	06.10.1969	22.11.1978
Aldenham	22.01.1973	
Bushey High Street	22.01.1973	11.12.2009
Elstree	04.08.1976	(Review underway)
Ridge	28.06.1978	
Roundbush	28.06.1978	
Radlett North	20.04.1988	20.10.2010
Radlett South	20.04.1988	05.10.2012
Bushey Heath High Road	28.03.1990	(Appraisal published April 2013; Review underway)
Bushey Heath The Lake	23.10.1998	
Patchetts Green & Delrow	23.10.1998	
Potters Bar The Royds	25.05.2000	(Review underway)
Potters Bar Darkes Lane	19.06.2012	

- 4.73 The List of Locally Important Buildings in Hertsmere was published in 2008 and will be reviewed from time to time. The inclusion of a building on the list is a material consideration in the determination of planning applications: applications affecting such buildings will be determined in relation to Policy SADM26.
- 4.74 Although the vast majority of heritage assets are well-maintained, the Council will seek to compile and maintain a heritage at risk register as a 'health check'. The register will help identify where any specific action and/or resources should be directed in order to secure the continuing future of heritage in the Borough.
- 4.75 The Policies Map shows areas with designated heritage assets; i.e. Scheduled Ancient Monuments, sites of archaeological interest, conservation areas, registered parks and gardens and the battlefield. It does not show individual buildings. All heritage assets are defined separately to the development plan, and the lists of assets are updated from time to time. Any prospective developer should check the up-to-date position with the Council. The developer may then be advised to refer other information held by specialists, e.g. national registers of parks and gardens or the County Council's Sites and Monuments Record.

- 4.76 The Council will use the most appropriate measures to manage heritage assets. In some cases it may even be necessary to bring small scale development under planning control, i.e. through the use of Article 4 Directions removing permitted development rights.

### ***Policy SADM26 – Heritage Assets***

Planning applications will be considered in accordance with the NPPF.

Applicants are encouraged to seek informal advice about their proposals before submitting an application.

When applications are submitted for proposals affecting any heritage asset the applicant must clearly explain what the proposal is for and provide sufficient detail to allow for an informed decision to be made. This should be done through appropriately detailed plans and drawings, and by providing a written design and access statement. For listed buildings this should also include an historic building appraisal: drawings should show the building as existing and as proposed.

When assessing proposals, the Council will have regard to the significance of the heritage asset and the potential harm to it.

The development proposal should protect, conserve and where possible enhance the significance, character and appearance of the historic asset and its setting. The scale, design, use and character of the proposal will be taken into account, as well as the detailed provisions following.

#### *Conservation Areas*

In conservation areas the Council will seek to:

- (i) retain buildings, structures and historic features;
- (ii) retain important open spaces and views ;
- (iii) avoid the cumulative effect of smaller scale proposals harming the area; and
- (iv) obtain improvements which enhance the area.

In particular, proposals resulting in the loss of buildings and structures in conservation areas will not be permitted unless:

- i. the building or structure is beyond economic repair; or
- ii. Its removal or replacement would be beneficial to the character or appearance of the area.

The Council will also take into account any additional guidance provided by a Conservation Area Appraisal.

#### *Listed Buildings*

The Council will not support development proposals which would materially harm the setting of, or endanger the fabric of a listed building. Listed Building Consent will not be granted for alterations or extensions that would be detrimental to the special architectural or historic character of a listed building.

#### *Archaeology*

The Council expects features of known or potential archaeological interest to be

surveyed, recorded and wherever possible retained. Developers will therefore be required to undertake an archaeological field assessment and submit a report on the findings before the Council will grant planning permission. Where a proposal would affect archaeological remains and it is considered acceptable for the development to proceed, conditions will be imposed to ensure that the remains are properly recorded, and where practicable, preserved and enhanced, and the results analysed and published.

#### *Buildings of Local Interest*

Development proposals affecting a building included on this list will be expected to maintain or improve the appearance and character of the building, and its setting. The demolition of buildings on the list will not be supported.

#### *Historic Parks and Gardens*

For proposals relating to historic parks and gardens the Council will consider:

- (i) whether the proposal conserves and, where possible, enhances the significance, character or appearance of the heritage asset and its setting.
- (ii) the potential harm to the historic asset; and
- (iii) the scale, design, character and materials of the proposed development.

#### *Battlefield*

Development on or affecting the setting of the site of the Battle of Barnet (1471) will not be permitted.

## 5. Building Sustainable Communities

*'Hertsmere Local Plan will deliver the objective of the Hertsmere Community Strategy by providing a planning framework for providing health, education, leisure and other community facilities'*

**Local Plan Core Strategy Spatial Vision**

*'The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities'*

**NPPF Paragraph 69**

*'Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities'*

**NPPF Paragraph 73**

*"Improve the health and wellbeing of our communities through the promotion of healthy living initiatives and leisure, sport, and cultural opportunities for everyone'*

**Hertsmere Borough Council Corporate Priority 2009-2013**

*'To secure efficient land use through well-designed development reflecting the size, pattern and character of settlements in Hertsmere'*

**Core Strategy objective 14.**

*'Good design is a key aspect of sustainable development, indivisible from good planning and should contribute positively to making places better for people'*

**Paragraph 56 of the NPPF**

### Design Principles

- 5.1 The National Planning Policy Framework emphasises the importance of good design as a basis for sustainable futures for people and places. It discourages the imposition of inflexible architectural styles, its key message being to promote high quality, inclusive design.
- 5.2 The Council attaches great importance to the creation of attractive and usable developments. Hertsmere's Core Strategy makes provision for more houses to be located within the larger settlements, thereby preserving the relative size of Hertsmere's settlements. Core Strategy Policy CS22 reiterates the importance of delivering attractive and accessible environments and seeks the provision of all new homes to Lifetime Homes Standards.
- 5.3 A Planning and Design Guide SPD complements and adds detail to Local Plan policy. The Guide provides good practice guidance, for example in relation to amenity, privacy and outlook and local character. It will be updated from time to time in the future.
- 5.4 There are a number of different settlements in the Borough, each with their own character. Design should respond positively to the local character and pattern of the development within each settlement and local area. Consistency is often an important element of design, but this need not result in the rigid application of like-for-like design standards for new development. Rather, new forms of development will be expected to

respond positively to existing buildings and improve the way that the area in which the development is located functions.

- 5.5 New developments should integrate well with their surroundings. Furthermore, new development should where appropriate enhance the local sense of place. Better living environments should be created for the occupiers of the site and surrounding area by enhancing the legibility of the development and ensuring that the bulk, siting and design are complimentary to the surrounding area. This approach establishes the basic principles of good design, for which greater detail is provided in Part D of the Planning and Design Guide.
- 5.6 The design of extensions to existing buildings should respect the building to which they are attached. Extensions to buildings will therefore be assessed stringently in respect of their visual effect. Part E of the Planning and Design Guide elaborates guidance for residential extensions.

### ***Policy SADM27 – Design Principles***

The Council will support development which:

- (i) makes a positive contribution to the built and natural environment; and
- (ii) results in a high quality design.

In order to achieve a high quality design, a development must:

- i. respect, enhance or improve the visual amenity of the area by virtue of its scale, mass, bulk, height, urban form; and
- ii. have limited impact on the amenity of occupiers of the site, its neighbours, and its surroundings in terms of outlook, privacy, light, nuisance and pollution.

For major proposals development should also;

- a. retain, enhance or create a high quality public or semi-public realm, in line with Hertsmere's Streetscape Manual or successor document;
- b. enhance legibility through the spatial pattern of development;
- c. create a sense of place by complementing the local character, pattern of development or distinctiveness of its surroundings; and
- d. ensure an appropriate degree of functionality in terms of internal space, accessibility for users, facility provision and waste storage.

All development should comply with Hertsmere's Planning and Design Guide (and any successor document).

### **Special Character Area**

- 5.7 There are parts of some towns and villages within Hertsmere that have historical or architectural significance and which are conserved by designation as a conservation area.
- 5.8 The Bushey Heath Ministry of Defence (MOD) housing area does not have the characteristics of a conservation area, but is nonetheless an area of distinctive character and environmental quality. This is due to the following features:

- generous plot sizes, wide verges, and general spacing between buildings which enhance the feeling of spaciousness;
- an absence of extensions or alterations to the original dwellings;
- a lack of unsympathetic hardstandings at the front of the buildings; and
- numerous trees.

5.9 Whilst development within the Special Character Area would not be as tightly restricted as development that is located within Conservation Areas, it is appropriate that new development should respect or enhance the character, appearance and environmental quality of the area.

***Policy SADM28 – Bushey Heath MOD Housing Area***

In order to preserve the special character of the Bushey Heath MOD housing area defined on the Policies Map, new development should satisfy the following principles:

- (i) new development must respect the pattern, rhythm, spacing and open setting of the area;
- (ii) new development should be sited on a plot that reflects existing plot sizes and must not result in disproportionate plot coverage.;
- (iii) new development must not disrupt the rhythm of existing front building lines or significantly alter existing sky gaps;
- (iv) new development must complement the design of existing buildings by virtue of its height, scale, bulk, materials and in particular roof design, front projections and ridge and eaves heights;
- (v) new development should make provision for the retention of soft landscaping between the road and building and respect the open layout of front cartilages;
- (vi) new development must ensure that existing trees which make a positive contribution to the character of the area are retained;
- (vii) additions to dwellings should not dominate or overbear the original proportions of the dwelling.

**Key Community Facilities**

5.10 The NPPF states that local planning authorities should positively seek opportunities to meet the development needs of their area. This includes community facilities and other services. The NPPF instructs local planning authorities to plan positively for the provision of facilities and services that the community needs, to guard against unnecessary loss of valued facilities and services, to ensure that established facilities and services are able to develop and modernise and to ensure an integrated approach is taken when considering the location of community facilities and services.

5.11 The Core Strategy identifies that the level of planned growth over the next 15 years will have significant implications for local facilities and services. The Council has liaised extensively with local service providers and carried out a number of studies, including an Open Spaces Study and a Faith Community Needs Assessment, in order to understand what the future demands would be for local facilities and services. It is evident that, for growth to be sustainable there will need to be new or enhanced provision in places.

5.12 Policy CS18 requires that all developments are assessed for their impact on existing local services and infrastructure and that, where necessary, new provision of community facilities is made. Policy CS19 contains presumptions in favour of proposals for key

community facilities and against any development which would lead to the loss, reduction or displacement of an existing facility.

- 5.13 The policies in this chapter reflect the presumptions contained within Policy CS18, and proposals for the provision or enhancement of key community facilities will be supported providing that they meet the criteria set out in Policy SADM29. The policy seeks to deliver accessible, high quality, inclusive facilities in appropriate locations in order to meet local needs. The definition of 'key community facilities' includes:
- schools and colleges;
  - nurseries;
  - hospitals, doctors surgeries and dentists surgeries;
  - other emergency services' accommodation;
  - extended residential care and supported accommodation;
  - community, youth and children's centres;
  - public libraries, museums, community arts venues and theatres;
  - places of worship and cemeteries;
  - allotments and other urban open land including woodland, green infrastructure and town or village greens;
  - parks and sports clubs and pitches;
  - public leisure centres; and
  - public houses in rural villages.
- 5.14 The following new facilities are proposed:
- new public open space on the Sunny Bank School site off Field View Road (see Proposal H9 in SADM1)
  - a new woodland cemetery and garden of remembrance on the former Watford Depot site, Paddock Road, Oxhey.
- 5.15 The emerging Elstree Way Corridor Area Action Plan DPD will reserve land for a primary school and a doctors surgery to support planned residential development in central Borehamwood.
- 5.16 As part of the expected redevelopment of the Hertswood Upper School north and south sites, key community facilities will be re-provided in line with Core Strategy Policy CS19. There may be an opportunity to provide a new primary school within or adjacent to the development envelope.
- 5.17 The Council maintains a list of Assets of Community Value under the provisions of the Localism Act 2011. Buildings or amenities which play an important role in local life may be nominated by the local community and included on the list. When an asset comes up for sale or change of ownership, the owner must give the community an opportunity to bid for the asset. This could occur when a development is under consideration. If an asset is a key community facility (as defined in paragraph 5.13 above), the Council will seek its retention through Core Strategy Policy CS19: Key Community Facilities.

#### ***Policy SADM29 – Key Community Facilities***

Proposals for the provision or enhancement of community facilities will be supported provided:

- (i) they will principally serve a local community;
- (ii) they are appropriately located and designed having regard to other plan policies, particularly Policies SP1, CS13, CS24 and CS27, and the amenity of adjoining occupiers;



- (iii) they are accessible by public transport, walking and cycling;
- (iv) they offer access for all;
- (v) where appropriate, they are designed to be able to accommodate a range of community uses and users; and
- (vi) they satisfy the terms of Policy CS25 and provide for an appropriate amount of car parking in line with the Parking Standards SPD.

Specific proposals are identified on the Policies Map as follows:

Reference	Site	Proposal	Site Requirements
C1	Former Watford Depot site, Paddock Road, Oxhey, near Watford	Provision of a cemetery	Specific regard should be paid to car parking, access and the level of any ancillary development. The proposal should be designed to respect and enhance the character and openness of the Green Belt.
C2	Hertswood Lower School, Cowley Hill, Borehamwood	Provision of new and/or refurbished school facilities	<p>The site is to be used for the consolidation of Hertswood Academy and any other educational facilities that may be necessary to serve the immediate local area</p> <p>Buildings should be concentrated in one part of the site. Open space and landscaping should provide a soft edge with and visual links to the wider Green Belt.</p> <p>The proposal is linked to the residential development of Hertswood Upper School, Proposal H6 (see Policy SADM1), This includes the relocation of Hertswood Upper School playing fields and The Ark Theatre to the Hertswood Lower School site. Programme of development on the two sites to be agreed to enable the immediate replacement of the theatre and ensure the proper level of school facilities, including playing fields, is available throughout the development period</p>

## **Green Spaces**

- 5.18 The NPPF recognises high quality open spaces and opportunities for sport and recreation as vital components of sustainable communities. It contains a strong presumption against building on existing open spaces and sports and recreational land, including playing fields. Core Strategy Policy CS19 affords a high degree of protection to key community facilities, including allotments and other urban open land, green infrastructure and town or village greens together with parks, sports clubs and pitches.
- 5.19 National guidance also contains a presumption in favour of new community facilities. The NPPF is clear that local authorities should plan positively to deliver sufficient communities facilities to meet local needs. This includes open space and sports and recreation facilities. Planning policies should be based on robust and up-to-date assessments of needs, and identify opportunities for new provision as appropriate. In order to satisfy this requirement and inform the Council's open spaces policies, an Open Spaces Study was carried out together with a Green Spaces and Amenity Land Assessment.
- 5.20 The Green Spaces and Amenity Land Assessment recommends three different types of open space, i.e. Major Green Spaces, Local Green Spaces and Minor Amenity Land.
- 5.21 The NPPF makes specific reference to local green space: this should apply to green areas of particular importance to the local community and would rule out new development on them other than in very special circumstances. The Green Spaces and Amenity Land Assessment used a criteria-based approach when recommending areas which could appropriately be defined as Local Green Spaces. The document was subject to public consultation before it was finalised to allow the community to make a case for any areas, which might have special local significance.
- 5.22 Major Green Spaces are defined on the basis of their size and structural value rather than communal value. They have an essentially open character which it is considered necessary to protect. They are typically larger than Local Green Spaces and generally offer opportunities for sports and recreation.
- 5.23 Minor Amenity Land is land within the urban area, such as road side grass verges and small amenity greens, which contributes to character and visual amenity but does not serve the functions of a Major Green Space or have the local significance of a Local Green Space. A lower level of protection is afforded to this category of space and proposals to develop part of Minor Amenity Land to facilitate off street parking or to provide access to driveways will be considered on their individual merits. Parts of Borehamwood and Potters Bar, in particular, contain large areas of Minor Amenity Land: where a small amount of hardstanding is needed for parking, proposals are likely to be viewed favourably provided they do not undermine the setting of nearby housing.
- 5.24 An assessment of past planning applications reveals significant pressures on open space in the Borough from the expansion of education facilities. The Government wants a sufficient choice of school places to meet the needs of existing and new communities. Great weight is therefore given in the NPPF to the need to create, expand or alter schools. However, where there is a proven need for additional local education provision and it can be clearly demonstrated that it is not possible to meet the need in a better way, the Council may accept a case for exceptional circumstances: this would override the protection afforded to areas defined as Major Green Spaces and Local Green Spaces.

***Policy SADM30 – Major Green Space***

Development proposals, which would result in the loss of a Major Green Space identified on the Policies Map or detract from its open character, will not be permitted unless exceptional circumstances can be demonstrated.

Proposals will not be considered acceptable unless they:

- (i) are ancillary to the use of the space or to any buildings on that land;
- (ii) will enhance activities associated with the open nature of the space;
- (iii) are appropriate in scale; and
- (iv) will contribute positively to the setting and quality of the space.

***Policy SADM31 – Local Green Space***

Development proposals, which would result in the loss of a Local Green Space defined on the Policies Map or would have a negative impact on the features which make it locally significant, will not be permitted unless very special circumstances can be demonstrated.

Proposals will not be considered acceptable unless they:

- (i) are ancillary to the use of the space or to any buildings on that land;
- (ii) will enhance activities associated with the use of the space;
- (iii) are appropriate in scale; and
- (iv) will contribute positively to the setting and quality of the space.

***Policy SADM32 – Minor Amenity Land***

Development proposals which would result in the loss of minor amenity land that contributes to the character and visual amenity of an area will not be permitted unless it can be demonstrated that the benefits of development to the area clearly outweigh the loss.

***Policy SADM33 – New and Improved Public Open Spaces***

Developments in excess of 50 residential units or 2,500 sq.m. gross external floorspace, or where a specific need has been identified by the Council, are required to provide public open space on site. This shall be provided in addition to private amenity space and landscaping; it shall be fully accessible without any restrictions and maintained in perpetuity. If public open space cannot be provided on site or the required amount cannot be provided on site in full, and where the proposal has overriding planning benefits, a financial contribution may be sought towards the provision of new public open space or enhancements to existing spaces as an alternative.

Public open space provision must maximise biodiversity benefits. New or improved public open space shall incorporate areas of biodiversity habitat complementing surrounding habitats and supporting the Hertfordshire Biodiversity Action Plan. Species chosen for planting across the space must maximise the biodiversity benefit.

Public open space should normally be green public open space, such as a public park. Areas of new and/or improved hard landscaped public open space, such as civic space, may be considered appropriate instead of green public open space, particularly in town centres. In such cases it must be demonstrated that the provision of green public open space is not possible or appropriate. Biodiversity benefits should be maximised where appropriate for civic spaces and other hard landscaped public open space.

## 6. Transport and Parking

*“Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion”*

**Paragraph 30 of the NPPF**

*“To raise levels of access by seeking development in locations not dependant on access by car and by requiring the provision of physically accessible transport interchanges and other buildings”*

**Core Strategy Objective 8**

### Access and Movement

- 6.1 The National Planning Policy Framework encourages local planning authorities to achieve modal shift from private motorised vehicles to more sustainable forms of transportation in order to reduce harmful emissions to the environment and provide a healthier society. Modal shift is to be achieved by integrating land uses, the more efficient use of public transport and ensuring safe and adequate provision for non-motorised transport.
- 6.2 The Core Strategy guides development to more accessible locations. It also seeks to enhance strategically important non-motorised routes such as greenways and public transport routes (e.g. at interchanges) in order to provide genuine alternatives in the way that people choose to travel. This is especially important as Hertsmere has high car ownership levels and some places are subject to frequent congestion. This can be attributed to the suburban and rural character of the Borough, which supports a less dense network of public transport than in surrounding urban areas, and to Hertsmere’s proximity to larger urban centres.
- 6.3 The Core Strategy supports the Department for Transport and the Highways Authorities strategic transportation plans, in particular the Local Transport Plan and Urban Transport Plans. The Core Strategy (supported by the Parking Standards SPD) seeks development that would not harm the safe and free flow of traffic by managing and containing off-street parking requirements.
- 6.4 Most of the growth that is required within the Borough will be located within the established main settlements: this will help encourage a greater degree of non-motorised movements (because of shorter distances to services and work and less need to use a car). New development can help to promote a greater degree of non-motorised movement within the Borough (e.g. through contributions to bus services and infrastructure).
- 6.5 The Core Strategy identifies Transport Development Areas (TDAs) in Borehamwood and Potters Bar. The TDAs fall within the context of urban transport plans for the towns; their boundaries reflect the higher accessibility zones set out in the Parking Standards SPD. TDAs are a means of securing well designed higher density development around good public transport nodes. The aim is to direct development towards the more sustainable and accessible locations in the Borough and to help facilitate the use of more sustainable modes of transport.

**Policy SADM34 – Transport Development Areas**

Transport Development Areas at Borehamwood and Potters Bar are defined on the Policies Map.

- 6.6 All new development will also be expected to create fair and convenient movement within the site for both motorised and non-motorised users. This means that motorised routes should not dominate non-motorised routes when accessing the site and within it. Development should be integrated with non-motorised routes and networks in order to create a greater degree of sustainable transport options. All development (including householder development) should result in safe and convenient movement within the site. Vehicles should be able to manoeuvre within a site so that entry and exit can be made in a forward gear on classified roads. Access to the site should have adequate visibility splays so as not to harm the safety of highway users.
- 6.7 Where development might have an impact on the highway or on the delivery of Hertfordshire County Council's Local and Area/Urban Transport Plans (see Appendix C), the Council will seek the advice of the Highway Authority.
- 6.8 Where a development proposal would be likely to result in significant impacts to the local or wider transportation network, a transport assessment will be required. This must contain qualitative and quantitative evidence on the existing capacity of the local transport network, the impact of the proposal on the road network and, where there would be an unacceptable impact, the mitigation measures that would be proposed and the effect of the mitigation measures. Mitigation may include one or a range of measures. Particular measures could include commuted sums for sustainable transport improvements to be delivered within the locality (where there is a HCC Transport Plan to underpin this) or for controlled parking zones, provision of cycle storage and/or the implementation of a green travel plan. Where a development proposal would be likely to have a significant impact on the transport network, applicants are encouraged to enter into early discussions with the Council.

**Policy SADM35 – Access and Movement**

Development will be supported provided:

- (a) there is adequate space for safe movement within the site for:
  - i. circulation, parking and picking up or dropping off passengers where the development would result in a high number of shorter stays;
  - ii. the manoeuvring of personal and larger vehicles such as emergency vehicles; and
  - iii. pedestrians and non-motorised vehicles;
- (b) there is safe and convenient access, with adequate visibility splays for both motorised and non-motorised users;
- (c) there is adequate off-street car parking in compliance with Core Strategy Policy CS25;
- (d) for major schemes a transport assessment shows that:
  - i. the scheme (in conjunction with any cumulative impacts of development within the local area) would not result in a significant increase in vehicular

- movements that would strain the capacity of the main road or transport network, taking into account all mitigation measures; and
  - ii. the scheme maximises cycle, pedestrian and greenway provision through its layout and links to existing routes and services; and
- (e) the construction of the scheme would not harm the safety and flow of vehicles and other users of the highway network.

## 7. Town Centres and Shopping

*“Local planning authorities should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality”*

**Paragraph 23 of the NPPF**

*“(High Streets) need to offer an experience that goes beyond retail - the high street should be a destination for socialising, culture, health, wellbeing, creativity and learning, with schools, doctors’ surgeries and offices along with shops. Our high streets should be social places that make creative use of public spaces and with a vibrant evening economy”*

**DCLG, Statement on Improving High Streets and Town Centres**

*“Improve local access to services”*

**Strategic Objective Priority, Community Strategy 2010-2021**

### Town Centres and District Centres

- 7.1 The NPPF recognises centres as the heart of communities. They are seen to provide access to a range of essential services to meet community needs and also as vibrant places where people come together and social interaction takes place. The NPPF therefore requires local authorities to pursue policies which support the viability and vitality of existing centres.
- 7.2 The Core Strategy sets out a town centre strategy based on a hierarchy of six centres. This seeks to ensure that any significant growth is proportionate to the size of that centre. The designated Town and District Centres will continue to be the preferred locations for any new retail, commercial or leisure development. Policy CS27 expects that development within defined centres to maintain their primary retail function and wider role as a focus for business, leisure, cultural and other appropriate town centre uses (as referred to within the NPPF). The Council’s shopping policies are based on the shopping hierarchy set out in Table 3. The hierarchy ranges from the largest town centres to individual shops, reflecting the nature and function of each centre and the relationships between them. Town centres and district centres are at the top end and are more significant in terms of size and function.
- 7.3 New investment is encouraged in the centres not only to support their retail and commercial function but also to enhance their vitality, improve accessibility and improve their appearance and environment. The Council will keep under review what is necessary for each centre. Regeneration of individual sites or areas, and parking and environmental management schemes may be appropriate. Two specific proposals are identified.
- 7.4 The Council will seek mixed use development or redevelopment on the north side of Shenley Road, Borehamwood between nos. 29 - 59 Shenley Road and the former site at 61 and 73 Shenley Road. The Council will seek to prepare a planning brief for the area and consistent with the Core Strategy will consider a range of approaches, including the possibility of compulsory purchase powers, to reduce the number of long term vacant shop units and bring about the effective use of this part of the town centre. Any development or redevelopment should retain live frontages at ground floor level, within



the range of uses sought within secondary frontages in Policy CS28. The amalgamation of ground floor units will be supported at 29 - 59 Shenley Road where this will result in the occupation of a formerly vacant unit or can be demonstrated to improve the overall health of the frontage.

- 7.5 Three adjacent sites in Radlett district centre, two of which are currently vacant, are also proposed for development. Radlett Service Station/Regency House, Former Radlett Fire Station, and Burrell & Co are identified in the Radlett District Centre Key Locations SPD as one of four key development opportunities to improve the centre. Radlett Fire Station has an extant permission for a mixed use development comprised of community uses on the ground floor and residential above but the opportunity exists to bring the three adjacent sites together as part of a single development scheme.

**Policy SADM36 – Town and District Centres**

The boundaries of town and district centres are shown on Policies Map for:

- Borehamwood Town Centre
- Potters Bar Darkes Lane Local Town Centre
- Potters Bar High Street District Centre
- Radlett Watling Street District Centre
- Bushey High Street District Centre
- Bushey Heath High Road District Centre

The Council will support proposals to improve the facilities, functions and environment of these centres whenever appropriate. New development must also accord with Policy CS27 in the Core Strategy. Specific proposals are identified on the Policies Map as follows:

Reference	Address	Proposal	Planning requirements
TC1	29-59 Shenley Road and 61-71 Shenley Road, Borehamwood	Mix of town centre uses	Active frontages on ground floor fronting Shenley Road, consistent with the range of uses sought in secondary frontages in Policy CS28 and Policy SADM38. Upper floor(s) may be residential and/or office. Design should respect the existing pattern of development along Shenley Road. A general building height of 3 storeys is appropriate. New retail and commercial units should be serviced from the rear. Car parking should also be provided at the rear.
TC2	Radlett Service Station/Regency House, Former Fire Station and Burrell & Co	Mix of town centre uses	Retail/commercial uses on ground floor fronting Watling Street. Community uses required on part of the site to replace former community use. Upper floor(s) may be

			<p>residential and/or office. Comprehensive redevelopment is preferred, though the site could come forward in stages. Building should not exceed two storeys fronting Watling Street, though it may be possible to utilise roof voids and/or basement space. Design should respect the character and enhance the setting of the adjacent conservation area. Consistent and co-ordinated design required across the whole site. Flood risk assessment required. Noise mitigation measures required for residential (and any other noise sensitive) use.</p>
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- 7.6 Core Strategy Policy CS28 requires the identification of primary and secondary retail frontages to support the vitality of centres. Policies SADM37 and SADM38 identify these and specify the policy approach that will apply to them. Policy CS28 states that there should be a focus on (A1) retail uses within the primary frontages and within secondary frontages there will be scope for a wider range of activities with a particular emphasis on (A1) retail, (A2) financial and professional services and (A3) dining establishments.
- 7.7 Primary frontages are the core shopping areas of the Borough's centres and contribute significantly to the overall level of vitality. The approach in these areas is therefore to protect against the loss of A1 shops. The Council notes temporary amendments in the General Permitted Development Order 2013 which allow for change of use from A1 to A2 or A3 without planning permission. However, taking into account the temporary nature of the changes allowed (they apply until 30 May 2015), the purposes for which they have been introduced and the anticipated lifetime of this document, it is considered appropriate to include a policy which appears more stringent on change of use that is currently allowed under permitted development.
- 7.8 Secondary frontages have a much greater mix of uses. The Council will seek to maintain and encourage A1, A2 and A3 uses. Other main town centre uses, as defined in the NPPF, will also be acceptable provided that they make a positive contribution to the frontage and the centre generally. Acceptable uses include A4 and A5 and will be those that create activity and interest along the frontage and which are well integrated in design terms.

### ***Policy SADM37 – Primary Frontages***

In the primary shopping frontages (defined on the Policies Map) the Council will seek to ensure that class A1 shops predominate in ground floor units. Proposals that would result in the loss of a class A1 shop will only be supported where:

- (i) there is clear evidence to demonstrate that there is no demand for continued class A1 use and the unit has been marketed effectively for such use; and
- (ii) there would be clear benefits arising from the proposal for the vitality and viability of the frontage and the centre generally.

### ***Policy SADM38 – Secondary Frontages***

In the secondary shopping frontages (defined on the Policies Map) the Council will seek to maintain and encourage class A1, A2 and A3 uses in ground floor units. Proposals for other main town centre uses including A4 and A5 will be supported provided that they do not harm the vitality or viability of the frontage and the centre generally.

## **Local Centres and Smaller Shopping Areas**

- 7.9 The Borough also has a range of smaller centres, parades and individual shops which allows communities to meet their day-to-day needs locally. Policy SADM39 designates these and sets out Council's policy approach, which is fundamentally to maintain a core of A1 shops. The Core Strategy states that the primary objective for the Borough's smaller centres, parades and individual shops is to ensure that they can continue to provide essential services for their local catchment.
- 7.10 Core Strategy Policy CS27 says that outside the Borough's town and district centres retail activity should be focused within local centres and parades. They will be expected to retain a core of local shopping facilities and accommodate any new retail development commensurate to their position within the centre hierarchy. The Core Strategy Key Diagram identifies one Local Centre and four Key Neighbourhood Parades. These are the larger of the Borough's smaller centres. They have a clearly defined form and meet the basic convenience needs of relatively large catchments.
- 7.11 The Core Strategy identifies Elstree and Shenley as "Service Villages". Although they contain a limited range of shops and services, these make a vital contribution to the sustainability of the local community. Elstree High Street and Andrews Close, Shenley are designated as Neighbourhood Centres. The centres are limited in size but contain a mix of uses with a high level of local significance. Access to alternative facilities is poor .
- 7.12 The Core Strategy recognises the specific circumstances of Shenley, and has a separate policy addressing retail and commercial development in the village. Policy CS29 states that small scale retail and commercial development should be restricted to suitable sites within existing commercial areas, based on those defined in the Shenley Parish Plan. These are at Andrews Close and along London Road in the south east of the village. Andrews Close is designated as a Neighbourhood Centre and the convenience store at 40 London Road is identified as an Individual Shop. Policy

SADM40 sets out the locations where retail and commercial development will be acceptable.

7.13 Neighbourhood Parades comprise a series of adjoining shop units with not only a focus on A1 convenience shops but also a limited number of other class A uses. These parades are typically smaller than the Key Neighbourhood Parades and serve a smaller geographical catchment.

7.14 Isolated shops are those which are not part of a defined centre or parade. They are often a considerable distance away from the nearest alternative shopping facilities. While they are sometimes found in groups isolated shops are mostly broken up. They rarely present as a coherent or defined frontage.

**Table 3: Shopping Hierarchy**

<b>Core Strategy Designation</b>	<b>Shopping Location</b>	<b>SA&amp;DM DPD Designation</b>
Town Centre	Borehamwood Town Centre	
Local Town Centre	Darkes Lane, Potters Bar	
District Centre	High Street, Potters Bar Bushey Village Bushey Heath Radlett	
Local Centre	Leeming Road, Borehamwood	
Key Neighbourhood Parade	Manor Way, Borehamwood Harcourt Road, Bushey Bushey Hall Road, Bushey Cranborne Parade, Potters Bar	
	Elstree Village Centre Andrews Close, Shenley	Neighbourhood Centre
	Croxdale Road, Borehamwood Hartforde Road, Borehamwood Howard Drive, Borehamwood Rossington Avenue, Borehamwood Aldenham Road, Bushey Bournehall Avenue, Bushey Bushey Mill Lane, North Bushey Park Avenue, North Bushey High Street north (1), Potters Bar High Street north (2), Potters Bar Battlers Green Drive, Radlett	Neighbourhood Parade
	Organ Hall Road, Borehamwood Shenley Road (North), Borehamwood Studio Way, Borehamwood Thirsk Road, Borehamwood Sparrows Herne (1), Bushey Sparrows Herne (2), Bushey High Road (1), Bushey Heath High Road (2), Bushey Heath Church Road, Potters Bar Wayside, Potters Bar Aldenham Road, Radlett London Road, Shenley	Individual Shops

	St Albans Road, South Mimms	

***Policy SADM39 – Smaller Centres, Parades and Individual Shops***

The Council will protect class A1 shops within the following designated areas: Local Centres, Key Neighbourhood Parades, Neighbourhood Centres, Neighbourhood Parades, and Individual Shops.

Proposals that would result in the loss of a class A1 use in these locations will only be supported where:

- (i) there is clear evidence to demonstrate that there is no demand for continued class A1 use and the unit has been marketed effectively for such use; or
- (ii) in the case of smaller centres and parades there is more than one class A1 use remaining;
- (iii) local residents would still have access to a range and choice of essential shops within the centre, parade or within reasonable walking distance; and
- (iv) the replacement use would be beneficial to the local community.

***Policy SADM40 – Retail and Commercial Development in Shenley***

The Council will support small scale development within class A1, A2, A3, A4, A5 in the following locations:

- a) Andrews Close Neighbourhood Centre and its immediate vicinity, excluding the designated Major Green Space at Porters Park Drive; and
- b) along the east side of that part of London Road which falls within the Shenley village envelope.

provided it can be demonstrated that it would primarily serve and benefit the local community.

**Non Retail Uses**

- 7.15 The Borough's centres and parades contain a wide variety of other activities in addition to shopping. These other activities assist in extending the use of the area throughout the day and during the evening. The diversity of use also helps to sustain the area's vitality and viability. Although there are no particular issues identified at present, it is important to control the quantity, type and location of A3, A4, A5 and other evening or late night uses in the interests of local amenity. Policies SADM41 and SADM42 set out the factors that the Council will take account of when determining applications to ensure that an appropriate balance of uses is maintained in shopping areas.

***Policy SADM41 – Controlling Non-Retail Uses***

The Council will also consider the following factors in determining applications for non-retail uses:

- (i) the nature of the operation and the number of such occupiers within the centre, parade or frontage and the local area generally;

- (ii) the concentration or clustering of such operators within the centre, parade or frontage and the local area generally;
- (iii) the likely effects of the proposal, whether individually or cumulatively, in terms of noise, odours, traffic, parking, general disturbance or problems of disorder and nuisance; and
- (iv) the likely impacts of the proposal, whether individually or cumulatively, on the retail image of the area in which it is located.

***Policy SADM42 – Night-time and Evening Uses***

The Council will in addition consider the following factors in determining planning applications for evening economy uses, including entertainment, late night retailing and eating and drinking establishments :

- (i) whether the proposal supports the creation of a balanced evening economy;
- (ii) the likely effects of the proposal, whether individually or cumulatively, in terms of noise, traffic, parking, general disturbance or problems of disorder and nuisance;
- (iii) the design of the development, as it relates to public safety, crime prevention and the reduction of anti-social behaviour;
- (iv) arrangements for mitigating pollution, including noise, odours and emissions;
- (v) access arrangements for people of all ages and abilities;
- (vi) whether adequate levels of parking and public transport would be available during the hours of operation; and
- (vii) whether the day-time use would detract from the character and amenity of the surrounding shops and services (i.e. by providing a blank frontage due to closure during the day rather than maintaining an active street frontage)

7.16 The Town Centres and Shopping Survey demonstrated that the Borough's centres are, on the whole, in good health. There is a good level of A1 provision in most locations and vacancy rates are generally very low. There are however a small number of frontages which are underperforming. These are characterised by a higher proportion of vacant units. The empty shops are often long-term vacant units. A run of long-term empty units impacts upon the vitality of a frontage, even if other units are occupied and properly maintained. The Council prefers active use to long term vacancy.

7.17 Core Strategy Policy CS28 supports the replacement of long-term vacant units by residential accommodation in appropriate locations and Policy SADM43 sets out where change of use will be acceptable. It will not be acceptable in designated Primary Frontages but will occasionally be acceptable on the periphery of designated Secondary Frontages.

***Policy SADM43 - Opportunities for Residential Use***

The change of use of long-term vacant ground floor units to residential accommodation may be considered acceptable where:

- (i) there is clear evidence to demonstrate that there is no demand for continued retail or commercial use and the unit has been marketed effectively for such use;
- (ii) the site is not within an allocated Primary Frontage as defined in the Policies Map;

- (iii) local residents would still have access to a range and choice of essential shops within the centre or parade, or within reasonable walking distance;
- (iv) the use of the unit for residential purposes is consistent with the function and character of the area; and
- (v) high quality self-contained residential accommodation with a high standard of amenity for occupiers would be provided, consistent with other policies and standards relating to housing and design.

### **Shop Fronts**

- 7.18 Good design and appearance support an area's vitality and viability. Good shop front design is therefore important. The Council provides design guidance in the Planning and Design SPD.

#### ***Policy SADM44 – Shop Fronts***

Permission will be granted for well-designed shop fronts which respect the street scene and follow the guidance set out in Part F of the Planning and Design Guide SPD.

## **8. Implementation and Monitoring Framework**

### **Delivery**

- 8.1 Effective implementation of the policies in this Plan depends on the actions of the Council and a number of other organisations. The overall aim of the Council is to ensure the delivery of the sustainable development that is appropriate for Hertsmere. Therefore, development should be co-ordinated with infrastructure. Where development creates the need for investment in infrastructure, the costs for that infrastructure should be offset.
- 8.2 Contributions to infrastructure will be secured through planning obligations and the Community Infrastructure Levy (CIL). The Council expects both to work together depending on the circumstances. CIL will be the preferred method of collecting and pooling financial contributions (except for affordable housing). Section 106 planning obligations must complement and not duplicate any CIL charge. They must be concluded on a site by site basis in compliance with the three tests in Regulation 122(2) of the CIL Regulations 2010 (as amended): i.e.
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development’.
- 8.3 Planning obligations will apply in circumstances where CIL does not apply: future policy on CIL will make his clear. Planning permission will normally be refused if a planning obligation is required and a Section 106 agreement has not been made. The monitoring and review of these obligations and contributions will continue through the Council’s monitoring report process and in line with Policy CS21 of the Core Strategy.
- 8.4 The costs of development (including the contribution it must make to infrastructure) may affect the viability of a scheme and prevent it coming forward. While the Council normally expects development to meet sustainable design standards, affordable housing requirements, the CIL charge and any site specific obligations, there are occasions where some relaxation may be justified in order to reduce costs and enable scheme to go forward. In such cases the Council must be satisfied that the assessment of viability is accurate; the Council will weigh up what the effect of any cost savings would be; the Council will then decide whether that is reasonable in all the circumstances. No loss of a CIL charge will be accepted.
- 8.5 Detailed advice on contributions to infrastructure including affordable housing and the way in which the Council addresses the issue of viability is given in the Council’s “Developer Contributions Framework”.

### **Review**

- 8.6 In order to ensure that the Council is effectively delivering the policies contained in this DPD a monitoring framework is required. The monitoring framework in this document will complement the framework in Table 16 of the Core Strategy.



- 8.7 The Council's monitoring process will be used to identify where objectives and targets are not being met through policies and recommend action to amend any problems that occur.

**Table 4: Monitoring Framework**

<b>Policy</b>	<b>Aspiration</b>	<b>Ref.</b>	<b>Indicator</b>	<b>Complements Core Strategy Indicator</b>	<b>Target</b>	<b>Responsible Agencies</b>	<b>Implementation / Delivery Mechanism</b>
SADM1	To deliver all proposals	AMF 1	Development progress, noting the proportion of total dwelling capacity given planning permission and completed	MF6	To complete 100% of the total dwelling capacity by 2027	Hertsmere BC	Individual planning applications Monitoring through the AMR
SADM26	To maintain a list of locally important buildings that have value	AMF 2	Number of locally listed buildings	MF22, MG23, MF24, MF25	No loss of locally important buildings through the grant of planning permission	Hertsmere BC	Individual planning applications Monitoring through the AMR
SADM29	To deliver both proposals	AMF 3	Development progress		Both sites in full active use for key community facilities	Hertsmere BC	Individual planning applications Monitoring through the AMR
SADM30	To maintain the supply of Major Green Space	AMF 4	Hectares of Major Green Space		No net loss of Major Green Space	Hertsmere BC	Individual planning applications Monitoring through the AMR
SADM31	To maintain the supply of Local Green Space	AMF 5	Hectares of Local Green Space		No net loss of Local Green Space	Hertsmere BC	Individual planning applications Monitoring through the AMR
SADM36	To deliver both proposals	AMF 6	Development progress		To complete 100% of total dwelling capacity from these sites by 2027 (see Table 1)	Hertsmere BC	Individual planning applications Monitoring through the AMR

## 9. Glossary

- 9.1 This Glossary should be read in conjunction with the Glossary in Chapter 10 of the Core Strategy 2013.

<b>Acronym</b>	<b>Full Name</b>	<b>Definition / Explanation</b>
AAP	Area Action Plan	This area specific plan has the same standing as a DPD and provides planning policy and guidance for an area where regeneration or investment needs to be managed.
CIL	Community Infrastructure Levy	Regulations that allow local authorities to levy a charge on new developments in the area. The money is used to support development by funding infrastructure that the Council, local community and neighbourhoods want.
SHLAA	Strategic Housing Land Availability Assessment	A technical study which provides evidence to support the delivery of sufficient land for housing. The methodology is used to help meet the community's need for more homes..
SHMA	Strategic Housing Market Assessment	A study which assesses and provides information on the type and tenure of housing required to meet need and market demand across housing markets (across the study area).

