

# *Hertsmere Local Plan*

## *Through to 2011*

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# ***Foreword***

The planning system has a key role to play not just in controlling land use, but in positively promoting sustainable development. The Government emphasises that planning should be plan led, and that all local authorities should have up to date District-wide Local Plans which are reviewed regularly. This new Local Plan for Hertsmere, formally replaces the Hertsmere District Plan First Review 1991.

Hertsmere's location immediately north of London, and its good links to the strategic road and rail networks, mean that the area experiences considerable development pressures which need to be guided to appropriate locations in order to protect the local environment. The general aim of this Plan is to secure, and allow for, essential local facilities, homes and employment to be provided whilst ensuring that the environment of the Borough is protected and enhanced and that the Green Belt is maintained.

The main Public Local Inquiry into objections to the Hertsmere Local Plan Deposit Version 1998 was held between May and August 1999 and the Council received the Inspector's Report in February 2000. In July 2000 the Council's Environment Committee considered the Inspector's recommendations and agreed a schedule of responses together with reasons, where applicable, for not agreeing with the Inspector's recommendations. A set of further material and non-material modifications were agreed and the material modifications were placed on deposit in September and October 2000. The approved modifications became the Council's operative policies for determining planning applications from the beginning of the Deposit period.

Further representations were received, a number of which raised issues that were not debated at the original Inquiry, and in February 2001 the Council's Environment Committee resolved to hold a limited Modifications Inquiry. The Committee also resolved to approve a number of minor, non-material modifications to the emerging Plan.

The Modifications Inquiry was held in September 2001. Four matters were considered. The second Inspector's report was received on 17 October 2001. Officers sought clarification from the Inspector on three matters and this clarification was received on 5 November 2001. The report was published and made available for inspection and purchase soon after.

Detailed reports on each of the outstanding matters were presented to a series of meetings of the Council's Regulatory Committee on 9 April, 30 July and 26 November 2002.

On 8 January 2003 The Council resolved to placed further modifications on deposit. The Deposit period ran from 24 January until 7 March 2003. On 9 April The Council resolved to formally publish the intention to adopt this plan.



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# ***Introduction***

## ***Reasons For a New Plan***

- 1.1 The previous Local Plan for Hertsmere was the Hertsmere District Plan First Review 1991 which was adopted in May 1991. This Plan was supported by a range of supplementary planning guidance which provided detailed advice on matters such as residential development and car parking standards. In addition the Borough Council approved, following public consultation, two Annual Policy Reviews in 1991 and 1992 in order to keep the adopted Local Plan up to date and to respond to new issues.
- 1.2 This package of policy documents served Hertsmere well and provided a sound basis for planning and controlling development throughout the Borough. Essential development needs have been provided for whilst at the same time the Borough's environment has been protected. In particular the Green Belt, which covers some 80% of Hertsmere, has been maintained.
- 1.3 There is now a need to review and roll forward the Local Plan and the supporting supplementary planning guidance. The previous Plan was largely written in 1988/89. Since that time there have been significant changes which affect planning in Hertsmere; principally these are:-
  - a new regional strategy for the South East was produced by the South East Regional Planning Conference (SERPLAN) and was incorporated in a new Regional Planning Guidance Note for the South East (RPG9) which was published by the Department of the Environment in March 1994. The Regional Strategy is being reviewed and SERPLAN published in December 1998 "A Sustainable Development Strategy for the South East". The Department of the Environment, Transport and the Regions (DETR) is treating this as a revised Draft Regional Planning Guidance Note (RPG) for the South East and a public examination into the Draft Guidance was held in 1999. In March 2000 the Government published for consultation purposes a revised RPG for the South East.
  - the County Council has adopted a new Structure Plan for the period through to 2011;
  - the Department of the Environment, and its successor DETR, have published several revised and new Planning Policy Guidance Notes (PPGs) which have substantially updated and extended central government advice on planning matters;
  - Hertsmere's boundary with Greater London has been revised and as a result Hertsmere now incorporates land previously in the London Boroughs of Barnet, Enfield and Harrow. Also part of what was Hertsmere has been transferred to Barnet;
  - environmental issues have increased in significance, and a balance between these and economic, health, social and cultural issues which contribute to maintaining and enhancing quality of life, needs to be achieved. The concept of development which can sustain a good quality of life, now and for future generations, is central to national planning policy advice;
  - other issues which have increased in significance are pressures to diversify the rural economy, provide affordable housing through the planning system and encourage alternatives to the use of private motor vehicles;
  - Section 54A of the Town and Country Planning Act 1990 has given increased prominence to the development plan and the preparation of district-wide local

plans is now a statutory requirement. It is also a statutory requirement to keep the Plan up to date.

- 1.4 A comprehensive review of the Hertsmere Local Plan is necessary in order to produce a new Plan which will provide an up-to-date basis for planning and controlling development in Hertsmere for the period up to 2011.

## ***Scope of Plan***

- 2.1 The Local Plan is a planning document and cannot include policies or proposals which are not related to the development and use of land. Whilst the text may mention issues, corporate concerns and non land use considerations which have been taken into account in preparing the Plan, issues which are outside the scope of planning legislation and guidance cannot be included as specific policies or proposals. There is though a need to ensure that it dovetails with, and addresses land use issues raised by, other policy documents such as the Local Agenda 21 for Hertsmere.
- 2.2 The Plan only focuses on those planning issues which are the responsibility of Hertsmere Borough Council. Minerals and waste disposal are 'county matters' and the County Council has adopted separate Minerals and Waste Local Plans.
- 2.3 In accord with Section 54A of the Town and Country Planning Act 1990 (as amended) applications for development will be determined in accordance with the policies set out in this Plan, and the Hertfordshire County Structure Plan, unless material considerations indicate otherwise. These will include applications to renew extant permissions and applications for development which had the benefit of planning permission which has now lapsed. This does not mean that every decision will be made in strict accordance with the policies in this Plan. There may be cases where there is conflict between policies. A proposal may support one policy, but be in conflict with another. In such instances the Council will need to balance these conflicting policy considerations and have regard to other material considerations. There may also be circumstances where the applicant can show that there are special circumstances which justify a relaxation or departure from a policy.

## ***Timescale - through to 2011***

- 3.1 This Plan has regard to the availability of resources and aims only to include policies and proposals which it is considered would be capable of implementation in the period up to 2011. It would be wrong to include proposals which have little be delivered. There is though a need for flexibility to take account of changing circumstances, and the Plan will be subject to ongoing monitoring and review. The timescale coincides with the period of the new Structure Plan and takes into account comments received on the Consultation Draft.

## ***The Process***

- 4.1 The Council welcomes public involvement as an essential component of the planning process and has consulted the local community (for example local residents, community/amenity groups, Parish Councils, sports clubs and the business community) in the preparation of this new Local Plan to a greater extent than is statutorily required. Periods of public consultation have been undertaken, and whilst it is not feasible to address all the comments expressed, significant amendments and additions have been made since the Draft Plan was published in 1996 and several new issues have emerged which have been taken into account.

- 4.2 The main Public Local Inquiry into objections to the Hertsmere Local Plan Deposit Version 1998 was held between May and August 1999 and the Council received the Inspector's Report in February 2000. In July 2000 the Council's Environment Committee considered the Inspector's recommendations and agreed a schedule of responses together with reasons, where applicable, for not agreeing with the Inspector's recommendations. A set of further material and non-material modifications were agreed and the material modifications were placed on deposit in September and October 2000. The approved modifications became the Council's operative policies for determining planning applications from the beginning of the Deposit period.
- 4.3 Further representations were received, a number of which raised issues that were not debated at the original Inquiry, and in February 2001 the Council's Environment Committee resolved to hold a limited Modifications Inquiry. The Committee also resolved to approve a number of minor, non-material modifications to the emerging Plan.
- 4.4 The Modifications Inquiry was held in September 2001. Four matters were considered. The second Inspector's report was received on 17 October 2001. Officers sought clarification from the Inspector on three matters and this clarification was received on 5 November 2001. The report was published and made available for inspection and purchase soon after.
- 4.5 Detailed reports on each of the outstanding matters were presented to a series of meetings of the Council's Regulatory Committee on 9 April, 30 July and 26 November 2002.
- 4.6 On 9 April 2003 The Council resolved to formally publish the intention to adopt this plan.



# Strategy

## **Introduction**

- 1.1 Hertsmere has seen a great deal of change since the Second World War. In the 1950's and 1960's the area played its part in accommodating major growth from London. Borehamwood developed overspill estates and was considerably expanded. Expansion also occurred in the other three principal settlements and many of the villages and hamlets, although the establishment of the Green Belt ensured that they have retained their individual identities. During the 1970's the emphasis changed to development restraint, seeking a balance between housing and job growth whilst having regard to the need to protect the environment. Throughout the post-war years, the Council, working with the County Council and others, has been able to meet the challenge of change with planning policies which have proved extremely successful in retaining the character of the area, whilst providing for our needs. There is now a need to develop a new Plan for the period to 2011 incorporating the principles of sustainable development.

## **Concept of Sustainable Development**

- 2.1 What do we mean by sustainable development? Essentially we are talking about ensuring that in meeting the Borough's present needs we do not jeopardise the ability of future generations to meet theirs. The decisions we make now should allow our children and grandchildren the same range of choices, if not more, than we enjoy now.
- 2.2 "This Common Inheritance: Britain's Environmental Strategy" recognises that mankind does have an impact on the Earth and that impact is threatening fundamental changes in the world environment. Consequently we have a moral duty to look after our planet and hand it on in good order to future generations. That does not mean halting economic growth but it does mean that growth has to respect the environment and that is what sustainable development is all about. This has to be the governing principle for Hertsmere's Local Plan.
- 2.3 This concern for sustainable development gained momentum at the Rio Earth Summit (UN Conference on Environment and Development in 1992) in Agenda 21. This is a comprehensive programme of action needed throughout the world to achieve a more sustainable pattern of development for the next century. To have any meaning this needs to find local expression and the Council, along with all other local authorities, has been charged with preparing a Local Agenda 21 Strategy with our community to plan for a sustainable future. This process commenced in Hertsmere alongside the review of the Local Plan. The Council has sought to ensure that both processes have strong ties to each other. The Government has tried to ensure that sustainable development underpins all national and local policy making. The links between sustainable development and the planning system find expression in Planning Policy Guidance Note 12 'Development Plans' which notes that:

"the planning system regulates the development and use of land in the public interest. The system as a whole, and the preparation of development plans in particular, is the most effective way of reconciling the demand for development and the protection of the environment. Thus it has a key role to play in contributing to the Government's strategy for sustainable development by helping to provide for necessary development needs in locations which do not compromise the ability of future generations to meet their needs."

2.4 Hertsmere's objectives for sustainable development are based on the five general principles identified by SERPLAN in their "Sustainable Development Strategy for the South East". They are:

- looking after the environment, taking account of the cost of human activity on the environment and ensuring the prudent use of natural resources;
- looking to the future to ensure that the decisions we take today will not be harmful to our children and grandchildren;
- recognising that development will continue - not just physical development, such as new buildings and roads, but also social and economic development;
- recognising that there should be greater equity, or fairness, in the distribution of resources;
- encouraging people to participate and share in the decision making that affects their lives.

These broad principles relate to a very simple idea which is about ensuring a better quality of life for everyone, now and for generations to come.

2.5 Success in terms of achieving sustainable development will require a long term view and commitment. We need to recognise that the policies and proposals in this Plan are not instant solutions, but a start must be made. At present many processes and activities are not only unsustainable, but are clearly worsening the situation. Policies must aim to halt this before shifting in the right direction. Sustainable development is therefore a comprehensive approach, which provides a framework for integrating economic, social and environmental objectives. It is not simply another word for protection of the local built and natural environment.

2.6 This is a significant challenge. The Local Plan has an important role to play in the process of balancing development pressures and environmental impact. The planning system must be supported by, and integrate with other key policies, if sustainable development is to be achieved. One of these is the development of a Local Agenda 21 Strategy. Hertsmere's local strategy is called "An Action Plan for the 21st Century" which represents the community's own plan for local sustainable development. The local community has worked together through a visioning exercise and action groups to bring this Action Plan together. The Council has also worked in partnership with the people of Potters Bar to develop a Community Plan and through an extensive participation process the Plan defines a shared vision of the future based on sustainable principles. Ultimately the Action Plan and Potters Bar in Focus Community Plan are about changing the way we live as individuals and as communities, in order to share what there is more fairly, and to take into account the needs of future generations. The Action Plan and Potters Bar in Focus Community Plan provide a basis for local action and the intention is that this Local Plan should provide a framework for considering land use issues arising from these processes. As such the Local Plan is addressing local sustainable concerns on housing and transport issues which were raised through the Local Agenda 21 process.

2.7 Whilst recognising the importance of these local initiatives, primarily this Plan has to have regard to other considerations, such as national and county planning policies, and has to balance often conflicting priorities. The Local Plan and the Local Agenda 21 may therefore sometimes have different emphases.



# **Strategic Context**

## **National Policy**

- 3.1 National policy advice is mainly set out in Planning Policy Guidance Notes (PPGs). Over the last few years the Department of the Environment, and its successor DETR, have produced several new and revised PPGs which have extended and revised national advice. Sustainable development is a key theme in the most recent advice.
- 3.2 Paragraphs 1 and 2 in PPG 1 'General Policy and Principles' summarise the role of the planning system.

"A key role of the planning system is to enable the provision of homes and buildings, investment and jobs in a way which is consistent with the principles of sustainable development. It needs to be positive in promoting competitiveness while being protective towards the environment and amenity. The policies which underpin the system, summarised in the Note, seek to balance these aims. It will frequently be the case, in relation to a particular development proposal, that economic, environmental and social or other factors need to be taken into account. This requires a framework which promotes consistent, predictable and prompt decision making.

At the heart of this framework are development plans which aim to give a measure of certainty and predictability to the system. Section 54A of the 1990 Act (as amended by the Planning and Compensation Act) requires that, where the development plan contains relevant policies, applications for development which are in accordance with the plan shall be allowed unless material considerations indicate otherwise. For the planning system to be effective, comprehensive coverage of up to date development plans is essential."

- 3.3 Specific advice on the preparation of Local Plans is set out in PPG 12 'Development Plans'. This stresses the importance of integrating sustainable development and transport and land use policies in development plans. This need for integration is a key theme of this Plan.
- 3.4 Important new advice stemming from the 1990 Act (as amended) is that Local Plans are required to include policies in respect of:-
- the conservation of the natural beauty and amenity of the land;
  - the improvement of the physical environment; and
  - the management of traffic.

## **Regional Guidance**

- 3.5 The London and South East Regional Planning Conference (SERPLAN) is responsible for the development of regional planning advice for the South East. Arising from SERPLAN's advice the Department of the Environment published in March 1994 RPG 9 'Regional Planning Guidance for the South East' which sets out the government's approved planning policy advice for the region for the period 1991 to 2011.
- 3.6 RPG 9 emphasises the vital role of the South East in the development of the UK economy and seeks to co-ordinate land use and transport planning policies in order to protect the quality of the environment, both in urban and rural areas, and secure sustainable development. Emphasis is placed on the need to foster economic growth, revitalise older urban areas and to accommodate new development whilst conserving the countryside. In local terms it seeks to restrain development in the

west of the region and to steer investment to the east, particularly to the East Thames Corridor.

- 3.7 Within the northern sector of the region, which includes Hertsmere, a need is identified to restructure the local economy as well as take advantage of development opportunities which will arise. An emphasis should be placed on using existing urban land and maintaining the attractive qualities of urban areas. The guidance note also recognises that throughout the area there are attractive areas of countryside including the Green Belt and that conservation policies will be important.
- 3.8 In December 1998 SERPLAN published "A Sustainable Development Strategy for the South East" which formed a new draft Regional Planning Guidance Note (RPG) for the South East. A Public Examination into the draft RPG was held in 1999. The government published in March 2000, for consultation purposes, a revised draft RPG for the South East.

### **County Policy**

- 3.9 This is largely provided by the Hertfordshire County Structure Plan, although other policy documents such as the Minerals and Waste Local Plans and the Local Transport Plan also provide a context for this Local Plan. The Hertsmere Local Plan must be in general conformity with the Structure Plan. On 30 April 1998 the County Council adopted the Hertfordshire Structure Plan Review 1991-2011.
- 3.10 The Structure Plan is based on the principle of sustainable development and focuses on managing the process of change rather than simply controlling physical development. The overall strategy seeks to:
- enable activities and development in Hertfordshire to be carried out in the most sustainable way possible;
  - improve the overall quality of life for those who live in, work in and use Hertfordshire;
  - encourage people to make sustainable choices by ensuring that they are also the easiest and most desirable choices;
  - allow the same degree of choice to future Hertfordshire users;
  - contain consumption of, and damage to, natural resources; and
  - ensure that social and economic needs can be met.
- 3.11 The new Structure Plan proposes an overall housing programme for Hertfordshire of 65,000 additional homes between 1991 and 2011 of which 4,600 should be provided in Hertsmere. It places the emphasis on planned urban regeneration although recognising that some strategic, and possibly limited peripheral, Green Belt releases will also be needed.
- 3.12 Policy 1 provides the framework for how the planning process can assist the implementation of sustainable development in Hertfordshire. It also provides a context for this Plan and is set out below:

"The policies of this Plan, together with those of local plans, will seek to enable activities and development in Hertfordshire to be carried out consistently with the principles of sustainable development. Those aspects within the ambit of the Structure Plan and local plans will be subject to monitoring and review in the light of evolving policies and concerns at national and international levels, and new information as it comes forward. Where feasible, appropriate targets and benchmarks will be set.

The general aim will be to:

- (i) encourage economic growth consistent with environmental constraints, with the main emphasis on promoting the knowledge economy rather than mass industrial production;
- (ii) make provision for the housing and social needs of people in ways which minimise the need to travel and otherwise exploit the sustainability advantages of urban concentration, with the prime emphasis on regeneration in the county's main towns;
- (iii) improve people's quality of life, both in town and country, in ways which do not prejudice the quality of life of people in the future or threaten the environment;
- (iv) avoid pollution in all its forms, in particular pollution of ground and surface water resources;
- (v) contain road traffic growth, particularly in the main towns, and encourage walking, cycling and greater use of passenger transport travel in preference to the private car, in particular through development of new and improved bus and rail services;
- (vi) conserve the county's critical and other important environmental assets, including its landscape, ecological, built and archaeological heritage, and safeguard the county's area of Green Belt;
- (vii) conserve natural resources, in particular the county's best and most versatile agricultural land;
- (viii) minimise resource depletion and make the most efficient use of land, minerals, buildings, energy, water and waste."

## ***The Hertsmere Context***

- 4.1 The Local Plan needs to balance this strategic advice with local issues and concerns and have regard to the local geography. The Borough comprises the medium and small sized settlements of Borehamwood, Bushey, Potters Bar and Radlett and several Green Belt villages. It is located in southern Hertfordshire, and is adjoined to the south by Greater London. Its southern edge is only 12 miles from the centre of London. In 1998 the Borough had a total estimated population of around 97,300 (Office for National Statistics).
- 4.2 The Borough is served by excellent road and rail communications which link it to the airports and seaports in the South East, and the Channel Tunnel. The M25, M1 and A1(M) pass through Hertsmere and all four main settlements are served by main line rail services into Central London. Whilst these communications routes bring benefits they also increase development pressures and mean that there will continue to be a high level of movement of both freight and people passing through the Borough. With the exception of the M25 these communication routes are radial. The east west links between the Borough's towns are not good. The plan shows the location of Hertsmere.



- 4.3 The Green Belt is about 12-15 miles deep around London. It extends along main radial routes and covers approximately 80% of Hertsmere. The Borough has an area of particularly beautiful countryside around Shenley and South Mimms, although this and other rural areas are affected by transport routes.
- 4.4 Over the remaining period of the Plan no significant changes in the Borough's total population are anticipated. However, there will be changes in the structure of the population with an increasing proportion of elderly people and a declining proportion of people of working age. Behavioural and social changes will continue to increase the proportion of single person households, and the decline in the average size of households is likely to continue.
- 4.5 These changes will mean that we will need more homes to accommodate the existing population and will have implications for the provision of, and access to, other services such as health, education and leisure facilities.
- 4.6 The Council must be aware of discrepancies within the Borough. Whilst Hertsmere's population is generally fairly affluent and mobile, there are pockets of relative deprivation, most notably in what has been termed the '4 Wards' area of Borehamwood (formerly Brookmeadow, Champions, Cowley and Kenilworth) where there are significant numbers of unemployed persons, single parent families, low income households and high incidences of long term health problems.
- 4.7 The Council must also be aware that the level and availability of services, and the capacity of the local infrastructure, varies between the settlements. For example, there is no secondary school in Radlett. This affects the ability of settlements to accommodate further development. It must also recognise that Hertsmere does not operate in a vacuum and there is a need to be aware of the relationship between Hertsmere and Greater London and adjacent towns and cities such as Watford and to a lesser extent St. Albans, Hatfield and Welwyn Garden City. These provide services for Hertsmere residents. Residents in these areas can look to Hertsmere's countryside to provide opportunities for outdoor leisure and recreational pursuits.

There is a need to ensure that issues which straddle administrative boundaries, such as transportation, are co-ordinated.

4.8 Wider social, technological, economic and political influences will impact on the Borough and this Plan. The Council will need to be aware, for example, of the possible influences of technological advances and changing work patterns which are leading to more people being on short term, flexible contracts and increasing numbers working from home. It may mean that people have more time available for leisure pursuits. There will be a need for flexibility and a strategy and policies which can respond positively to change. The Plan will also need to reflect issues of local concern such as:

- an overall need to control the level of development in order to maintain the Borough's urban and rural environments,
- a priority to protect the Green Belt,
- the need to regenerate the Borough's town and district centres,
- the need to maintain wherever possible local shopping facilities,
- the provision of accessible recreational and open space facilities,
- a priority to protect the countryside from unsuitable development whilst allowing for appropriate rural diversification,
- the need to reduce pollution levels,
- the need to improve public safety and personal security,
- the need to maintain the general appearance of the Borough and where possible improve the design quality of development proposals,
- the need to provide employment opportunities for local people,
- the need to support and maintain the local film and television industry,
- the need to protect the wildlife of the Borough and promote nature conservation.

## ***A Strategy for Hertsmere***

5.1 This section is designed to provide a framework for this Plan and the ensuing detailed policies and proposals. It pulls together the strategic and local issues discussed in the previous sections into a strategy for Hertsmere, and establishes objectives against which to monitor progress. In order to ensure that the Local Plan is consistent with, and supports the principles of sustainable development, some overall aims for sustainable development are set out in paragraph 5.2 below. It is recognised that these go well beyond what a local authority such as Hertsmere can achieve in isolation, and that success will depend on action beyond the scope of this Local Plan. To achieve sustainable development requires an integrated approach and the Council will work in partnership with others and the Local Agenda 21 process towards this goal. However, they are set out in order to provide a framework to assess the policies and proposals contained in this Plan and ensure that they have regard to the general principles of sustainable development referred to earlier.

5.2 Working with other agencies the Council will seek to encourage a more sustainable pattern of development which aims to:

- a) minimise as far as possible the growth in demand for resources (including land and water);
- b) make the most efficient use of non-renewable resources (including land);
- c) increase, where possible, the use of renewable resources where there is unused capacity and an increase in use will not be detrimental to other aims;
- d) increase the reuse and recycling of resources;
- e) maintain and enhance biological diversity;

- f) seek to reduce the adverse impact of transport;
- g) increase the rate of 'carbon fixing' (see note);
- h) reduce and prevent pollution and the effects it has on ecosystems and human health;
- i) maintain and enhance the capacity of the natural environment to renew itself;
- j) maintain critical national and local assets which would be impossible or very difficult to replace (such as important habitats, local nature reserves, nature conservation sites and historic buildings);
- k) maintain and enhance stocks of less critical assets and environmental quality (of which no one example is critical but whose overall spread and frequency are important for the environmental character and quality of an area) e.g. Conservation Areas;
- l) improve the overall quality of life to provide a safe, healthy, diverse and pleasant environment;
- m) ensure that people's fundamental needs for shelter and economic means of support are met;
- n) increase community awareness and involvement;
- o) improve equality of opportunity in economic and social terms;
- p) have regard to the precautionary principle where the potential damage to the environment is uncertain and significant.

### **Local Plan Objectives**

5.3 These overall aims for sustainable development find expression in the Local Plan in the form of the following objectives. These seek to translate sustainable development aims into land use terms and also have regard to the other background issues discussed in this chapter which provide a context for the Local Plan. The policies and programmes in the Local Plan seek to achieve these objectives. The matrix diagram published in the Environmental Appraisal report shows how each Local Plan objective relates to the general aims for sustainable development.

5.4 The policies and programmes in this Plan seek to:

1. maintain the settlement pattern of small to medium sized towns and viable village communities and maintain and protect the Green Belt throughout the Borough;
2. concentrate development in towns, through the reuse of previously developed sites, subject to ensuring that this does not adversely affect the quality of their environments;
3. make provision for around 4,600 additional homes between 1991 and 2011;
4. ensure that the community's need for affordable housing is provided for within the constraints of the planning system;
5. make provision for the employment needs of the population and encourage commercial development in appropriate locations;
6. reduce the adverse effects of movement by guiding development to locations which reduce the need to travel, or are accessible by a variety of modes of transport;
7. protect existing plant cover (particularly trees) and seek to increase it;
8. protect critical natural habitats and the green corridors linking them together and aim to create new habitats;
9. protect and enhance critical built assets;
10. protect and enhance the water environment;
11. maximise the benefits from, and minimise the environmental damage caused by, waste;
12. sustain and enhance the Borough's town and district centres;
13. allow for improvements to sport, leisure and recreational facilities;



14. allow for improvements to health, educational, cultural and other facilities;
15. maintain and, where possible, improve the quality of design and encourage secure and accessible environments.

5.5 It is recognised that the achievement of some of these objectives will require action outside the scope of this Local Plan and by agencies other than the Borough Council. They must also be viewed as long term objectives which extend beyond the end of the Plan period. There may also be conflicts between them and with some of the aims for sustainable development. The limitations of this land use plan must also be recognised. Whilst it will seek to ensure that new development which requires planning permission contributes to the objectives of sustainable development, its ability to influence the existing development pattern in the Borough or the many changes which can occur without the need for planning permission is restricted. Despite these limitations, it is considered that the key objectives provide a framework for the Plan and for its monitoring and review.

### **Key Policies**

- 5.6 Arising from the discussion in the preceding sections two key policies are proposed. The first emphasises that sustainable development lies at the heart of this Plan and that it is guided by the general aims of Structure Plan Policy 1 which is set out after paragraph 3.12.
- 5.7 The second policy recognises that account must be taken of both the needs of the Borough as a whole and the specific needs, and constraints, of the individual settlements.
- 5.8 In Potters Bar the Borough Council has supported what was initiated as a pilot Whole Settlement Study. This has now become an established ongoing project called 'Potters Bar in Focus'. Whilst this has a wider remit than land use planning issues it has provided through the Potters Bar in Focus Community Plan a useful input into the development of aspects of this Plan. The Council has not yet initiated further settlement wide studies but is involved in similar projects such as the Borehamwood Community Partnership. The Council will explore the opportunities for community involvement through Comprehensive Settlement Appraisals and similar initiatives such as the Local Agenda 21. The results of such studies will continue to feed into the monitoring and review of this Plan and supporting supplementary guidance.

#### **Policy K1: Sustainable Development**

**All activities and development in Hertsmere will be required to be carried out consistently with the principles of sustainable development and the general aims set out in Policy 1 of the Hertfordshire Structure Plan Review 1991- 2011**

#### **Policy K2: Development Strategy**

**The overall development needs of Hertsmere will be planned in accordance with the settlement hierarchy set out in paragraph 5.9. Initiatives such as Comprehensive Settlement Appraisals or Village Appraisals will be developed in association with the local community and other relevant parties for individual settlements to assist the process of monitoring and reviewing the policies in this Plan.**

- 5.9 The following hierarchy of settlements within the Borough will be used, subject to the policies set out in this Plan, to guide development to appropriate locations:
- the majority of the Borough's development needs will be steered towards the towns of Borehamwood, Bushey, and Potters Bar.

- in Radlett and that part of Elstree which is excluded from the Green Belt, development which maintains the character of the settlements will be acceptable in principle. However, it is considered that the development opportunities in these areas are more limited than in the Borough's three main towns, and the level of local services and infrastructure is more restricted.
- in Shenley, and that part of Elstree which is within the Green Belt, limited infilling may be permitted subject to the other policies of this Plan;
- in the Borough's other villages, and throughout the Green Belt, there will be a presumption against inappropriate development.



# ***Countryside***

## ***Background and Objectives***

- 1.1 80% of Hertsmere is in the Green Belt. Government guidance is mainly set out in Planning Policy Guidance Notes 2 and 7. PPG7 'The Countryside-Environmental Quality and Economic and Social Development' stresses the need to protect and enhance the character of the countryside whilst ensuring rural prosperity. PPG2 'Green Belts' requires that the open character of the Green Belt is maintained. Although there is a need to diversify the rural economy in a sustainable way there is also a need to protect the best quality land from inappropriate development and to ensure that the over-riding principles of the Green Belt are maintained.
- 1.2 The countryside around London, which comprises all Hertsmere's non-urban land, is designated Green Belt. The five purposes of the Green Belt are set out in PPG2. These are:-
- to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns from merging into one another;
  - to assist in safeguarding the countryside from encroachment;
  - to preserve the setting and special character of historic towns; and
  - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 1.3 PPG2 advises that .."The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness". Permanence is another important feature and its boundaries .."should be altered only in exceptional circumstances".
- 1.4 PPG7 and the related publication 'Planning for Rural Diversification - A Good Practice Guide' seek :-
- to meet the economic and social needs of people in rural areas;
  - to maintain or enhance the character of the countryside, conserve the diversity of our landscapes, beauty, wildlife and towns, villages, archaeology, and the best agricultural land;
  - to improve the viability of existing settlements to reduce the need to travel;
  - to underline the interdependence of urban and rural policies.
- 1.5 This advice covers all rural areas and whilst encouraging development it does not override the presumption in PPG2 against inappropriate development in Green Belt areas.
- 1.6 The Hertfordshire Structure Plan Review 1991-2011 includes a number of policies to sustain the rural economy of Hertfordshire and to protect and enhance its landscape. This is supplemented by the advice and guidance in 'Rural Hertfordshire, A Living Countryside' produced by the Hertfordshire Countryside Forum.
- 1.7 The policies in this chapter seek to build on this strategic advice and provide a framework which will allow Hertsmere's countryside to adapt to change whilst ensuring that its essential open character is maintained and the fundamental principles of the Green Belt are not prejudiced. The objectives are:-

- to maintain the essentially open character of the Green Belt;
- to preserve the food producing capabilities of land for future generations but encourage, where appropriate, use of the land for non-food production (such as forestry and/or open recreational use);
- to involve landowners, residents and tenants in the broad based management of the area so that they can act as stewards and assist in providing informal recreation on their estates and more public access by enhancing the definitive rights of way system in appropriate places or, if necessary, using permissive access routes;
- to conserve the appearance of the best landscapes and the ecology and interest of SSSI's, nature reserves, ancient woodlands and Wildlife Sites;
- to maintain and enhance habitats for wildlife and to work towards management methods which can be sustained in the long term;
- to foster in appropriate locations diversification in order to maintain a viable rural economy and assist the management of the countryside.

1.8 To successfully achieve these objectives co-ordinated action will be required which extends beyond the remit of this Plan. This will involve agencies such as the Watling Chase Community Forest Team, the Countryside Management Service, the Countryside Agency, the Hertfordshire Biological Records Centre, the Herts and Middlesex Wildlife Trust, Groundwork Hertfordshire, national bodies such as the British Horse Society, the Council for the Protection of Rural England and the Open Spaces Society and other partners identified in the Countryside Strategy working in association with the local community through organisations such as the Bushey & District Footpaths Association, the Radlett Society and Green Belt Association and the Parish Paths Partnership. The Council values the work of these agencies and will seek to ensure that they continue to be supported.

## ***The Green Belt***

2.1 Hertsmere's Green Belt boundaries were defined over 40 years ago and have remained largely unchanged since then. The establishment and maintenance of the Green Belt has prevented the outward spread of Greater London, has retained the separate character of Hertsmere's towns and villages and has prevented coalescence of settlements. The Borough Council is firmly committed to the retention of the Green Belt.

2.2 In preparing this Plan the Council has reviewed the boundary of the Green Belt to ensure that firm and defensible boundaries are maintained which are clearly defined on the ground. In carrying out this review regard has also been paid to the need to ensure that adequate provision is made to meet the Borough's development needs over the period of this Plan. Arising from this the Council has concluded that some changes to the Green Belt boundary are appropriate to ensure that a firm, defensible and consistent boundary is defined which accords with the advice in PPG2. These changes fall into four broad categories:

- **additions to the Green Belt** to provide clear, defensible boundaries and to provide consistency across the Borough. The three main additions are Wroxham, Sunnybank and Oakmere Schools in Potters Bar.
- **deletions and amendments to the Green Belt** to provide clear, defensible boundaries, to provide consistency across the Borough and to reflect developments which have taken place since the last District Plan was prepared. The main deletions/amendments are part of the Hartspring Centre, Bushey; land rear of Greatham Road, Bushey; land at Blattner Close and Allum

Lane, Elstree; 182-184 Dugdale Hill Lane, Potters Bar; land at Prowse Avenue, Bushey Heath and land at Lowbell Lane, London Colney.

- **designation of Green Belt sites as 'Safeguarded Land'** to be reserved to meet possible longer-term development needs, post 2011, should insufficient sites come forward from within the defined urban area. It is proposed that six sites should be released from the Green Belt and be designated as Safeguarded Land for housing:
- Haydon Dell Farm, Bushey;
- Land East of Farm Way, Bushey;
- Land bounded by Heathbourne Road, Windmill Lane and Clay Lane, Bushey;
- 16 Watford Road, Radlett;
- Byron/Vale Avenue, Borehamwood;
- West Herts. College Annexe, William Street, Bushey.
- **amendments to the Green Belt boundary around the Cranborne Industrial Estate** in Potters Bar to provide a more defensible boundary and to safeguard some land to meet long term employment needs linked to access, parking and servicing improvements.

2.3 The revised Green Belt boundary and the proposed areas of 'Safeguarded Land' are shown on the Proposals Map. Within the Green Belt development proposals will be determined in accordance with the overall advice set out in PPG2, Policy 5 in the Hertfordshire Structure Plan Review 1991-2011 and Policy C1 below. Further advice on specific development proposals in the Green Belt is set out in this chapter. For the purposes of Policy C1, PPG2 states that the construction of new buildings inside the Green Belt is inappropriate development unless it is for:

- agriculture and forestry;
- essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it;
- limited extension, alteration or replacement of existing dwellings;
- limited infilling in existing villages (when allowed under Policy C6), and limited affordable housing for local community needs under development plan policies according with PPG3 (when allowed under Policy H17); or
- limited infilling or redevelopment of major existing developed sites identified in adopted local plans (subject to Policy C18).

#### **Policy C1: Green Belt**

**Within the Green Belt, as defined on the Proposals Map, there is a general presumption against inappropriate development and such development will not be permitted unless very special circumstances exist. Development proposals within the Green Belt will be assessed in relation to the guidance set out in section 3 of PPG2 'Control Over Development'.**

Note: Even appropriate development as defined in PPG2 will not be permitted if it would prejudice the fundamental aims of Green Belt policy or the purposes of including land in Green Belts and would conflict with other policies of this Plan. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by

other considerations. In any event, in accordance with paragraph 3.3 of PPG2, exceptional cases will be treated as a departure from the development plan.

**Policy C2: Safeguarded Land - general principles**  
**Within the areas of Safeguarded Land, defined on the Proposals Map, normal Green Belt policy will apply until such time as the Council may decide, through a review of this Plan, that Safeguarded Land needs to be released to meet the post 2011 longer term development needs of the Borough.**

## ***Reuse of Buildings in the Green Belt***

- 3.1 PPG2 provides explicit advice on the reuse of buildings in the Green Belt and proposals for such reuse are covered under Policy C1. The more recent PPG7, and in particular paragraphs 3.14-3.17 of that document, provide further advice and state that the reuse and adaptation of rural buildings have an important role in meeting the needs of rural areas for commercial and industrial development as well as for tourism, sport and recreation.
- 3.2 PPG7 further advises that the conversion of buildings which are currently in industrial or commercial use to dwellings may have an adverse impact on rural economic activity. Where an existing industrial or commercial use has ceased, the economic impact of conversion to residential use will be minimal, although such development can be harmful to the fabric and character of historic buildings by introducing additional openings or external features such as parking, enclosures, pipes, flues, and landscaping. Generally, commercial uses can be less damaging than reuse as dwellings. Account will also need to be taken of the possible presence of specially protected species such as bats, barn owls and amphibians in buildings and other protected mammals, birds and reptiles.
- 3.3 Applications for the reuse and adaptation of buildings, which were originally erected under agricultural permitted development rights will be carefully examined, to establish whether there was an attempt to abuse the planning system by seeking an early conversion to another use. In this respect an applicant should clearly demonstrate to the Council that the building has been used for agriculture for 10 years since substantial completion. Where abuse of permitted development rights has occurred then the advice on reuse in paragraphs 3.14 - 3.17 of PPG7 will not apply and planning permission will not be granted for reuse.

**Policy C3: Reuse of Buildings in the Green Belt**  
**Planning permission will not be granted for the reuse and adaptation of buildings in the Green Belt unless the proposed development complies with Policy C1.**

**Where planning permission is granted conditions may be imposed to prevent open storage, extensive hardstanding or car parking or the erection of new means of enclosure that would be detrimental to the visual amenity of the surrounding area.**

**Planning permission will only be granted to reuse and convert a building in the Green Belt for residential use if, in addition to compliance with the criteria for reuse in PPG2, evidence is submitted to demonstrate that:**

- (i) every reasonable attempt has been made to secure a suitable non-residential reuse for the building; or**

(ii) the residential conversion is only a subordinate part of a scheme for reuse in accordance with this policy; or

(iii) residential conversion is the most appropriate use for the building.

Planning permission will not be granted for the reuse of a building constructed under agricultural permitted development rights within ten years of its substantial completion unless the applicant can demonstrate that the building has been genuinely used for agriculture, is no longer required for that purpose and would not lead to further pressure for additional farm related buildings.

## ***Green Belt Development Criteria***

- 4.1 Policy C1 states that in accordance with the advice in PPG2, there is a presumption against inappropriate development in the Green Belt. It is important that development in the Green Belt does not prejudice the purposes of including land in it, or detract from the visual amenity or openness of it. If a proposal is considered acceptable in terms of Policy C1 it will then be assessed against the criteria set out in Policy C4. In addition the Council wishes to ensure that any extensions to existing dwellings in the Green Belt, or replacement dwellings, do not intrude visually into the countryside and have regard to their rural surroundings. Policy C5 will be applied to such proposals.
- 4.2 Hertsmere's settlements within the Green Belt vary in character and function. With one exception they each include a designated Conservation Area. They range in size from the hamlet of Roundbush, with only 15 or so properties, to Shenley.
- 4.3 PPG2 advises that existing villages within the Green Belt should be treated in one of three ways:-
- where no new building beyond that which is appropriate in the Green Belt and only limited extension, alteration or replacement of existing dwellings is acceptable the Green Belt notation is 'washed over'.
  - where infilling is acceptable, the village should either be 'washed over' and listed in the local plan or should be inset (i.e. excluded from the Green Belt).
  - where limited development (more than infilling) is acceptable or limited expansion is acceptable, the village should be inset.
- 4.4 All of Hertsmere's villages are "washed over" by the Green Belt and proposals will be considered in relation to Policy C1 with the exception of the larger village of Shenley, and that part of Elstree which is located in the Green Belt. Whilst these villages are also washed over by the Green Belt limited infilling is acceptable so long as there is no conflict with the criteria set out in Policy C6.

**Policy C4: Development Criteria in the Green Belt**  
In addition to Policy C1 and any other specific policies set out in this Plan particular regard will be paid to the following criteria when considering proposals for development in the Green Belt:-

(i) developments should be located as unobtrusively as possible and advantage should be taken of site contours, landscape features, etc. to minimise the visual impact. Buildings should be grouped

together and isolated buildings in the countryside should be avoided;

- (ii) wherever possible, developments should use materials which are in keeping with those of the locality. Where modern materials are acceptable they should be unobtrusive in the landscape;
- (iii) proposals must comply with the County Council's policy for traffic on rural roads;
- (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) existing trees, hedgerows and other features of landscape and ecological interest should be retained and be reinforced by additional planting of native species or other appropriate habitat enhancement in order to enhance the character and extent of woodland in the Community Forest;
- (vi) account will be taken of any lost contribution to farm economics and management, with a strong presumption against development which would fragment farm holdings.

**Policy C5: House Extensions and Replacement Dwellings in the Green Belt**

In considering applications for house extensions, free-standing buildings within the curtilage of residential properties and replacement dwellings in the Green Belt particular regard will be paid to the following considerations:-

- (i) the scale, size and design of the development should preserve the openness of the Green Belt;
- (ii) the proposal should not intrude into important open spaces and amenity land valuable to the appearance and character of the locality;
- (iii) the proposal should not result in the loss of any important landscape features;
- (iv) proposed house extensions and free standing buildings sited within five metres of the main dwelling should not result in disproportionate additions over and above the size of the original building;
- (v) a replacement dwelling should not be materially larger than the dwelling it replaces.

Note: 'original' means, in relation to a building existing on 1st July 1948, as existing on that date and, in relation to a building built after 1st July 1948, as so built. Any existing garages and outbuildings sited over 5 metres from the main dwelling will not be taken to comprise part of the "original" building. Proposals for free-standing buildings, located within the curtilage of residential properties, sited more than 5 metres from the main dwelling are inappropriate development within the Green Belt.

**Policy C6: Elstree and Shenley Villages - Infilling Within Shenley, and that part of Elstree which is located within the Green Belt, infilling is acceptable in principle provided that it would not:-**

- (i) result in the loss of important open space and amenity land valuable to the appearance and character of the village;
- (ii) be detrimental to the character, visual amenity, or environment of the village by virtue of its design, siting, traffic generation, noise or general disturbance;
- (iii) result in the outward expansion of the village or encroachment into open countryside.

## ***Watling Chase Community Forest***

- 5.1 An important initiative to further the development of forestry has been launched by the Countryside Agency and the Forestry Commission. This is a programme to develop a 'National Forest' in the Midlands and twelve 'Community Forests' on the edges of conurbations throughout the country. London has two of the latter and most of Hertsmere falls within the Watling Chase Community Forest. The map reproduced as Appendix 2 indicates its extent. This initiative targets grant aid to the area to assist planting, woodland management, habitat maintenance and creation, and access to the countryside for open air sport and recreation. The Forest will also produce timber so felling and logging operations, together with the preparation of woodland products will be part of the countryside scene once more.
- 5.2 The Forest team, supported by the Council and other sponsors, has produced a non-statutory plan which works within the framework of Development Plans as they stood in 1994 and furthers the national policy to diversify rural land use. It was approved by the former Department of the Environment in March 1995. PPG2 states that a "Forest Plan may be a material consideration in preparing development plans and deciding planning applications" and "any development proposals within Community Forests in the Green Belt should be subject to the normal policies controlling development in Green Belts, and should respect the woodland setting". This Plan acknowledges the Forest Plan which will be a material consideration in the determination of development proposals. As a whole it is projected to increase woodland cover from about 9% to 27% in 30 to 50 years, but this target varies across the Forest area according to the type of landscape.
- 5.3 The principal aims of the Forest Plan are:-
- to produce a supply of home grown timber;
  - to offer an alternative to agricultural use of land;
  - to contribute to rural employment;
  - to create attractive sites for people to enjoy;
  - to enhance the natural beauty of the countryside;
  - to create wildlife habitats;
  - to reduce atmospheric pollution by absorbing pollutant gasses.

**Policy C7: Watling Chase Community Forest**  
**The Watling Chase Community Forest Plan and any supplementary planning guidance to develop its themes will be a material consideration in the determination of planning applications in the Forest area when the principal aims of the Forest Plan will be taken into account.**

**It will also provide the framework for formulating and implementing projects in partnership with other organisations such as the Countryside Management Service and Groundwork Hertfordshire.**

### **Gateway Sites**

- 5.4 The approved Forest Plan indicates a need for locations where information facilities can be located and be a focus for activities and visitor attractions. Four such Gateway Sites already exist; these are:-
- Aldenham Country Park
  - Bowmansgreen Open Farm (now known as The Willows)
  - Shenley Park
  - South Mimms (Bignell's Corner, see note to Policy C8 and Policy M14)
- 5.5 It is important that, with the exception of South Mimms, Gateway Sites in the countryside maintain their rural character and that any alterations or development contributes to, or enhances, the landscape and rural or woodland character that visitors have come to experience. There may, however, be opportunities to replace inappropriate buildings on some of the sites. There is also the opportunity to take the pressure off other parts of the countryside and concentrate facilities at these sites where there is safe access and egress for motor vehicles, the opportunity to deliver visitors by small buses, sanitary facilities for visitors, and relatively unobtrusive level areas for events and temporary structures to allow open air events to take place without undue impact on the appearance of the countryside.

### **Policy C8: Watling Chase Community Forest Gateway Sites**

**At the sites noted on the Proposals Map as Gateway Sites the provision of facilities for those arriving by passenger transport, cycle, horse and on foot and appropriately surfaced and screened car parking will be permitted. Recreation/information facilities may be developed at an appropriate scale all in accordance with a site brief which has been agreed by the appropriate authorities after public consultation.**

Note: At South Mimms (Bignell's Corner), no events are anticipated but this is included as a Gateway Site since it provides information and interpretation of the Community Forest, allows use of the existing natural area at Wash Lane Common and is a rest and refreshment facility for those using non motorised transport on the adjacent off-road network.

## ***Landscape***

- 6.1 Hertsmere's landscape is a valuable resource and its protection and enhancement is a key objective of this Plan. Following on from the advice given in PPG7 and the publication of the Countryside Character Map of England, produced by the Countryside Agency, English Nature and English Heritage, the Hertfordshire local authorities are working to the document 'Landscape Strategy for Hertfordshire' based on the identification of landscape regions. The objective is to ensure that development has regard to the particular landscape characteristics of the area in which it is located.
- 6.2 The work of identifying more discrete landscape areas (or zones) for Hertsmere has already been undertaken and incorporated in the Watling Chase Community Forest Plan, although more detailed work will need to be done as specific schemes are formulated. The Forest project itself is the key initiative for landscape



enhancement in the Borough. The Council will expect landscape conservation and enhancement to follow the guidance set out in the Landscape Strategy for Hertfordshire in general and the Forest Plan visions in particular.

- 6.3 Whilst this new, more sophisticated approach to landscape planning is developing, the Structure Plan maintains the principle of protecting Hertfordshire's most attractive landscapes through the designation of Landscape Conservation Areas. These are the most attractive areas of countryside and particular regard must be paid to the design, siting and setting of development in these areas in order to protect and enhance their character. The Council will therefore also maintain this approach and two Landscape Conservation Areas are defined on the Proposals Map. As more detailed guidance is prepared to conserve these areas, the designations will be reviewed in accordance with Policy 44 of the Structure Plan.

**Policy C9: Landscape Conservation Areas**

Proposals within the Landscape Conservation Areas, as shown on the Proposals Map, will only be permitted if they are designed to a high standard, paying particular regard to the setting, siting, design and external appearance of the proposed development.

**Policy C10: Landscape Character**

In considering proposals for development in the wider countryside the Council will promote the consideration and enhancement of local landscape character. Wherever possible it will require conservation and enhancement of woodlands, grasslands, hedgerows, trees, copses, ponds, watercourses, characteristic furniture, built features, walls, topography, boundary treatments and other features which it identifies are desirable to retain or develop in order to conserve local landscape character areas. Proposals should take into account the characteristics of the relevant landscape character areas (as identified through the South Herts Landscape Character Assessment) and reflect the intent and vision set out in the Watling Chase Community Forest Plan.

## ***Agricultural Land***

- 7.1 Good quality agricultural land (identified as Grades 1, 2 and 3a) is a critical asset. Whilst the Council recognises the need for diversification it wishes to ensure that the agricultural capacity of such land is not irreparably damaged by development and that, where possible, development is steered towards lower quality land. Strategic guidance is set out in Policy 40 of the Structure Plan which is set out below as Policy C11.

**Policy C11: Agricultural Land - Protecting Higher Grades**

The use of the best and most versatile agricultural land for any form of development not associated with agriculture or forestry will not be permitted unless there is a reliable prospect that the land will be restored to at least its original quality, or there is a strong case for its development which overrides the need to protect such land. Where development is permitted on the best and most versatile (Grades 1, 2 and 3a) land, it should, as far as possible, use the lowest grade of land suitable for development.

- 7.2 In order to assist in the consideration of applications for development on farmland, (including significant applications on land of Grades 3b, 4 or 5), the Council will

require an independent report, prepared at the applicant's expense, which includes an appraisal of the following:-

- a) the distribution of land categorised by agricultural land grading;
- b) justification for any works involving earth movement/excavation/importation and an assessment of their landscape impact;
- c) the anticipated effect on groundwater and drainage considerations and any resulting contamination on or near the site;
- d) the possible impact on any archaeological, nature conservation, or other environmental issues.

7.3 Applicants or their agents are advised to discuss the contents of any supporting report before making an application for planning permission so that the scope and detail of subjects to be covered are appropriate to the development envisaged.

## ***Workers' Dwellings***

8.1 Whilst diversification may well take place, the Green Belt in Hertsmere will retain a significant agricultural function and will acquire new forestry activity. The Council anticipates that there will continue to be occasional applications for agricultural and forestry workers' dwellings. Nowhere in Hertsmere is very far from an existing settlement and planning permission will only be granted for new dwellings where the Council is satisfied that the unit is a viable full-time holding and that there is a proven need for a worker to be on site at all times. Regard will also be paid to other considerations such as the effect on the open character of the Green Belt, the design and size of the dwelling and the availability of other suitable accommodation in the vicinity or structures which could be reused. On new holdings where viability and need is not yet proven a limited period permission for a mobile home or caravan may be granted. The Council will seek to ensure that existing agricultural workers' dwellings are retained for that purpose in order to limit the need for further dwellings to be built in the Green Belt. The following policies will also be applied to applications for dwellings on equestrian holdings.

### **Policy C12: Agricultural, Forestry and Equestrian Workers' Dwellings**

**Proposals for new dwellings relating to agricultural, forestry or equestrian holdings will be permitted provided:-**

- (i) the unit is a full-time holding, that has been established for at least three years, has been economically viable for at least one year and has sound long-term prospects;**
- (ii) there is a proven need for a worker or workers to be on site at all times in relation to the supervision of livestock, crops or plants and there is no suitable accommodation already available on the holding;**
- (iii) alternative accommodation is not available in nearby towns or villages to meet the need of the enterprise;**
- (iv) the dwelling is designed in character with its rural surroundings and is suitably sited in relation to other buildings on the site;**
- (v) the dwelling is no larger in size than is justified by the needs of the holding;**

(vi) it complies with the criteria laid down in Policy C4.

**Wherever feasible dwellings should be provided through the reuse of existing buildings and planning permission will only be granted for new build where the need cannot be met through the conversion of existing buildings.**

8.2 Applications must be supported by an independent report, prepared at the applicant's expense, which provides evidence of the long term viability of the holding. Where the Council is minded to grant consent it will normally be subject to:-

- a) Conditions withdrawing permitted development rights, in particular those specified by Schedule 2, Part 1, Classes A, B, E and F and Part 2, Class A of The Town and Country Planning (General Permitted Development) Order 1995, or as subsequently amended;
- b) A condition restricting occupation to a person or persons solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry or in equestrianism, or a dependant of such a person residing with him or her, or a widow or widower of such a person.

**Policy C13: Agricultural, Forestry and Equestrian Workers' (temporary) Dwellings**

**In the case of new units/holdings where the economic viability has not yet been proven limited period permission for a mobile home or caravan may be granted. Applications will be assessed against the criteria set out below:-**

- (i) **criteria (ii) and (iii) of Policy C12 must be met. In addition the unit must be potentially viable and the application must be supported by an independent report prepared at the applicant's expense;**
- (ii) **the siting and appearance of the mobile home/caravan should not be detrimental to the visual amenity of the area.**

8.3 Where planning permission is granted this will normally be limited to a period not exceeding three years and occupation will be restricted to a person or persons essential to the operation of the holding in question. Renewal of a permission will not normally be granted unless significant progress towards viability has been demonstrated and criteria (ii) and (iii) of Policy C12 are still being met.

8.4 Where reorganisation of land holdings takes place, requests for dwellings on any additional holdings which might arise will be examined critically. The Council will seek to retain existing agricultural workers' dwellings where a need still exists.

**Policy C14: Agricultural, Forestry and Equestrian Workers' Dwellings - occupancy**

**Planning permission will not be granted for applications to remove occupancy conditions from dwellings. Exceptions to this policy will only be made where evidence is submitted to prove that no demand exists for the dwelling either by the associated holding or within the area as a whole.**

8.5 In order to demonstrate that there is no demand for the dwelling, as mentioned in Policy C14, the applicant will be required to submit the following:-

- a) Proof of attempts to market the property for at least one year, including evidence of where the property was advertised, by which agent and/or in which newspaper/ journal.
- b) Evidence of price asked for sale or rent of the property compared to an indication of the average income of agricultural, forestry or equestrian workers in Hertfordshire.
- c) The comparison price if the property had been offered for sale or rent without the condition restricting occupancy, to be supplied by an appropriate professional at the applicant's expense.
- d) Written evidence of interest shown in the property, whether or not the interested party would comply with the terms of the condition in respect of occupancy and the reason, where possible, for not pursuing the interest.

## ***Rural Diversification***

- 9.1 Whilst there is a need to diversify the income of farmers and landowners, the proximity of Hertsmere's rural areas to trunk routes, existing settlements and the London conurbation could lead to suburbanisation of the countryside without proper control. The Council will seek to strike a balance between rural diversification and the need to protect the environment of the countryside and generally steer development towards urban locations.

**Policy C15: Farm and Countryside Diversification**  
**The diversification of farm enterprises will be permitted, provided that:-**

- (i) where relevant, the proposal retains existing, or provides additional or alternative employment;**
- (ii) the proposal has no material detrimental effect on the landscape, residential amenity, archaeological interests, ecological interests, the highway network or other resources;**
- (iii) the proposal does not involve the permanent loss of agricultural land of Grades 1, 2 and 3a unless it can be demonstrated that there is no other site suitable and clearly available for the particular purpose and the advantages of the proposal outweigh all other material considerations**

Note: Applications should generally be supported by Whole Farm Plans which provide a long term strategy for the site.

## ***Tourism***

- 10.1 Development for tourism can assist in diversifying the rural economy. General policy advice is set out in the Leisure, Sport and Recreation chapter.

## ***Horses***

- 11.1 Hertsmere is a popular location for horse riding and the keeping of horses. Generally planning permission is required for the keeping of horses for non agricultural purposes. Planning permission is also usually required for any associated buildings. Permission is not generally required for the keeping of one's horse within the curtilage of one's dwellinghouse, subject to the relevant conditions of The Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently amended) or any planning permission or Article 4 Direction.

- 11.2 The Council expects a high standard of design, construction and management of sites where horses are kept to ensure that equestrian activities do not have an adverse effect on the countryside. Policy C4 provides general policy guidance.
- 11.3 Trunk roads and railways pose particularly difficult barriers in Hertsmere and safe crossing points need to be used well and, if necessary, shared with cyclists, walkers and other users such as farmers. It is also desirable to locate new horse keeping establishments in places which can use these crossings effectively as part of circular routes suitable for horses. Equestrian development is a form of diversification acceptable in principle provided it makes use of existing buildings or suitably small scale, well designed new structures which facilitate this activity in the open and do not damage the openness of the Green Belt.
- 11.4 In any proposals the Council will have regard to the following:-
- access to the rights of way network (above footpath status);
  - the capacity of the adjacent parts of the rights of way network to accommodate the proposed level of use; and
  - measures relating to the appearance of permanent jumps and the removal of infrequently used jumps and other equipment to reduce the concerns about the unsightly appearance of such items.
- 11.5 If such establishments are to accommodate parking for trailer boxes so that riders can import horses for 'park & ride' excursions or for events, the location must satisfy the criteria for safe traffic movement and only generate traffic which can be safely accommodated on the rural road network to satisfy the County Council's policy for traffic on rural roads. Indoor arenas and similar structures are unwelcome in the Green Belt but where very special circumstances exist, in accordance with Policy C1 and the guidance contained within PPG2 the redevelopment of the footprint of existing fully enclosed structures may be acceptable if criteria (i) to (vi) of Policy C16 are met.

**Policy C16: Equestrian Developments**

**Subject to Policy C1 the establishment of equestrian facilities in the countryside, and the expansion of existing facilities, will be permitted provided that the following criteria are met:-**

- (i) the proposed development would not be prominent in views from local vantage points;**
- (ii) the development would not harm the Landscape Conservation Areas, Nature Conservation Sites, or areas and sites of archaeological significance;**
- (iii) the site is well related to the existing or proposed bridleway network, developing Greenways and lightly used minor roads or the proposal includes works to provide new routes to enable connections between the development and other routes or places of equestrian interest;**
- (iv) access and car parking provision is satisfactory;**
- (v) the proposal would not harm residential amenity or other sensitive uses;**
- (vi) the scale, design, siting and materials of any necessary ancillary structures must be appropriate to the landscape setting of the site;**

**(vii) wherever possible facilities utilise existing buildings.**

Note: See also Policy C4.

## ***Cemeteries and Memorial Gardens in the Green Belt***

- 12.1 The need to provide for additional burial space may arise over the Plan period. Cemeteries are an appropriate Green Belt use where the openness of the Green Belt is preserved and the proposed use would not conflict with the purposes of including land within the Green Belt. It is important to ensure that any associated buildings or memorial stones do not intrude into the open nature of the Green Belt. Sites should be designed to take advantage of existing contours and be extensively landscaped to prevent long views into the burial area. In all cases, such uses should be well located to the road network and, where possible, to passenger transport facilities. Adequate car parking should be provided within the boundaries of the site. Whilst no site has been identified in this Plan, the principle of woodland and green burial sites will be supported.

**Policy C17: Cemeteries and Memorial Gardens**  
**Cemeteries and Memorial Gardens with essential small scale ancillary buildings may be acceptable in the Green Belt but only where advantage is taken of existing site contours, when provided with landscaping and screening to prevent memorials being seen in long views and where the openness or visual amenity of the Green Belt would not be harmed. Proposed developments should be well located to the highway network and comply with the County Council's policy for traffic on rural roads. Suitable parking provision and landscaping must be incorporated in proposals to ensure that the vehicles are safely parked in off-road locations and that the development does not prejudice the openness of the Green Belt. In suitable locations, woodland and green burial sites will be permitted.**

## ***Major Developed Sites in the Green Belt***

- 13.1 Following the revisions to PPG2 in January 1995 local authorities can identify major developed sites in the Green Belt that are suitable for redevelopment or where infilling may take place. Hertsmere's Green Belt contains a number of educational and research establishments which are identified in this Plan as major developed sites for the purposes of PPG2. The majority of these sites are in continuing use and have in the past been granted planning permission for extensions, new buildings, sports facilities and other alterations. It is anticipated that the need for some development will continue. Since January 1995 the construction of new buildings inside a Green Belt is inappropriate development unless the criteria set out in para. 3.4 of PPG2 are satisfied. This meant that any new buildings on these established sites, however limited their impact on the openness of the Green Belt, had to make a case of very special circumstances and, in most cases, be referred to the Government Office under the departures Direction before planning permission could be granted. Whilst it is considered reasonable for this to continue to be the case for the majority of sites in the Green Belt on certain sites limited infilling or redevelopment may be acceptable, within defined limits, without the openness of the Green Belt being jeopardised. In the case of infilling, any proposals sited outside the defined areas for infilling will be subject to Policy C1 Green Belt and inappropriate development will not be permitted except in very special circumstances.

13.2 Major developed sites in the Green Belt have been identified on the Proposals Map and are listed below. For the avoidance of any doubt the South Mimms (Bignell's Corner) Special Policy Area is not classed as a major developed site. It is dealt with in the Movement chapter (see Policy M14).

- Aldenham School, Letchmore Heath
- Bio Products - Dagger Lane, Aldenham
- Bushey Hall School
- Bushey Meads School
- Dame Alice Owen's School - Sawyers Lane, Potters Bar
- Haberdashers' Aske's School (Boys) - Aldenham Road, Elstree
- Haberdashers' Aske's School (Girls) - Aldenham Road, Elstree
- Imperial Cancer Research Fund (ICRF) - Blanche Lane, South Mimms / Ridge
- International University - The Avenue, Bushey
- National Institute for Biological Standards and Control (NIBSC) - Blanche Lane, South Mimms / Ridge
- Nicholas Hawksmoor School and Sports Centre, Cowley Hill, Borehamwood
- Queens School, Aldenham Road, Bushey
- Purcell School, Aldenham Road, Bushey
- St Margarets School, Merry Hill Road, Bushey
- Watford Campus, University of Hertfordshire, Wall Hall, Aldenham.

13.3 On these sites applications will be considered in relation to the advice set out in Annex C of PPG2 and the criteria in Policy C18. Limited infilling may be acceptable on these sites within the areas defined on the Proposals Map and shown in greater detail on the enlarged maps in Appendix 3. These have been defined to reflect the areas where buildings are mainly concentrated. For some sites the area defined has been extended to accommodate anticipated development which would not have an adverse impact on the openness of the Green Belt.

13.4 In some instances complete or partial redevelopment may offer the opportunity for environmental improvement so long as this does not prejudice the objectives of including the site in the Green Belt.

**Policy C18: Major Developed Sites in the Green Belt**  
The Major Developed Sites in the Green Belt are identified on the Proposals Map and proposals will be assessed in relation to the advice set out in Annex C of PPG2. Infilling may be appropriate within the defined areas subject to the following considerations:-

- (i) the proposal should have no greater impact on the purposes of including land in the Green Belt than the existing development;
- (ii) the proposal should not exceed the height of the existing buildings;
- (iii) the proposal should not lead to a major increase in the developed proportion of the site;
- (iv) the proposal should be ancillary to, or support, an existing or approved use on the site;
- (v) proposals should respect the design of existing buildings and should not detract from the appearance of the site;
- (vi) proposals should not lead to any significant increase in motorised traffic generation.

**Complete or partial redevelopment on these sites should:**

- a) have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, and where possible less;
- b) contribute to the achievement of the objectives for the use of land in the Green Belts set out in PPG2;
- c) not exceed the height of the existing buildings;
- d) not occupy a larger area of the site than the existing buildings (unless this would achieve a reduction in height which would benefit visual amenity) and;
- e) should not lead to any significant increase in motorised traffic generation or unduly impact on the amenities of adjacent properties.

13.5 If a Listed Building is on the site consideration will need to be given to the impact of any proposed development upon it and if it would detract from the appearance or setting of the Listed Building the proposal will not be allowed. If a proposal results in the relocation or introduction of a hardsurfaced area such as a car park or playground, and this is considered to have an adverse impact on the Green Belt, the proposal will not be allowed.

13.6 The submission of long term plans for these major developed sites to help guide their successful development will be encouraged. Where redevelopment is proposed a planning brief may be prepared. The development and implementation of Green Transport Plans for Major Developed Sites will be encouraged.

## ***Hospital Sites***

14.1 Since 1989 the Shenley Hospital site has been the subject of phased redevelopment. This is being regulated and controlled by the policies of the Planning Brief 'Securing a good future for Shenley' and the terms of the outline permission granted by the Secretary of State for the Environment and its accompanying legal agreements. The last phase of the development is being implemented.

**Policy C19: Shenley Hospital**

**Hertsmere will ensure that the Shenley Hospital site as defined on the Proposals Map continues to completion in its new role for housing, retail, small business accommodation, and public open space. The detailed design, layout and form of the redevelopment will be controlled through:-**

- (i) the policies of the planning brief 'Securing a good future for Shenley' (as amended) and any subsequent Development Briefs;
- (ii) the terms of the outline planning permission granted under reference 10434/1 and its accompanying legal agreements; and
- (iii) Hertsmere's current car parking standards and the other relevant policies of this Plan.



- 14.2 Harperbury Hospital falls mostly within the City and District of St. Albans but a small part extends into Hertsmere. The Health Authority has indicated that the Hospital will close shortly. That part of the site located within Hertsmere is not formally identified as a Major Developed Site in the Green Belt in this Plan as it is not feasible to identify an envelope for appropriate infilling without considering the site as a whole. However, Policy C18 and Annex C of PPG2 provide the relevant policy context. In association with St. Albans City and District Council, the Council will prepare a development brief to guide any future development on this site. In the interim, normal Green Belt policies will be applied. The site lies in a belt where there are known sand and gravel deposits, but it is not identified in the Hertfordshire Minerals Local Plan (1991-2006) as an area of search. Hertsmere considers it would be unfortunate if deposits were to be sterilised by early development. Hertfordshire County Council has commenced work on the review of the Hertfordshire Minerals Local Plan and if this proposes sand and gravel extraction at Harperbury it will be taken into account when the development brief is prepared.

**Policy C20: Harperbury Hospital**

**The Council will co-operate with St Albans City & District Council and consult with Hertfordshire County Council in the preparation of a development brief for the site to guide its medium and long term future use. In the interim, normal Green Belt policies will apply.**



# Housing

## Background Trends

- 1.1 There will be a continuing need to identify sites for housing development in Hertsmere. There are two main reasons for this; the need to provide for the housing requirements of the Borough's resident population and national trends and issues.
- 1.2 National forecasts project a continuing growth in the number of households in England and Wales. Since the end of the First World War the number of households has increased at a far faster rate than the total population. Average household sizes are decreasing, resulting in more homes being needed to accommodate the same number of people. This trend is predicted to continue over the period of this Plan.
- 1.3 The reasons for the projected increase are complex, but the main factors behind the growth are:
  - social changes such as more people living independently, changes in attitudes to marriage and the increased incidence of divorce;
  - increased prosperity allowing more people to live in separate households;
  - improved standards of living and health care leading to people living longer, often on their own.
- 1.4 In Hertsmere, between 1981 and 1991 the population increased by just 0.3% from 87,300 to 87,500, whilst the number of households increased from 31,000 to 34,000 (9.7%). The average size of households within the Borough has continued a trend to fall from 3.02 (1971), to 2.75 (1981) and to 2.5 (1991). 24% (8,200) of households in 1991 contained just one person, a 42% increase from 5,800 in 1981, and the elderly population (over the age of 60) increased from 17,700 in 1981 to 19,600 in 1991.
- 1.5 Nationally the most frequently occurring household types in 1996 were married couples with no dependent children (31%) and persons living alone (27%). The traditional family of a married couple with dependent children now accounts for only 23% of households nationally.
- 1.6 The most recent forecasts, referred to as the 1996-based Household Projections, suggest that these trends will continue. Whilst nationally they indicate that the rate of growth in the number of households might not be as high as predicted in previous forecasts, they still forecast a significant increase in the South East with a continuing fall in average household sizes.
- 1.7 Population and household forecasts are not the only factor which has to be taken into account in planning for future housing land needs. It should also be recognised that the 1996-based forecasts are still being assessed and they do not form the basis of this Plan. They do though indicate that there will be a continuing need for new homes, and local authorities are expected to play a lead role, through the development plan process, to ensure that housing sites are identified.

## ***Strategic Guidance***

- 2.1 Relevant national guidance is set out in several PPGs of which PPG3 "Housing" is the most important. This advises that Local Plans should identify on their Proposals Maps sufficient sites to accommodate at least the first five years of housing development proposed in the plan, that at least 60% of additional housing should be provided on previously developed land and that local authorities should secure an appropriate mix of dwelling size, type and tenure in both new developments and conversions. In summary, Government advice is to promote sustainable patterns of development through the plan led system where the emphasis is placed on the full and effective use of land in urban areas, and locating development where it will minimise the need to travel by private car. However, the planning system is expected to ensure that future development needs are positively and realistically catered for.
- 2.2 Regional guidance as set out in RPG9 provides an overall housing programme for Hertfordshire of 50,000 for the period 1991 to 2006 and recognises that the west and south of the County (which includes Hertsmere) have experienced considerable development pressures in recent years, and that the emphasis here should be placed on using existing urban land, and maintaining the attractive qualities of the urban areas. Regional guidance is currently being reviewed for the period through to 2016. A new Draft RPG was published in December 1998 and was the subject of public examination during 1999. In March 2000 the Government published for consultation purposes a further RPG9.
- 2.3 The Hertfordshire Structure Plan Review 1991-2011 establishes an overall housing programme for the County of 65,000 additional dwellings for 1991 to 2011 of which around 4,600 should be provided in Hertsmere. The Structure Plan places the emphasis on providing this through planned urban regeneration. However, it does include strategic housing allocations in the Green Belt at Hemel Hempstead, and to the west of Stevenage, and does allow for peripheral Green Belt development around existing towns so long as the options for planned regeneration have been fully explored and such development provides demonstrable sustainability benefits to the town. The Structure Plan also provides specific advice on meeting affordable housing needs and providing accommodation for people with physical disabilities and other special needs.

## ***Objectives***

- 3.1 The policies set out in this chapter of the Plan, read in association with other relevant policies, seek to:
- ensure that around 4,600 new dwellings are provided in Hertsmere between 1991 and 2011;
  - provide a range of opportunities so that a mix of housing in terms of size and tenure is provided;
  - ensure that reasonable provision is made for the Borough's own affordable and other special housing needs;
  - concentrate development in the Borough's towns, through the reuse of existing developed sites, subject to ensuring that this does not adversely affect the quality of their environments;
  - minimise, and if possible avoid, greenfield development by making the most efficient use of urban land;
  - ensure that housing is planned in parallel with and where appropriate makes a contribution towards, the infrastructure needed to serve it;

- ensure as far as possible that development is phased over the whole period of the Plan;
- ensure that attractive, well designed, safe and accessible residential environments are provided;
- ensure that housing is planned in ways which encourage walking, cycling, and greater use of passenger transport, in preference to the private car.

## ***Housing Provision***

### **Housing Land Availability**

- 4.1 This Plan must make realistic provision for around 4,600 additional dwellings between 1991 and 2011. In accord with the advice set out in PPG 3 it must ensure that sufficient sites are shown on the Plan's Proposals Map to accommodate at least the first five years of housing development proposed in the Plan and that at least 60% should be provided through the redevelopment of previously developed land, or through conversions.
- 4.2 Hertsmere monitors the supply of housing land in the Borough on a regular basis and the information set out in this chapter is as of 1 April 2001. Between 1 April 1991 (the start of the Structure Plan Review period) and 31 March 2001, 2,968 new dwellings have been built in Hertsmere, leaving a further 1,632 dwellings to be provided by 2011. This would result in a rate of 163 per annum which is significantly less than the average building rate since 1991 which is illustrated in Table 1.

**Table 1 - Housing Completions 1991- 2001**

<b>Year</b>	<b>Completions (Net)</b>
1991/92.....	210
1992/93.....	365
1993/94.....	373
1994/95.....	472
1995/96.....	290
1996/97.....	162
1997/98.....	188
1998/99.....	418
1999/00.....	250
2000/01.....	240
<b>Total</b>	<b>2968</b>
<b>Average per annum</b>	<b>297</b>

(Source HBC/NHBC returns).

- 4.3 This Plan must provide for these 1,632 dwellings in a manner consistent with the objectives set out in paragraph 3.1. The Council has considered whether the better management of the existing stock could also assist housing provision. The Panel's Report on the Examination in Public into the County Structure Plan Review concluded that in Hertfordshire we should aim for a vacancy rate of 3.5% (the national target) rather than the current rate of 3.83% assumed in the Structure Plan. As of 1 April 1998 there were an estimated 960 vacant properties in Hertsmere, 2.6%, most of these being short term vacancies between house moves. As this is significantly less than the national target it is concluded that it would be unwise to plan for a lower figure in this Plan.

- 4.4 In order to provide a degree of flexibility this Plan should make provision for around 1,800 additional dwellings, including conversions, up to 2011 (around 180 per annum on average).

**Policy H1: Housing Land - overall supply**  
**Sufficient housing land will be made available to support an average building rate of around 180 dwellings per annum between 2001 and 2011.**

- 4.5 At 1 April 2001 there were outstanding planning permissions for 374 additional dwellings (including sites under construction) on sites of 10 plus dwellings (net). Based on the latest study of housing land availability carried out in association with the County Council and the House Builders' Federation, and the Council's latest knowledge of these sites, the Council considers that all of these sites are likely to come forward for housing in the Plan period.
- 4.6 Adding the large sites with planning permission (374) including those where construction has started, to the completions since 1991 (2,968) gives a total commitment of 3,342; leaving a shortfall of 1,258 measured against the Structure Plan requirement of 4,600. The challenge of this Plan is to make provision for this and allow for a degree of flexibility. In order to achieve this it is considered that the Plan should make provision for around 1,500 additional dwellings over and above the commitments referred to above. It is considered that with the exception of the safeguarded sites identified in Policy H4, it would be unwise to plan at this stage for any additional long term requirement beyond the period of this Plan. There is considerable national debate at present on what level of housing should be planned for through to 2016, and how best to provide it. The Government has advocated that we should move away from the "predict and provide" approach to what has been termed "plan, monitor, manage". PPG3 advises that "housing requirements and the ways in which they are to be met, should be kept under regular review" and that local planning authorities "should seek only to identify sufficient land to meet the housing requirement set as a result of the RPG and strategic planning processes.....they should not extend the search further than required to provide sufficient capacity to meet the agreed housing requirements". Until these issues have been resolved at national, regional and county level it is considered that a prudent approach should be taken in Hertsmere which accords with the precautionary approach, one of the fundamental principles of sustainable development. If, as a result of the review of regional guidance and the next roll forward of the County Structure Plan, Hertsmere has to make provision for further homes through to 2016 this can be addressed through limited alterations to, or a review, of this Plan. This would occur after the next review of the Structure Plan. Policy R1 provides a commitment that the Council will monitor and review the policies in this Plan to ensure that they are kept up to date.

**Planned Regeneration**

- 4.7 In order to ensure that sufficient housing land is provided through this Plan the Council considers that the emphasis must be placed on what is termed in the Structure Plan Review as planned regeneration, i.e. making the best use of previously developed sites and avoiding the need for greenfield development. Only if this approach cannot provide sufficient opportunities should consideration be given to other options. This policy is considered to be the most appropriate in Hertsmere because:
- it accords with the general principles of the Hertfordshire Structure Plan Review;
  - making the best use of previously developed sites is more likely to support the principles of sustainable development than greenfield development;

- Government policy advice in PPG3 emphasises the need to “give priority to re-using previously developed land within urban areas, bringing empty homes back into use and converting existing buildings, in preference to the development of greenfield sites”;
  - consultation on the Draft Local Plan, the subsequent Issues and Options Paper and the Deposit Version, has identified a strong local desire to protect the Green Belt in Hertsmere and make the best use of previously developed sites.
- 4.8 Whilst the Plan places the emphasis on planned regeneration, regard must be paid to the overall housing objectives set out in paragraph 3.1. In particular it is important to ensure that the Plan allows for a range of sites to come forward, that it makes adequate provision for affordable and other special housing needs and that excessive urban development does not detract from the environment of our towns.
- 4.9 The Council has carried out an assessment of the Borough’s towns to identify possible opportunities for planned regeneration. It has also looked at recent development trends in the Borough in order to provide a reasonable estimate of the likely potential of other urban sites which will come forward for development over the period of this Plan. Policy H2 lists potential housing sites which, as of 1 April 2001, did not have planning permission for housing but where the Council supports in principle housing development and where there is a strong possibility of housing development over the period of the Plan. The most significant site is the former International University in Bushey. Whilst in the Green Belt, it is considered that the existing buildings are suitable for conversion to provide housing and some new build may be possible, linked to the demolition of existing unsightly buildings, so long as the open character of the site is not prejudiced. The estimated number of homes given for each site in Policy H2 is considered to be reasonable based on existing planning policies and standards and an assessment of any site specific constraints.
- 4.10 In addition to the sites listed in Policy H2 there are other sites in the Borough where the Council would support the principle of housing development if they became available for redevelopment or conversion. An example of such a site is land at Station Road, Borehamwood, including the Fire and Research Station. Whilst the Council supports the principle of a comprehensive redevelopment scheme in the Station Road area of Borehamwood it recognises that there are significant constraints to overcome such as land assembly, the relocation of existing occupiers and the provision of a satisfactory access and other essential infrastructure. The Council will prepare planning guidance for the redevelopment of this area and will give consideration to the retention of some land for employment uses.
- 4.11 Whilst the inclusion of a site in Policy H2 means that the principle of housing development is supported, there may well be significant issues to address such as vehicular access, infrastructure requirements and the relationship to existing development. The Council may seek contributions to infrastructure improvements related to the development of the site, and where appropriate may produce a planning brief to guide its development. Some sites may require the submission of Transport Assessments or similar transport studies.

**Policy H2: Housing Sites – estimated**  
**Housing development will in principle be granted planning permission on the following sites, as identified on the Proposals Map, during the period of this Plan.**

- (i) Croxdale Road Shops, Borehamwood - estimate 10 dwellings**
- (ii) Brook House, Brook Road, Borehamwood - estimate 45 dwellings**

- (iii) Land rear of Arundel Drive, Borehamwood - estimate 10 dwellings
- (iv) Blackwell House, Aldenham Road, Bushey - estimate 130 dwellings
- (v) Former International University site, Bushey - estimate 307 dwellings subject to the requirements of planning guidelines
- (vi) Brent Timber site, London Road, Bushey - estimate 32 dwellings
- (vii) Hartspring Centre, Bushey - estimate 50 dwellings
- (viii) Part of the Sparrows Herne site, Elstree Road, Bushey - estimate 25 dwellings subject to the remainder of the site being retained as an open land area and a planning brief being prepared for the site.

**Note : these are sites which did not have planning permission as at 1 April 2001**

- 4.12 In total the sites listed in Policy H2 would provide around 609 dwellings. Whilst it is recognised that not all of them may be developed by 2011 a cautious approach has been taken in estimating the number of homes which could be provided. However, it is considered prudent to apply a non implementation allowance of 7.5% and therefore for the purposes of this Plan it is assumed that the development of these known Estimated Sites will generate 563 dwellings by 2011.
- 4.13 The County Council is currently implementing a review of the education system in Borehamwood. It is anticipated that this will result in the closure of Hillside, Lyndhurst and Furzehill schools. At present all the schools in Borehamwood, with the exception of Nicholas Hawksmoor which is in the Green Belt, are designated Urban Open Land Areas and are subject to Policy L3 in the Plan. That policy does allow under criterion (ii) for some development provided that the level of building coverage proposed is no greater than the existing coverage of permanent buildings on the site (defined as the footprint of existing permanent buildings on the site).
- 4.14 The schools to be closed are located in residential areas and it is considered that some housing would in principle be acceptable. This is subject to the proviso that the disposal of any sites must be planned as a package linked to improvements to the retained schools in Borehamwood. In addition the principles of Policies L3 and L7 will need to be adhered to, for the sites as a whole, with significant areas retained for open space purposes. Affordable housing and lifetime homes will need to be provided in accordance with the policies in this Plan, and where appropriate buildings retained for community uses such as indoor recreation. Planning briefs will need to be approved, following consultation to guide the development of any surplus sites.

**Policy H3: Surplus School Sites in Borehamwood**  
**Planning briefs will be approved, following public consultation, to guide the development of any school sites in Borehamwood which become surplus to educational requirements. Some housing development will in principle be supported on sites within the urban area subject to :**

- (i) The sites being planned and developed as a package linked to improvements to the retained schools in Borehamwood and consideration being given to whether any sites are suitable to meet other identified operational service needs of the County Council;



- (ii) Ensuring that the principles of Policies L3 and L7 are adhered to;**
- (iii) The provision of lifetime homes in accord with Policy H15;**
- (iv) The provision of affordable housing in accord with Policy H16;**
- (v) Compliance with the transportation policies of the County Council and this Plan.**
- (vi) The retention of land for open space purposes;**
- (vii) Where appropriate and feasible the retention of buildings for local community needs such as leisure and recreation.**

- 4.15 Experience in Hertsmere shows that new opportunities will continue to come forward and the revised PPG3 advises that authorities should make specific allowances for all the different types of windfalls in their plans. Some of the possible sites where the Council would support the principle of housing were highlighted in Policy H3 of the Deposit Draft. That policy has now been deleted in accordance with the Inspector's recommendation following the Public Local Inquiry. However, one of the sites (Mann Egerton Garage site, Watling Street, Radlett) has been redeveloped and a significant level of housing development is now under construction on the Fire Research Station site, Station Road, Borehamwood. It is therefore considered that by taking a proactive approach in identifying sites, and introducing policies to encourage planned regeneration, the estimate of 563 for the identified sites in Policy H2 may be supplemented by a further 300 dwellings as a result of new opportunities coming forward on other (large windfall) sites. In addition it is estimated that the disposal of the surplus County Council school sites in Borehamwood will generate an additional 200 dwellings. In total therefore it is estimated that the development of sites of 10 plus dwellings which did not have planning permission as at 1 April 2001 could generate at least an additional 1,063 dwellings over the Plan period.
- 4.16 In addition, it is anticipated that further small sites will continue to come forward, primarily from within the urban area. In principle, this is to be supported although there is a need to ensure that such development does not detract from the character of the Borough's towns. There will also be a continuing contribution from conversions and changes of use of existing buildings in the Green Belt, and small scale infill developments which comply with the relevant policies in the Countryside chapter.
- 4.17 An analysis of actual developments in Hertsmere between 1992-96 revealed that small sites contributed some 50 completions per annum. This level of development has declined slightly in the past three years. With the introduction in this Plan of more positive policies to support such proposals it is considered that it is reasonable to assume a contribution of 45 per annum through to 2011 (as recommended by the Inspector following the Public Local Inquiry into objections to the Plan) and that in total small sites will provide an additional 450 dwellings between 1 April 2001 and 31 March 2011 (45 per annum). This is an overall figure and incorporates the existing small sites with planning permission. Adding this to the estimate for large sites gives a total figure of 1,513. Adding this to the commitment of 3,342 gives a total figure of 4,855. Whilst this is marginally in excess of the Structure Plan figure of 4,600, it does include a non implementation allowance of 7.5% for Estimated Sites and the Council has been cautious in its density assumptions. The Council's estimates and assumptions have been thoroughly tested and the approach taken accords with the advice in the revised PPG3.

- 4.18 It is proposed that the sites listed in Policy H4 be designated as Safeguarded Land. In accordance with Policy C2, normal Green Belt policy will continue to be applied to the areas of Safeguarded Land unless and until, through a review of this Plan, the Council may decide that any of the sites need to be released. As such, these sites will not be developed before 2011 and could only be considered for development thereafter following a review of the Plan. A review would need to be supported, inter alia, by a capacity study carried out in accordance with the advice in PPG3, and any Safeguarded site could only be identified for housing development, following a Review, if insufficient capacity were identified within the then defined urban area. The majority of the land between Heathbourne Road and Windmill Lane is designated as an Urban Open Land Area and it is anticipated that it will be retained in the operational use of the Three Valleys Water Company. The main operational buildings are excluded from this designation.

**Policy H4: Green Belt Safeguarded Land for Housing**  
In order to ensure the long term protection of Green Belt boundaries it is proposed that the following sites be released from the Green Belt and identified as Safeguarded Land on the Proposals Map:

- (i) Haydon Dell Farm, Bushey;
- (ii) Land East of Farm Way, Bushey;
- (iii) Land bounded by Heathbourne Road, Windmill Lane and Clay Lane, Bushey;
- (iv) 16 Watford Road, Radlett;
- (v) Byron Avenue/Vale Avenue, Borehamwood;
- (vi) West Herts. College Annexe, William Street, Bushey.

**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, post 2011, housing needs. Until such time a review of this Plan shows that the sites are needed, there will be a presumption against their inappropriate development.**

- 4.19 Overall it is considered that the allocations and proposals set out in Policies H1 to H3 will provide for the housing land needs of the Borough consistent with the objectives set out in paragraph 3.1. Tables 2 and 3 provide a summary of these proposals.

**Table 2 Housing Land Availability in Hertsmere by Type of Site**

Type of Site	Number of Units (net)
Completions 1 April 1991 to 31 March 2001	<b>2968</b>
Large sites with planning permission (10 plus units)	
- construction started	190
- detailed permission	95
- outline permission	89
<b>- TOTAL</b>	<b>374</b>
Known estimated sites (10 plus units) Policy H2 less 7.5% non implementation allowance	<b>563</b>
Additional estimate for large (10 plus units) windfall sites	<b>300</b>
Estimate for surplus school sites in Borehamwood	<b>200</b>
Estimate for small (1 to 9 units) windfall sites (45 pa.)	<b>450</b>
<b>TOTAL</b>	<b>4855</b>

**Table 3 Housing Land Allocations 2001 to 2011 by Settlement**

Type of site	Boreham wood	Bushey	Potters Bar	Radlett	Other	Total
Large sites with permission	161	41	112	41	19	374
Known estimated sites less 7.5%	60	503	0	0	0	563
Additional estimate for large windfall sites*						300
Estimate for surplus school sites in Borehamwood	200					200
Estimate for small windfall sites*						450
<b>TOTAL</b>	<b>421</b>	<b>544</b>	<b>112</b>	<b>41</b>	<b>19</b>	<b>1887</b>

\* the estimates for large and small windfall sites are not broken down by settlement

## *Phasing of Housing Sites*

- 4.20 The proposals set out in this Plan will provide a range of sites which will allow the Council to meet the overall Structure Plan figure of 4,600, as well as provide for local affordable and other special housing needs. A significant concern is that too much housing development will occur in the early years of the Plan. There is a need to phase the development of other sites which do not yet have planning permission in order to ensure that development is co-ordinated with infrastructure improvements, and to reserve sites for the later part of the Plan period. At the same time there is a need to ensure that the approach adopted is not unduly restrictive and does not prevent suitable urban regeneration sites coming forward for development and does not conflict with the objectives of providing for affordable and other identified local housing needs. The following policy will be applied which

seeks to prevent an over supply of housing land. For the purposes of this policy a significant over supply of housing land is defined as more than 7 years of available land. The threshold will be applied to a number of adjoining smaller sites that could be combined to create a site of more than 0.5 hectares or for the development of 20 plus dwellings (net) and "local" in criterion (i) is interpreted as Hertsmere. For the avoidance of doubt the development of residential gardens is not considered to be an acceptable exception to this policy unless it complies with criterion (i) or (ii).

#### **Policy H5: Phasing of Housing Sites**

**In order to prevent an undue level of housing development in the early years of this Plan and to prevent provision of more than about 4,600 dwellings during the Plan period, to provide for longer term needs and to ensure co-ordination with infrastructure improvements, the commencement of development of sites for 20 plus dwellings (net), or over 0.5 hectares, that are not listed in Policies H2 or H3 will not be permitted before 1 January 2003 if they would result in a significant over supply of housing land in the Borough. Exceptions will be made in the following instances:**

- (i) The development mainly provides for local affordable housing needs or other clearly identified local housing needs; or**
- (ii) The development would contribute to improvements to local services and facilities; or**
- (iii) The development comprises the conversion of an existing building; or**
- (iv) The development comprises the redevelopment of an existing developed site within the urban area and would contribute to the achievement of sustainable development; or**
- (v) The development would achieve a clear environmental gain.**

**In addition to the sites already identified in Policies H2 and H3, and any proposals permitted under criteria (i) to (v) above, the Council will encourage the identification of other suitable opportunities for housing provision through planned regeneration within the existing built up areas of Borehamwood, Bushey, Potters Bar and Radlett. The housing potential of such identified sites (which it would be premature to release for development in terms of housing land supply, but which are otherwise acceptable in principle) will be monitored and taken into account in planning for housing provision towards the end of the Plan period and beyond 2011.**

Note: For a proposal to comply with criterion (i) it should make a significant contribution to meeting local housing needs. In the case of affordable housing, merely complying with the general guidance figure of 25% in paragraph 9.6 of this chapter will not be sufficient to warrant an exception to Policy H5.

## ***Effective Use of Urban Land***

- 5.1 Ensuring the effective use of land within the urban area is essential to meeting the Borough's needs for new housing. The following policies seek to ensure that existing housing is retained, that the quality of the environment is protected, that a range of housing is provided to meet the varying types of housing requirements,

including affordable housing needs, and that the most efficient use of land is made. Encouragement will also be given to changes of use of non-residential sites in the urban area to residential use, provided it can be demonstrated that such changes do not conflict with other policies in the Plan. This will minimise pressures for development in Hertsmere's Green Belt and on Urban Open Land Areas within the towns.

### **Protection of the Existing Housing Stock**

- 5.2 Hertsmere will seek to ensure the efficient use of the Borough's existing housing stock within its urban areas. The retention of existing dwellings will assist in reducing pressure for new development on Urban Open Land Areas within urban areas and in the Borough's rural areas. To maintain its existing mix of housing stock, Hertsmere will seek to ensure that, where planning permission is required, dwellings suitable for smaller households are not pulled down and replaced by dwellings suitable for larger households.

#### **Policy H6: Retention of Existing Residential Accommodation**

**In order to protect and retain existing residential accommodation in the Borough, particularly dwellings suitable for smaller households, proposals which would result in the net loss of satisfactory residential 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.**

### **Housing Mix**

- 5.3 Many residential areas of the Borough are characterised by large detached and semi-detached single family dwelling houses and yet there is a growing trend towards smaller households for whom this type of accommodation may be inappropriate. The Council's housing needs surveys highlight that a large number of people are unable to afford adequate housing, regardless of tenure, on the open market.
- 5.4 It will also be important to ensure that the needs of Hertsmere's growing elderly population are catered for. Many will continue to live in their existing homes, some will seek the independent, but supported, lifestyle that sheltered housing can offer and others will require an even higher level of support through the provision of specialised care. It is not uncommon for elderly people to be faced with moving because their existing home is difficult to adapt or, due to increasing problems with mobility, has become impracticable.
- 5.5 The concept of 'Lifetime Homes' seeks to ensure that homes can be flexible, adaptable and accessible, meeting the varying needs of occupiers in the same home over time. They are not wheelchair standard or full mobility standard homes but they are designed to accommodate adaptations with minimum disruption. They can be as useful for the family with young children as the elderly with limited mobility. Hertsmere supports the concept of 'Lifetime Homes' and will seek to negotiate with developers to ensure that a proportion of all new housing is built to such standards.
- 5.6 Hertsmere will seek to redress the imbalance in the range, size and type of accommodation in the Borough by ensuring that the future house building programme provides a higher proportion of dwellings suitable for smaller households, a range of housing types, including those suitable for occupation by the elderly, a proportion of housing built to 'Lifetime Homes' standards and a range

of tenures. In particular, the Council will seek, in accordance with the advice in PPG3, to avoid the inefficient use of land in terms of the number of dwellings provided, subject to the considerations set out in this plan, in particular Policy H8.

**Policy H7: Housing Mix**

**The Council will seek to ensure that a range of housing accommodation, in terms of size, type, density and tenure is provided within the Borough through measures such as:-**

- (i) the determination of planning applications;**
- (ii) negotiated planning obligations under Section 106 of the Town and Country Planning Act 1990 (or as subsequently amended);**
- (iii) the preparation of planning briefs;**
- (iv) the use of Council owned land for house building; and**
- (v) the identification and release of sites for housing development.**

**Subject to all other policies of this Plan, the Council will seek to ensure that efficient use is made of urban land.**

**Residential Development Standards**

5.7 In considering applications for residential development, Hertsmere will seek a high standard of design which complements and does not result in demonstrable harm to the existing character of an area. The character of an area will be largely determined by the age, design, materials, mass, type, height and size of existing buildings and the spacing between them, the density and layout of development, landscaping, garden / amenity areas, means of enclosure, important views, on / off street parking, the nature of traffic flows and the mix of uses that may be present in the locality. The transition from urban settlement to Green Belt needs to be managed sensitively. In accordance with the advice in paragraph 3.15 of PPG2, the Council will seek to ensure that proposals involving the development of sites which would be conspicuous from the Green Belt will not harm the visual amenities of the Green Belt by reason of their siting, materials or design.

5.8 Hertsmere provides detailed advice on the standards that should be achieved in residential development through the publication of supplementary design guidance. Such design guidance was provided in pursuance of Policy 58 of the previous Local Plan and any revisions to that guidance will be provided in pursuance of Policy D20 of this Plan. This should be referred to by applicants and developers at an early design stage. Whilst it is not considered appropriate to set out such detailed criteria in this Plan, it is considered that the principles set out in Policy H8 are essential to the consideration of all applications for new residential development.

**Policy H8: Residential Development Standards**

**The design and layout of the proposed development should be of a high standard which complements the character of existing development in the vicinity of the site and maintains a harmonious street scene. In addition account will be taken of the following:**

- (i) the size, height, mass and appearance of new dwelling(s) should be harmonious with and not overdominate the scale of or adversely affect the character of adjacent development;**

- (ii) materials should relate to, and be sympathetic towards, the character of the area;**
- (iii) the privacy and amenity of neighbouring residents should be maintained with adequate separation between buildings and appropriate distances to site boundaries;**
- (iv) proposals should provide appropriate space around buildings and plot coverage to respect the setting of neighbouring buildings. All new houses should be provided with adequate and appropriately sized and designed private amenity space. For the development of flats an appropriate landscaped setting, in character with the area, and a pleasant outlook from habitable room windows should be provided. Any development involving a reduction in existing gardens should ensure that the gardens which remain are adequate;**
- (v) subject to other policies of this Plan, proposals should provide car parking in accordance with the Council's current Car Parking Standards. For houses, all car parking spaces should be located within the curtilages of individual dwellings or within small groups to preserve visual amenity and should be visible from the dwelling to which they relate, be well lit and convenient to use to discourage crime. For flat developments car parking spaces should be provided within small visible groups or in underground or undercover areas which are well lit and convenient to use to discourage crime and preserve visual amenity;**
- (vi) there should be no significant adverse impact on highway safety;**
- (vii) external environments should be designed to allow safe and convenient access for those with disabilities;**
- (viii) the proposal should make adequate provision for access by refuse and emergency vehicles;**
- (ix) adequate provision should be made for the storage and collection of refuse and recyclable materials;**
- (x) proposals should take account of any notable townscape or landscape features which contribute to the character and appearance of the site and the area in general;**
- (xi) a landscape conservation, development and management scheme, including a level of detail appropriate for the proposed development and indicating all trees, notable shrubs and natural features to be retained, will be required to be drawn up and approved prior to the commencement of development. Additional landscaping may be required to screen the development and to protect visual amenity and privacy.**
- (xii) the Council's Supplementary Planning Guidance;**
- (xiii) proposals that would be conspicuous from the Green Belt should not harm the visual amenities of the Green Belt by reason of their siting, materials or design.**

The Council is reviewing its supplementary planning guidance. Until this review is completed all the existing guidance will continue to be applied.

## ***Increased Densities in Urban Areas***

- 6.1 PPG3 seeks to promote more sustainable patterns of development, making better use of previously developed land. The focus for additional housing is placed upon existing towns and cities. However, PPG3 also recognises that residential environments should be well designed and contribute towards promoting urban renaissance, making more efficient use of land, without compromising the quality of the environment.
- 6.2 Certain parts of the Borough are characterised by large detached houses set in extensive grounds. In recent years the type of redevelopment proposals coming forward for such sites have tended to be in-depth developments replacing a single large house on the frontage with a number of substantial 'executive style' homes. It is considered that the character of such areas may be maintained and a greater range of housing type secured by flat/apartment developments located in a similar position to the original house that they may replace, and retaining a communal garden area. In addition, opportunities may arise for the redevelopment of sites which, whilst located within or on the edge of a residential area, may not presently be in residential use. In these instances, and provided such a proposal would not conflict with any other policies of the plan, redevelopment for apartments will be supported.

### **Policy H9: Redevelopment for Apartments in Existing Urban Areas**

**In locations characterised by substantial detached houses set in large grounds close to good passenger transport services and local shopping facilities, redevelopment proposals for apartment developments will not be granted permission unless they:-**

- (i) comply with the criteria listed in Policy H8 (Residential Development Standards);**
- (ii) retain garden areas for communal use without sub-division; and**
- (iii) provide secure facilities for the storage of bicycles**

**Permission will be granted for the redevelopment of existing developed sites that are not currently in residential use provided the proposals comply with the above and would not conflict with other policies in the Plan**

### **Infilling Within Existing Street Frontages**

- 6.3 In certain locations the provision of apartments, which would increase densities, may be inappropriate if the character and amenity of an established residential area would be harmed. However, there may be scope for proposals involving one or more additional dwellings, or an earth sheltered house, within an existing street frontage. Such proposals will be supported subject to compliance with the criteria listed in Policy H8 (Residential Development Standards).



## **Back Gardens**

- 6.4 Homes with long back gardens are not uncommon in Hertsmere's more suburban areas. Whilst 'tandem' development, one house immediately behind the other and sharing the same access, is generally held to be unacceptable, where sites have been formed through the assembly of a number of existing back gardens and with careful planning it may be possible to integrate new development with existing development.

### **Policy H10: Back Garden Development**

**In locations characterised by detached and semi-detached houses where sites can be formed through the assembly of a number of long rear or side gardens, developments will not be granted permission unless :-**

- (i) a proper means of access which is convenient and safe for motorised and non-motorised highway users is provided which keeps to a minimum any visual impact within the street scene; and**
- (ii) the proposal complies with the criteria listed in Policy H8 (Residential Development Standards).**

## **Residential Conversions**

- 6.5 The conversion of larger dwellings into self contained flats can provide a useful source of smaller and more moderately priced dwellings for sale or to rent in addition to enabling the more efficient use of the existing housing stock. In addition, opportunities may arise for the conversion of suitable existing buildings which, whilst located within or on the edge of a residential area, may not presently be in residential use. Such development can assist in retaining more of an area's established character than is often possible through new development. However, it will be important to maintain a range of both smaller and family sized accommodation within any one area and to minimise the impact of a conversion on both neighbouring properties and the area in general. Not all properties will be suitable for conversion and the Council will not grant planning permission for such development in smaller properties where an increase in activity would be likely to result in an over-intensive use of the site and/or demonstrable harm to neighbouring residents. The provision of car parking spaces will be carefully controlled in order to minimise the visual impact of parked cars within the site and the possible noise disturbance to adjoining residents that may arise through vehicle movements to and from the site.

### **Policy H11: Residential Conversions**

**Residential conversions will be granted permission provided that:-**

- (i) each unit created is self-contained with access direct from a street frontage or off a common entrance hall;**
- (ii) the proposal complies with the Council's current Car Parking Standards and there would be no adverse effect on highway safety;**
- (iii) any extensions proposed comply with the Council's normal guidelines for residential extensions;**
- (iv) satisfactory provision is made for the storage and collection of refuse and recyclable materials;**

- (v) access is provided to a garden, although the subdivision of gardens by obtrusive boundary fences will be resisted so as to maintain the open nature of the area;
- (vi) a balance and range of accommodation is maintained in the area and the proposed development would not either individually, or cumulatively, harm the character of the surrounding area or the amenity of neighbouring dwellings; and
- (vii) the development would provide a satisfactory level of amenity and accommodation for its occupiers.

#### **Ancillary Accommodation - Special Needs**

- 6.6 A valuable contribution to meeting the needs of the elderly or disabled can be made through the provision of ancillary accommodation. This will usually take the form of an extension to the original dwelling which enables a degree of self containment whilst sharing some facilities such as a kitchen or bathroom. These extensions are often referred to as 'granny annexes'. In considering applications for such extensions, the relevant supplementary planning guidance should be taken into account but in principle such developments will be supported.

#### **Sheltered Housing**

- 6.7 Sheltered housing provides an alternative form of specialist accommodation for elderly people, usually with the benefit of a resident warden. As residents may have impaired mobility, it is important that this type of housing is carefully located, avoiding steep gradients and with a high level of accessibility to facilities such as passenger transport and, at least, local shops.

#### **Policy H12: Sheltered Housing**

**Proposals for sheltered housing will be granted permission in principle where access to passenger transport, shopping and other facilities is good and the proposal complies with the criteria listed in Policy H8 (Residential Development Standards).**

## ***Residential Development in Town and District Centre Locations***

- 7.1 The viability and vitality of town and district centres depends upon securing a mixture of uses which can reinforce each other through their complementary nature. The introduction of new residential uses can generate an increase in activity and therefore personal safety, by stimulating the use of local shopping facilities, restaurants and other businesses common to town centres. Hertsmere's town centres are generally well served by passenger transport services and make good locations for smaller dwellings attractive to occupiers with lower car ownership levels. Hertsmere supports the provision of additional residential accommodation in its town centres either through conversion of existing premises or through redevelopment.

#### **Conversion of Existing Premises**

- 7.2 Opportunities may arise to provide residential accommodation in town and district centre locations through the reuse of existing floorspace. This could take the form of either flats above shops or the conversion of entire premises. However, because of existing site constraints it is usually not possible to provide car parking or

amenity space in accordance with the Council's standards. In these instances, where there is good access to passenger transport, shopping facilities and other services and there would be no detrimental effect on the vitality of the town centre, the reuse of existing floorspace for residential purposes will be encouraged in accordance with the following policy.

**Policy H13: Changes of Use to Residential**

**In the town and district centres of Borehamwood, Bushey, Bushey Heath, Potters Bar (Darkes Lane and The High Street) and Radlett where access to passenger transport, shopping facilities and other services is good, changes of use to residential will be granted permission provided that:**

- (i) the development would not result in the loss of retailing or any other use that would be important for the continuing vitality and viability of the centre;**
- (ii) each unit created is self-contained and, where possible, the opportunity to provide access direct from a street frontage is secured;**
- (iii) satisfactory provision is made for the storage and collection of refuse and recyclable materials;**
- (iv) where on site parking exists, a minimum of one parking space per resulting unit is provided plus one visitor space for every fourth unit; and**
- (v) the development would provide a satisfactory level of amenity to its occupiers in terms of noise, outlook and overall design.**

**On sites where the proposed on site parking provision would be less than the standard stated in criterion (iv) planning permission may be granted where:**

- (a) the site is located close to alternative off site parking areas where dual use is likely to be available and passenger transport services; and**
- (b) the proposed change of use to residential would not generate more demand for parking than the existing use; and**
- (c) secure facilities for the storage of bicycles are provided.**

**Redevelopment in Town and District Centre Locations**

- 7.3 Whilst the change of use of existing buildings can minimise the use of resources, redevelopment may provide the opportunity for a higher quality development. In these instances and, where there is good access to passenger transport networks, shopping facilities and other services, and there would be no detrimental effect on the vitality of the centre, the redevelopment of a site for residential purposes will be supported and the Council's normal car parking standards will be reduced. However, where the parking standards stated in Policy H14 are not met, a contribution towards the implementation of proposals in an approved transportation strategy, a proposed study, improvements to non-car transport facilities and services, as required by Policies M2 and M13 of this Plan, will be sought.

**Policy H14: New Residential Development in Town and District Centre Locations**

In the town and district centres of Borehamwood, Bushey, Bushey Heath, Potters Bar (Darkes Lane and The High Street) and Radlett where there is good access to passenger transport, shopping facilities and a range of other services, redevelopment for residential use will be granted permission provided that:

- (i) the development would not result in the loss of retailing or any other use that would be important for the continuing vitality and viability of the centre, and
- (ii) the proposal complies with the criteria listed in Policy H8 (Residential Development Standards).
- (iii) Where the criteria in (i) and (ii) above are met the following car parking standards will apply:

1 bed flats and houses	1 space per dwelling
2 bed flats and houses	1.5 space per dwelling
3 bed flats and 3/4 bed houses	2 spaces per dwelling

Plus 1 visitor's space for every 4 dwellings and in the case of flats, secure facilities for the storage of bicycles

## ***Accessible Housing***

- 8.1 PPG12 advises that local planning authorities should consider the relationship of planning policies to social needs including their impact on different groups in the population, such as elderly and disabled people, and the extent to which issues of social exclusion can be addressed through land use planning policies. PPG3 advises that Local Planning Authorities should plan to meet the housing needs of the whole community, provide wider opportunity and choice, and a better mix in the size, type and location of housing than is currently available. PPG1 advises that Local Planning Authorities should take into account access issues including the need for accessible housing and that proposals for the development of land provide the opportunity to secure a more accessible environment for everyone, including wheelchair users and other people with disabilities, elderly people and those with young children.
- 8.2 The Joseph Rowntree Foundation has published a report entitled 'Foundations - Building Lifetime Homes' which describes the 16 design standards necessary to ensure that a new home will be flexible, adaptable and accessible. 'Lifetime Homes' are not full wheelchair or mobility standard housing but are designed to accommodate the majority of adaptations with maximum ease. 'Lifetime Homes' can meet the varying needs of occupiers in the same house over time and can be as useful for families with young children as the elderly with limited mobility. Hertsmere supports the concept of 'Lifetime Homes' and will seek to ensure that a proportion of all new housing is built to such standards.
- 8.3 Affordable housing schemes which are supported by Local Authority Social Housing Grant (LASHG) will need to comply with the Housing Corporation's 'Accessibility Standards'.

- 8.4 However, not all people with problems of mobility will require housing to be provided by a Registered Social Landlord and ideally all visitors to a dwelling regardless of tenure should, where practicable, have ease of access. In order to ensure that housebuilders help to meet this need, the Council will seek to negotiate a proportion of accessible housing in large developments i.e. those resulting in the provision of 10 or more new dwellings. The provision may take the form either of units provided by a developer to be handed over, on completion, to a Registered Social Landlord as part of a negotiated agreement to secure affordable housing or of open market dwellings. As a guideline the Housing Corporation Scheme Development Standards 1995 (or as amended) and the Joseph Rowntree 'Lifetime Homes' standards should be referred to at an early stage in the design process.
- 8.5 The Building Regulations (amendment) Regulations 1998 makes amendments to the Building Regulations 1991. Part M has been modified to apply requirements on access and facilities for disabled people in the design and construction of new dwellings. However, the modified Part M, which came into effect in October 1999, does not achieve the 'Lifetime Homes' standards and would not therefore meet the objective of providing a range of housing in the Borough, which would include a proportion of dwellings that are capable of being fully adapted to meet changing needs throughout a person's or family's lifetime.

**Policy H15: Accessible Housing and the Ability to Adapt**

**In all residential developments, involving the provision of 10 or more new dwellings, the Council will seek to secure a proportion of all dwellings to be constructed to 'Lifetime Homes' standards so that a proportion of all new homes provided in the Borough will be accessible (both externally and internally) to visitors with limited mobility, including visitors in wheelchairs, and which are capable of adaptation, without undue difficulty, for occupation by residents who are wheelchair users. In each instance the site location and topography will be taken into consideration.**

## ***Affordable Housing***

- 9.1 Current Government advice, as contained in PPG3, states that a community's need for affordable housing is a material consideration which should be taken into account in formulating development plan policies and in deciding planning applications involving housing. Where there is evidence of need, together with a demonstrable lack of affordable housing to meet that need, local plans should include a policy for seeking affordable housing in suitable housing developments. Consequently, local planning authorities may reasonably seek to negotiate an element of affordable housing with developers on suitable sites.
- 9.2 In November 1994, the Council undertook a detailed survey of local needs. The subsequent 'Affordable Housing - Assessment of Need 1995' identified a significant requirement for affordable housing which existing systems of supply could not satisfy. A subsequent Housing Needs Survey, carried out towards the end of 1999, indicates that the requirement has not diminished. The Council recognises that the total need could not reasonably be met over the Plan period through the planning system alone. However, if a balance and range of housing are to be provided throughout the Borough, to help meet the housing requirements of the whole community, it is essential that the local planning authority fulfils an important role by negotiating through the planning process an element of affordable housing with developers on suitable sites.
- 9.3 The Council has therefore set a target of a minimum 410 affordable housing units to be sought between 1998 and 2011 through the planning process, subject to any

further housing needs studies. This target, whilst not satisfying the full identified need, would make a valuable contribution to the Borough's shortfall of affordable housing.

- 9.4 In light of the Borough's identified housing needs, and the scarcity of large sites that come forward for development, (recent trends indicate that the majority of residential development sites in the Borough provide less than 5 new dwellings), it will be necessary to seek a contribution from the private sector towards the provision of affordable housing on suitable sites of 1 or more hectares or involving the provision of 25 or more new dwellings. For clarification, this threshold also applies to schemes which may comprise a number of smaller phased developments that would in total result in 25 or more new dwellings or a site area of 1 or more hectares. This requirement will apply to both new applications and to the renewal of extant permissions.
- 9.5 The Council will also seek to ensure that the size and type of dwellings provided reflect the needs of those households requiring affordable accommodation. The exact level of provision sought from the private sector will vary depending on the size of site, total number of units to be provided, site characteristics, level of local need while taking into account any other material considerations. In certain cases, where the Council agrees that other considerations override the importance of seeking a contribution towards the provision of affordable housing, then an exception to the Council's normal policies for affordable housing may be made. It is however anticipated that these sites will be few. The level, type and size of dwellings sought may be varied in accordance with any future review of housing needs.
- 9.6 Developments of the size stated in Policy H16 should allocate in the region of 25% of all dwellings or land for affordable housing, to be available not only for initial occupants with a local connection, but also for subsequent occupants. In most cases this will involve the transfer of either land or units to a Registered Social Landlord, approved by the Council, who will then ensure the future management of such affordable units, at less than open market values or rents.
- 9.7 On some sites it may be considered preferable to seek a financial or other contribution towards the provision of affordable housing on a different site in the local area, for example the conversion of a listed building where mixed tenures within one building may present significant operational difficulties. This approach will only be acceptable in exceptional cases and the priority will be for provision on site.
- 9.8 Paragraph 14 of Circular 6/98 advises that local planning authorities should be flexible on car parking standards as car ownership rates are generally lower for the occupants of affordable housing than for those of general market housing. The Council's 'Affordable Housing - Assessment of Need 1995' confirms this trend and in order to make more effective use of urban land, whilst realistically planning for current and future car ownership levels, the car parking standards stated in Policy H16 will be applied to the affordable housing element of a development. However, because of the lower rates of car ownership it will be equally important to ensure that as far as possible tenants of affordable housing schemes have access to passenger transport networks, at least local shopping facilities and a range of other services such as schools and doctors surgeries.
- 9.9 The provision of land or units for affordable housing by a private developer will normally be secured by way of a planning obligation entered into before planning permission is granted. In order to reduce the possibility of delays in the planning

process, the Council will provide, where possible, a copy of a draft legal agreement during early stages of negotiations, at the request of the applicant.

- 9.10 For clarification 'Affordable Housing' is defined as "housing for sale, rent or equity sharing provided with an element of subsidy in order that it is accessible to people whose means are insufficient to enable them to afford adequate housing locally on the open market". The most recent evidence indicates that in Hertsmere the priority need is for affordable rented housing. Supplementary Guidance will set out the Council's latest assessment of housing needs in Hertsmere.

**Policy H16: Affordable Housing Provision**  
**Within Borehamwood, Bushey, Potters Bar and Radlett, on housing developments of 25 or more new dwellings, or residential sites of one hectare or more, irrespective of the number of dwellings, the Council will seek to secure an element of affordable housing. In all cases, the Council will have regard to the suitability of such sites for the provision of an element of affordable housing, taking into account:-**

- (a) the proximity of local services and facilities and access to passenger transport;
- (b) whether there will be particular costs associated with development of the site; and
- (c) whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in the development of the site.

The size and type of dwellings provided shall reflect the needs of those households requiring affordable accommodation, in accordance with the Council's latest assessment of housing needs. This provision shall be achieved by the developer either:-

- (i) allocating a proportion of the completed development for affordable housing not only for initial occupants but also for subsequent occupants, to be managed by a Registered Social Landlord or alternative landlord approved by the Council, the number, mix, size, type and standard of which shall be agreed with the Council; or
- (ii) transferring a proportion of the development site to a Registered Social Landlord, the Council to hold for a Registered Social Landlord or alternative landlord approved by the Council for the provision of affordable housing; or
- (iii) any other negotiated arrangement, including an alternative acceptable site of an equivalent size or where appropriate a commuted payment, which would secure the provision of affordable housing within the Borough's urban areas.

The car parking standards stated in Policy H14, or as subsequently amended, will apply where sites have good access to passenger transport networks, at least local shopping facilities and a range of other services such as schools and doctors surgeries.

## **Affordable Housing in Rural Areas**

- 9.11 The Council's 1995 assessment of need identified a need for affordable housing in the villages and rural settlements of Aldenham, Shenley, South Mimms and Elstree, all of which are located in the Green Belt (in part for Elstree). The Housing Needs Survey of 1999 has identified a small but continuing need for affordable housing in Shenley, South Mimms and Elstree. Where an identified need for affordable housing exists for households with a local connection the Council will support the provision of small scale affordable housing schemes. In Shenley, land at Hillcrest Road could be a suitable site for a small scheme of elderly persons accommodation where affordable housing needs can be identified within the village and evidence can be submitted to demonstrate that such needs should be met within the village. In the case of Aldenham, the recent development at Church Farm is considered to satisfy existing needs and no further provision is currently planned.

### **Policy H17: Affordable Housing Provision in Rural Villages and Settlements**

**In Shenley, South Mimms and that part of Elstree located within the Green Belt, planning permission may be granted for small scale affordable housing schemes on sites within or adjoining existing settlements that would not encroach into open countryside as an exception to normal Green Belt policies. Such schemes should meet the identified needs of people local to the village or settlement, be affordable for both initial and subsequent occupants, and be managed by a Registered Social Landlord or alternative landlord approved by the Council. In that part of Elstree not within the Green Belt, the Council will seek to secure an element of affordable housing on sites involving the provision of 15 or more new residential units or sites of 0.5 hectares or more in accordance with the criteria listed in Policy H16**



# ***Business & Employment***

## ***Background***

- 1.1 The local economy is affected by wider national and international influences. Over the last ten years there has been a continuing structural change nationally from manufacturing to service employment. Unemployment levels went up in the early 1990's and in particular there was an increase in long term unemployment. Patterns of employment have become more complex with increasing numbers on short term contracts, job sharing and working from home. The number of women at work has increased and skill requirements have changed.
- 1.2 Many of these trends have been evident in Hertsmere as illustrated from the following information<sup>1</sup> :-
- the proportion employed in manufacturing in the Borough declined from 27% in 1981 to 12% in 1995;
  - between September 1990 and March 1993 the unemployment rate in the Borough increased from 2.7% to 8.3%. Since then it has fallen and in January 2000 was 1.8%, the same as the county average. However research carried out by Sheffield Hallam University reveals that the real rate of unemployment is higher, and there are areas in the Borough where the level of unemployment is higher, most notably in Borehamwood;
  - in 1991 females comprised 42.7% of Hertsmere's economically active population compared with 39.9% in 1981;
  - in 1991 15% of Hertsmere's economically active population was self-employed compared with 11% in 1981;
  - the level of total available commercial floorspace in Hertsmere increased markedly in the early 1990's. However, it has declined recently and there is market evidence of an upturn in demand, particularly for some sectors.
- 1.3 These trends largely stem from regional, national and international issues which will remain a strong influence and necessitate flexibility so that the Borough's economy can adapt readily to change. Hertsmere, and the surrounding area, does though have many strengths and opportunities which provide a sound basis for future optimism:-
- it is an excellent strategic location with easy access to the A1(M), M1 and M25 which all run through the Borough. The rail network links Borehamwood/Elstree and Radlett to Kings Cross in 18 - 21 minutes on Thameslink and Potters Bar to Kings Cross in 20 minutes. The M25 provides good access to Heathrow, Stansted and Gatwick Airports, as well as the Channel Tunnel via the M20, and the M1 provides quick access to Luton Airport;

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<sup>1</sup> Sources: 1991 Census, the Census of Employment and JUVOS unemployment statistics.

- the Borough's location provides ready access to a large and varied workforce. It is estimated that over 530,000 people live within 15 minutes drive from the centre of Borehamwood;
- there is a range of employment development opportunities in the Borough;
- there is ready access to a range of business, careers and education support services provided via Hertfordshire Business Link, Herts Film Link, Hertsmere Worknet, the local authorities and other relevant agencies;
- The University of Hertfordshire and Oaklands College have campuses in the Borough;
- Hertsmere Borough Council, and a number of partner agencies, are taking a proactive approach to support the revitalisation of the economy and help local community regeneration;
- there has been recent evidence of an upturn in investment in the Borough. One-2-One and Pizza Hut have occupied Imperial Place, W. H. Smith and Corporate Express have recently invested in new warehouse / distribution centres, NatWest Bank has expanded their regional office, and Pinnacle Insurance has occupied the long vacant Axiom One office block and the former Silver Screens on Elstree Way, all in Borehamwood. Slough Estates has completed the first two phases of Centennial Park in Elstree and a third phase is under construction.

**Table 4: Distance and Travel Times from the Borough**

<b>Major Airports</b>	
Luton Airport	14 miles
Heathrow Airport	21 miles
Stansted Airport	30 miles
Gatwick Airport	58 miles
<b>Major Ports</b>	
Felixstowe	83 miles
Folkestone	90 miles
Dover	95 miles
Southampton	95 miles
<b>Major Cities</b>	
Central London	16 miles
Birmingham	110 miles
Cardiff	165 miles
Leeds	185 miles
Liverpool	200 miles
Edinburgh	400 miles
<b>Best travel times to Central London by rail</b>	
Potters Bar to Kings Cross	20 minutes
Elstree/Borehamwood to Kings Cross Thameslink	18 minutes
Radlett to Kings Cross Thameslink	21 minutes
Bushey to Euston	20 minutes

- 1.4 It is important to remember that Hertsmere should be considered as part of a much wider economic area. The Borough remains a net exporter in employment terms and in particular a significant proportion of the Borough's economically active population work in Greater London. These complex daily commuting patterns will remain and a prosperous London and a prosperous Hertfordshire will support a prosperous Hertsmere.
- 1.5 Whilst overall Hertsmere is a prosperous area there are significant pockets of relative deprivation, most notably in what was known as the '4 Wards' area in Borehamwood. There is also an indication of local problems in attracting suitably skilled labour. The policies in this Plan and supporting documents need to respond to such differences and issues.

## **Strategic Background**

### **National guidance**

- 2.1 Several Planning Policy Guidance Notes are relevant to business and economic development issues. PPG13 emphasises the need to integrate land use and transport planning and to encourage development in locations which minimise the length and number of trips especially by motor vehicle, and enable access to be obtained by all modes of transport. This has implications for the location of employment opportunities in the Borough.
- 2.2 PPG2, together with the White Paper 'Rural England' and PPG7, advise that a positive approach is needed to the way business in the countryside operates and how farm businesses diversify. Whilst new building is generally inappropriate in the Green Belt, the reuse of rural buildings is encouraged.
- 2.3 PPG4 provides specific guidelines on 'Industrial and Commercial Development and Small Firms' and emphasises the need for economic development in a way which is compatible with environmental objectives. The need for advice, flexibility and competition is stressed and in allocating land for industry and commerce planning authorities are advised to be realistic in their assessment of the needs of business, and ensure that there is a variety of sites available to meet differing needs. PPG4 also advises that:-
  - specific regard should be paid to the needs of small firms;
  - many businesses can be carried on in rural and residential areas without causing unacceptable disturbance through increased traffic, noise, pollution or other adverse affects;
  - optimum use should be made of the potential to reuse or recycle existing urban sites and buildings for employment generating uses.

### **Regional and County Guidance**

- 2.4 In Green Belt areas, such as Hertsmere, Regional Guidance emphasises that priority should be placed on environmental protection and recycling urban land. This theme is developed further in the Hertfordshire Structure Plan Review 1991-2011. This seeks to build on Hertfordshire's traditional locational and skill-based strengths in the high technology and knowledge-based industries and emphasises the environmental advantages of the County. The County Council has termed this the 'Bright Green' strategy and it seeks wealth creation rather than job creation alone. The Structure Plan Review identifies several Key Employment Sites to play a major long term role in the Hertfordshire economy. One of these, Centennial Park, Elstree, is located in Hertsmere.
- 2.5 Policy 14 in the Hertfordshire Structure Plan Review supports business employment development subject to specified criteria. The Structure Plan in particular seeks to ensure that development is sustainable in terms of its impact on traffic generation and its environmental implications. Policy 25 on car parking seeks to ensure that all non-residential development with significant parking implications is sited in locations potentially accessible by transport means other than by car.
- 2.6 In order to provide a framework for economic regeneration and to co-ordinate the actions of the various agencies involved, a 'Prosperity Forum' has been established in Hertfordshire. Hertsmere is actively involved in this and recognises that success will depend on the integration of land use planning, economic development, transport, education and other related services.

## **Objectives and Overall Strategy**

- 3.1 The policies set out in this Plan seek to integrate economic regeneration and environmental issues. In order to achieve this there will be a need to:-
- make the best use of existing employment sites and buildings;
  - adopt a flexible approach which can adapt to changing needs;
  - provide a range of opportunities;
  - build on Hertsmere's strengths, particularly its locational advantages; and
  - steer development to appropriate locations having regard to environmental and sustainable development criteria.
- 3.2 In order to assist the regeneration of the local economy Hertsmere will, subject to the other relevant policies in this Plan:-
- support the redevelopment for employment purposes of sites within the Borough's Employment Areas as defined on the Proposals Map;
  - promote initiatives to enhance the environment of these Employment Areas and address transport, servicing and other difficulties;
  - support the development of Centennial Park as a Key Employment Site;
  - steer appropriate investment to the Borough's town centres and encourage actions which help to improve their economic vitality and viability;
  - seek to secure the retention and expansion of existing activities such as the film and television industry and research and development, and attract appropriate inward investment; and
  - support in principle homeworking and the provision of accommodation for small firms.
- 3.3 The policies that follow aim to further these objectives. In addition Hertsmere will, through its Economic Development and Community Regeneration Strategy and associated action programmes<sup>2</sup>, encourage joint working with the business, community and voluntary sectors and other relevant agencies to develop a co-ordinated approach to the provision of a range of support services and actions to regenerate the local economy. This will require a partnership which integrates business and other community interests and co-ordinates planning, economic development, transport and other functions. This will complement the land use policies set out in this Plan. Further information is set out in section 10 of this chapter.

## **Land and Floorspace Needs**

- 4.1 Hertsmere is characterised by a fairly diffused pattern of employment. Whilst Borehamwood, Potters Bar and North Bushey all have what can be termed traditional industrial estates, and both Borehamwood and Potters Bar town centres are employment centres, there are also significant employment sites scattered throughout the Borough.

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<sup>2</sup> This sets out the actions which will be carried out to promote the economic development of the Borough.

4.2 As at 1995 it is estimated that there is over 950,000 sq. metres of B Class (all floorspace defined under Part B of the Use Classes Order) floorspace in Hertsmere<sup>3</sup> broken down as follows:-

• B1 (office, light industry and research / development)	585,830
• B2 (general industry)	218,929
• B8 (warehousing and distribution)	154,020
<hr/>	
• Total	958,779 sq. metres

4.3 In addition a significant number of people are employed in shops, hotels, leisure buildings and institutions, or work from home.

4.4 Consultants were commissioned in 1995 to carry out an assessment of Hertfordshire's employment land and floorspace needs for the period to 2011 and beyond. Using a range of forecasting techniques they concluded that employment in Hertfordshire would continue to grow through to 2011. Converting this growth into land and floorspace needs, and providing estimates at District level, is more difficult. Having regard to existing commitments the consultants concluded that Hertfordshire as a whole, and Hertsmere in particular, may have a surplus capacity of B1 floorspace but a possible shortfall in B8 floorspace.

4.5 However, these conclusions must be used cautiously and are based on a quantitative assessment which takes no account of the quality of the floorspace. When older sites are redeveloped for employment uses they invariably result in a reduction in floorspace because modern space and operational requirements are higher, (hence more land and floorspace is needed to accommodate the same number of people). In Hertsmere it is considered that the principal Employment Areas at Stirling Way and Elstree Way in Borehamwood, Cranborne Road and Station Close in Potters Bar and Otterspool Way in North Bushey should in the main be retained in employment use for the following reasons:-

- to provide certainty for existing occupiers and potential investors;
- to provide flexibility and choice to meet long term future needs;
- to retain areas that are well related to the strategic road network (Stirling Way, Elstree Way and Otterspool Way);
- to retain an Employment Area in each of the Borough's main towns (and thus safeguard access to local job opportunities reducing the need to travel).

4.6 In order to meet housing land needs some former employment land at Balmoral Drive/Chester Road in Borehamwood is being developed for housing. Planning permission has been granted (subject to a legal agreement) for residential development at Manor Way, Borehamwood. These sites are on the edge of their respective Employment Areas and it is considered that they can be developed to provide a satisfactory residential environment and would not result in an undue loss of employment land. Whilst there may be further opportunities to redevelop non conforming employment sites for residential purposes (small employment sites located in residential areas), the Council does not consider that there are any further suitable opportunities to redesignate Employment Areas for residential development.

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<sup>3</sup> Of this total it is estimated that in mid 1995 about 8% was vacant and at that time there were several unimplemented planning permissions for Class B development. The majority of these were for the redevelopment of existing sites or extensions / change of use.

4.7 The Borough's main Employment Areas referred to in paragraph 4.5 are designated on the Proposals Map. These areas will, for the main, be retained for B Class employment uses; all uses defined under Part B of the Use Classes Order. However, the Council recognises the need for some flexibility to meet changing needs, to accommodate sui generis uses such as car showrooms and to provide for associated and support uses such as day nurseries. In considering non B Class uses the Council will pay particular regard to their impact on the viability and vitality of the Borough's town and district centres, the transportation implications and the general impact on the environment of the area. The Borough's designated Employment Areas are considered to be inappropriate for retail development for the following reasons:-

- such development should be located in or adjacent to the Borough's town and district centres in order to support their viability and vitality and to encourage multi-purpose trips. Town and district centres generally provide convenient access by most modes of transport;
- encouragement of such development could inflate land prices to the detriment of industrial and warehousing uses;
- the need to provide a range of employment opportunities. It is considered that the Borough's town and district centres already provide sufficient opportunity for retail employment. If further retail uses are permitted in the Borough's Employment Areas, it would erode the opportunities for B Class employment;
- the likelihood of exacerbating existing traffic and parking problems.

4.8 The Council also considers that office development (defined as Class B1(a) in the Use Classes Order) should be restrained in designated Employment Areas for the following reasons:-

- the consultants' research referred to in paragraph 4.4 indicates a possible surplus of B1 floorspace in Hertfordshire up to 2011;
- encouragement of B1(a) floorspace could inflate land prices to the detriment of industrial and warehousing uses;
- there are opportunities for such development in town and district centre locations which will support the Council's regeneration objectives by assisting their viability or vitality;
- the planning permission for Centennial Park allows for up to 34,837 sq. metres of new B1(a) floorspace (half the total development permitted);
- B1(a) developments tend to generate higher employment densities. Some of the Borough's Employment Areas already experience traffic and parking problems which could be exacerbated. Further they are not always so well served by passenger transport and are not as accessible as the town centres for people travelling by cycle or on foot.

4.9 National policy discourages local planning authorities from distinguishing between the different categories in the B1 Use Class. In Hertsmere it is considered that the special circumstances referred to above justify restrictions on primary office developments in the Borough's designated Employment Areas. Class B1(a) development may be acceptable in the Borough's Employment Areas where it is ancillary to, or provides additional accommodation for, an existing business in the area or forms part of a mixed floorspace development and does not account for more than 50% of the total gross floorspace.

4.10 Whilst the Council wishes to channel employment development towards its existing Employment Areas, town and district centres and Centennial Park it recognises that there may be opportunities in other locations to provide small scale commercial developments. The Countryside chapter provides guidance on the reuse of rural buildings and Policy B9 sets out general criteria against which all proposals will be assessed.

**Policy B1: Employment Areas**

In the Employment Areas, as defined on the Proposals Map, B Class developments (all uses defined under Part B of the Use Classes Order) will be granted permission subject to Policy B2 and other relevant policies.

Retail development will not be permitted in the defined Employment Areas for the reasons set out in paragraph 4.7.

**Policy B2 : Employment Areas - offices and other employment generating uses**

Within the defined Employment Areas Class B1(a) office development will only be permitted where:

- (i) it forms part of a mixed use redevelopment scheme and comprises no more than 50% of the overall gross floorspace; or
- (ii) it is ancillary to, or provides additional accommodation for, an existing business in the area; or
- (iii) the site is already in business use (Class B1 of the Use Classes Order) or is vacant and was last in such a use.

Within the defined Employment Areas other uses that generate employment, including leisure (where these are not high intensity), tourism, day nurseries, crèches, health and recreational developments, will be permitted unless they would:

- (a) conflict with the transport and movement policies set out in this Plan; or
- (b) adversely impact on the viability and vitality of a town or district centre; or
- (c) adversely impact on the general environment of the area.

Note: further advice on retailing and leisure proposals is set out in the Town Centres and Shopping Chapter. For a definition of high intensity see paragraph 2.1 in the Leisure, Sport and Recreation Chapter of the Plan.

- 4.11 The Cranborne Road Employment Area suffers from significant traffic and parking problems which detract from its commercial viability and adversely affect residential properties in Cranborne Road and other roads in the locality. It is also considered that the Green Belt boundary around the southern and western edges of the estate is poorly defined and does not provide a defensible long term boundary.
- 4.12 It has been argued that a new access road to Swanland Road would have the advantage of taking all commercial traffic out of the residential part of Cranborne Road and could also provide a more direct link to the motorway network at South Mimms, thereby relieving the centre of Potters Bar. Disadvantages are that such a link would have to go through the Green Belt and bisect an existing farm. It could also merely transfer existing problems to another part of the Borough, or adjacent villages in Welwyn Hatfield, and create a new 'rat run'. An alternative has been suggested which has less impact on the farm and the Green Belt but has different traffic effects.

- 4.13 The alternative alignments for a road link are discussed further in the Movement Chapter. If the Council does proceed with one of the options it would be progressed as an integral part of an overall transportation strategy for Potters Bar and South Mimms and would incorporate measures to alleviate parking, servicing and other problems at Cranborne Road. The Green Belt boundary would also be revised to provide a more defensible boundary and the release of any land phased to coincide with transportation improvements. In the interim, developments which would exacerbate traffic problems in Cranborne Road, and the surrounding area, will be resisted, unless there are special economic development reasons in their favour. Measures to improve traffic circulation, servicing and parking within the estate will be promoted.

**Policy B3: Cranborne Road Employment Area**  
**Measures to improve traffic circulation, servicing and parking within the Cranborne Road Employment Area will be supported and the options for improving access will be considered as part of a transportation study for Potters Bar and South Mimms.**

**A change to the Green Belt boundary around the Cranborne Road Employment Area is defined on the Proposals Map in order to:-**

- (i) provide a more defensible long term boundary;**
- (ii) release land to meet long term employment needs and generate income to address parking and traffic problems as part of an integrated approach to improve access to the area.**

**Within the area of Safeguarded Land, defined on the Proposals Map, normal Green Belt policy will apply until the Council decides that it needs to be released to meet development needs.**

**Such a change would only be implemented as part of a comprehensive integrated package of measures designed to improve access to the estate by all modes of transport and resolve parking and traffic circulation problems. In advance of significant access improvements, development proposals which could unduly exacerbate traffic, parking and servicing conditions in the Cranborne Road Employment Area will not be granted permission.**

Note: The development of the area to be released from the Green Belt would be phased in accordance with proposals to improve parking and traffic conditions. It is designated as Safeguarded Land and would not be released and developed for employment purposes in advance of improvements to the servicing and parking arrangements for the estate.

- 4.14 The Stirling Way Estate in Borehamwood also has traffic and parking problems. A consultant's report, commissioned by Hertsmere and Groundwork Hertfordshire, identified three possible solutions:-
- a one-way circulatory system;
  - slight widening of Stirling Way to allow for rationalised on-street parking;
  - widening of Stirling Way and moving the car parks to the east of Stirling Way to provide for on-street parking on both sides of the carriageway.
- 4.15 The third of these options would provide most benefits for the area in terms of improved car parking and traffic circulation. However, it is the most expensive. The Council has no available funds at present to support this and it must therefore be



viewed as a long term proposal. The Council will work with the occupiers to identify and implement an agreed solution. Private sector contributions will be needed to achieve this and the Council will, in the interim, resist proposals which could exacerbate the existing situation.

**Policy B4: Stirling Way Employment Area**

**In association with the occupiers and freeholders, the Council will seek to bring forward a scheme to improve parking and traffic circulation in the Stirling Way Employment Area and to improve access by all modes of transport as part of an integrated package of transport improvements. In advance of significant improvements, proposals which would be likely to exacerbate existing problems will not be granted permission.**

4.16 Centennial Park has been identified as one of Hertfordshire's Key Employment Sites and has already been mentioned in the Countryside Chapter where the principle of redevelopment has been noted. Whilst it is located in the Green Belt, Hertsmere has granted outline planning permission for the redevelopment of this major site in the Green Belt for employment purposes and development of it is well underway following approval of the first four phases. The site represents a very important development opportunity. The scheme will be phased in line with improvements to the transport network. The permission is for 69,675 sq. metres of B1, B2 and B8 floorspace, of which no more than 34,838 sq. metres may be B1(a) and B1(b).

4.17 The permitted floorspace is considered to be the maximum level of floorspace which can be accommodated on this site having regard to its Green Belt location and transport considerations.

**Policy B5: Centennial Park**

**The redevelopment of the site, as defined on the Proposals Map, for up to 69,675 sq. metres of B1, B2 and B8 floorspace is supported so long as no more than 34,838 sq. metres is B1(a) or B1(b) and the redevelopment is phased with improvements to the local transport network. Proposals to increase the level of floorspace on the site will not be granted permission.**

**Retail development will not be permitted for the reasons set out in paragraph 4.7.**

**Other uses that generate employment, including leisure (where these are not high intensity), tourism, day nurseries, crèches, health and recreational developments, will be permitted unless they would:**

- (a) conflict with the transport and movement policies set out in this Plan; or**
- (b) adversely impact on the viability and vitality of a town or district centre; or**
- (c) adversely impact on the general environment of the area.**

4.18 The development of Centennial Park, together with the potential to recycle existing sites, should meet the Borough's employment land needs for the period of this Plan and the Council considers that no additional sites need to be specifically allocated for employment development in the Borough.

## ***Town and District Centre Regeneration***

- 5.1 The regeneration of the Borough's town and district centres is a key objective of the Council in order to improve their economic vitality and viability, encourage the reuse and redevelopment of land and buildings and provide convenient access to a range of local services. Town and district centres form the heart of local communities and can be accessed by a number of transport modes. The revitalisation of Hertsmere's centres is a key component of this Plan and will assist the establishment of a sustainable pattern of development.
- 5.2 Success will depend on a range of initiatives to support the policies set out in this Plan and a recognition that adaptation to change will be needed. The Borough's town and district centres must be seen as much more than just shopping centres, indeed their future viability may well be dependent upon widening their role. Other policies and proposals set out in this Plan will help achieve this objective (see in particular the Town Centres and Shopping Chapter). However, Borehamwood and Potters Bar Centres are both major employment centres and over the period of this Plan it is likely that further development and redevelopment opportunities will occur.
- 5.3 Employment development can bring positive benefits to town and district centres in the form of increased investment and the regeneration of sites. Workers use the facilities and services for their business and personal needs. Centres normally provide good access to a variety of modes of transport and can therefore be suitable locations for more intensive developments. However excessive development can result in car parking, traffic and pollution problems.
- 5.4 Potters Bar has experienced a considerable level of office development over the past 20 years, some of which has been out of scale with the general character of the town. Major office development would be out of character in Bushey and Radlett and concerns have been raised over the level of office development in Borehamwood over the last decade. Whilst it would be unreasonable to impose a complete embargo on further development, some restraint is justified on environmental grounds. There may also be opportunities for the conversion of existing offices to residential use.

**Policy B6: Class B1(a) Development  
In Potters Bar, Bushey and Radlett further B1(a) development will be refused unless:-**

- (i) the site is already in B1(a) use; or
- (ii) the proposal would result in the reuse or redevelopment of an existing developed site which is not suitable or viable for residential development.

- 5.5 Borehamwood is the Borough's main town but has suffered in recent years from competition from neighbouring centres. The result was an increase in the level of vacant retail floorspace and an erosion in the quality of shopping facilities and the choice of goods and services available. Over the past few years the Council has taken a number of initiatives to address these problems such as:-
- the implementation of the Shenley Road Enhancement Scheme which was largely funded by private sector contributions;
  - establishment of a street market on Tuesdays and Saturdays;
  - encouraging new retail development on appropriate sites on the edge of the town centre;

- taking legal action to secure the restoration of the film studios in Shenley Road (known as Elstree Studios) for film and television production which has resulted in the Council acquiring the remainder of the site, investing in its refurbishment and providing new stages and support facilities;
- establishing a Town Centre Panel to co-ordinate ideas to promote the town and develop a strategy for its future management.

5.6 These actions need to be continued. In Borehamwood Town Centre there are more opportunities for employment-generating development and the Council is particularly anxious to encourage appropriate development in order to assist the regeneration of the centre. Elstree Studios in Shenley Road is located near the centre of the town and is a key component of this regeneration strategy. The Studios were once one of six major studios operating in and around the town and they were central to its growth in the inter-war period. The Council has invested in the refurbishment of the Studios and the construction of new sound stages, and will be retaining the freehold ownership of the site. A lease has been granted to Elstree Film and Television Studios Limited who are responsible for the operation and management of the Studios. This will provide economic benefits for the town centre and the wider area. Similarly the Council supports the retention of the BBC Elstree Studios in Clarendon Road and will seek to secure their retention for film and television production. Elsewhere there may be opportunities for further B1 or housing development in the town centre.

5.7 The Council will support and encourage initiatives to enhance Borehamwood as a shopping centre. In particular it wishes to improve the linkages between Boulevard 25 and Shenley Road. However, the success of the town centre will depend upon providing a number of complementary functions. In particular Hertsmere considers that leisure and recreation will enhance the centre and provide much needed local facilities. The Council supported the reuse of the former supermarket near All Saints Church for leisure purposes, and is developing a new swimming pool, health suite and associated facilities on the former swimming pool and 'Venue' site in Elstree Way. The Council is investigating the opportunities to create a Town Square in order to provide a civic focus and is discussing the options for improving the church hall in Shenley Road with the relevant bodies.

**Policy B7: Borehamwood Town Centre - revitalisation**

**To assist the revitalisation of Borehamwood Town Centre as defined on the Proposals Map the following will be supported:**

- (i) the reuse and redevelopment of vacant and under-utilised sites and buildings for appropriate town centre uses. Particular encouragement will be given to the reuse of sites for housing including the use/reuse of floorspace above shops;**
- (ii) the retention and refurbishment of Elstree Studios for film and television production and other ancillary uses;**
- (iii) the retention of the BBC Studios in Clarendon Road for film and television production;**
- (iv) proposals to improve the linkages between Boulevard 25 and Shenley Road.**

## ***Other Employment Locations***

- 6.1 The policies of this Plan seek to channel new employment development into the Borough's defined Employment Areas, Centennial Park and town centres. However the Council recognises that there are many other existing employment sites in the Borough both within the urban areas and the Green Belt. Many of these sites are occupied by small firms who provide valuable local services and are essential to the future vitality of the economy. Others are large single use sites (e.g. NIBSC, ICRF, Bio Products). PPG4 advises that local authorities should seek to support small firms and recognise that often they can be accommodated in residential areas without any undue impact on the environment of the area. PPG7 and the White Paper 'Rural England' advise that rural buildings in the countryside can be satisfactorily adapted for business purposes, subject to certain criteria of which traffic generation is of particular importance in Hertsmere. Policy B9 sets out criteria against which all employment generating proposals will be assessed.
- 6.2 Existing employment sites can have a noticeable impact on the local environment in terms of traffic generation and general disturbance. In considering proposals for further development on existing employment sites outside the designated Employment Areas and Town and District Centres the Council will be guided by the considerations set out in Policies B8 and B9.

### **Policy B8: Re-use or Redevelopment of Employment Sites Located Outside Employment Areas and Town and District Centres**

**Proposals for the reuse or redevelopment of existing employment sites located outside Employment Areas or Town and District Centres, for employment generating uses, will be granted permission subject to compliance with the considerations set out in Policy B9 and, in the case of Green Belt sites, Policies C1 and C3.**

**Where existing or vacant employment sites in the urban area accommodate uses which have, or could have, an adverse impact on the local environment their redevelopment for housing, or other environmentally acceptable uses, will be permitted.**

## ***Environmental and Design Considerations***

- 7.1 In addition to meeting the locational requirements set out in this Plan all employment generating proposals must be built to a high standard of design (including landscaping), have adequate servicing and manoeuvring space, and appropriate levels of car parking. The Council will also have regard to the environmental impact of any proposals and will seek to ensure that proposals do not, individually or cumulatively, have an adverse impact on the local environment or infrastructure. In particular the Council will seek to minimise the level of car traffic generated and will explore opportunities to promote alternative modes of transport to private vehicles (see Movement Chapter for further advice). The following policy will be applied to all proposals, except in the Borough's shopping centres (see Policy T8), including extensions to existing premises and ancillary developments, even if the proposal would not result in any increase in employment on the site.

**Policy B9: Employment Development - environmental and design considerations**  
**In considering all planning applications for development within employment sites, particular regard will be paid to the following criteria:-**

- (i) the compatibility of the proposal with the movement and transport policies set out in this Plan and the Hertfordshire Structure Plan Review 1991-2011;
- (ii) the adequacy of any proposed vehicle access and the likely impact of any associated traffic generation on the local road network and the environment of the locality;
- (iii) the adequacy within the site of space for the circulation, parking, manoeuvring and loading and unloading of commercial vehicles;
- (iv) the impact on the local environment and residential amenity in terms of noise, vibration, smell, fumes, smoke, soot, ash, dust, grit, effluvia, pollution, overlooking and general disturbance;
- (v) the impact on foul and surface water drainage facilities including the adequacy of measures such as source control techniques for dealing with surface water drainage;
- (vi) the quality of the design and its impact on the street scene and the general character of the area.

## ***Development of Small Business Estates or Managed Units***

- 8.1 There is a lack of small unit accommodation in the Borough. The Council will promote opportunities in accord with the following policy.

### **Policy B10: Small Business Units**

The creation of small unit employment accommodation will be encouraged through measures such as:-

- (i) joint venture schemes; or
- (ii) the conversion or sub-division of existing buildings; or
- (iii) the provision of a range of accommodation on larger development sites.

## ***Homeworking***

- 9.1 It is anticipated that the current trend towards an increasing number of people working at home will continue over the Plan period. In principle this is to be supported as it may reduce the need to travel and may assist parents looking after young children at home. In residential areas this must be achieved without causing an adverse effect on the amenity of adjacent properties and the character of the area in general. Where planning permission is required the following policy will apply.

### **Policy B11: Homeworking**

Proposals for the part use of residential properties for commercial purposes by the occupiers of those properties will not be granted permission unless:

- (i) adequate off-street car parking facilities are provided;

(ii) there would be no adverse impact on the overall character of the area; and

(iii) there would be no adverse impact on adjacent properties in terms of noise, movements and general disturbance.

**Proposals which would result in the loss of a residential unit, require the extension of the dwelling, adversely affect the residential character of a property or lead to the establishment of a commercial use independent from the residential unit will not be granted permission.**

## ***Business Support Services***

- 10.1 Economic regeneration will depend upon co-ordinated action by a range of agencies. Whilst land use planning and the policies set out in this Plan will be an important component of this, they need to be supported by other initiatives. In particular there is a need to ensure that the right information is in place in terms of sites and premises availability, education and training, careers advice, business advice services and access to teleworking and other support services. It is important that such services are co-ordinated and are easy to access, particularly by those in most need, so that these opportunities can be targeted to address local problems. In addition there is a need to enhance the local environment and ensure that a range of complementary services and facilities are available in order to attract investment. Hertsmere will monitor employment trends and, in association with partner agencies, provide an information and advice service to assist existing firms, potential investors and local residents.
- 10.2 Hertsmere is already taking action through its involvement with Hertsmere Worknet, which provides a range of careers and business advice and support services, and Working Herts, which provides training and employment opportunities for unemployed persons. The Council is a member of the Borehamwood Community Partnership (BCP). This has been established to assist the regeneration of what was previously termed the 4 Wards area of Borehamwood. The BCP has successfully bid for Single Regeneration Budget funding from the Government to support its regeneration programme.
- 10.3 The Council is a member of the South West Hertfordshire Business Partnership and supports Hertfordshire Film Link, which has been established to promote media investment and ensure that local businesses and residents benefit from this investment. The Council liaises on a regular basis with other agencies such as Business Link at St Albans which incorporates the Hertfordshire Training and Enterprise Council (TEC) to ensure that their services are tailored to meet local needs. The Council will continue to work with these agencies through the Hertfordshire Prosperity Forum and will explore opportunities to achieve funding support from sources such as the Lottery and the European Commission to assist regeneration. Hertsmere's Economic Development and Community Regeneration Strategy provides the framework for action in the Borough. This will be reviewed annually and promotes a range of actions to support this Plan aimed at:-
- improving business competitiveness;
  - improving education, training and employment opportunities;
  - improving the quality of life of residents and assisting with improvements to the environment.

# ***Town Centres and Shopping***

## ***Introduction***

1.1 The policies in this chapter have the following aims:-

- to protect and promote the attractiveness, vitality and viability of the individual town, district and local centres within the Borough;
- to maintain an adequate level and range of accessible shopping and associated facilities conveniently located to meet the needs of the local community;
- to improve the quality of environment of the town and other centres, and promote them as locations attractive to business and commerce with opportunities to live and work in a sustainable way;
- to support the Borough's centres as the focus of local life which are safe to use and provide a diverse range of attractions.

## **Strategic Background**

1.2 Strategic guidance is provided by PPG6 'Town Centres and Retail Developments', June 1996, and the Hertfordshire Structure Plan Review 1991-2011. PPG6 stresses the need to:-

- sustain and enhance the vitality and viability of town centres and to focus retail development in locations where the proximity of competing business facilitates competition from which all consumers should be able to benefit;
- ensure the availability of a wide range of shops, employment, services and facilities to which people have easy access;
- maintain an efficient, competitive and innovative retail sector; and
- maximise the opportunity for shoppers and other town centre users to use means of transport other than the car.

1.3 It also advocates what is termed the 'sequential approach' under which development should be located in town centres and alternatives should only be considered if no suitable town centre sites are available.

1.4 The principle of sustainable development underpins most of the advice in PPG6 and in order to achieve this it is recognised that town centres should, wherever possible, be the preferred locations for developments that attract many trips. Local planning authorities are advised to adopt planning policies to:-

- locate major generators of travel in existing centres where access by a choice of means of transport other than the car is easy and convenient, or where this can be made available;
- safeguard and strengthen existing local centres, in both urban and rural areas, which offer a range of everyday community, shopping and employment opportunities;
- maintain and improve choice for people to walk, cycle or use passenger transport;

- ensure an appropriate supply of attractive, convenient and safe parking for shopping and leisure trips; and
  - enable town, district and local centres to meet the needs of residents of their area.
- 1.5 Policies 4, 16 and 17 of the Structure Plan set out strategic aims and the recommended policy approach for town centres. The latter policy lays down criteria for the consideration of new retail proposals, particularly in terms of their relationship to existing retail facilities, impact on town centre vitality and viability and their place within the hierarchy of centres. Importantly, it states that new facilities should be well related to the distribution of the resident population, thereby avoiding the generation of additional shopping trips. Collectively, these objectives aim to both protect and reinforce existing centres and promote sustainability.
- 1.6 The Town and District Centres in Hertsmere need to be considered in the context of other centres within surrounding areas. Immediately to the west lies the major sub-regional centre of Watford, focus of substantial retail investment in recent years, particularly the Harlequin Centre. To the north both St Albans and Hatfield (Galleria) are of sufficient scale to draw retail trade from the Borough and the Savacentre at London Colney attracts both food and comparison retail trade from Hertsmere. To the south and east there are significant retail centres in the London Boroughs of Enfield, Barnet and Harrow. Further afield there are important centres at Luton, Brent Cross, London's West End and Thurrock Lakeside. Furthermore, there are also significant leisure attractions in neighbouring areas, such as the UCI cinema at Hatfield Galleria, which attract trade from Hertsmere. The Borough suffers from a historical legacy in that there is no large town centre of sufficient size or stature to compete with its numerous sizeable neighbours. As a result the Borough loses much of its potential retail (and other) trade to surrounding areas which causes difficulties for local traders, as well as generating trips which are often made by private car.

### **Recent Trends**

- 1.7 Retailing is a dynamic activity and has undergone significant changes since the adoption of the District Plan First Review in 1991. The industry is still changing and certain important trends for the future are emerging. Prominent among these are further difficulties for the viability of small scale retailing in general. A range of factors are behind this trend. Examples include superstores / supermarkets moving increasingly into non-food sectors, such as pharmaceuticals, and franchise businesses locating within these large stores to benefit from their consistently high levels of customer attraction and trade, and the growing trend towards 'one stop' shopping. A common response of small retailers and landlords has been to explore opportunities for other forms of business such as the growing convenience and 'fast food' markets. Since these sectors provide so well for modern lifestyles, promote themselves effectively through advertising and enjoy a degree of almost fashionable status, they are well equipped to maintain their position and market share in the foreseeable future.
- 1.8 Trends in the financial sector (including mergers and technological advances) and the rise of supermarket banking indicate that demand for town centre premises from users such as banks and building societies is likely to remain limited. New forms of retailing such as discounters, warehouse clubs and 'factory outlets' are finding a place in the market and are aggressively striving to increase their share of available trade. The large food retail groups are responding to the alternative competition, down-sizing their stores and locating within or near smaller towns, as well as setting up in new positions aiming to pull trade away from the areas already served by their rivals. Petrol filling stations are increasingly providing ancillary retail



outlets which can serve some of the day-to-day convenience needs of the adjacent area.

- 1.9 Greater disposable income and the rise of shopping as a 'leisure' activity in its own right, greater personal mobility (and willingness to travel), and the rising aspirations and expectations of the consumer have put town centres under increasing pressures to offer a pull or attraction sufficient to retain the available trade. Within Hertsmere the modest population levels within each town limit the overall level of trade its centres can attract from the outset. Choice between alternative centres is, of course, necessary to shoppers but the exercise of this choice means Hertsmere's retailers and other traders often find themselves losing business to other centres.
- 1.10 These factors have brought about a particularly difficult trading environment for town and local centre businesses within the Borough in recent years. Hertsmere is characterised largely by the small, independent retail sector and this tends to be the most vulnerable to competition from large rivals. In response to these issues the Council has embarked upon a series of initiatives to protect and enhance its centres and this Plan seeks to build on this recent action.

## ***Hierarchy of Shopping Centres***

- 2.1 The Council is proposing a new strategy which places all its shopping areas within a clear hierarchy ranging from the largest town centres down to individual shops. Each has its own role to play in the Borough's overall provision. A new hierarchy is proposed, taking into account the characteristics, roles / functions, needs and environmental capacities of each centre. The hierarchy reflects the individual nature and function of each centre and the relationships between them. Potters Bar High Street, for example, serves a complementary role to that of Darkes Lane in that it offers less day-to-day shopping facilities and has no national multiple retailer representation. Instead the High Street has a different function with a good range of smaller shops for specialist requirements which are less regularly needed. It also has a good range of restaurants, cafés, food takeaways and public houses. Importantly, its accessibility is not as good as that for Darkes Lane.

<b>Centre Type</b>	<b>Centres Included</b>	<b>Role / Characteristics</b>	<b>Policy Approach</b>
Town Centre	Borehamwood Town Centre	Serves whole town, mainly for convenience goods (but will provide other types); major investment accommodated; presence of national multiples; car borne shopping catered for; accessed by foot, bus (or possibly train) and private car	Policies T1 - T3/ T6/T7/T8; transport hubs; focus of major private investment; county scale Town Centre; need to protect vitality & viability
Local Town Centre	Darkes Lane (Potters Bar)	Serves much of town as main centre, chiefly for convenience goods (but also provides other types); smaller	Policies T1 - T3/ T6/T7/T8; transport hub; appropriate focus for some

		presence of national multiples; some car borne shopping catered for; accessed by foot, bus (or possibly train) and private car	investment; need to protect vitality & viability
District Centres	High Street (Potters Bar)  Bushey  Bushey Heath  Radlett	Local day to day needs (mainly convenience shopping), plus some specialist shops which may attract non local shoppers; accessed mainly by foot, bus and private car	Policies T1 - T3/ T6/T7/T8; lesser transport hubs; fewer or smaller scale investment opportunities; need to protect vitality & viability
Neighbourhood Centres	Leeming Road; Manor Way (Borehamwood); Harcourt Road (Bushey); Bushey Hall Road (West Bushey); Cranborne Parade / Orchard Parade (Potters Bar); Elstree village centre	Sub post office, general stores and other basic retail services; serves local day to day needs for a district within a town; accessed mainly by car, cycle and foot	Policies T6/T7/ T8; principal shopping facility for neighbourhood population; need to protect vitality & viability; reached by up to 15 -20 minute walk
Local Parades	Hartforde Road (Borehamwood); Aldenham Road (West Bushey); Bushey Mill Lane (North Bushey); Batlers Green Drive (Radlett); High Street north (Potters Bar - see note 1 below); Andrew Close shops (Shenley)	Fewer retail services, usually including newsagent (possibly sub post office / general store) plus some specialist shops which may attract non local shoppers	Policies T6/T7/ T8; reached by up to approx. 10 minute walk
Individual Shops	Organ Hall Road; Studio Way (Borehamwood); London Road (Shenley); Wayside Potters Bar; and petrol filling stations remote from other shopping facilities	Either newsagent or general / grocery store	Policies T6/T7/ T8; need to protect local retail outlet for local / convenience needs (where this is still needed)
Redevelopment Opportunities	Howard Drive; Thirsk Road; Rossington Avenue; Shenley Road (local parade); Croxdale	Limited retail services; some overlapping with areas covered by other centres; persistent vacancy problems likely; poor	Policies T4/T7/ T8; appropriate to consider alternative uses for units subject to retaining retailing

	Road - see note 2 below (all Borehamwood); Sparrows Herne (both parades); Park Avenue, Bournehall Avenue (Bushey); Church Road (Potters Bar); Aldenham Road (Radlett)	environmental quality in several cases	in one unit (where this is still needed)
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Note 1: Potters Bar High Street north Local Parade consists of the units from 'The Green Man' public house, including nos. 240-254 High Street, to 12 Hatfield Road (on the west side) and from 133 High Street to 203 High Street (on the east side).

Note 2: Croxdale Road shops are included in the Housing chapter as an Estimated Housing Site.

## ***Town and District Centres***

- 3.1 A key objective of this Plan is the need to protect and enhance Hertsmere's town and district centres. Success will depend on a number of initiatives by a range of agencies in the public, private and voluntary sectors. The planning process will be an important element of this and several chapters of this Plan include policies and proposals which will help to achieve this objective. In addition, the Council will use other corporate initiatives beyond the scope of this Plan to assist the regeneration of its centres.
- 3.2 In line with central government advice, and in order to promote lively and attractive centres, the Council will aim to encourage a healthy and balanced diversity of uses. This requirement is particularly important to Hertsmere's centres where the effects of the trends referred to in the previous section have been acutely felt. The Borough's centres need to broaden their appeal and increase their attraction. The value of a balanced mix of uses also stems from the views that centres are the appropriate locations for different kinds of functions and services and that a mix of uses tends to work in a complementary way. Thus shopping visits can be combined with leisure or cultural activities and employment uses can help support retail uses. A good variety of uses is essential to the overall 'offer' a centre can make to both the regular and casual visitor. This is borne out by successful centres throughout the country.
- 3.3 Another key element is a safe, pleasant and attractive environment. Initiatives such as 'Designing Out Crime', in conjunction with the Hertfordshire Constabulary, and the use of Closed Circuit Television (CCTV) are gaining increasing recognition for their roles in this area. The quality of the environment is fundamental to the maintenance of a prosperous area in which to trade. Pedestrians need to be able to cross roads safely, without noisy, speeding traffic serving to detract from the enjoyment of their visit. Covered walkways and shopping areas can make an area more attractive by offering protection from the elements.
- 3.4 In many centres the concept of town centre management has developed in order to tackle these issues in a co-ordinated way. Many towns across the country have subscribed to this notion, employing a specially appointed town centre manager to promote their area, assist visitors and develop tourism. In Hertsmere specific town

centre managers may not be appropriate because of the fragmented settlement pattern. In Borehamwood a Town Centre Panel provides a forum to involve as wide and diverse a representation of local residents and interests as possible. In Potters Bar the 'Potters Bar in Focus' project serves a similar purpose. All with a 'stake' in a town centre can be given the opportunity to assist in decisions concerning it, and be empowered to offer their own experience, knowledge, skills and resources as appropriate. Further, it must be recognised that the powers of a local authority are limited in numerous ways. They now operate in a different, more deregulated environment in which their role is seen by central government more as 'enabler' than direct service provider. Similarly, the resources of local authorities are restricted. As a result there is increasingly a need to form and work in partnerships, particularly between the private and public sectors. Such a joint approach is more likely to achieve success through its ability to build a consensus, attract resources from diverse sources and action a co-ordinated approach.

- 3.5 The Council supports the principle of town centre management and will seek to work with and co-ordinate the activities of the relevant groups and agencies to develop Action Plans for Hertsmere's Town and District Centres. In preparing Action Plans the views and involvement of a wide spectrum of stakeholders will be sought and encouraged. These will be monitored and reviewed regularly and will provide supporting supplementary guidance to the Local Plan.

**Policy T1: Town and District Centre Action Plans**  
**In order to assist the regeneration of Hertsmere's Town and District Centres (as defined in the Shopping Centres Hierarchy) the Council will, in association with relevant agencies, local commercial occupiers, other interests and local communities, develop Action Plans which will provide a framework for the future management and development of the centres. These will be material considerations in the determination of planning applications.**

- 3.6 In developing these Action Plans the Council will have regard to the following issues. This list is not exhaustive and flexibility will be needed in order to tackle changing issues and priorities.

- Car parking supply and management (including appropriate levels and locations);
- Facilities for cyclists;
- Passenger transport services;
- Access to and within the centre by all modes of transport;
- Directional signs to and within the centre;
- The needs of special interest and special needs groups;
- Security and public safety;
- The availability of potential development sites to meet a range of needs;
- Shop servicing;
- Opportunities for retaining and attracting other uses such as leisure activities to support the centre's retail function;
- The cleanliness of the centre;
- Opportunities for creating areas of public open space;
- Events and activities;
- Environmental enhancements (including open spaces);
- The views of local retailers, businesses, service providers and shoppers;
- Maintenance of landscaped areas;
- The impact of advertising, including estate agents' signs.

- 3.7 Many of the above considerations are linked. The Council, in association with other agencies, has already carried out improvement schemes in Borehamwood, Bushey

Heath and Radlett. There are further ideas for enhancing Borehamwood, the Potters Bar Town and District Centres and Bushey. These are listed below. Other ideas will be considered as opportunities arise.

### **Borehamwood**

- Improved pedestrian (and possibly vehicular) links from Shenley Road through to the Boulevard 25 development;
- The creation of a Town Square, possibly linked to the Boulevard 25 development;
- Improved 'gateways' to the town centre including upgrading Elstree and Borehamwood station;
- Enhanced local bus services and related facilities;
- Promoting the role of the Elstree Studios site within the local economy.

### **Potters Bar (Darkes Lane)**

- Environmental improvements;
- Opportunities for establishing additional short stay car parking;
- Enhancing the railway bridge and the approaches to the railway station commuter car park;
- Enhanced local bus services and related facilities;
- Improved passenger transport interchange facilities at Potters Bar railway station;
- Co-ordinated replacement street lighting / furniture.

### **Potters Bar (High Street)**

- Environmental improvements;
- Enhanced local bus services and related facilities.

### **Bushey**

- Environmental improvements as part of an overall green zone proposal arising from the South West Herts Transportation Study.

- 3.8 In addition to these possible initiatives Hertsmere will encourage, subject to other policies in this Plan, investment to focus on all Town and District Centres, and in particular the Town Centres of Borehamwood and Potters Bar (Darkes Lane) as defined on the Proposals Map.

### **Policy T2: Town and District Centre Regeneration Proposals**

**The Council will, in association with other agencies from within the public and private sectors, pursue initiatives to assist the regeneration of its Town and District Centres and in particular will encourage appropriate investment within the town centres of Borehamwood and Potters Bar (Darkes Lane) as defined on the Proposals Map which will support and diversify their retail function.**

### **Other Considerations**

- 3.9 Residential accommodation in Town Centres has become an issue of growing importance. This has been promoted through the national initiative 'Living Over The

Shop'. Although it has sometimes proved difficult to implement, the initiative offers great benefits including keeping Town Centres alive with activity after dark. This means there is an element of 'social policing' in which the presence of people tends to discourage crime. Living in the Town Centre also means these residents have direct access to passenger transport services, as well as to shops, services, other facilities and employment opportunities, so promoting sustainability. This aim is comprehensively covered within the Housing chapter in the section on Residential Development in Town and District Centre Locations, including Policies H13 and H14.

- 3.10 In 1990 the Council adopted a 'Percent for Art' policy, in accordance with advice from the Arts Council of Great Britain. It is a voluntary scheme aimed at integrating art into the development process. It is supported by the Council and is referred to further in the Development chapter. Clearly, prominent Town Centre locations are highly suitable for works of art or craft to benefit the local area. Therefore, the Council will aim to promote this scheme particularly in Town and District Centre development projects. An example of such a project was achieved within the partial redevelopment of the Elstree Studios site in Borehamwood Town Centre. At the superstore entrance a mosaic now stands to commemorate the history of film making in the area.
- 3.11 Advice on shopfront design is set out in section 6 of the Development chapter headed 'Shopfront Design'. Policy D9 sets out the Council's policy in this respect. The following sections in the Development chapter deal with Advertisement Control, Street Furniture and Blinds and Awnings.

## ***General Retail Policies***

- 4.1 Measures are necessary to enhance Hertsmere's Town and District Centres including concentrating new retail and leisure development within them as far as possible. The Town Centres offer the attraction of existing services, facilities and infrastructure as well as an existing catchment population within relatively easy reach. In line with national, strategic and local policy this will also promote the aim of sustainable development, since these locations enjoy a position as a focus for passenger transport services. Hence the rationale for the 'sequential approach' (as suggested in PPG6) to proposals for new commercial development in which town centres are the preferred location. In this approach locations at increasing distance from the established town centres are increasingly less favoured for these kinds of development. The Council recognises that it has a role to play in assisting with identifying Town Centre sites, which is often difficult in a heavily built up area. Where suitable sites are not available in the centres, then edge-of-centre sites should be sought and then only as a last resort, sites outside town centres. In the latter case sites should be in locations that are, or can be made, accessible by a choice of means of transport. In line with this approach Policy T3 will be applied to all retail and related proposals.
- 4.2 In Hertsmere the Council will seek to ensure that retail and other appropriate commercial investment is focused on its existing Town and District Centre shopping areas as defined on the Proposals Map. Alternative locations will only be considered where no such sites are available. Town and District Centre sites will need to be fully explored first. This approach will be applied to all retail developments including retail warehousing. There is a need to ensure that retail developments do not lead to a loss of existing or proposed housing sites, or designated employment land. Specific criteria stipulating these requirements are set out in policies in the Housing and Business and Employment chapters. There is also a need to ensure that the viability or vitality of existing centres is not

undermined and that regard is paid to traffic, car parking and design considerations.

- 4.3 In Hertsmere's towns there is limited scope for any further significant retail development at present and a clear need has not been identified by the Council itself. Although the case has not been specifically made by prospective retailers for further retail development in the Borough it does not necessarily follow that this means there is no need or demand. The preparation of Action Plans for the Town and District Centres would be an appropriate means of conducting further research in this area, along with consideration of possible sites if necessary. Implementation of Policy T1 will assist this aim. It may be the case that Radlett and particularly Bushey / Bushey Heath should be served by relatively small supermarkets and there could be potential sustainability benefits from such provision. If this idea warrants further investigation the Council would have a role to play in working with potential retailers on studies of need / demand, overall feasibility and in helping identify sites, in line with the approach recommended in PPG6.
- 4.4 Potters Bar, on the other hand, has two substantial supermarkets already, while Borehamwood has one superstore and one smaller supermarket and the indications are that collectively these represent a satisfactory level of grocery provision for the two towns. Although Bushey Heath, Bushey and Radlett do not have large supermarkets these centres are quite limited in their physical size and the latter two have environmental and historical constraints including areas of Green Belt nearby and sizeable parts designated as Conservation Areas. While practical applications of the 'sequential approach' as advocated in PPG6 have varied, this overall aim and approach is regarded as appropriate for Hertsmere's towns and accordingly Policy T3 will be applied. The submission of up-to-date information in support of applications for significant new retail and other commercial developments will be necessary for the full consideration of such proposals and Policy T3 sets out the Council's requirements in this respect. The use of up-to-date studies supporting development proposals will identify changes of circumstances in dynamic commercial markets whereas the timescale of the Local Plan cannot take these into account so readily. For the purposes of this policy 'commercial' developments will be defined as those suitable to Town Centre locations and complementary to their role by providing a healthy diversity of different uses.

**Policy T3: Town and District Centres – Retail and Commercial Developments**

**Proposals for retail and other commercial developments will be expected to locate within the existing Town, Local Town and District Centre shopping areas as defined on the Proposals Map. Where this is not possible preferred locations are those on the edge of the Town / Local Town / District Centres as defined on the Proposals Map. Only where no Town / Local Town / District Centre or edge of Town / Local Town / District Centre sites are available will out-of-centre sites be considered. All proposals will be expected to show evidence that this sequential approach has been followed.**

**All proposals located outside the Town, Local Town and District Centres, as defined on the Proposals Map, involving a net increase of more than 2,000 m2 gross floorspace will be required to be accompanied by evidence demonstrating the need for the development in quantitative and qualitative terms.**

**All proposals involving a net increase of more than 2,500 m2 gross floorspace will be required to be supported by a full impact study.**

**Development will only be permitted where it can be demonstrated that it will not harm the vitality or viability of any existing shopping centre.**

Notes:

1. Proposals will be subject to the provisions of Policies 4, 16, and, 17 of the Hertfordshire Structure Plan Review 1991-2011.

2. Policy T3 will be applied to both new build floorspace (including redevelopments) and to changes of use.

## ***Neighbourhood Centres, Local Parades and Individual Shops***

- 5.1 This section of the chapter covers general issues surrounding Neighbourhood Centres, Local Parades and Individual Shops. Policies T6 and T7 apply to applications for changes of use affecting all types of shopping centres. These areas play an important role in shopping provision and in particular provide for the convenience shopping needs of the less mobile members of the population, such as the elderly and those who do not own a private car. In terms of sustainability local shops can be very positive in reducing trip generation to shops further from the home. Consequently, there are good reasons for trying to maintain a healthy mixture of convenience goods shops, such as newsagents and greengrocers beyond Town Centre and District Centre locations.
- 5.2 Local shopping facilities are unevenly distributed throughout Hertsmeire. Borehamwood, in particular, and Bushey enjoy a relatively good level of provision, while Radlett has only two local centres. Potters Bar also has only limited local shopping provision. It is considered necessary to protect the retail viability of most of these centres just as the Town and District Centres need to retain a healthy balance of uses. In some cases this might be achieved by a reduction in the number of shops which currently vie for a limited level of available trade.
- 5.3 A certain amount of overlap exists between the catchment areas served by some of the local centres. This seems to be evident through the lack of trade retained by, and the number of vacant shop units which persist in, certain centres. In those identified as 'Redevelopment Opportunities' in the Shopping Centres Hierarchy the reuse or redevelopment of local shopping parades for non-retail purposes will be supported in accord with the following policy. Proposals in these centres will also be subject to Policy T7 in order to assess any other impacts that may arise.

### **Policy T4: Shop Units - Redevelopment Opportunities**

**Proposals for the reuse or redevelopment of shop units in these parades, as defined in the Shopping Centres Hierarchy and identified on the Proposals Map, including for residential use, will be permitted provided at least one retail unit is retained to serve the convenience shopping needs of the local area, and a shop unit is still required to serve local community needs.**

- 5.4 While certain areas appear more than adequately served by local shopping facilities other areas of Hertsmeire appear deficient. There is a need to help serve the convenience shopping needs of the less mobile members of the local population and to reduce the number of journeys to centres further afield currently



made for this purpose. Therefore, the Council will try to encourage new provision where possible within areas which are currently poorly served by local shopping facilities.

**Policy T5: Shopping Facilities - Areas of Deficiency**  
**In areas which are remote from local shopping facilities the provision of new facilities to meet local convenience shopping needs will be supported.**

## ***Changes of Use***

- 6.1 Hertsmere continues to experience considerable pressures for changes of use of shop units to non-retail uses. Whilst a degree of flexibility is needed, over-concentrations of non-retail uses can cause problems. This issue is recognised in PPG6 which states that:-

“...Changes of use, whether in town, district or local centres, can however sometimes create new concentrations of single uses, such as restaurants and take-away food outlets, where the cumulative effects can cause local problems. Such proposals should be assessed not only on their positive contribution to diversification, but also on the cumulative effects on such matters as loss of retail outlets, traffic, parking and local residential amenity.”

- 6.2 The healthy balance and mixture of different services and functions necessary for a lively and successful town centre can, thus, be undermined. In Hertsmere concerns have arisen that some centres may have reached the point of saturation, particularly for ‘A3’ uses, as defined in the Town and Country Planning (Use Classes) Order 1987. This category covers cafés, restaurants, wine bars, snack bars, take away food outlets, public houses, and tea and coffee shops. Government advice discourages local planning authorities from distinguishing between any type of outlet falling within this class. Thus, if permission is given for a change of use to the A3 class the local planning authority should not seek to control who will implement that consent and what kind of outlet they choose to operate, unless there are clear and sound reasons for doing so.
- 6.3 In the past the Council has used the concept of ‘Shopping Core Areas’ to control uses of premises within parts of all the Borough’s Town and District Centres. The defined Core Areas were subject to greater restraint, particularly in terms of changes of use of shop units to non-retail uses. In non-Core areas a less rigid stance was taken. This approach had some success in protecting retailing in the prime areas, but tended to encourage an over concentration of non-retail uses in non-Core areas.
- 6.4 In order to avoid such concentrations policies to prevent the further proliferation of non-retail uses from impacting adversely on either a part of a centre, or the centre as a whole, are proposed. There is however, a need to retain an element of flexibility. As a means of assessing the impact of all proposals for redevelopment or changes of use involving non-retail uses (including A3 uses) throughout the Borough (with the exception of those centres defined as ‘Redevelopment Opportunities’) Policy T6 will apply. Those centres defined as ‘Redevelopment Opportunities’ are dealt with under Policy T4. All proposals will be considered against the criteria set out in Policy T7. These policies should be read in conjunction with the Shopping Centres Hierarchy set out at paragraph 2.1. It should be noted that the rationale of Policies T6 and T7 is to:-

- safeguard the vitality and viability of Hertsmere’s shopping centres;
- maintain a variety of uses;

- prevent an over concentration of one particular use; and
- address the environmental impacts of changes of use in shopping centres.

**Policy T6: Non-Retail Uses - Locational Criteria**

**Proposals for redevelopment and changes of use of ground floor retail premises to non-retail uses\* appropriate to a shopping centre will be permitted unless:-**

- (i) in Borehamwood Town Centre, Potters Bar (Darkes Lane) Local Town Centre, the District Centres and Neighbourhood Centres, as defined on the Proposals Map and in the Shopping Centres Hierarchy (see Note 2), the proposal would lead to an over-concentration of non-retail uses in any clearly definable parade. The proposal, together with existing uses, should not lead to the establishment of more than two non-retail uses in any line of six units, as defined by looking to either side of the premises subject to the application (see Notes 3 & 4);**
- (ii) in Borehamwood Town Centre, Potters Bar (Darkes Lane) Local Town Centre, the District Centres and Neighbourhood Centres, as defined on the Proposals Map and in the Shopping Centres Hierarchy (see Note 2), the proposal would result in an over-concentration of non-retail uses in the centre as a whole to the detriment of the retail viability and vitality of that centre;**
- (iii) any proposal within a Local Parade as identified in the Shopping Centres Hierarchy would lead to the establishment of more than 50% of the parade's total units in non-retail use;**
- (iv) the proposal would result in the loss of an individual class A1 shop, as defined in the Shopping Centres Hierarchy, which is still required to serve local needs.**

**A relaxation of criteria (i) - (iv) may be allowed where:**

- a) it can be demonstrated that a unit has remained vacant for a considerable period of time;**
- b) the unit has proven consistently unattractive to retail interest; and**
- c) documentary evidence is submitted in support of the application to confirm the above conditions.**

\* Any use other than those falling within Use Class A1

Notes:

1. The above policy must be read in conjunction with Policy T7.
2. Borehamwood Town Centre, Potters Bar (Darkes Lane) Local Town Centre, and the District Centres are defined by boundaries on the Proposals Map. The Neighbourhood Centres, however, are not defined by boundaries on the Proposals Map. The definition of the extent of these centres, together with that of Local Parades, will, where required, be made by visual, on-site inspection.
3. The use ascribed to a vacant unit within any line of six consecutive units under consideration (however drawn) will be its established / permitted use.

4. Unimplemented planning permissions in respect of any unit (vacant or occupied) will be taken into account for the purposes of Policy T6.
5. Where shop units have been amalgamated to form a larger unit this generally will be counted as one unit.

**Policy T7: Non-Retail Uses - Other Criteria**  
**Proposals for non-retail uses in all the Borough Centres, as defined on the Proposals Map and in the Shopping Centres Hierarchy (see Note), will be permitted provided that:-**

- (i) there would be no undue impact on residential amenity;
- (ii) the development safeguards the amenity and environmental quality of the area with regard to noise, smell, litter, disturbance, fumes from cooking / other emissions or any potential pollutants likely to result from the proposal;
- (iii) there is no adverse impact on the overall character of the area;
- (iv) there is no adverse impact on highway safety considerations; and
- (v) where applicable the proposal is in accordance with Policy T6.

Note: Refer to Note 2 following Policy T6.

## ***Development in Shopping Centres – Environmental Considerations***

- 6.5 In addition to applications seeking planning permission for changes of use, the Council receives a wide range of other planning applications for development within its shopping centres. Such applications often relate to proposals for small extensions, alterations and other ancillary or free-standing development but may occasionally relate to proposals for large extensions, new supermarkets or other large commercial development and in all cases the Council will have regard to the potential environmental impact of a proposal. In all of the Borough's shopping centres, as defined in the Shopping Centres Hierarchy, the following policy will be applied, except for changes of use where Policy T7 will apply.

**Policy T8: Development in Shopping Centres – Environmental Considerations**  
**Proposals for development in the Borough's shopping centres, as defined in the Shopping Centres Hierarchy, other than those to which Policy T7 will apply, will be granted permission provided that the development would have:-**

- (i) no adverse impact on the amenity of neighbouring residents;
- (ii) no adverse impact on the environmental quality of the area with regard to noise, smell, litter, disturbance, fumes from cooking or other emissions likely to result from the proposal;
- (iii) no adverse impact on the overall character of the area; and
- (iv) no adverse impact on highway safety.

## ***Car Boot Sales and Other Forms of Temporary Sales***

- 7.1 The growth in popularity of car boot sales has not eluded Hertsmere. In many cases they offer a valuable form of occasional fund raising for schools and charities where from time to time the public can sell surplus second-hand items. However, they have also developed on a large scale in more rural locations often attracting stalls of a more professional / semi-professional character, together with hot food and drink stands. Such sales normally take place at weekends, often on Sundays and in some cases start early in the morning. By their very nature, car boot sales attract high levels of car-borne traffic from both sellers and buyers and as a result can cause traffic congestion, high levels of on-street parking, unauthorised parking, noise and general disturbance to nearby residents. In addition, car boot sales which are located in the Green Belt can have a harmful visual effect on the landscape and can compromise one of the main purposes of including land in Green Belts, namely the safeguarding of the countryside from further encroachment albeit on a temporary basis.
- 7.2 The Town and Country Planning (General Permitted Development) Order 1995 permits the use of land as a market for up to 14 days in any one calendar year without the need for planning permission provided the land in question is not within a building or within the *curtilage* of a building. It is therefore important to recognise the limitations of the planning system in controlling this activity as it is not always covered within the remit of planning control and the ability to act only arises when planning permission is required.
- 7.3 In considering applications for car boot sales and other kinds of temporary sales in all areas the Council will be mindful of the proximity of residential properties and the potential effect a proposal may have on the amenity of those residents, together with any undue visual impact that may arise. The Council will also seek to ensure that a proposal will not result in unacceptable levels of vehicular movement or kerb-side parking. In appropriate cases a condition may be attached to a planning permission to prevent early morning trading on sites close to sensitive residential boundaries. It should also be noted that car boot sales can be damaging to semi-natural habitats such as grassland and heathland. Car boot sales and other temporary sales are not generally considered to be an appropriate use within the Green Belt although they may be acceptable as an element integrated into a master plan for a 'Gateway' site as defined on the Proposals Map - see Policy C8.

### **Policy T9: Car Boot Sales and Other Forms of Temporary Sales**

**Proposals for car boot sales and other forms of temporary sales will not be permitted unless:-**

- (i) the frequency of sales and hours of operation are acceptable;**
- (ii) the likely levels of vehicular movement and on-street parking will not result in any material adverse impact;**
- (iii) there will be no adverse impact on residential amenity by virtue of noise, smell and general disturbance;**
- (iv) there will be no material impact on ecological interests taking into account the particular characteristics of the site; and**

- (v) there will be no material impact on the visual amenities and general character of the area.**



# ***Leisure, Sport & Recreation***

## **Objectives**

- 1.1 The objectives of this chapter are to:-
- Support the provision of a range of indoor and outdoor leisure and recreational facilities throughout the Borough;
  - Encourage the provision of recreational opportunities in association with the establishment of the Watling Chase Community Forest;
  - Provide opportunity and encouragement for all in Hertsmere to participate in sport, leisure and recreation;
  - Provide guidance on tourism and related development; and
  - Ensure that new residential development makes provision for the recreational demand it creates.

## **Strategic Background**

- 1.2 Central government policy is largely set out in PPG17 'Sport and Recreation' which promotes the overall development of sport and recreation and encourages the provision of a wide range of opportunities for participation. PPG17 aims to protect school playing fields and recently the government has re-affirmed its commitment to sport in schools, and the need for local planning authorities to make allowance for necessary facilities. The need for a balance between providing for development in urban areas and protecting open space is cited although this frequently proves very difficult to reconcile in practice. Individual decisions are sometimes unpopular at the local level.
- 1.3 Intensive sports facilities and activities are encouraged to locate in urban areas. PPG2 'Green Belts' recognises that one of the objectives for Green Belt land is to provide opportunities for outdoor sport and outdoor recreation near urban areas. Essential facilities for outdoor sport and outdoor recreation are not inappropriate in the Green Belt so long as they preserve its openness and do not conflict with the purposes of including land within it.
- 1.4 The Hertfordshire Structure Plan Review 1991-2011 sets out strategic policies on this subject, principally Policy 46 (Open Space in Towns) and Policy 47 (Sporting, Recreation and Other Leisure Facilities). The first of these seeks to protect open spaces and the overall open space stock within towns. The second policy sets out criteria for proposals by which to assess sporting, leisure and recreational developments. The former Structure Plan generally supported development for leisure activities where acceptable in strategic and environmental terms according to consideration of the intensity of the use proposed. Activities were categorised as high, medium or low intensity with clear locational guidance for proposals within each class. This approach is backed by the advice of PPG17 and has been endorsed by Hertsmere. The Borough Council will continue to use this approach which aims to steer development to appropriate locations and thereby support the principle of sustainable development.

- 1.5 The Structure Plan also aims to improve the public rights of way network and the importance of this, particularly for access to the countryside, is recognised by Hertsmere. Finally, the Structure Plan supports appropriate tourism developments within relevant constraints through Policy 20 (Tourism).
- 1.6 In 1994, the former Eastern Council for Sport and Recreation (ECSR) produced a regional strategy for sport within the East of England. The Strategy has been adopted by Sport England (formerly the Sports Council). A county strategy for sport, leisure and recreation is in place, with an action plan, jointly produced by the County Council and Hertfordshire District Councils. Similarly, Hertsmere has developed its own Leisure Strategy and will be producing a Cultural Strategy for the Borough. In addition, a study carried out on behalf of the Council in 1998 researched the leisure and recreational needs of young people in Hertsmere. A new, wider cultural strategy is being jointly developed for the whole county, with which Hertsmere's emerging Cultural Strategy will be co-ordinated. PPG17 advises local planning authorities to consider these types of strategies in preparing Local Plans. The policies in this Plan, therefore, seek to complement them. These strategies could have land use implications and may, as a result, be treated as material considerations in the determination of planning applications.

## **General Policies**

- 2.1 In accord with the strategic advice summarised above, and in order to support the principle of sustainable development, the Council will seek to ensure that leisure and recreational developments and facilities such as cinemas are steered to appropriate locations commensurate with the intensity of the activity and environmental considerations. Policies L1 and L2 provide an overall policy framework against which all proposals for leisure and recreation developments will be assessed. Guidance on the intensity of proposals is set out below.

### **High Intensity Leisure Activities**

Uses which require a substantial building (or buildings) on an urban scale, and where there is frequent activity involving a large number of people e.g. theatres, cinemas, bowling alleys, hotels\*, skating rinks, night clubs, sports centres and swimming pools.

Note:

\*hotels marked thus since not necessarily a leisure / recreation development as such. Their use can be primarily for business purposes, for example.

### **Medium Intensity Leisure Activities**

**Type A** Uses which require relatively small buildings where there is continuous or intermittent activity by relatively large numbers of people e.g. neighbourhood meeting hall, small scale covered sports facility.

**Type B** Uses requiring large areas of open land with few buildings but in continuous or intermittent use by relatively large numbers of people, e.g. golf, motor and motorcycle sports, sports played on sports pitches (such as cricket and football), clay pigeon shooting, horse riding, water sports.



## **Low Intensity Leisure Activities**

Quiet casual, informal / passive activities e.g. picnicking, walking and cycling, which require little adaptation of land or disruption of farming.

### **Policy L1: Leisure and Recreation Developments - General Principles**

Planning applications for leisure and recreation developments, including the extension of existing facilities, will be permitted subject to compliance with the following locational considerations:-

- (i) high intensity leisure activities will be expected to locate within the Town, Local Town and District Centres as defined on the Proposals Map. Where this is not possible preferred locations are those on the edge of the Town / Local Town / District Centres as defined on the Proposals Map. Only where no Town / Local Town / District Centre or edge of Town / Local Town / District Centre sites are available will urban, out-of-centre sites be considered. All high intensity leisure proposals will be expected to show evidence that this sequential approach has been followed;
- (ii) in Green Belt areas not defined as a Landscape Conservation Area only Type B medium and low intensity developments will be acceptable provided they accord with Green Belt policies;
- (iii) within the Landscape Conservation Areas and sensitive rural areas, such as high grade agricultural land and important sites for wildlife, only low intensity developments will be considered acceptable provided there is no adverse impact on these assets.

Where proposals do not comply with the above criteria exceptions may be made if:

- (a) it can be demonstrated that there is a specific proven recreational need in Hertsmere for the proposed facility and that it cannot be accommodated in accordance with the criteria set out above or by existing facilities; or
- (b) the development involves the reuse or restoration of existing buildings or the restoration of damaged land; and would not require new buildings in the Green Belt; or
- (c) the proposal accords with the objectives, and would assist the implementation, of the Watling Chase Community Forest Plan.

### **Policy L2: Leisure and Recreation Developments - Environmental Criteria**

Planning applications for leisure and recreation developments, including the extension of existing facilities, will be permitted subject to compliance with the following criteria:-

- (i) proposals should avoid any material harm to the local environment or residential amenity in terms of visual impact, noise or general disturbance;

- (ii) all developments must be suitably designed and sited and incorporate where appropriate a high standard of landscaping. Within the Green Belt new buildings should be sited to minimise their impact on the openness of the Green Belt;
- (iii) the proposal should not adversely affect features of landscape, ecological, historical or archaeological importance;
- (iv) the proposal should not include any associated development which is in excess of that reasonably required for its operation unless existing redundant buildings on the site are capable of providing associated facilities;
- (v) consideration should be given to the particular recreational needs of the elderly and disabled people, and developments should make provision for people with disabilities.

## ***Open Space: Background***

- 3.1 Open space has value for a wide range of reasons and purposes. Public open space is essential for outdoor sport, children's play, allotments and other forms of outdoor leisure or recreation. It has an important role within the structure of towns and neighbourhoods in defining their form, character and identity and helping to separate distinct areas or land uses. Open space can contribute to education as well as biodiversity through wildlife habitats and accommodate special events and activities such as fairs, concerts or fireworks displays. Space is needed for both formal and informal recreation, particularly within urban areas. Links between areas provided by footpaths, bridleways or tracks are important in enhancing the public's enjoyment of a town's open land assets. Even where public access is limited it is widely recognised that open space areas will continue to be valued for their contribution to visual amenity and local character.
- 3.2 Public open space, as a land use, has to compete with others, and this is particularly true within the urban areas of Hertsmere. The overall objective of retaining open space and protecting environmental quality must be balanced with the need for development to meet housing and employment needs, among others. These tensions frequently give rise to difficult planning decisions. There can also be conflicts between different kinds of uses of open space, such as playing pitches against informal parkland. The principles of sustainable development are useful to apply here in the use of our valuable but scarce resources. It is important to remember in considering the protection of open land that once it is lost to development experience usually shows that it is lost forever.
- 3.3 Quality and distribution are of great importance and comparisons cannot be made simply in terms of quantity. A large overall stock of open space in which the public does not feel safe nor wants to use because of poor environmental quality can be of far less value than a smaller number of less extensive but attractive, interesting, well maintained spaces which offer a variety of facilities or amenities. It is important to make a varied range of provision, as far as possible at the local level, so that there are opportunities for both active and passive forms of recreation which cater for the needs of all ages without the need to travel a considerable distance.

### **Open Space Hierarchy**

Table 5 summarises the current provision of open space in both the urban and rural areas of the Borough.

**Table 5 Existing Open Space Hierarchy in Hertsmere**

Type of Facility and Function	Desirable Distribution & Ideal Max. Distance From Home	Examples	Characteristics/ Elements
<i>Non Urban Facilities</i>			
Sub-Regional Parks & Other Facilities / Community Forest Gateway Sites	1 - 5 within 10 - 15 miles	Aldenham Country Park; Bowmansgreen Farm; Shenley Park; Wash Lane area at South Mimms MSA (see note below)	'Honey Pot' sites with range of facilities for formal & informal sport & recreation; can take large numbers of visitors; used for occasional visits and all located in the Green Belt
<i>Urban Facilities</i>			
Primary Town Parks	1 - 2 in each town; max. 2 miles (minimum size 2 ha)	Oakmere Park & Furzefield/King George Rec. Ground (P/B); Meadow Park, Aberford Park & Ripon Park (Bwd); King George V Rec. Ground & Moatfield (Bushey); Phillimore Rec. Ground (Radlett)	Mainly formal but also provision for informal recreation (possibly with natural areas); capacity for town wide events (fairs etc.) pitches for sports / games, possibly water area(s); children's play area(s); occasional / weekly / daily use
Secondary Parks & Recreation Areas	10 - 15 minute walk (usually 0.2 - 2 ha)	Parkfield (P/B); Parkfields, Kenilworth Park & Potterswood Park (Bwd); Windmill Rec. Ground (Bushey)	Formal or informal activity; children's play; weekly or daily visits
Minor Recreation Areas	Ideally within a 5 minute walk	Hackney Close (Bwd); Park Avenue (Bushey)	Individual play areas or small tracts of open space; serving day to day needs
Linear Open Spaces / Green Chains	As opportunities allow	Aberford Park - Haggerston Road linear chain & Studio Estate woodland trail (Bwd)	Few or no formal facilities; mainly informal recreation; wildlife habitats
<i>Facilities in Urban or Non Urban Areas</i>			
Natural Areas / Spaces	As opportunities allow	Hilfield Park Reservoir; Hill Mead Nature Park; Fisher's Field; Furzefield Wood; Merryhill Farm	Wildlife habitat suited to certain forms of passive, informal recreation.

Note: The examples are illustrative and are not a full schedule of sites in Hertsmere. In some cases such as Sub-Regional Parks available provision

includes facilities outside the Borough, e.g. Colne Valley Regional Park. The recreation area at South Mimms MSA is a different kind of Gateway Site from the others listed in its category. This is covered by the 'Gateway Sites' section of the Countryside chapter and has the status of a proposed Special Policy Area within Policy M14 of the Movement chapter.

3.4 Hertsmere's overall supply of open spaces including playing fields, parks, play areas, amenity areas, green links, and allotments has come under pressure. In certain respects it is useful to look at all these areas of open land collectively since some categories (including those currently without public access) can present opportunities to make up deficiencies within other categories. An example of this is that existing parks could be used to accommodate new play areas where these are locally deficient or under-used allotments could be converted into nature parks (as has happened at Fisher's Field, Bendysh Road, Bushey).

3.5 There is a strong need to retain the overall stock of open space within the Borough. The new Policy L3 is therefore of key importance in safeguarding Hertsmere's urban open spaces for the benefit of current and future generations. Another part of the rationale to this policy is the need to protect the quality of the urban environment, ensuring our towns remain attractive places in which to live. The Urban Open Land Areas subject to Policy L3 have been designated because of their useful role in open space provision and are therefore shown on the Proposals Map. The value of these sites can be for:

- visual amenity;
- contribution to the urban form;
- formal or informal recreation;
- ecological interest;
- separating distinct areas of identity or different land uses;
- local heritage; or
- as part of a green or otherwise open link / chain.

This designation does not therefore apply to all open land in urban areas.

#### **Policy L3: Urban Open Land Areas**

**All development proposals within the Urban Open Land Areas, as designated on the Proposals Map, will be required to retain the essentially open character of the site. No proposal will be permitted unless it can be shown that:**

- (i) it would provide ancillary or complementary facilities which would demonstrably upgrade the existing authorised uses on the site. Any additional built facilities must be limited and small scale in both extent and volume to preserve openness; or**
- (ii) in other cases the level of building coverage proposed is no greater than the existing coverage of permanent buildings on the site; or**
- (iii) limited, small scale development is proposed which would provide public access and use of open land for which there is currently no right; or**
- (iv) it would provide recreational / leisure / community facilities to meet an identified community need within that particular area subject to compliance with the guidance on the intensity of recreational uses referred to in Policy L1 of this Plan.**

**In the above circumstances where proposals for development on existing Urban Open Land Areas could be shown to be appropriate, a detailed statement will be required demonstrating the benefits that will accrue to the wider community.**

Note: Criterion (ii) will be assessed in relation to the 'footprint' of existing buildings on the entire site other than those which are the subject of a temporary planning permission.

### **Open Space Standards**

3.6 Whilst there are no national statutory open space standards, traditionally the baseline guidance proposed by the National Playing Fields Association (NPFA) has been utilised by many local authorities. This is known as the NPFA '6 Acre Standard' since it advocates a minimum provision of 6 acres (2.43 hectares) of overall recreational land per thousand population. The NPFA recommended standard would be made up through an aggregation of space for:

- Youth and adult use (1.6 - 1.8 ha = 4 - 4.5 acres)
- Children's use, consisting of: outdoor equipped playgrounds for children of any age or other children's play facilities (0.2 - 0.3 ha = 0.5 - 0.75 acres) and casual or informal play space within housing areas (0.4 - 0.5 ha = 1 - 1.25 acres)

The NPFA standard provides some guidance but does not refer to quality, type or accessibility, all of which are important. Care also needs to be taken with use of this standard as the availability of 6 acres of *open space* per 1,000 people overall does not necessarily mean that their sports *playing* requirements are met. Accordingly, the NPFA standard should be regarded only as a starting point since some types of open space will not provide for more active forms of recreation.

3.7 Table B of PPG17 proposes a hierarchical approach based upon that developed for Greater London but recognises that the prescription of national standards for recreational and open space would not be appropriate since circumstances tend to differ greatly from one area to another. Accordingly it is for local authorities to research their own context and set their own standards. The Council has carried out the necessary research in this regard. It should be noted that the traditional NPFA guideline is relatively basic and crude in that it only stipulates a requirement for two types of provision, that is formal space for youth and adult use and informal play space for children. The omission of a specific allowance for general purpose open space, such as parks, green links, etc. is considered to represent a serious shortcoming. This type of provision is needed to serve various sections of the population, including the elderly, whose numbers are steadily increasing. Therefore, an approach which more accurately reflects Hertsmere's needs is to employ a more all-embracing standard as adapted by numerous other English local authorities (such as Winchester, Hampshire). This new standard was not used to draw up Tables 5 and 6, as the former merely summarises the existing types of recreational facility, whilst the latter is derived from the inadequate geographical distribution of open spaces identified in the 1995 Open Space Study. This standard accommodates three principal forms of provision at a level of 2.8 ha per 1,000 population divided in the following proportions:-

- Children's Play      0.7 ha
- Sports Grounds      1.7 ha
- General Use          0.4 ha

3.8 It is considered appropriate to apply this more demanding standard in Hertsmere bearing in mind that:-

- participation in active sports has been steadily rising and is expected to continue doing so. This increase has been encouraged in line with the promotion of more healthy lifestyles and the benefits it can bring to the quality of life people enjoy;
- Hertsmere's recreational areas are also used by residents from more densely populated neighbouring areas including Watford and the London Boroughs adjoining Hertsmere's southern boundary;
- the school age population and age group from 16 to 24 are both forecast to increase during the Plan period;
- the continuing increase in the number of elderly persons is resulting in increased demand for particular forms of recreational provision such as general informal urban open space and access to the countryside;
- economic and societal changes have seen the amount of time available for, and given over to, leisure and recreation rise significantly in recent years. This trend is also expected to continue. People's aspirations for recreation are also growing.

### Recreational Deficiencies: Planning Implications

- 3.9 A comprehensive survey was carried out of open space (including parks, amenity areas and children's play facilities) and outdoor playing pitches in Hertsmere during 1995, referred to as the 1995 Open Space Study. Covering quality, quantity and distribution of all these facilities, this revealed important deficiencies across all types of facility. As far as general purpose open space and children's play facilities are concerned there are particular shortfalls in provision (both in overall area and distribution) within Bushey and Potters Bar. Radlett is in a similar position although the shortfall is offset by large private garden areas and proximity to the countryside.
- 3.10 The 1995 Open Space Study revealed the following shortages in provision for recreational facilities:

**Table 6 Deficiencies in Open Space and Play Areas**

Facilities in Deficiency	Town				Total
	Borehamwood	Bushey	Potters Bar	Radlett	
Open Space Areas (number of extra sites needed)	4	6	4	2	16
Play Areas (number of extra facilities needed)	6 - 7	7 - 9	8	3 - 4	24 - 28

Source of information: 1995 Open Space Study

Note: Deficiencies in open space areas were found by identifying residential areas not within a five minute walking distance of existing open space. Areas deficient in play areas were revealed by identifying those areas not within a five minute walk of an equipped play area.

3.11 In order to provide for the Borough's future recreational needs a range of provision will be sought which takes account of the principles of the existing hierarchy set out in Table 5. This will be attempted through these general measures:-

- ensuring that existing areas of public open space are retained and enhanced as appropriate, provided that they are still needed for local provision. Making the best use of the Borough's numerous existing recreational assets will be important here;
- exploring opportunities for providing new areas of public open space. This will be aimed at making provision both for existing areas of deficiency and to serve new residential development of any substantial scale;
- encouragement for improved access to privately owned areas of open space and educational facilities;
- exploring options for improving access to areas of open space, including better entrances, as well as pedestrian, equestrian and cycle routes.

3.12 The upgrading of existing facilities and the provision of new sites will be required over the Plan period. Through its capital programme Hertsmere is refurbishing its parks, play areas and open spaces. It must be recognised, however, that resources are limited and that this is a long term initiative. Over the period of the Plan the Council will pursue the following initiatives:-

- maximise the contribution of existing assets by investing in improvements, and encouraging greater community use and involvement;
- use existing spaces to reduce deficiencies, such as making parks more open and accessible (through fence removal or new entrances) and locating new children's play areas in parks and improving their visual amenity;
- reduce deficiencies by introducing new provision wherever possible. This is most likely to be possible at the urban edges or through redevelopment. Other provision could come through securing public access to private or 'semi-private' space, including dual use of educational facilities;
- explore opportunities to provide or enhance 'green chains' to link other existing recreational areas and promote their enjoyment;
- consider investment in 'Honey Pot' sites to provide high quality outdoor leisure or adventure play facilities (see Hierarchy at Table 5);
- invest only in sites which are viable and where investment can be sustained. This requires careful selection of areas for improvement, including safety / security and avoidance of neighbour nuisance;
- give priority to areas of deficiency (and within these to areas of greatest need);
- resolve conflicts between different user groups;
- secure new open space as part of development proposals.

3.13 Hertsmere's approach towards addressing deficiencies in generic public open space, where opportunities allow, will be to promote two scales of multi purpose open spaces:

- (1) **District Parks:** Minimum of 2 ha, located within 800 metres (approximately 10-15 minutes walk) of home. Providing essentially the same facilities and activities as Local Open Spaces (below) but with an enhanced range, scale and quality. Examples of this extra provision include natural / wildlife areas (such as woodland or ponds), greater provision for people with disabilities, and pitches for competitive team sports; and
- (2) **Local Open Spaces:** From 0.2 - 2 ha in area, located within 800 metres of home. These should incorporate play facilities for

children of different age groups, space for informal team sports, as well as passive recreation, seating and accessible paths within landscaped surroundings.

More specific guidance on children's play provision, including applicable standards (both for facilities within the above spaces and in other cases) will be made available to developers through the Council's Supplementary Planning Guidance.

- 3.14 Current opportunities for providing new areas of public open space are limited. However, the Council will pursue the initiatives set out in Policy L4 and will consider other opportunities as they arise.

**Policy L4: Public Open Space - Proposed Sites**  
In order to improve the provision of publicly accessible open space in Hertsmere the site to the rear of Sullivan Way, Elstree Village, and land south of The Avenue, Bushey, as defined on the Proposals Map, are proposed as new public open spaces.

## ***Play Spaces***

- 4.1 The 1995 Open Space Study revealed that the Borough has significant deficiencies in terms of its play provision for children. In addition, it is known that much of the Borough's existing equipment is in need of refurbishment due to its age, design, vandalism or a combination of these factors. In response to such problems the Council is working to ensure compliance of all equipment with nationally defined safety standards. In some areas deficiencies are offset by private garden space. However, it is known that large tracts of the Borough are deficient in play facilities and over the period of this Plan the Council will seek to address this issue through the upgrading of existing facilities and the provision of new sites.
- 4.2 The Council will seek to promote improved provision for children's play throughout the Borough through:-
- the protection of existing facilities, along with improved management and maintenance;
  - improvements to the quality of existing facilities to better meet local needs;
  - the provision of new play areas in areas of deficiency and proposed development sites, subject to availability of suitable sites and financial resources;
  - better provision within parks in accessible and visually prominent positions, with areas for informal children's play as well. These could be at suitably located sites either in parks or in other locations where opportunities arise;
  - measures to resolve conflict between competing age groups;
  - local community involvement to help foster local 'ownership' of facilities.

## ***Residential Development and Recreational Demand***

- 5.1 It is important that future developments provide adequately for their recreational needs although it cannot be expected that new development makes good the identified deficiencies within existing residential areas. Accordingly a reasonable approach is simply to require that further development does not make these deficiencies worse, or create new deficiencies, by failing to make any recreational provision for the demands it creates in its own area.



- 5.2 In Hertsmere the fact that the majority of housing sites provide for less than 10 units makes a planned approach difficult. However, cumulatively, such sites can generate a significant recreational demand. The Council will seek to ensure that adequate allowance is made for play, sports and general purpose recreational provision from the start and it will resist unplanned attempts at provision through left-over parcels of land unsuitable for the purpose. The use of Planning Briefs and Supplementary Planning Guidance to set out appropriate standards and forms of new provision prior to new development is a valuable means of guiding this issue and Hertsmere will aim to provide these for developers of substantial sites where there is a need and scope for new facilities or recreation areas. All new areas should be appropriately sited and designed so as to minimise possible conflict with residential amenity and ensure compliance with the appropriate safety standards. Depending upon the location and characteristics of the proposed development and taking into account local circumstances, needs and opportunities, the provision of new open space and / or other recreational facilities may be required. In some circumstances the improvement or enhancement of existing facilities / open space areas might be appropriate. In these ways a relatively flexible approach will be employed towards planning for open space and recreational needs arising from residential developments.

**Policy L5: Recreational Provision for Residential Developments**

**Proposals for residential developments will be required to make provision for the additional recreational demand they create, in accordance with the Council's Supplementary Planning Guidance. Such provision will be secured through the use of planning conditions and obligations to ensure the provision and subsequent maintenance of related areas, equipment or facilities, as appropriate.**

- 5.3 Policy L5 and Policy R2 (Developer Requirements) in the Implementation, Monitoring and Review chapter will be the principal means of securing new provision through the planning process. Supplementary Planning Guidance will be developed to explain the Council's approach in this area. This will cover the use of commuted payments in appropriate instances as a means of ensuring new residential developments make provision for the recreational needs they generate.

## ***Rights of Way***

- 6.1 The Movement chapter covers rights of way since these exist principally as provision for non motorised journeys. However, the majority of these journeys have a recreational role for walkers, runners, cyclists and horse riders and this is recognised by the Borough Council. Hertfordshire County Council has the main responsibility for the rights of way network although the Borough Council has some powers to enhance that network which it will use where appropriate and it supports the Countryside Management Service which carries out practical work on rural rights of way along with the voluntary sector. The rights of way network is amongst the most used leisure facilities in the Borough. In view of this the Council has begun to work in partnership with a number of other organisations to promote the national 'Greenways' initiative throughout the Borough. These will form a network of mainly car-free, off-road routes giving access to services and facilities, open spaces, the countryside and between towns.

## ***Sports Facilities***

- 7.1 There is a range of facilities in the Borough including privately owned and education sites which cater for a number of sports. Some such as football, cricket and rugby

require playing pitches, whilst others, such as sailing, require open water areas. Through the 1995 Open Space Study the Council assessed the level of existing provision for selected sporting activities. This covered not only the Council's facilities but also those of other bodies. The sports considered were:

- Football
- Cricket
- Rugby
- Hockey
- Tennis
- Netball

7.2 The study looked at the quantity, quality and geographical distribution of these facilities, comparing them with calculated demand (through actual and expected participation rates). The study revealed that significant deficiencies currently exist in facilities for football, cricket, netball and most of all tennis and these deficiencies are expected to worsen if no action is taken. Meanwhile, participation in active sports is still growing. Accordingly, the study suggests the need, by the year 2006, for the following additional facilities to be provided:

**Table 7 Suggested Additional Facilities (in Pitches or Courts)**

Sport	Borehamwood	Bushey	Potters Bar	Radlett	Total
Football	0	4	3	1	8
Tennis	10	8	9	0	27
Cricket	2	3	0	0	5
Netball	3	0	2	1	6
Rugby	0	1	1	0	2
Hockey	0	0	0	0	0

7.3 In order to address the identified shortages the Council will pursue the following initiatives:-

- make the best use of the Council's existing sports pitches through reinstatement works, improved maintenance, better timetabling for pitch use, and the provision of essential ancillary facilities;
- protect Council courts / pitches and private pitches;
- encourage greater community use of educational sports facilities;
- encourage new provision either by the Council, or in partnership with other organisations.

7.4 The Council has already taken direct action to tackle its greatest area of shortfall, that is provision for tennis. An initiative linking the facilities and efforts of the Council, local schools and a local tennis club is now operating in Borehamwood, coupled with a pro-active tennis development programme. This initiative appears very successful and a tennis facility at Bushey has also been substantially improved, including the creation of modern, multi use playing surfaces. As a general measure to protect existing facilities the following policy will be applied.

**Policy L6: Sports Facilities**  
**Development proposals which involve the loss of existing (public or private\*) sports facilities without adequate replacement will be refused. The provision of appropriate additional opportunities for participation in sport in suitable locations, in both urban and Green Belt areas will be encouraged, provided that the intensity of leisure use criteria set out in Policy L1 are satisfied.**

\*Note: This would exclude facilities such as those within private residences or domestic gardens such as swimming pools.

- 7.5 There is a particular need to ensure that the Borough's existing stock of sports pitches, including those in private ownership and on educational sites is retained and where possible enhanced. PPG17 recommends that such facilities should be protected for their recreational and amenity value and their contribution to the green space of the urban environment. The geographical distribution of sports pitches is an important consideration which has a bearing on which areas should be considered deficient and which may sometimes even have a facilities surplus. The 1995 Open Space Study provided an independent, quantified and documented assessment of these issues. The Study will form a key point of reference when proposals affecting outdoor sports facilities come forward and it will be used to help provide a balanced and reasoned basis for decisions.

**Policy L7: Playing Fields - Retention for Community Needs**

**Development proposals which involve the loss of playing fields will be refused whether or not they have been available for general community use in the past. Exceptions will only be considered in the following instances:-**

- (i) where it can be demonstrated that existing facilities can best be retained and enhanced through the development of a part of the site, leaving the remainder viable as a playing pitch or other suitable recreational facility; or**
  - (ii) where alternative provision of at least equivalent community value is made available within easy walking distance of the locality served; or**
  - (iii) where the proposal can be classified as an exception identified within the Sport England's 'Policy on planning applications for development on playing fields' (see paragraph below).**
- 7.6 The reference cited in criterion (iii) above is 'A Sporting Future for the Playing Fields of England, Policy on planning applications for development on playing fields', English Sports Council, (1997). Since 1996 the English Sports Council (now Sport England) has been a statutory consultee on planning applications affecting playing fields. This definition includes undeveloped land used as playing fields at any time within the last five years and land identified for use as a playing field in a Development Plan. Further, Sport England can ask the Secretary of State for the Environment, Transport and the Regions to consider calling in applications to determine the applications himself / herself. If the above-mentioned policy statement is superseded the advice of Sport England will still be sought in appropriate cases. The Council can also exercise its discretion to consult Sport England on other kinds of applications than those on which it must be consulted and has previously done so.

**School Sports**

- 7.7 Recent times have seen increasing importance attached at national level to sport at school. Youth participation, both in and outside school, is one means of helping meet the leisure and recreational needs of the young. The Borough has a number of large schools, many of which are located on edges of towns in Green Belt areas, while many are in free-standing Green Belt locations. The sporting needs of such schools, however, often lead to pressures for various kinds of development,

including new buildings and other structures, outdoor sports pitches and floodlighting (floodlighting as an issue is dealt with in the Development Chapter). However, schools also present important opportunities to rectify deficiencies in sports and leisure provision and there are already examples of good practice within the Borough. Dual use of these facilities by schools and the wider community can offer a range of advantages and is encouraged by the Government. The Council supports this concept in principle.

## **Allotments**

- 8.1 Allotment gardening is an economic activity for some and provides a form of recreation for a wide cross section of the community. There are 15 allotment sites in the Borough, 5 of which are run by the Council. The overall occupancy rate is estimated at 63% while 18% are thought to be incapable of cultivation.
- 8.2 The 1995 Open Space Study indicates a widespread problem of neglect of allotment sites. Experience suggests that with physical improvement works, good subsequent maintenance, the provision of necessary support facilities, effective security, good physical access and appropriate management the uptake of plots can be improved; particularly where the sites are well located within urban areas. The only known standard for allotment provision is that of the Thorpe Committee recommendation of 1969, which is for 0.2 hectares (0.5 acres) per 1,000 population. Working from this basis provision should be as follows across Hertsmere:

**Table 8 Allotment Provision**

Area	Population (1991 Census)	Recommended Allotments (ha)	Provision (ha)	Deficiency
Borehamwood	29,870	6	3.1	X
Borehamwood rural area	2,304	0.5	1.4	
Bushey overall	23,408	4.7	8.8	
Potters Bar	20,513	4.1	5.3	
Potters Bar rural area	1,710	0.3	0.2	X
Radlett	7,619	1.5	2.8	
Radlett rural area	3,845	0.8	1.0	
Total	89,269	17.9 (44.2 acres)	22.6 (55.8 acres)	

- 8.3 Whilst Borehamwood is the only town with a significant deficiency it should not be inferred from this survey that Hertsmere is over provided with allotments. Again, geographical distribution is a key factor in the interests of sustainability. Accordingly, provision should be made at the local level to avoid unnecessary trip

generation. There is also a need to ensure that existing resources are managed more effectively and, where appropriate, alternative uses are sought for redundant sites (such as Bendysh Road, Bushey where the former allotments have been changed into a local nature park). The following policy seeks to retain allotment provision across the Borough.

#### **Policy L8: Allotments**

**Planning permission for development involving the loss of allotments will not be granted unless one of the following conditions is met :**

- (i) it can be demonstrated that supply, over the Plan period, will exceed demand within the area concerned taking into account the current suitability of allotments for cultivation and the facilities available;**
- (ii) suitable alternative provision is made which is: equally accessible to the area currently served; of equal quality (in terms of suitability for cultivation and facilities); and of at least equivalent capacity in terms of accommodating plots;**
- (iii) the proposal makes an essential contribution to the sport, leisure, recreational or other needs of the area such as to overcome the presumption against loss of allotments.**

**Where the proviso in criterion (i) above is satisfied the creation of natural wildlife habitats (and other appropriate Community Forest land uses) on allotment sites will be encouraged.**

**In addition, the provision of new allotment space will be sought in areas of deficiency.**

## ***Tourism***

- 9.1 Central government guidance is provided within PPG21 'Tourism' which recognises the important role of tourism in the national and local economies. The guidance sets out the government's general support for the development of tourism within the overall principle of sustainable development. The British Tourist Authority is responsible for promoting tourism to overseas markets. The Regional Tourism Boards and the Regional Development Agencies will seek to develop the domestic tourist market, among other duties.
- 9.2 Whilst the Council does not have a tourism strategy for Hertsmere, this topic is to be addressed in an emerging Cultural Strategy. This will reflect the limited number of local attractions within the Borough. However, Hertsmere is well located for access to the historic city of St. Albans and Hatfield House, and central London is within easy reach by train. Furthermore, the national motorway network means that there is a wide range of attractions within an hour's drive. Hertsmere's location, straddling several strategic routes, allows it to attract a significant business market for hotel accommodation and conference facilities.
- 9.3 Within Hertsmere there are Aldenham Country Park, Shenley Park and Bowmansgreen Open Farm which all attract a significant number of visitors. These have been identified within the Open Space Hierarchy as Community Forest Gateway Sites and Policy C8 within the Countryside Chapter covers the development of appropriate facilities at these sites. The creation of the Watling Chase Community Forest will build on and link these facilities and enhance the

Borough's attraction for informal recreation. There is a museum at Bushey administered by the Bushey Museum Trust which reflects the town's strong artistic background and a museum at the Wyllyotts Centre in Potters Bar which is run by the Potters Bar Historical Society.

- 9.4 In order to take advantage of the potentially significant benefits of tourism in a sustainable manner the growth of 'green tourism' represents a way forward in this field. This is becoming increasingly acknowledged and the Structure Plan deals with development for tourism in Policy 20. The concept of green tourism is to encourage people to discover their own countryside, ideally using passenger transport or cycles / horses.
- 9.5 There is a general need to ensure that there is sufficient overnight tourist accommodation available locally. The A41 corridor already has two hotels and there is pressure for further similar development within this area. However, this part of the A41 is located within the Green Belt, in which the construction of new hotels is inappropriate development. In line with Town and District Centres aims and policies hotel development is steered towards Town and District Centre locations.
- 9.6 Within the overall strategy of the Plan the Council will support the development of tourist facilities within the Borough. The conversion of former farm buildings to bunk-houses and camping facilities, possibly in association with short-stay, seasonal, camping facilities at sites, including the Watling Chase Gateway Sites, which would be screened by extensive planting, may be given favourable consideration if the use does not result in a significant increase in vehicular traffic, nuisance to neighbours or adversely affect the visual amenity and the openness of the Green Belt. Caravan or camping facilities may be acceptable in certain locations, such as edge of town / urban fringe sites, where passenger transport facilities are available and access by foot or cycle is possible. In preparing any schemes for such developments early consideration should be given to planning in adequate basic facilities such as washrooms, toilets and litter / waste disposal facilities. In these instances any adverse impacts on the Green Belt would be an important consideration. It is important to remember that the environmental impacts of tourism, in a broad sense, can be highly significant and these need to be carefully assessed in any proposals. Developments should be planned carefully to take account of the differing abilities of diverse areas to absorb numbers of visitors, especially at peak periods.
- 9.7 Policies L1 and L2 provide general guidance on Leisure and Recreation developments and are also relevant to tourism developments. Policy C8 provides guidance on the Community Forest Gateway Sites such as Aldenham Country Park and Shenley Park. Overall advice on the Community Forest is set out in Policy C7 of the Countryside Chapter. Policy T3 in the Town Centres and Shopping Chapter is also applicable to hotel developments. The Council wishes, in appropriate locations, to encourage the retention and improvement of existing facilities and the establishment of appropriate new facilities which will support tourism. The following policy provides general guidance for tourism and related developments.

#### **Policy L9: Tourism**

**Development to meet the needs of tourism will be granted permission where the following criteria are met:-**

- (i) **the intensity of use of the proposal accords with the principles set out in Policy L1 and the environmental criteria of Policy L2 are satisfied;**

- (ii) the proposal does not adversely affect the character and appearance of the area and the amenities of neighbouring residents;**
- (iii) the proposal does not prejudice highway safety;**
- (iv) the proposal does not exacerbate traffic flows on local roads to an extent that would prove detrimental to the amenities or character of the area;**
- (v) the proposal is conveniently located for modes of transport other than the private car.**





# ***Social and Community Facilities***

## ***Introduction***

- 1.1 Social and community provision covers a wide and diverse range of uses including health, social services, emergency services, education and libraries together with various facilities provided by the voluntary sector and church/religious groups. These services are subject to changing demand as the size, age, health and requirements of the population or the service provision alters. There are also national initiatives, such as 'Care in the Community' and the provision of pre-school education, that will place varying demands on social and community provision.

## ***Existing Provision***

- 2.1 This Plan aims to ensure that existing facilities that continue to be required are retained and also to facilitate provision to meet future needs in an acceptable form. Policy S1 is applicable to all the uses referred to in this chapter.

**Policy S1: Social & Community Facilities - Existing Development which would result in the loss or reduction of, or have an adverse impact on social and community facilities will not be permitted unless:-**

- (i) it can be demonstrated that the demand for such a facility is no longer sufficient to warrant its retention; or**
- (ii) arrangements are set in place to ensure that suitable replacement facilities, or improvements to existing facilities are provided.**

**Where a social and community facility becomes redundant, consideration will be given to the need for alternative social and community uses of the land and buildings in light of:**

- a) evidence of a deficiency of social and community facilities in the area and,**
- b) the suitability of the site to accommodate any such facility.**

**Where these two criteria are met, the Council will encourage the provision of the relevant social and community facility.**

Note: For guidance, for the purposes of criterion (i) the applicant should submit documentary evidence to demonstrate that the facility has been ineffectively or

under used, vacant or substantially vacant for a considerable period of time, that the facility has proven consistently unattractive to community interest over the previous twelve months and that its retention is no longer a viable option. 'Appropriate arrangements' in respect of criterion (ii) above, may include the provision of land and/or buildings or a financial contribution to enable improved or replacement facilities to be provided by the appropriate organisation or authority. Such arrangements may be secured through the use of planning obligations.

- 2.2 The fact that the Council may not directly fund or operate many social and community facilities means that whilst it will always encourage their retention where a need remains, there may be instances when it is powerless to prevent closures.

## ***Health Provision***

- 3.1 Traditionally, both doctors and dentists surgeries have located in residential areas, using part or all of a house which has been adapted for that purpose. However, in more recent years changes in health service provision have resulted in a growth in group practices which often integrate a number of specialist services. It is no longer unusual for the modern dentist to combine general dentistry with separate hygienist appointments or for the doctor's surgery to combine the services of more than one general practitioner with minor operations, immunisations, diabetic advice, ante-natal clinics and a variety of other supporting services. These additional services can often be provided by practice or community nurses who may require separate consulting rooms.
- 3.2 The drive to deliver additional local health services, along with the associated pressure for new or extended buildings, has led to noticeable changes in the scale of facilities. Consequently, practices may have outgrown, or may eventually outgrow, the capacity of their sites with increased traffic generation, parking and hours of use impacting upon what are essentially residential areas. Whilst local health services are best located close to the catchment population they serve, it is important to ensure that their provision is not at the expense of residential amenity and environmental quality.
- 3.3 Where possible, the provision of purpose built health facilities will be encouraged but it is recognised that sites may not be readily available and the pressure to convert, in part or in full, residential properties is likely to continue. Policy H6 seeks to resist the loss of satisfactory residential accommodation. Policy H6 will prevail unless it can be demonstrated by an applicant that the change of use is essential for the delivery of a necessary local health service and that alternative premises are not available.
- 3.4 Dentists and other practitioners such as chiropodists, chiropractors and osteopaths tend to generate fewer patients on site at any one time, with individual appointments spread throughout the day, and can be appropriately located in town and district centre locations, as well as in residential areas where they may only require the use of one room.

### **Policy S2: Surgeries**

**Proposals involving the provision of new or extended surgeries or other medical or health services will be granted permission provided that:-**

- (i) the proposal complies with the Council's current Car Parking Standards and there would be no adverse effect on highway safety;**

- (ii) there would be no significant impact on the amenity of neighbouring residents;
- (iii) there would be no significant impact on the character of the area;
- (iv) the premises are accessible by a range of transport options to the catchment population they will serve; and
- (v) there would be no loss of a satisfactory residential unit in accordance with Policy H6 of this Plan unless the applicant can demonstrate that the proposed development is essential for the delivery of a necessary local health service and that alternative premises are not available.

## ***Residential Care and Supported Accommodation***

- 4.1 Indications are that the Borough will experience growth in the number of elderly residents during the life of this Plan. Many will continue to lead independent lives within their existing homes, others may move to live with relatives or to sheltered housing with warden assistance. There may also be a need to meet the demand for higher dependency care through the provision of residential care homes and nursing homes. Changing standards in the level and quality of care may result in the need for extensions and adaptations to existing care homes to cater for the same number of people, but to comply with modern standards.
- 4.2 In addition to care homes for the elderly, supported housing for people with physical and/or mental disabilities, adult rehabilitation and the care of children will be required. The Town and Country Planning (Use Classes) Order 1987 clarifies that where an existing dwellinghouse is used as a small care home, where up to six persons live together as a single household (including carers) then no material change of use is involved and planning permission is not required.
- 4.3 One of the key aims of 'Care in the Community' has been to reduce the number and scale of institutional care homes and to disperse smaller care homes within the wider community for the benefit of prospective residents and existing communities. The Council accepts that it is essential that such residential accommodation is provided. When determining applications the impact on the adjoining properties and surrounding area will be taken into account and planning permission will be refused where an undue concentration of such uses would result in an unbalanced community to the detriment of the 'Care in the Community' initiative, and the character of the immediate locality.

### **Policy S3: Residential Care and Supported Accommodation**

**Proposals for the provision of new or extended residential care homes and supported accommodation falling within Class C2 of the Town and Country Planning (Use Classes) Order 1987 will be granted permission provided that:-**

- (i) adequate car parking is provided in accordance with Policy M13 and there would be no adverse effect on highway safety;
- (ii) a satisfactory landscape setting is provided and where appropriate outdoor amenity space in accordance with the Council's guidelines for residential development;

- (iii) any extensions accord with the Council's guidelines for residential extensions;
- (iv) there would be no significant impact on the amenity of neighbouring residents;
- (v) there would be no significant impact on the character of the area; and
- (vi) where applicable the proposal would not conflict with Green Belt policy.

Planning permission will not be granted where an undue concentration of such uses would result in an unbalanced community to the detriment of the character of the immediate locality.

## ***Education***

- 5.1 Whilst Hertfordshire County Council is the Local Education Authority (LEA) for the Borough, Hertsmere contains a range of local authority, private and grant maintained schools and colleges. Proposals for new schools and colleges and for extensions to existing schools and colleges come forward fairly frequently from all these sectors.
- 5.2 A number of secondary schools and the Watford Campus of the University of Hertfordshire at Wall Hall are located in the Green Belt and have been defined in this Plan as Major Developed Sites with envelopes for appropriate infilling. Other schools, located in the Borough's towns, are covered by the Urban Open Land Area designation where Policy L3 will apply.

### **New Schools and Colleges and Extensions to Existing Schools and Colleges**

- 5.3 The provision of adequate school places is essential. The LEA monitors schools' capacities and trends in growth and decline for school places, taking into account demographic changes. Other factors to consider are government targets on class sizes and parental choice. The LEA has indicated that within the Plan period demand for places may outstrip supply and the changing situation will need to be carefully monitored. The impact of new housing development on schools will need to be carefully considered in liaison with the LEA and the affected school. Where additional demand for places, generated by proposed housing, would exceed available spaces in local schools, developers will be expected to provide funding for the expansion of these schools and this will be secured by way of a planning obligation. This is enabled by Policy R2 of this Plan.
- 5.4 In the case of new schools, sufficient long term car parking and safe setting down and picking up areas should be provided. Where possible journeys by private motor vehicles will be discouraged and a Green Transport Plan should be submitted with applications. However, it is recognised that the nature of the current education system, which allows for choice between schools, may lead to traffic generation from outside the locality. PPG13 'Transport' states that policies should encourage the location of facilities which need to be near their clients in residential areas or local centres so that they are accessible on foot or by bicycle. Such facilities include schools. To minimise the impact of traffic, new schools should be located close to passenger transport services, provide opportunities for shared journeys, for

example by school bus, and provide secure facilities for the storage of bicycles for students and staff alike.

#### **Policy S4: Provision of New Schools or Colleges**

**New schools or colleges should be located close to centres of population and passenger transport services, provide opportunities for shared journeys, for example by school bus, and provide facilities for the secure storage of bicycles for students and staff. Proposals must also demonstrate that:**

- (i) adequate car parking will be provided in accordance with Policy M13 and there would be no significant adverse effect on highway safety;**
- (ii) provision will be made for the safe dropping off and picking up of students;**
- (iii) there will be no significant impact on the amenity of neighbouring residents; and**
- (iv) there will be no significant impact on the character of the area.**

**A Green Transport Plan should be submitted with all such applications. Proposals should not conflict with Green Belt policy.**

- 5.5 Extensions to existing schools or colleges may be required to provide new or improved facilities. In many circumstances such proposals will not result in an increase in student numbers and in these instances the following Policy S5 will apply. However, if additions or extensions to schools or colleges are proposed to meet the demand for additional places or would in any event result in a direct increase in student numbers then these proposals will be assessed in light of Policy S4.

#### **Policy S5: Extensions to Existing Schools or Colleges**

**Proposals to extend existing schools or colleges, for the purpose of providing improved facilities but with no associated increase in student numbers, will be supported provided that:**

- (i) there will be no significant impact on the amenity of neighbouring residents;**
- (ii) there will be no significant impact on the visual amenity of the area;**
- (iii) the proposal would not directly result in a significant increase in traffic generation to and from the site or car parking on the highway network; and**
- (iv) proposals would not conflict with Green Belt policy.**

**Where a significant increase in student numbers is anticipated and facilitated as a direct result of any proposed extensions or additions, then the requirements of Policy S4 will apply.**

### **Surplus School and College Sites**

- 5.6 Since the adoption of the Hertsmere District Plan First Review 1991, a number of school sites in the Borough have become surplus to operational requirements or have been replaced by new facilities on alternative sites.
- 5.7 As school and college buildings are designed with the ability to accommodate large numbers of students, teachers and support staff they are considered to be suitable, in principle, for occupation by community uses in general. Such opportunities should be retained or replaced where they already exist, where there is a demonstrable need for them and no other location can be found. Policy S1 is relevant to these circumstances and will be applied accordingly. If no demand exists for continuing community uses then proposals for alternative forms of development will be considered on their own merits in accordance with all other relevant policies in this Plan.

### **Dual Use of School Premises**

- 5.8 The Council is aware that there are many school halls and facilities that are capable of providing more widespread community benefit than currently exists, although recent tragic events in schools elsewhere in the country have led to increased security measures and a reluctance, in certain cases, to share with outside groups. Where schools wish to pursue dual use of facilities outside school hours, in school holidays and at weekends, by outside groups and organisations and such use requires planning permission, proposals will be considered on their own merits; they will be supported in principle provided there is no undue impact on adjoining properties or the surrounding area and will be subject to other relevant policies in this Plan.

### **Pre-school Education and Childcare**

- 5.9 The LEA, with the Early Years Partnership and through the Early Years Development Plan, has achieved universal provision of nursery places for 4 year olds throughout the County. The Early Years Partnership is now developing policies which may lead to extended provision for 3 year olds. In addition, as more parents return to work, the demand for affordable childcare places is anticipated to rise.
- 5.10 Pre-school childcare facilities are provided throughout Hertsmere by the public, private and voluntary sectors with playgroups, full-time nurseries, after school clubs and part-time crèches all playing a valuable childcare role. The scale of these uses can vary enormously, from using part of an existing residential property, to a church hall or a new building constructed specifically for the intended purpose.
- 5.11 In residential properties it is important that the scale of use remains subordinate to the residential character of the property, and the immediate area, and does not harm the amenities of neighbouring residents. Conversion of a whole dwelling will be resisted as will an over-concentration of nurseries, play groups and other child care provision to prevent an unacceptable impact on the local area.
- 5.12 Because of the young age of children attending these types of facilities, and the growing trend for parents to return to full or part time employment, there tends to be a high level of car movements generated by these uses. It will therefore be

important to ensure that safe setting down and picking up areas are provided in addition to longer term parking for staff and parents.

**Policy S6: Nurseries and Crèches**

**Proposals for nurseries or crèches will be granted permission provided that:-**

- (i) proposals make adequate provision for car parking, safe dropping off and picking up areas and have no adverse impact on highway safety;**
- (ii) proposals have no significant impact on adjoining residents or the character of the area; and**
- (iii) proposals would not detract from the visual amenity of the area.**

**In addition, where a proposal involves a residential property, a change of use will only be acceptable where the use remains subordinate to the main residential use of the dwelling.**

## ***Community Centres and Places of Worship***

6.1 Used by a wide spectrum of community groups and voluntary organisations, community centres and halls need to be located in areas close to the population they serve, and to be easily accessible by a range of transport options. Whilst community facilities are not universally operated or revenue funded by the Council, an extensive capital programme has culminated in the provision of new and improved community facilities throughout the Borough. New facilities have been provided with the completion of the Radlett Centre, the Borehamwood and Elstree Community Centre in Allum Lane and the Aberford Park Community Centre in Borehamwood for example. A phased programme of improvements to the Wyllyotts Centre in Potters Bar continues to enhance its role as an entertainment and community focus for the town.

6.2 The Council is aware of a growing number of religious groups who wish to meet, celebrate and worship within suitable premises. Some groups share or hire out existing premises, and whilst this dual use results in an efficient use of existing resources, it can restrict the freedom of groups to meet and worship in accordance with their needs. Sites that are large enough to accommodate new meeting halls and places of worship are rare, but where opportunities arise the Council will support such provision where it can be demonstrated that the use will principally serve a local community, would not result in unacceptable levels of traffic or have an unacceptable effect on neighbouring residents. Sites should be accessible by a range of transport options and should not lead to unacceptable levels of on-street parking.

**Policy S7: Community Centres and Religious Buildings**

**Proposals involving the provision of new or enhanced community centres and religious buildings will be granted permission where it can be demonstrated that the use and choice of location will principally serve a local community and the site would be or could be made easily accessible by a range of transport options. In addition, proposals should:-**

- (i) make adequate provision for car parking and have no adverse impact on the highway network;**

- (ii) have no significant impact on adjoining properties; and
- (iii) not detract from the visual amenity of the area.

## ***Libraries***

- 7.1 Hertsmere's four main settlements, Borehamwood, Bushey, Potters Bar and Radlett are all served by permanent libraries funded by Hertfordshire County Council. In the case of Potters Bar there are two permanent sites, the Oakmere and Cranborne Libraries. Some of Hertsmere's villages and towns are also served by a mobile service and plans are being developed to provide improved facilities at Shenley. Libraries are extensively used by local people and the Council will support the retention and improvement of library services throughout the Borough. Proposals for new, altered or extended facilities should maximise the opportunity to increase access to the service.

### **Policy S8: Libraries**

**Proposals involving the loss of existing libraries will be refused permission unless it can be demonstrated that the demand for such a facility is no longer sufficient to warrant its retention or appropriate alternative accommodation is provided elsewhere in the locality which would maximise the opportunity to increase access to the service.**

## ***Gypsies and Travellers***

- 8.1 The introduction of the Criminal Justice and Public Order Act 1994 resulted in local authorities no longer having a duty to provide gypsy caravan sites. Before this duty was withdrawn Hertsmere was deemed by the then Secretary of State for the Environment to be a 'designated' authority for having provided sufficient sites for gypsies residing in and resorting to the area. A total of 42 pitches are provided and occupied on two sites, both of which were developed by the County Council. The total number of pitches, of which 27 are permanent and 15 are short stay, exceeds that of most of Hertfordshire's District and Borough Councils, and the County Council presently has no intention to develop any further gypsy and travellers caravan sites.
- 8.2 Circular 1/94 'Gypsy Sites and Planning', advises that the repeal of local authorities' duty to provide gypsy sites is expected to lead to more applications for private sites. There are no authorised private gypsy sites in Hertsmere, and the Council is not aware of any sites that would appear to be appropriate for such a use. Therefore, this Plan does not identify any. One of the main reasons for this is that Circular 1/94 clarifies that gypsy sites are not among those uses of land which are appropriate in Green Belts, and Green Belt land should therefore not be allocated for gypsy sites in development plans. With all of Hertsmere's countryside under Green Belt designation this acts as a significant restriction.
- 8.3 A dismissed appeal decision, relating to a proposed private gypsy site in the Borough, underlines the fact that identifying sites in any new development plan will not be an easy task for Green Belt authorities such as Hertsmere. If applications are made for a gypsy site within the Green Belt, 'very special circumstances' will need to be demonstrated to justify departure from Green Belt policy. This would include clear evidence of the need for the site and any supporting reasons for the particular location, including why the provision cannot be made on a site outside the Green Belt; i.e. within an urban area or within a rural part of the County beyond the Green Belt.



- 8.4 Policy 8 of the Hertfordshire County Council 'Guide to Policy on Gypsies and Travellers' seeks to secure a distribution of sites across the County to match demonstrated needs. Whilst no site is identified in this Plan, the Borough Council does not have a blanket policy against the provision of any future gypsy or travellers sites as appropriate vacant land or areas awaiting development, currently unknown to the Council, might arise during the Plan period. Policy S9 sets out a general framework for site provision although account will also be taken of the availability of mains services, site conditions, the stationing of vehicles and grazing of horses, and any on-site business related activities. The existence of, and effect upon, rights of way on, or near, a site will be considered in accordance with Policy M8.

**Policy S9: Gypsies and Travellers**

**The Council will, in association with the County Council, review the need for additional sites for gypsies and travellers in the Borough. Proposals for new sites should:-**

- (i) demonstrate clear evidence of the need for a site and the reasons for the particular location;**
- (ii) have access to shops, education and health services and to the major road network;**
- (iii) not detract from the visual amenity of the area; and**
- (iv) have no adverse impact on the amenity of adjoining residents.**



# ***Movement***

## ***General Principles***

- 1.1 Life today involves a great degree of personal mobility for most people. This is particularly true in areas such as Hertsmere where car ownership levels are particularly high, although the young, old, isolated and those on low incomes have less freedom of movement. It would be naive to assume that people will happily give up the freedom they have come to enjoy and the private car will remain, over the period of this Plan, the principal means of transport in Hertsmere.
- 1.2 An integrated land use and transport system would be desirable. This is difficult to achieve in an area such as Hertsmere which has an established settlement pattern and transport network. The aim of this Plan is to prevent any worsening of existing unsustainable patterns of movement and land use, by putting in place policies to promote more sustainable travel choices which reduce the need to travel. Other improvements are likely to be achieved through 'TravelWise' type initiatives (car sharing, staggering journey times, transferring journeys to passenger transport, foot or cycle etc.) and green transport plans. The specific movement policies set out in this chapter must be read in conjunction with the general land use policies set out elsewhere in the Plan.
- 1.3 The approach taken reflects the significant shift in Government policy which followed the Rio Earth Summit in 1992, the publication of 'This Common Inheritance', the Royal Commission on Air Pollution and the re-issue of PPG13 on Transport. In July 1998 a Government White Paper on the future of transport; "A New Deal for Transport; Better for everyone" was published. Following the publication of the White Paper further associated documents were published. Of particular relevance is the Guidance on Local Transport Plans. The County Council has also adopted a revised Transportation Policy which is supported by Hertsmere. This is reflected in the Hertfordshire Structure Plan Review 1991-2011 and the Local Transport Plan.
- 1.4 Many factors which may help people travel less are outside the remit of land use planning and can only be altered by changes in taxation, penalties, incentives and subsidies. Many changes can be effected (or reversed) by shifts in other policy areas such as education. At work, management changes which capitalise on new communication techniques might allow more people to work part of the week at home, thus reducing the need for some workers to travel to the traditional workplace every day.
- 1.5 This Plan promotes land use policies which could reduce the need to travel and encourage the use of alternative modes of transport to the private car. This does not mean the end of road construction, but does imply that projects will concentrate on addressing local problems rather than increasing the capacity of the system, and that there will be a gradual shift towards other modes of transport.
- 1.6 In conjunction with other chapters of this Plan the policies set out in this chapter seek to:-
  - support an integrated approach to movement which will improve the environment, economy and accessibility of Hertsmere;
  - reduce the length and number of motorised journeys;

- encourage alternative means of travel which have less environmental impact, particularly for shorter journeys;
- reduce reliance on the private car;
- encourage effective traffic management;
- promote equal access for all user groups;
- promote the use of the rights of way part of the highway network for sustainable recreation and transport uses.

## ***Traffic and Demand Management***

- 2.1 The 1990 Town and Country Planning Act requires local plans to include policies in respect of the management of traffic. PPG13 'Transport' advises that:

"to maintain the effectiveness of the transport system, there are good reasons to place more weight on policies to manage demand, especially in urban areas by:

- promoting effective alternatives to the private car;
- enabling people to reach everyday destinations with less need to travel; and
- reducing local traffic on trunk roads and other through routes"

### **The 'Integrated Package' Approach**

- 2.2 Prior to the introduction of Local Transport Plans local authorities were urged to develop co-ordinated strategies covering all forms of transport. The Council supports the 'integrated package' approach and many policies in other chapters of this Plan seek to steer development towards locations which are accessible by means other than the private car. The Council has already supported the development of transportation studies for Borehamwood and Elstree, and South West Hertfordshire which provide the basis for developing co-ordinated strategies for these areas. The Council is currently working with Hertfordshire County Council and the local community, on a study for Potters Bar and South Mimms. It is anticipated that a study for Radlett and the surrounding rural area will be undertaken to provide the basis for developing strategies for these areas. This would result in all the Borough being covered by up-to-date strategies. It is anticipated that these strategies will provide the Hertsmere input to the County Council's Local Transport Plan for Hertfordshire.

- 2.3 The package of policies in this chapter have an important role to play in managing the demand for travel and promoting alternatives to the private car, although it must be recognised that success will depend on co-ordinated action by a number of agencies, not least the Government. It must also be noted that effective movement and good communications will be important to maintain and enhance the economic vitality of the Borough and that this Local Plan can only influence future developments. The following sections provide advice on specific package areas (existing and proposed) and then the topics which recur in most packages. Policy M1 provides an enabling framework for managing movement in Hertsmere.

#### **Policy M1: Movement Management**

**The Borough Council will work with Hertfordshire County Council and other bodies to prepare and implement integrated transport strategies covering the whole Borough which support, wherever possible, alternatives to the private car. These strategies will be a material consideration in the determination of planning applications.**

- 2.4 The location and design of development will have a key role to play in ensuring that the objectives of this chapter are achieved. In particular they can play a positive role in encouraging the use of alternative modes of transport to the private car. Proposals will be assessed against the following policy.

**Policy M2: Development and Movement**

**Development proposals will only be permitted in locations where good access exists, or can be created, to passenger transport services, pedestrian and cycle routes, and where the highway network and the environment can accommodate the amount and type of transport movement likely to be generated.**

**Where appropriate, contributions will be sought by means of planning obligations towards the implementation of proposals in an approved transportation strategy for the area, or towards a proposed study. Development will not be permitted if:**

- (i) the scheme would cause or add significantly to road congestion;**
- (ii) the scheme would cause or add to safety problems for road users including non-motorised users;**
- (iii) the traffic or parking generated by the development would adversely affect the quality of the surrounding environment;**
- (iv) the site is poorly related to passenger transport services and the development has inadequate facilities for cyclists and pedestrians, or does not incorporate measures to improve such accessibility.**

- 2.5 In considering the relationship of development to passenger transport services, especially bus services, the Council will have regard to both the existence and the frequency of services, including any measures proposed as part of the development to improve the frequency, quality, or attractiveness of services.

- 2.6 In support of Policies M1 and M2 the Council will, in liaison with other relevant agencies, endeavour, subject to the availability of resources, to:-

- (i) ensure that the location, amount and type of development is compatible with the principles of sustainable transport;
- (ii) develop co-ordinated strategies, following studies of Potters Bar/South Mimms and Radlett and adjacent areas, which will provide a framework for investment decisions in these settlements;
- (iii) improve the 'rights of way' part of the highway network;
- (iv) implement the Borough's Cycling Strategy;
- (v) support measures to channel through traffic onto the strategic highway network and relieve local centres and residential areas of inappropriate and extraneous traffic;
- (vi) implement traffic calming and safety schemes to improve highway safety and the environment of the Borough;
- (vii) support increased investment in passenger transport;
- (viii) support proposals to improve the interchange between different modes of transport;
- (ix) manage car parking and road space in, and around, the Borough's Town and District Centres;
- (x) support improvements to the highway network where they would result in improvements to the environment and / or support economic development;

- (xi) ensure that all proposals have regard to the needs of people with disabilities and those with special needs;
- (xii) encourage employers and other organisations to develop Green Transport Plans.

2.7 The environmental and safety conditions in many parts of the Borough could be improved by the removal of through traffic and/or measures to reduce traffic speeds. The Council, in association with the County Council, has been proactive in this area in recent years. Further attention will be given to measures which will assist in taking traffic out of, or calming its progress through, Town, District and Local Centres and residential areas, and in improving the environment of roads in or near residential areas. Such measures will include the establishment of areas in which through traffic will be discouraged. Particular attention will be given to the improvement of conditions in those areas which have a special intrinsic character e.g. Conservation Areas. All traffic management schemes will pay particular regard to the needs of non-motorised users, those with special needs and the effective delivery of bus services.

## ***Integrated Package Areas***

### **Bushey (South West Hertfordshire)**

- 3.1 Bushey is within the area of the South West Hertfordshire Transportation Study. The strategy for the area includes measures for Bushey, North Bushey and Bushey Heath. This has been the subject of public consultation and is now in the implementation phase. The strategy includes an integrated package of measures designed to reduce car movements in the locality and encourage alternative modes of transport.
- 3.2 In addition to the overall benefits which will result, the key elements of the strategy as they affect Bushey are set out below:-
- establishing a 'Green Route' from Watford through Bushey Village to Bushey Heath. This is designed to make bus travel faster, more reliable and hence attractive;
  - establishing a 'Quality Bus Partnership' which is a package of measures to enhance passenger transport, for both local and longer distance journeys, to include improvements in the provision of passenger waiting facilities and services, through partnership with the County Council and local passenger transport operators;
  - improving cycle and pedestrian routes and facilities including the development of cycle routes linking the residential and shopping areas with schools, sports facilities, recreational sites, Bushey Railway Station and employment areas; the provision of safe and secure cycle storage facilities and giving greater priority to pedestrians;
  - developing a package of traffic calming and management and environmental improvement measures at the Bushey Heath and Bushey centres and in the surrounding residential areas;
  - introducing a package of parking controls in Watford including restricting off-street parking in the town centre, in particular all day parking, limiting car parking provision in new development and introducing controlled parking zones. The strategy proposes the development of Park & Ride facilities outside Watford Town Centre. Whilst supporting this in principle, the Council has not identified an appropriate site in Hertsmere.

**Policy M3: South West Hertfordshire Transportation Strategy**

**The Council supports the proposals set out in the South West Hertfordshire Transportation Strategy and these will be a material consideration in the determination of planning applications.**

**Development proposals in the South West Hertfordshire Strategy area will be required to take full account of the strategy objectives and where appropriate make financial contributions towards implementation.**

**Borehamwood and Elstree**

- 3.3 The County Council commissioned consultants in the early 1990s to produce a transportation study for Borehamwood (including Elstree) - the Borehamwood Transportation Study. This was supported by the Borough Council who considered among other issues that both an improvement scheme for Elstree Way and an Elstree Bypass scheme should be the subject of further detailed work to establish the benefits of each scheme and to consider alternatives. Neither have progressed; the Elstree Way dualling was not justified and the Elstree Bypass proposal, although included in the strategy, was withdrawn by Hertfordshire County Council after consultation revealed considerable public opposition and that any benefits were outweighed by the environmental harm.
- 3.4 Both Councils supported the Study and strategy that developed from it, but the document will soon need revision and updating. In the town centre there is a longstanding aspiration to improve the links to the Boulevard 25 development from Shenley Road. There is also a need to improve the approaches to the town, particularly from the railway station. The County and Borough Councils jointly commissioned a 'Borehamwood Transport Plan', which is a plan for short term action based on the strategy. This proposes improvements throughout the town promoting initiatives such as the 'Borehamwood Quality Bus Partnership' which aims to improve passenger transport into the urban area of the town and its linkages with the town centre and Watford.
- 3.5 Development at and around the station has provided the opportunity to improve the interchange between the Thameslink train services and passengers arriving or continuing their journeys by foot, bus and cycle. Further links are required to provide safer routes to the station from all neighbourhoods in the town for non-motorised users. A similar initiative is required to provide routes to the new centre for secondary and further education at the Hertswood (formerly Nicholas Hawksmoor and Holmshill schools) and Oaklands College sites which are located in the north-eastern part of the town.
- 3.6 The former Aldenham Bus Works near Elstree is being redeveloped as "Centennial Park", a business park and Key Employment Site in the Hertfordshire Structure Plan Review 1991 - 2011. The planning permission for that development secured improvements to the local highway network both at the entrance to the site and at junctions on the A41 which have been carried out. Further development of the site will trigger a contribution by the developer towards other measures to mitigate the effect of the development on the highway network, such measures to include some or all of the following: highway improvements, traffic management, improvements to passenger transport and a green commuter plan. It is anticipated that such measures will be focused particularly on the traffic problems of Elstree village.
- 3.7 The opportunity must be taken to maximise bus priority through the village to make bus travel more reliable and hence attractive relative to the car. There is also a

need to encourage alternative access to the nearby attraction of Aldenham Country Park by means other than the car.

#### **Policy M4: Borehamwood Transportation Strategy**

The Borehamwood Transportation Strategy proposes an integrated package of transport measures to improve Borehamwood Town Centre, and the approaches to important destinations within the town. The strategy and related transport plans will be material considerations in the determination of planning applications. Development proposals will only be permitted in locations where good access exists or can be created, to passenger transport services and routes for non motorised users, and where the highway network can accommodate the amount and type of transport and movement likely to be generated.

#### **Potters Bar and South Mimms**

- 3.8 The problems caused by lorries and other traffic accessing and parking in the Cranborne Industrial Estate in Potters Bar have long been the subject of local concerns. The estate also contains a household waste site. At present traffic to and from the estate has to use a secondary distributor road (Mutton Lane - B 556) and pass along residential roads. This problem is worsened when there is an incident on the M25 and traffic diverts along Mutton Lane and 'gridlocks' the approach to the estate. There is particular concern that, should a second incident arise on the industrial estate at such a time, there is no alternative access for emergency vehicles.
- 3.9 Hertfordshire County Council, with the support of the Borough Council, has commissioned a transportation study of the Potters Bar and South Mimms area to investigate the local transportation issues and indicate how future investment should be made. The consultant, in the draft report on the study, has concluded that although the access to the Cranborne Industrial Estate is unsatisfactory, it is no worse than many other places in the country and that a new link road to serve the estate is not justified. Instead, it advocates improvements to parking arrangements, better bus services, a cycle network and development of the Hertfordshire County Council 'Business TravelWise' initiative. It does indicate that there is an issue concerning the ability to get emergency access to the estate from the North. It suggests the creation of a new right of way adjacent to a footpath that exists beside the railway line with a Traffic Regulation Order restricting motorised vehicles to those used by emergency services only.
- 3.10 The study identifies that the road network at Bignell's Corner, South Mimms (junction 23 of the M25 / junction 1 of the A1(M)), has shortcomings that could be improved by closing a road and redesigning the circulation system. The demand for further lorry parking needs to be assessed. Improvements to both the Special Policy Area and the Cranborne Industrial Estate can progress in more detail through site briefs within the framework of the final transportation study.
- 3.11 The Potters Bar in Focus Integrated Transport Group has been actively promoting initiatives to improve passenger transport and other sustainable forms of transport in the town, and to improve the links with adjacent settlements by these modes. The Council supports this approach together with demand management measures to discourage unnecessary journeys.

#### **Radlett and the Rural Areas**

- 3.12 Watling Street, Radlett has been the subject of a traffic calming and environmental improvement scheme. Measures taken as part of the environmental improvements



have eased junction problems at Park Road / Watling Street. 'Rat-running' and freight traffic which could use roads other than the A 5183 still adversely affect the amenity of the area. The reserve list of projects in the former Hertfordshire Transport Policies and Programmes included a proposal for Radlett which was described as a bypass or other traffic measures. Following consultation on the Draft Plan this Council does not support a bypass and considers other traffic measures need to be put forward as part of an holistic approach.

- 3.13 On a more general note the area around Radlett is at the centre of the Watling Chase Community Forest, and the Countryside Agency has expressed concern over the intrusion and speed of essentially urban traffic where a number of equestrian establishments use the country roads. The Council therefore considers that the area around Radlett and the Upper Colne Valley warrants a study that includes the effects of minerals developments, the reuse of former hospital sites in St Albans District and the potential for securing transportation benefits that could result from a new station at Napsbury. The study should embrace issues such as enhancements to passenger transport, routes for non-motorised users together with investigations into demand management measures to restrict extraneous traffic as appropriate.

## ***Topics within Integrated Packages***

### **Pedestrians**

- 4.1 PPG13 advises that non-polluting modes of transport, particularly foot or cycle, must be encouraged and facilities promoted to make them safer and more pleasant. In adapting the Borough for safer pedestrian and cycle movement, the opportunity must also be taken to make the environment accessible to all. This has already been demonstrated in the award winning scheme in Shenley Road, Borehamwood where wider, obstruction free paved areas have been created with pavement-level crossing facilities for pedestrians.

#### **Policy M5: Pedestrian Needs**

**Journeys on foot will be encouraged. This will be achieved by:**

- (i) providing through the implementation of transportation studies and plans a safe, direct and useable network of paths with suitable surfaces and crossing facilities for pedestrians throughout the Borough's settlements linking residential areas and in particular providing safer routes to schools, railway stations and bus stops, employment areas and shopping centres and access out to the countryside for recreational walking;**
- (ii) ensuring that those responsible for the design and maintenance of road schemes, junctions, open spaces or environmental improvements take into account the needs and safety requirements of pedestrians, particularly those with disabilities, re-allocating where necessary road space to those on foot. The Council will take into account the needs of other non-motorised users and where appropriate provide for shared use;**
- (iii) requiring development proposals (which may include substantial refurbishment) to take into account the needs of pedestrians to provide clear, convenient access to premises with appropriate gradients and level thresholds and where appropriate provision of signposting and information for walkers.**

## **Cycling & Equestrian Needs**

- 4.2 Cycling has gone into decline in the last 40 years and now accounts for only about 1.5% of journeys to work. It has much to commend it as an economical, non-polluting form of transport for local journeys and can be healthy exercise as an open air, recreational pursuit. The Council will encourage facilities for secure cycle parking and storage in Town and District Centres, at interchanges, in workplaces, and within residential developments and public buildings. It will seek to upgrade the on-road and 'off-road' rights-of-way networks to allow a web of routes around the Borough to encourage cycling as a viable and safe alternative to the car for some journeys. A Cycling Strategy has been adopted which sets out in more detail the Council's objectives, policies and proposals to ensure the needs of the cyclist are taken into account in traffic management, alterations and improvement to highways (including safe and suitable highway surfaces) and development proposals. It will be regarded as supporting guidance to this Plan and will be revised to keep it relevant and up-to-date and may be subsumed into a strategy for "Greenways" in the Borough to encompass the needs of all non-motorised users.
- 4.3 Hertsmere has a large horse population and a fragmented bridleway network. New developments can encroach on the minor roads used by riders. When considering integrated transportation packages or development proposals, the Council will seek to maintain the character of quiet, minor roads (and verges on busier roads) and encourage measures to create safe conditions on them for riders, cyclists and walkers and will require appropriate alternative paths with suitable surfaces to be provided when development proposals necessitate such provision. Cyclists can use bridleways as of right under the Countryside Act 1968. When the Council is considering creating a new route for cyclists it will consider whether it is appropriate to designate the route as a bridleway so as to allow equestrian use as well. This is particularly relevant in rural areas and for long distance routes.

### **Policy M6: Cyclists**

**The use of cycles will be encouraged by:-**

- (i) providing a safe, direct, clearly signposted and useable network of cycle routes and traffic calmed areas with safe and suitable surfaces for cyclists throughout the Borough for commuting, leisure and touring purposes linking important urban areas and in particular providing safer routes to schools, railway stations, employment and shopping centres;**
- (ii) ensuring that those responsible for the design and maintenance of road schemes and junctions or road improvements (or bridleways which may be used by cyclists) take into account the needs and safety requirements of cyclists, and where appropriate, re-allocate road space and priorities to cyclists. The Council will take into account equestrian needs and consider designating new cycle routes as bridleways in order to allow dual cycle and equestrian use;**
- (iii) providing secure and convenient cycle parking facilities within settlements at key Town, District and Local Centre sites as resources permit;**
- (iv) where necessary requiring new development proposals to provide additions to the cycle network, safe cycle access, secure cycle parking (and related facilities such as showers at business**

premises), and where appropriate contributions to improve cycle routes to the site.

**Policy M7: Equestrian Needs**

The needs of horse riders will be taken into account whenever development would affect routes used by riders or where the creation of new paths along strategic routes would be jeopardised. Suitable replacement paths will be required when routes used by riders will no longer be suitable for continued use as a result of other changes to the road network or other new development.

**Rights of Way**

- 4.4 Rights of way are part of the highway network, yet are often regarded as a nuisance to land owners and tenants who consequently try to discourage their use. Part of the problem is that some users do not adhere to the Countryside Code, and cause damage by trespass, often in ignorance. Landholders, again often in ignorance, think that they own the paths and so put up stiles and other obstructions and fence them into narrow widths. Better practice can only really work with the fullest co-operation and involvement of landowners. The Council wishes to promote a more positive attitude to the rights of way network and supports the County Council in its aim to have the entire network properly defined, waymarked and in good condition as soon as practicable.
- 4.5 The Community Forest is the primary policy initiative for improving and enhancing the appearance of Hertsmere's countryside and encouraging access to it. A programme of better access to the rural parts of the Borough for recreational purposes on foot, cycle or horseback is an integral part of the Forest Plan and a key initiative of the Countryside Agency which they have entitled "Greenways". These can be off-road routes or quiet roads and can be rural or in towns and preferably link the two. The Borough Council wishes, where appropriate, to modify and enhance the rights of way network, particularly in respect of regional routes, off-road links between settlements, long distance and circular routes with better signs giving destinations and distances. To address the issue of narrow and 'pinched' paths, the Council encourages the widths of paths to be defined at a minimum of 4 metres for footpaths and 6 metres for multi-use routes to ensure a pleasant passage for all users. Wherever possible, the Council looks towards a width of 8 to 10m for Greenway-type routes and where the topography allows, access for people with disabilities, the elderly or infirm and for people with pushchairs should be enhanced by a stile to kissing gate conversion programme on footpaths and the removal of all obstructions on other routes except where required for containing livestock or preventing mis-use by unauthorised users.

**Policy M8: Rights of Way - Existing Definitive and Non-Definitive Public Networks**

In association with the County Council and other organisations, including the voluntary sector, the Council will work to ensure that the existing rights of way network in the Borough is retained, maintained, fully defined and enhanced where possible. Developments which would prejudice an existing right of way will not be granted planning permission.

**Policy M9: Rights of Way - New 'Off Road' Routes and Greenways**

In association with the Watling Chase Community Forest project, the Countryside Management Service, Groundwork Hertfordshire, local user groups and land owners / managers, the Council will seek to increase the opportunities to walk, cycle or ride in the countryside and in the

settlements with appropriate connections at the urban fringe. The Council will use where appropriate its planning powers to create or assist with the dedication of missing links that will complete parts of a network identified in studies or transportation plans that have been the subject of public consultation. In particular the Council will give priority to completing the following long-distance, named routes and missing links:

- (i) **London Outer Orbital Path (LOOP) - originally called North London Way;**
- (ii) **Ver - Colne / Upper Colne Way;**
- (iii) **Watling Chase Way (Hatfield to Aldenham Country Park);**
- (iv) **London Orbital Bridleroute (H25);**
- (v) **A North East - South West route through Bushey linking Aldenham Country Park to Oxhey and Harrow Weald;**
- (vi) **Improvements where the A41 passes over the M1 to provide a safer north east - south west crossing over or under the A41;**
- (vii) **Great North Way (Sustrans Route 12) / North London Bridleroute (H251).**

4.6 In order to complete missing links in the key routes of the network (as set out in Policy M9), there are sections of Road Used as Public Path (RUPP), footpath or non-definitive track which are shown on the Proposals Map which need to be dedicated as rights of way or, if footpaths, their status changed to at least bridleway to complete existing routes with rights for non-motorised users, and to link 'Gateway' sites in the Community Forest and neighbouring communities together. These are generally proposed as "Greenways" except where noted and include:-

- the 'Line Path' from Potters Bar Station to Hawkshead Lane;
- Organ Hall accommodation bridge to Watling Street opposite Butterfly Lane;
- Tykeswater Lane;
- Elstree Aerodrome to Little Bushey Lane via Tylers Way;
- Theobald Street to Woodhall Farm;
- Shenley Park and Radlett Lane to Woodhall Lane;
- Cow Banks Wood to existing bridleway at Shenleybury;
- Bell Lane to existing bridleway near Salisbury Hall;
- Links adjacent to River Colne at Munden and London Colney;
- Packhorse Lane to Trotters Bottom overbridge;
- Deacons Hill area (Hartfield Close) to Vale Avenue (as a Greenway) and from Allum Lane to Scratchwood via the 'Line Path' (as a footpath);
- Merry Hill to Mutton Wood (as a footpath);
- Centennial Park roundabout to Aldenham Country Park;
- Allum Lane to Aldenham Country Park.

### **Passenger Transport - The Bus**

4.7 In order to channel demand away from the private car, better bus services are needed which are clean, comfortable and convenient. As the Government's White Paper says "Increasingly buses will become the focus of an efficient transport system that gets people to where they want to be quickly and comfortably without having to rely on cars". The bus needs to develop as a desirable alternative for many local journeys. Services should be responsive to local needs and, through the

provision of an efficient pattern within and between towns, should provide for essential journeys to work (feeding the rail network where appropriate), shopping, education, social and health facilities. Measures outside the remit of local authorities will also help, such as integrated ticketing.

- 4.8 There is a perception that bus services are unreliable or inconvenient. A contributory factor to unreliability is road congestion and here the local authorities have a role to play in the identification of suitable measures to assist the passage of buses. The provision of well sited and attractive bus stops, appropriate carriageway markings (such as bus-only 'cages' with clearway protection), shelters and seats, bus priority lanes and signal priority systems are measures local authorities can take which will help make the bus journey a more attractive experience.
- 4.9 The deregulation of bus service operators has limited the Council's ability to directly influence services. The Transport White Paper advocates Quality Bus Partnerships and Quality Contracts for bus services and proposes the introduction of legislation to support and enable these initiatives. This Plan does have an important role to play through the location of new development and traffic management. Priority can be given to bus routes in the design of traffic management and calming schemes and the Council will, where appropriate, seek private sector contributions to support improvements to passenger transport. The Borough Council, in association with the County Council, has a responsibility for contributing to the support of bus services and through its concessionary fares scheme makes passenger transport services more accessible for a wider range of the population. It will continue to use these influences to seek improvements to the quality of services.

#### **Passenger Transport - Rail**

- 4.10 Services from Elstree and Borehamwood, Radlett and Potters Bar stations provide convenient access to London and the national railway network. Watford Junction station, a stop for many main line trains, is reasonably convenient for the Bushey area. Bushey station, located just outside the Borough also provides convenient access to London.
- 4.11 The inclusion of Elstree and Borehamwood in the outermost London fare zone (Zone 6) has influenced travel patterns as people drive to Borehamwood to take advantage of the cheaper fares. Radlett station is used by commuters from outside the Borough and this could increase if the Napsbury Hospital development west of London Colney, 1½ miles south of St Albans does not incorporate a new station. The introduction of faster and more frequent services on the Thameslink and Great Northern routes, following electrification, has stimulated rail use. This effect is likely to be further enhanced by the creation of additional through journey opportunities, and direct access to the Channel Tunnel Rail Link, which will result from the completion of the Thameslink 2000 project.
- 4.12 A small area in the north west corner of Hertsmere is served by Garston Station on the Watford – St. Albans line, operated by Silverlink Train Services. Hertfordshire County Council is investigating the scope for enhanced services in this corridor, including the possibility of conversion to light rail operation as part of the Central Herts Passenger Transport System.
- 4.13 The Council has little direct influence on the provision of rail services and facilities. It will, however, continue to press for, and support, improvements which will benefit the Borough. Improvements to Elstree and Borehamwood Station could be carried out during the Plan period. The Council supports the provision of a new station building, better provision for people with disabilities and parents with prams and better interchange facilities for those arriving by bus and cycle. The Council will also

press for appropriate improvements to Potters Bar and Radlett Stations as part of the Thameslink 2000 proposals.

- 4.14 Improving passenger transport is critical if we are to reduce car usage. This will involve co-ordinated action by a number of agencies. The Council will seek to encourage the provision and maintenance of a pattern of bus and rail facilities which are responsive to local needs and provide for the travel requirements of all potential users, and will in particular encourage measures to improve the integration of services.

**Policy M10: Passenger Transport Facilities**  
Improvements to passenger transport facilities and interchange arrangements between different modes of transport will be supported at the three rail stations in the Borough, and at other facilities and locations which attract a significant number of visitors such as shopping centres, sports and leisure centres, and other public buildings.

Those responsible for the design and maintenance of road schemes and junction or road improvements must take into account the operation of buses.

**Policy M11: Passenger Transport Enhancement**  
The Council will seek developer contributions to secure improvements to the extent and frequency of passenger transport services where these are necessary as a result of development proposals and will work with the County Council and service providers to deliver such improvements. Where the opportunity arises the Council will also seek service improvements to existing sites that generate significant levels of car borne journeys.

### **The Highway Network**

- 4.15 It is the objective of the County Council, as the local highway authority, to channel motorised traffic onto appropriate routes within the highway network which comprises a hierarchy of roads from motorways downwards. The Council supports this approach. The principal categories are defined below:

**(a) Primary Routes** (defined on the Proposals Map as Strategic Motorways or Primary Trunk Roads):

These are roads which form the links between the most important traffic origins and destinations. Primary routes consist of motorways, trunk roads and the more important County 'A' roads. They will usually be built to a 70 mph (120 kph) standard. Primary routes other than motorways can be identified by their green backed signs. They form the County's advisory lorry route network and generally avoid urban areas and other settlements.

Developments requiring direct access onto a primary route will be permitted only in very special circumstances.

**(b) Main Distributor Roads** (as defined on the Proposals Map):

(i) Urban Main Distributor Roads - These are the main roads which distribute traffic within towns around Town Centres and link Town Centres and main industrial areas to the Primary Route Network.

(ii) Rural Main Distributor Roads - These roads connect the main towns to the Primary Route Network and link neighbouring towns.

Main distributor roads consist of those County 'A' roads which do not form part of the Primary Route Network and are identified by white-backed signs.

**(c) Secondary Distributor Roads** (as defined on the Proposals Map):

(i) Urban Secondary Distributor Roads - These roads connect important urban neighbourhoods to each other and to the Main Distributor Roads, and form the distributor routes through large residential areas. Secondary Distributor Roads will normally be classified 'B' roads, and it is appropriate for these to be bus routes.

(ii) Rural Secondary Distributor Roads - These connect the important rural settlements to each other and to the Main Distributor Road network. They are the main access routes to rural areas and are classified 'B' roads. Through traffic is discouraged from using them.

**(d) Local Distributor Roads, Access Roads and Other Parts of the Highway Network:**

These are all the remaining roads in the highway network. They are mainly local residential roads and rural roads providing direct access to the developed areas of the Borough or (in the case of rural roads) providing connecting routes between small communities. These are the roads in the Borough where there is greatest scope for encouraging lower traffic speeds to favour the non-motorised user and re-allocate space to help these users. The generally unmetalled parts of the highway network not used by motorised vehicles are dealt with in the rights of way paragraphs of this section.

4.16 The County Council's 'Roads in Hertfordshire - A Design Guide' sets standards for all highway provision and improvements carried out by developers in connection with their proposals. The standards aim to ensure that the movement of people and vehicles in and around developments is catered for in a safe and environmentally friendly way with due regard for the character of the area. A developer will need to satisfy the local highway authority on the provision of adequate access in each case and ensure that the full traffic effects of the development are catered for.

4.17 Development proposals will be examined to establish whether their effect on the highway network can be accepted and to ensure that access arrangements are constructed to a safe and adequate standard. Occasionally, improvements to the highway to mitigate the effects of movements that will be generated by a development will be sought from the applicant / developer who may be required to enter into a planning obligation to ensure that these works are carried out. New residential roads will need to comply with the guidance set out in 'Roads in Hertfordshire - A Design Guide'. Furthermore, in the interests of highway safety the County Council is suggesting that residential estates should be designed to enable the introduction of 20 mph zones at the outset. The Council supports this initiative.

**Policy M12: Highway Standards**

**Development proposals should comply with the advice set out in the County Council's 'Roads in Hertfordshire - A Design Guide' (or as amended). Where appropriate, contributions may be sought via planning obligations for off-site highway works, demand management and other non-car based transport improvements. The formation of a vehicular access directly onto a primary route can only be permitted after consultation with, and the agreement of, DETR and the Highways Agency.**

**In considering all planning applications for development, particular regard will be paid to the following criteria:-**

- (i) the compatibility of the proposal with the movement and transport policies set out in this Plan and the Hertfordshire Structure Plan Review 1991-2011;**
- (ii) the adequacy of any proposed vehicle access and the likely impact of any associated traffic generation on the local road network and the environment of the locality;**
- (iii) the adequacy within the site of space for the circulation, parking, manoeuvring and loading and unloading of commercial vehicles.**

4.18 A Transport Assessment (TA) may be required in respect of proposals that are viewed as having a material impact on traffic patterns or highway safety in the locality. In any event a TA will be required in the following instances:-

- housing developments for more than 200 dwellings;
- retail developments exceeding 2000 sq. metres gross floor area;
- office developments exceeding 5000 sq. metres gross floor area;
- industrial / warehouse developments exceeding 5000 sq. metres gross floor area; and
- sports centres, leisure complexes and golf courses.

4.19 On rural roads problems may arise from traffic generated by new developments. Even when the amount of additional traffic is small, the nature of rural roads could mean that a development might be detrimental to the safety and amenity of such roads, particularly if large vehicles are involved. Policy 29 in the Hertfordshire Structure Plan Review 1991-2011 will be used as the basis for determining proposals.

### **Motorways**

4.20 DETR, acting through the Highways Agency, is responsible for the M25, M1, A1(M) and the A41.

4.21 The former Department of Transport investigated the feasibility of widening the M25 and the A1(M). These projects were removed from the Roads Programme in November 1996. The Government's approach to trunk roads is contained in the document "A New Deal for Trunk Roads in England". There are no planned national schemes or trunk road proposals for the Hertsmere area.

### **Junction Improvements**

4.22 There are junctions within the Borough where traffic congestion currently has a detrimental impact on the highway network. Improvements to some junctions are required to:-

- (i) improve road safety;
- (ii) reduce traffic delays;
- (iii) improve the local environment;
- (iv) improve access to the road network; and
- (v) reduce delays for bus services.

Improvements to the following junctions are proposed:-



- A41 / B462 Hartspring Lane, also known as Red Lion Roundabout, (Bushey Package Area)
- A5183 / A411 Elstree Cross-roads, (Elstree and Borehamwood Package Area)
- B556 Harper Lane / A 5183 Watling Street, (Radlett & Rural Package Area)
- Station Road / Allum Lane / Theobald Street / Shenley Road (Elstree and Borehamwood Package Area)
- A 411 Sparrows Herne / Catsey Lane / Merry Hill Road (Bushey Package Area)

### **Freight**

- 4.23 Because of the convenience of door-to-door delivery afforded by the lorry, a considerable volume and range of freight is hauled in individual container or trailer loads by road. Much freight traffic passes through Hertsmere, particularly on the motorway network, and many drivers and their vehicles make a stop at the South Mimms (Bignell's Corner) Special Policy Area at Junction 23 of the M25 and junction 1 of the A1(M).
- 4.24 In the interests of health and amenity, the Council considers that lorry-borne through freight should remain on these primary routes. However, the Council supports further loading/unloading or dispersal arrangements (like those at the Channel Tunnel Terminal) elsewhere in the country to allow the transfer of freight, which is presently driven through the Borough, to pass through Hertsmere by train.
- 4.25 The Council recognises that lorry parking in residential areas is environmentally intrusive and will impose parking restrictions in places where it is detrimental to the amenity of residents. Hertsmere will also seek to ensure that adequate provision for overnight lorry parking is made in environmentally appropriate locations such as the South Mimms (Bignell's Corner) Special Policy Area. Where unsuitable roads are being used by heavy commercial vehicles and satisfactory alternative routes/facilities are available the Council working with the local highway authority will seek to impose local weight restrictions, lorry bans, overnight parking bans and width restrictions in consultation with the Police. Such measures are outside the direct scope of this Plan.

### **Car Parking**

- 4.26 The car is the most popular form of transport and will remain so in Hertsmere over the period of this Plan. It does though cause a variety of environmental problems. Government advice accepts that there has to be a change from the former demand-led approach. There is a Government commitment to reduce carbon dioxide emission levels to 20% below 1990 levels by the end of the Plan period. Transport contributes a significant proportion of CO<sub>2</sub> production. This Plan can play an important role in reducing car usage through the location of new development, encouragement for alternative modes of transport and the control of car parking.
- 4.27 National policy advice is seeking to encourage alternative modes of transport to the private car. Car parking restraints, particularly in Town and District Centre locations, can be seen as a way of supporting this. In Town and District Centres, and other locations with good access to alternative modes of transport, the Council may accept reduced car parking provision in new commercial development proposals where this is coupled with a contribution to improve facilities for passenger transport and other modes of transport. There needs, however, to be adequate provision for car parking where this is necessary for the operation of businesses and short-term provision for shoppers and visitors who cannot walk, cycle or arrive by passenger transport. Advice on residential development in Town and District Centres is set out in the Housing Chapter.

- 4.28 The Council is introducing measures in its Town and District Centres to improve the management of on and off street car parking provision. No new car parks are proposed as part of this Plan as it is considered that the Controlled Parking Zone policy, and other measures, will address existing problems and lead to improved management of car parking spaces.
- 4.29 Car parking policies should support the overall policies in the development plan. PPG13, paragraph 4.5 indicates that standards of provision in local plans should be set as a range of maximum and operational minimum amounts of parking for broad classes of development and location. The Borough Council will work with the County Council, as the local highway authority, other Hertfordshire Districts, adjacent Greater London Authorities and the relevant Government Offices to review the current parking standards to ensure that they accord with the advice in PPG13. In the interim, the level of provision sought in each case will be based on the policy below and supporting guidance. The current standards will be reviewed, brought forward for public comment and subsequently adopted as guidance supporting this Plan as and when changes are agreed. Planning obligations will, in appropriate circumstances, allow for periodic review, so that car parking provision on suitable sites can be reduced in the future as accessibility by non-car modes is improved. Such reductions may allow scope for additional development on some sites.

**Policy M13: Car Parking Standards**

**Car parking requirements for developments will be assessed in relation to the Council's current car parking standards as set out in approved supplementary guidance (or as subsequently amended). The actual quantity of parking within new development will be determined having regard to the proposed use, the location, and the availability of or potential for access by modes of transport other than the private car. Where on site parking is provided at a level less than the standard, the Council may require developers to enter into a planning obligation to contribute to improvements in non-car transport facilities and services.**

## ***South Mimms (Bignell's Corner) Special Policy Area (SPA)***

- 5.1 The Proposals Map shows an area adjacent to Junction 23 of the M25 where considerable development has taken place in recent years. Much of this development has occurred in an *ad hoc* manner close to a number of pre-existing uses. As a result it is poorly laid out and suffers from congestion. Resolving the problems associated with this area will not be easy bearing in mind that the existing uses are lawful. The Council can only influence matters when planning permission is required.
- 5.2 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 Plan.
- 5.3 The plan attached as Appendix 4 shows a 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.
- 5.4 The Council will 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.
- 5.5 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.

**Policy M14: South Mimms (Bignell's Corner) Special Policy Area**

The Special Policy Area is defined on the Proposals Map and remains washed over by the Green Belt. Within the defined SPA 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 in accordance with the principles set out below. The Council will prepare a detailed development brief to guide the improvement and rationalisation of the land uses within the SPA, in liaison with the relevant organisations, following a Transportation Study of the area.

Development proposals which might exacerbate existing traffic or environmental conditions, or prejudice the rationalisation and improvement of the area, will be refused. The site of Charleston Paddocks will be held in reserve for motorway related uses to assist the rationalisation of the area. The general principles to guide the brief and the determination of planning applications are:-

- (i) In the interest of users' amenity, uses primarily for sleeping, rest and refreshment purposes shall be located at least 250 metres from elevated and ground level primary road carriageways and 100 metres from such carriageways in cuttings;
- (ii) Motorway maintenance uses, where the primary element of the usage is the storage of materials, equipment, fuel and/or vehicles, together with any alterations to the road network to improve circulation, shall be located in the parts of the defined area less than 250 metres from elevated and ground level primary road carriageways and 100 metres from such carriageways in cuttings. Development in the flood plain of the Mimmshall Brook will not be permitted; and
- (iii) Proposals should, where feasible, incorporate tree planting around their perimeter to screen the site.



# Environment

## Introduction

- 1.1 This chapter of the Plan is concerned with the Borough's built and natural environment. Several of the overall objectives for this Plan set out in the Strategy chapter emphasise the need to protect and enhance the Borough's environment. This chapter sets out policies to achieve this. It recognises that success will depend on the co-ordinated action of a number of organisations and agencies.
- 1.2 There are four principal national agencies concerned with conservation, preservation, protection and enhancement of the environment. On some issues, and at some sites, their interests will overlap. They, and their main areas of concern, are:
- **Countryside Agency** - which works to conserve and enhance the beauty of the English countryside and to help people to enjoy it.
  - **English Heritage** - which provides advice on the protection of the historic environment and manages historic properties for all to value and enjoy.
  - **English Nature** - which promotes the conservation of wildlife and natural features.
  - **The Environment Agency** - which deals with waste regulation; pollution; water, drainage and flood defence matters.
- 1.3 The Countryside Agency and English Nature have produced joint advice on conservation issues in relation to Development Plans. They advocate an integrated and environmentally led approach. Aware of social and economic needs, the agencies accept that change will occur and that finding a balance between development pressure and environmental needs will sometimes be necessary. They "...do not want to stop development, but rather to encourage the right type in the right place"<sup>4</sup> and recognise that the planning system is one of the best ways of integrating conservation and development. The Council endorses this approach. It usefully summarises the aim to promote sustainable development which underpins this Local Plan. The approach of the Environment Agency to conservation and development issues is very similar. Policies relevant to issues covered by the Environment Agency are generally addressed in the Development Chapter although there is some overlap concerning wetlands and related issues.
- 1.4 As with other issues involved in sustainable development, the aim is to live today without compromising the resources we hand on to future generations. In this chapter the topic is our environmental heritage. This wide-ranging term includes the natural heritage of species and ecological features, the landscape heritage of our countryside and the built heritage of archaeological remains, ancient monuments, listed buildings, areas of architectural or historic interest and historic parks and gardens. In short it is all that has been passed to us by previous generations.

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<sup>4</sup> Quote from page 4 of "Conservation Issues in Strategic Plans" CP420 ISBN 0 86170 3839.

- 1.5 Such assets are often difficult to establish but easy to destroy. The general principle should therefore be caution. A second principle should be to prevent further destruction and, as stated by English Nature, "we should hand on to future generations a heritage of wildlife and natural features at least as rich, diverse and widespread as we inherited".
- 1.6 The Countryside Agency, English Heritage and English Nature advise that planning authorities should establish environmental limits and thresholds. To achieve this they suggest that:-
- key or essential environmental resources considered essential and irreplaceable (where any loss or damage would be extremely serious) should be regarded as **critical environmental capital**.
  - places where there is a need to maintain the overall character and quality of the environment, but not necessarily its current make-up (where a balance between environmental considerations and the needs of social and economic development may be acceptable) should be regarded as **constant environmental assets**.
- 1.7 Having regard to these principles, the Borough Council will seek to:-
- safeguard environmental and heritage resources;
  - assess the capacity for, and consequences of, change (environmental capacity) and make it a key consideration in decision making;
  - integrate environmental and conservation issues into all aspects of land use and development planning;
  - seek to maintain and enhance the quality and character of the environment as a whole; and
  - promote a greater understanding of, and facilitate access to, our natural and built heritage.

## ***Nature Conservation***

- 2.1 Planning Policy Guidance Note 9 'Nature Conservation' sets out central government advice on nature conservation while other PPG's (such as PPG2, PPG7 and PPG12) are also relevant, particularly where nature conservation issues overlap or conflict with other concerns. The government's objectives for nature conservation as stated in paragraph 2 of PPG9 are:-

"to ensure that its policies contribute to the conservation of the abundance and diversity of British wildlife and its habitats, or minimise the adverse effects on wildlife where conflict is unavoidable, and to meet its international responsibilities and obligations for nature conservation."

An important element of this is the wider commitment to biodiversity, which PPG9 defines as "the sum total of life's variety on earth". At the UN Conference on Environment and Development at Rio de Janeiro in 1992 the British Government signed the Biodiversity Convention. The maintenance of biological diversity is a key aspect of sustainability at local, national and international levels. In 1994 the Government published 'Biodiversity: The UK Action Plan'. Subsequently, 'Biodiversity: The UK Steering Group Report' recommended production of local biodiversity action plans. This is now in place for the County with the launch in 1998 of the Herts. and Middlesex Wildlife Trust's 'A 50 Year Vision for the Wildlife and Natural Habitats of Hertfordshire'. This document is useful in identifying a carefully chosen set of habitat types and a number of endangered species where particular action is required. Successful nature conservation usually depends upon, and

benefits from, partnerships which are ideally formed from as diverse a range of groups, organisations and individuals as possible. The Council supports this vision and welcomes joint working to help realise its fulfilment.

- 2.2 PPG9 advocates that nature conservation aims should be taken into account in all planning activities which affect rural land use, and in urban areas where there is wildlife of local importance. Bodies such as English Nature, the Royal Society for the Protection of Birds, the Herts. & Middlesex Wildlife Trust and the Hertfordshire Biological Records Centre all have their roles to play, particularly in information collection and maintenance and providing advice.
- 2.3 The basis of national nature conservation policy is the protection and promotion of habitats for wildlife through a hierarchy of recognised designated sites. At the highest level are sites of international importance, while at the opposite end of the spectrum are sites of local importance. An approach based upon a hierarchy like this has some important drawbacks as it fails to take account of vital considerations such as public accessibility to nature conservation sites. However, this strategy does provide a means of protecting the most important sites.
- 2.4 The Wildlife and Countryside Act (1981) provides that English Nature shall notify the Council, and owners and occupiers, of any land that it considers is of special scientific interest. Such designated areas of land are known as Sites of Special Scientific Interest (SSSI's). Development within or adjacent to SSSI's is subject to the provisions of the Town and Country Planning (General Permitted Development) Order 1995. Hertsmere has two designated SSSI's - Redwell Wood is an ancient woodland and there is a geological formation at a former quarry site near South Mimms Castle. There are Local Nature Reserves (LNR's) at Furze Field Wood in Potters Bar, Fisher's Field in Bushey and Hilfield Park Reservoir, the latter of which appears to be of national importance for its birdlife. The indications are that this site may well meet the criteria for designation as a further SSSI but English Nature has given a low priority to further designations of new SSSI's in recent times since their resources have been concentrated on achieving positive management of existing SSSI's and on designating sites of international importance. Other SSSI's may be designated as they pass the threshold used by English Nature in assessing the interest of such sites. These will be regarded as part of the Borough's critical environmental capital.
- 2.5 One of the sustainable development aims of this Plan is to "have regard to the precautionary principle where the potential damage to the environment is uncertain and significant". This concept is reiterated in paragraph 1.5 above and is considered highly important as a guiding principle in the protection of natural assets, including nature conservation sites.

**Policy E1: Sites of Special Scientific Interest**

**In the interest of protecting nationally important scientific sites, development will not be permitted on the Sites of Special Scientific Interest shown on the Proposals Map, nor on others which English Nature may subsequently notify, nor on land adjoining or adjacent to such areas where it would be likely to have an adverse effect on the SSSI, unless the Council is satisfied that the development will not have damaging impacts on wildlife habitats or important physical features. Any proposals for development will be subject to special scrutiny and referred to English Nature for advice.**

- 2.6 A county-wide 'habitat survey' was completed in 1998 by the Herts. & Middlesex Wildlife Trust in conjunction with the Hertfordshire Biological Records Centre. The Council welcomes, and continues to support, this initiative which was crucial to

establish base line ecological information. The Habitat Survey for Hertsmere Borough is a material consideration in the determination of development proposals and will be used as non-statutory guidance. This work identifies in detail areas for protection and enhancement in Hertsmere. In particular, the survey is being used to identify sites which have wildlife interest. The Wildlife Sites are identified on the Proposals Map. They represent sites of substantive importance for nature conservation as cited in PPG9 (these are sometimes known as SINC's - Sites of Importance for Nature Conservation). They can comprise areas or specific places where protected species are known to exist - the latter are noted with a 'W' on the Proposals Map. These sites are those of County / District importance only. Therefore, the sites with these species, but of less than County / District importance, are not shown on the Proposals Map. The Wildlife Sites (and Protected Species Sites) form the primary element of the Council's positive initiative to promote nature conservation in Hertsmere. These will generally tend to be sites with less habitat value than those already designated as LNR's or SSSI's but nevertheless hold some importance through their accessibility, potential or existing habitat value, for education or for habitat enhancement, and are regarded as critical environmental capital. The Wildlife Sites and Protected Species Sites shown on the Proposals Maps represent those designated and known to the Council at the time the Local Plan was produced. Inevitably, changes will affect these during the lifespan of the Local Plan. In order to reflect these changes and maintain an up-to-date record of important ecological sites the Council will produce and regularly review Supplementary Planning Guidance to schedule and map the Wildlife Sites and Protected Species Sites.

- 2.7 The Habitat Survey for Hertsmere Borough is closely linked with 'A 50 Year Vision for the Wildlife and Natural Habitats of Hertfordshire (A Local Biodiversity Action Plan)' and the latter will also be a material consideration in the determination of development proposals and used as non-statutory guidance.
- 2.8 Hertfordshire also has the Hertfordshire RIGS Advisory Group, concerned chiefly with our Regionally Important Geological / Geomorphological Sites (RIGS). There are three sites designated as RIGS in Hertsmere, two of which are on the edge of Radlett with a third near Shenley. Government advice within PPG9 recognises the value of these as supplements to formally designated geological SSSI's, and for their educational, historic and perhaps cultural value. These can also be associated with important wildlife sites, as is the case with one site in Hertsmere. Since these are irreplaceable they merit the same recognition and protection as the Wildlife Sites and thus represent critical environmental capital. In recognition of this value Policies E2 and E5 seek to control any development affecting these sites. While the submission of an environmental statement will be a requirement for development affecting any sites of substantive importance for nature conservation this is also encouraged for proposals affecting the other kinds of sites dealt with in this section as good practice and it will assist in the determination of development proposals.
- 2.9 The Council recognises both the need to protect and enhance its designated sites, and those of interest without any official designation. Accordingly the Council will resist developments which would adversely affect sites of ecological or geological importance, seek to identify new sites and, where appropriate, improve public access to areas of interest. Furthermore, green links or wildlife corridors between sites can greatly enhance the quality of individual sites as natural habitats. Sites and green links without the benefit of statutory or non-statutory designations should not be overlooked for their value as natural habitats. These sites and links are particularly valuable in urban areas. They can be recognised and designated locally with other non statutory sites or links for protection and enhancement. The real value of such areas is often their continuity, and it is therefore the integrity of these links which frequently needs safeguarding to retain the benefit they provide both for



wildlife and for local people. River corridors are good examples. Together these various sites and designations are referred to as Nature Conservation Sites.

**Policy E2: Nature Conservation Sites – Protection**  
Development which could have an adverse effect on a Local Nature Reserve, a Wildlife Site or a Regionally Important Geological / Geomorphological Site, as identified on the Proposals Map or as identified by any future studies and published as non-statutory guidance, will not be permitted unless it can be clearly demonstrated that there are reasons for the proposal which outweigh the need to safeguard the nature conservation or geological value of the site. Where proposed development could have an adverse impact on such a site the submission of an environmental statement will be required with the application. Where such development is permitted the Council will seek to ensure that any necessary measures are taken to mitigate and compensate for any damage caused. Such measures must be within the control of the developer and subsequent site owner(s) or operator(s).

Note: The Council will not require the submission of an Environmental Statement of the form necessary under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, unless these regulations require such a statement. The statement should include information on the present state of, and possible or likely effects on:-

- (i) nature conservation interests including both habitats and species;
- (ii) water and air quality;
- (iii) hydrology; and
- (iv) the geological or landform features of the site, including soils and all vegetation.

The statement should also address:-

- any residues or emissions and disposal/dispersal methods for them; and
- any energy issues including noise, vibration, heat, light and radiation.

- 2.10 While there is legal protection for certain species of flora and fauna under the Wildlife and Countryside Act 1981, badgers are protected under the Badgers Act 1992. In addition the EC Council Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (Directive 92/43/EEC) requires the UK Government to protect such species of flora and fauna and certain habitat types in accordance with articles 12-16. This local planning authority will consult English Nature for advice and guidance at an early stage on any development proposals affecting protected species. Landowners and developers are, therefore, advised to also seek English Nature's early advice when considering any development proposals which may affect protected species. While the policies of this section aim to prevent damaging developments and provide certainty to developers as far as possible, in any instances where such proposals can be justified the approach will be to seek minimisation of any harm and re-creation or replacement as appropriate through the use of conditions attached to any planning permission granted and / or planning obligations.

**Policy E3: Species Protection**  
Planning permission will not be granted for development which could have an adverse impact on badgers or species protected by Schedules 1, 5 or 8 of the Wildlife and Countryside Act 1981, as amended, unless it can be clearly demonstrated that there are reasons for the proposal which outweigh the need to maintain the unaltered and undisturbed habitat of

the affected species. Where proposed development could have an adverse impact on such species the submission of an environmental statement will be required with the application. Where such development is permitted the Council will seek to ensure that any necessary measures are taken to:

- (i) facilitate the survival of the species; and
- (ii) minimise disturbance; and
- (iii) provide adequate alternative habitat(s) to sustain at least the current levels of population.

Such measures must be within the control of the developer and subsequent site owner(s) or operator(s).

#### **Policy E4: Features of Major Importance for Nature Conservation**

Developments which are likely to adversely affect any features listed below which are of major importance for wild flora and fauna will only be permitted if it can be shown that the reasons for the development outweigh the need to retain the feature(s). In such instances either suitable mitigation, reinstatement or replacement of the feature(s) will be sought and the ability or otherwise to do this will be considered as part of the planning decision. Such measures must be within the control of the developer and subsequent site owner(s) or operator(s). In appropriate instances the submission of an environmental statement will be required to accompany such an application.

#### **List of Features**

**Hedgerows, linear tree belts, plantations and woods, green lanes, river corridors (including banks), ponds (excluding private garden ponds) and lakes, urban wildlife corridors / green links or chains.**

- 2.11 There is a need to promote the interest of existing sites through appropriate and sensitive management and to explore opportunities for further habitat creation or restoration and the subsequent protection of the sites. The Community Forest initiative is an important, but not the only, opportunity for creating new habitats (in appropriate locations) and this aim is set out in the approved plan for Watling Chase. The Borough Council also aims to encourage other landowners to enter into management agreements with Hertsmere to foster the conservation interest of sites with the preparation of joint management plans to guide these.
- 2.12 It is important to appreciate that substantially improving the habitats and ecology of the Borough cannot be achieved overnight. The adopted strategy needs to be achievable and realistic, recognising and valuing existing assets, while promoting new habitat creation by direct action, where possible, and seizing opportunities through other means, such as the development process, as they arise.
- 2.13 Certain forms of development or activity may be carried out without the need for planning permission under 'permitted development' rights. The Council can, subject to confirmation by the Secretary of State for the Environment, Transport & the Regions, bring these within planning control by making an 'Article 4 direction' specifying the particular development or activity which it considers should not enjoy permitted development rights. Where necessary, the Council will take appropriate measures to protect ecologically sensitive or valuable sites, or green chains.

**Policy E5: Nature Conservation Sites - Management, Enhancement and Access**

The Council recognises the educational and wider community benefits associated with nature conservation and will seek to realise opportunities for habitat creation, retention and sensitive management, particularly within urban areas. Where possible appropriate forms and levels of access to nature conservation sites will be encouraged. Where appropriate sites will be designated as Local Nature Reserves, Wildlife Sites, RIGS, or green links / chains. In particular, sites connecting any areas of wildlife importance will similarly be identified, provided with interpretative material, managed and enhanced. Within nature conservation sites which are considered to be at risk the Council will, in appropriate cases, seek to enter into appropriate management agreements with the owner or operator and / or another appropriate body.

**Policy E6: Nature Conservation Sites - Opportunities Arising from Development**

Where landscaping schemes are sought in connection with a development proposal the incorporation of measures to promote habitat creation or enhancement will be encouraged. Where possible and appropriate, native species of plants, shrubs and trees should be used to foster wildlife interest. Ideally such planting should be of local provenance where this is possible.

## ***Trees and hedgerows***

- 3.1 Trees, hedgerows and other landscape features add variety to urban and rural landscapes, form wildlife habitats, provide a setting for buildings, screen eyesores, define boundaries, provide shade and can form a useful economic crop. They enhance our enjoyment of our surroundings and are an important, visual, economic, ecological and historical resource. There is a need to ensure that this resource is retained, protected and enhanced. The following policies seek to ensure that:-
- healthy existing trees and hedgerows are retained;
  - that developments have regard to existing trees, hedgerows and other landscape features;
  - the objectives of the Watling Chase Community Forest are supported;
  - appropriate new planting is carried out wherever feasible.
- 3.2 Other policies in this Plan seek to make the best use of previously developed sites. There is a need to ensure that this does not conflict with the above objectives. DETR publication "Tree Preservation Orders A Guide to the Law and Good Practice" sets out the relevant national policy advice and advises local authorities on good practice. It is important that consideration is given to the retention of trees and other landscape features throughout the development process.
- 3.3 To help achieve this, on sites containing existing trees or where existing trees on land adjoining a site are likely to be affected, a site survey should be provided to enable the full effects of the proposals on the trees to be assessed. The survey must provide the following information:-

- the location of all trees, hedgerows and areas of shrub planting, including those on adjoining land where root or branch systems may be affected by the proposals;
  - species, heights, trunk girth, crown spread of each existing individual tree or group of trees and hedges;
  - age, condition, vigour and amenity value of the existing trees;
  - a clear indication of which trees/hedges are to be removed, those to be retained and measures for protection during the development;
  - information about the existing and proposed levels in the vicinity of trees/hedges to be retained.
- 3.4 Attention is drawn to BS.5837: 1991 'Trees in relation to Construction' and supplementary planning guidance will be prepared by the Council.
- 3.5 The design of the development must allow for the future needs of the trees and hedgerows and the site user. This will require allowance to be given to the future growth of the roots and crowns and ensure that the long term health of trees and hedgerows is not endangered by water deprivation. Developers are urged to consider landscaping as an important and integral part of their design brief for the site. Where development is approved which would result in the loss of trees and or hedgerows, replacement planting will be required which maintains and, wherever possible enhances, the landscape and ecological value of the site.
- 3.6 Where appropriate, the Council will make Tree Preservation Orders in respect of healthy trees which are of amenity value, and will not hesitate to use its powers to ensure that these trees are retained and protected. Similarly it will use its powers under the Hedgerow Regulations 1997 (and any successive legislation) to protect hedgerows in the Borough.

**Policy E7: Trees and Hedgerows - Protection and Retention**

**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. When permission is given to remove existing trees subject to Tree Preservation Orders replacement planting will be required. The Council will also use its powers under the Hedgerow Regulations 1997 (and any successive legislation) to protect hedgerows.**

**Planning permission will be refused for development which would result in the loss, or likely loss, of any healthy trees and/or hedgerows which make a valuable contribution to the amenity of the area in which they are located unless the benefits of the proposed development outweigh the amenity value of the tree and/or hedgerow. If development is approved which would result in the removal of trees and/or hedgerows, equivalent and appropriate replacement planting will be required.**

**Policy E8: Trees, Hedgerows and Development**

**On development sites where existing trees and/or hedgerows are to be retained and/or new planting provided it will be a requirement that:-**

- (i) the proposals provide sufficient space between trees and/or hedgerows and buildings, roads/footpaths and parking areas to enable the implementation of the development to take place without**

**affecting the existing and proposed landscape features and ensure that their health is not endangered by water deprivation;**

- (ii) existing trees, which are removed to enable the development to take place, are replaced by two trees for every one removed within the landscape scheme for the site. Adequate attention shall be given to the species and the spaces required for these trees to mature within the overall layout of the development. Appropriate replacement planting will also be required for any hedgerows which are removed to enable the development to take place;**
- (iii) the location of all site works including storage of materials and the location of services (i.e. gas, electricity, water, drainage, communications cables) shall not directly or indirectly damage or destroy any trees or hedges to be retained; and**
- (iv) adequate protection shall be provided throughout the period of construction to protect trunks, root systems and limbs from damage. Where appropriate, details of fencing or other protection measures will be required for approval before any works commence on site.**

**Development proposals should ensure that sufficient land is provided for additional planting and landscaping. Existing wildlife habitats, ecological, topographical and landscape features; including trees, hedges, shrubs, water features and walls; should be retained and utilised in the new scheme.**

## ***Archaeology***

- 4.1 There should be maximum protection for archaeological sites in the Borough. Since pre-Roman times the area has been crossed by ancient routes. The Great North Road passes through Potters Bar (a settlement which derives its name from Roman potters) where a Roman kiln was discovered in 1953. Watling Street, which follows the line of the Roman road from Canterbury, through London and St Albans to Wroxeter, has many Roman sites nearby. Most of Hertsmere's smaller towns and villages have historic origins and where these form a definable area they are noted on the Proposals Map. Also of note is the site of the Battle of Barnet (AD 1471) a small part of which is in Hertsmere. The Borough has a number of moated sites and the medieval route from the City of London to Holyhead passes through what are now little used country lanes. More recent commercial and industrial developments may also be sites of archaeological interest.
- 4.2 Archaeological remains are a non-renewable resource and have an important role to play in education, tourism, leisure activity and in developing a sense of local identity. They are not always stand-alone sites but are often elements in the wider historical landscape. Working with other bodies such as English Heritage and the County Archaeological Unit, the Council will promote appropriate management and enhancement of archaeological sites and encourage accessibility and interpretative facilities for educational and recreational purposes.
- 4.3 The Ancient Monuments and Archaeological Areas Act 1979 requires the Secretary of State for Culture, Media and Sport to compile and maintain a schedule of monuments. Once included in the schedule the monuments are protected under the terms of the Act. There are currently four monuments in Hertsmere although the Monuments Protection Programme may result in further monuments being scheduled. The present Scheduled Ancient Monuments are shown on the

Proposals Map and are regarded as part of the Borough's critical environmental capital. They are:-

- a moated site at Bushey Hall Farm, Bushey;
- a moated site at Penne's Place off Butterfly Lane, Aldenham;
- a motte & bailey castle at South Mimms;
- Roman remains on Netherwyld Farm, Aldenham.

Not all nationally important remains are scheduled and the Council will also afford the highest level of protection to those that are not scheduled.

- 4.4 Where developments are likely to affect sites of known or anticipated archaeological potential, developers will be required to submit as part of a planning application the results of a desk-top assessment and, if necessary, of a field evaluation of the site. Early appraisal is the key to minimising the impact of development on an archaeological site. The Council may require proposals to be modified or may refuse to grant planning permission where assessment indicates the existence of important remains. PPG16 'Archaeology and Planning' stresses that preservation *in situ* is nearly always to be preferred to preservation by recording; developers will be required to have regard to this advice in formulating their proposals. Where planning permission is granted a developer will be required to secure a programme of archaeological investigation in accordance with a written scheme approved by the Council. When archaeological remains are discovered during the course of works, the Council may seek expert advice to determine the appropriate course of action.
- 4.5 Developers and their advisors should refer to the Sites and Monuments Record (SMR), maintained by Hertfordshire County Council, for information on a particular site. The SMR is a detailed record of all the known archaeological sites in the Borough (and in the County). The County Planning Archaeologist should be consulted by all those considering development proposals.

**Policy E9: Archaeology - Assessment of Sites**

Where a proposal for development may affect remains of archaeological significance, or may be sited in an area of archaeological potential, developers will be required to undertake an archaeological field assessment and submit a report on the findings to the local planning authority before a planning application is determined.

**Policy E10: Archaeology - Nationally Important Sites**

Planning permission will not be granted for development that will adversely affect Scheduled Ancient Monuments, or other nationally important archaeological sites and monuments, or their settings.

**Policy E11: Archaeology - Sites of Less than National Importance**

Planning permission will only be granted for development which affects archaeological remains of less than national importance or their settings, if the merit of the development outweighs the importance of the remains. If planning permission is given for development which would affect remains, conditions will be imposed to ensure that the remains are properly recorded, and where practicable, preserved and enhanced, and the results analysed and published.

## ***Historic Buildings***

- 5.1 The protection of Hertsmere's unique stock of buildings, which contribute significantly to the quality of the built environment, needs to be given high priority, whether in respect of individual properties or groups of buildings. The Planning (Listed Buildings and Conservation Areas) Act 1990 provides the legal framework under which the Council exercises its responsibilities for 'special controls in respect of buildings and areas of special architectural or historic interest' (Conservation Areas). Owners and occupiers of listed buildings and buildings in Conservation Areas have the obligations of good stewardship to keep their buildings in proper repair and to comply with the special legislation affecting them.
- 5.2 In August 1985 the Department of the Environment published a new Statutory List of Buildings of Special Architectural or Historic Interest in Hertsmere and, with subsequent deletions / additions, there are currently 336 buildings, structures or objects in the list. Grade I buildings include a 17th Century country house and two medieval churches. The Grade II\* and Grade II buildings range from places of worship and country houses through small residential buildings, public houses and agricultural buildings to walls, memorials, milestones and coal duty markers. The list is prepared with advice from English Heritage and additions to it may be made where particular buildings are of sufficient merit. The Council considers that these buildings are part of the Borough's critical environmental capital.
- 5.3 The Council will seek to have further buildings that it considers to be of special architectural or historic interest added to the Statutory List and will serve Building Preservation Notices or, subject to the approval of the Secretary of State, make Article 4 Directions where such buildings are under threat of demolition or inappropriate extension or alteration.
- 5.4 Because of the national importance of its listed buildings included in the Statutory List and its obligations under the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council will prosecute any person executing or causing to be executed unauthorised works for the demolition or part demolition of a listed building or for its alteration or extension in any manner adversely affecting its character. The Council will issue a listed building enforcement notice to require the restoration of a listed building to its former state, or for the execution of such other works as may be specified, where works which have not been authorised have been, or are being executed to the building, and which adversely affect its character.
- 5.5 Any proposal for demolition of a listed building, or for alteration or extension that affects its character as a building of special architectural or historic interest, requires an application to be made for listed building consent. The Council will also require submission of a simultaneous planning application for any replacement building or proposed work. There is a presumption that a building will be carefully repaired and maintained for future generations to experience and enjoy and the Council expects proposals for appropriate works to support any planning or listed building consent application.
- 5.6 Where appropriate, the Council may require historic materials and/or components arising from demolitions or other works to historic buildings to be set aside and re-incorporated in alteration works to the building or disposed of to a bona fide architectural salvage firm.

- 5.7 Applications for listed building consent for complete or substantial<sup>5</sup> demolition will be assessed using the criteria set out in paragraphs 3.5 and 3.19 and, inter alia, paragraphs 3.16 - 3.18, of PPG15. The Council will rigorously apply these criteria and will expect any application to be accompanied by independent expert assessment as justification for the proposal.

**Policy E12: Listed Buildings - Demolition**

**Listed building consent will be refused for total or substantial demolition of a listed building or structure unless evidence is submitted to clearly demonstrate that retention in its existing or in an alternative use, is not practicable.**

**An application for demolition of a listed building where subsequent redevelopment is intended will not be considered unless a suitable replacement has been designed and submitted as a simultaneous planning application.**

**Policy E13: Listed Buildings - Alteration and Extensions**

**Listed building consent will be refused for alterations or extensions that would be detrimental to the special architectural or historic character of a listed building.**

- 5.8 PPG15 states that the best use of an historic building is the purpose for which it was originally intended. Changes in use may result in significant alterations being needed, for example to meet fire escape requirements; increased intensity of occupation may affect the setting of a building because of demand for additional car parking space. However, the Council recognises that in exceptional circumstances the future of a listed building can be most effectively secured by a new, appropriate use.

**Policy E14: Listed Buildings - Changes of Use**

**The change of use of a listed building will be supported where :-**

- (i) the use will be appropriate to and assist in preserving the building and will not be detrimental to the character or setting of the building; and**
- (ii) it will not be prejudicial to the character or setting of adjacent historic buildings, whether listed or not.**

**Repairs and Works to Listed Buildings**

- 5.9 The primary responsibility for the good repair and maintenance of a listed building, and for making sure that, where necessary, works proposed to it are authorised by the local planning authority, rests with its owners. Recommendations on such works should be obtained at an early stage from a suitably qualified professional advisor and, if appropriate, from the Council. To ensure the integrity of all listed buildings in the Borough the Council wishes to work with owners to establish relevant maintenance programmes; routine inspections may, from time to time, be made by officers of the Council.

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<sup>5</sup> 'substantial' is a matter of fact and degree in each case but lesser work may of itself require listed building consent as affecting the character of the building.



- 5.10 The Council recognises that the retention or replacement of unusual features may require high levels of skill and specialist techniques. The cost of these may be beyond the resources of the owners or occupiers and, subject to the availability of finance, where the Council is satisfied that the expenditure is justified, it may provide assistance by grant or loan. Payment of any grant or loan may be withheld if the quality or adequacy of the work is unsatisfactory. The Council will normally expect such work to be under the direct control and inspection of an architect experienced in the repair and restoration of historic buildings.
- 5.11 Under the provisions of the Act where a building, or parts of it, are in disrepair the Council may serve an Urgent Works Notice relating to those parts that are unoccupied and itself carry out the required repairs, reclaiming the costs from the owner. Where disrepair occurs to an occupied building the Council will require essential repairs to be carried out by service of a Repairs Notice and, in exceptional circumstances, may consider compulsory acquisition of the building.

**Policy E15: Listed Buildings - Repairs**

**If it appears that reasonable steps are not being taken to preserve a listed building, notice may be served on the owner to ensure that any necessary repair and maintenance works are carried out.**

**Development Affecting Listed Buildings**

- 5.12 New development within the curtilage of, or affecting the setting of, a listed building needs to be designed with particular care and sensitivity and the Council will expect the highest standards of design and professional expertise to be employed on projects affecting the setting of listed buildings. Although certain classes of development may be carried out without the need for planning permission, the Council can, subject to confirmation by the Secretary of State for the Environment, Transport and the Regions, bring these within planning control by making an Article 4 direction under the Town and Country Planning (General Permitted Development) Order 1995. The Council will make an Article 4 direction where the carrying out of permitted development works would be detrimental to the setting of a listed building.

**Policy E16: Listed Buildings - Development Affecting the Setting of a Listed Building**

**Planning permission will be refused for any development which would materially harm the setting of, or endanger the fabric of, a listed building.**

**Detailed Work to Listed Buildings**

- 5.13 The maintenance of listed buildings requires expert advice and knowledgeable workmanship. The Council wishes to encourage owners or occupiers to consult the appropriate technical or research organisation and the Planning Unit for advice on the specialist techniques and materials that may be necessary for proper and effective repair.
- 5.14 From time to time, alterations to listed buildings may be necessary. However, such work demands a correct and scholarly approach and skilled workmanship at all stages, whether in precisely matching style or vernacular idiom or modern contrast. Even changes to ironmongery, surface finishes or the installation of services can damage a listed building. In order to properly consider proposals relating to or affecting a listed building, the Council will require applicants to submit detailed survey drawings of the building and/or site, or part thereof, to an appropriate scale and sufficient drawings, specifications or other means, such as photographs, to clearly demonstrate the effect of proposed changes. Where listed building consent

is granted the developer will be required to provide to the Council a record of the fabric of the building and of any structure of archaeological interest before commencement of work.

- 5.15 The Council will, within available resources, offer advice on the repair and maintenance of historic buildings; such advice may be provided by the publication of specific leaflets or advice notes. The Council will also seek to ensure that where consent is granted for alterations or extensions to listed buildings the standard of craftsmanship to be employed will be appropriate and that the details, components and materials to be used will be of type, colour, size, quality and appearance appropriate to the particular situation.

**Policy E17: Listed Buildings - Submission of Drawings**

To enable a proposal to be fully assessed, an application for listed building consent, or for planning permission for development affecting a listed building or its setting, must be accompanied by appropriate detailed drawings and schedules or reports or other agreed documents that:-

- (i) record the building or the part of the building affected by the works;
- (ii) clearly describe in drawn and written form the exact nature of the work to be carried out; and
- (iii) show new development in relationship to the listed building and any adjacent historic structures.

- 5.16 Where work to a listed building is of an extensive, complex or particularly specialist nature, the Council will expect the building contract to be overseen by a person with appropriate specialist qualification.

**Buildings of Local Architectural or Historic Interest**

- 5.17 Buildings of architectural interest which contribute significantly to a streetscape or rural landscape, or which may be of interest because of a historic connection, may not necessarily be of sufficient merit to be included in the Statutory List. They may, of course, already lie within a Conservation Area. Such buildings can be important to the local scene, or have other local significance, and their loss or unsympathetic alteration can be to the detriment of local amenity. Where a building is considered to be of local interest and worthy of protection the Council may issue a Building Preservation Notice, make an Article 4 direction, seek its statutory listing or its inclusion in a Conservation Area. Such buildings or their settings may need particularly careful attention when considering proposals for alterations or extensions.

**Policy E18: Buildings of Local Interest**

From time to time, as resources permit, the Council will compile a list of buildings of local architectural or historic interest. They will be subject to the same conservation standards as statutorily listed buildings in so far as planning controls allow. Development proposals affecting a building included on the list will be expected to respect the appearance and character of the building and its setting.

## Conservation Areas

- 6.1 Designation of a Conservation Area, under the Planning (Listed Buildings and Conservation Areas) Act 1990, follows determination by a local authority that part of its area is "... of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance." The Council has a duty to review from time to time whether any or further parts of its area should be designated or remain designated. These may include relatively small sites where a group of buildings have particular interest. Hertsmere presently has fifteen Conservation Areas, some of which have been extended since their original designation. These are shown on the Proposals Map. The character and appearance of these Conservation Areas are part of the Borough's critical environmental capital. The areas are:-

Conservation Area	Date of Designation
South Mimms	24.03.69, enlarged 22.11.78 and 03.10.96.
Shenley	24.03.69, enlarged 22.11.78 and 27.07.88.
Letchmore Heath	06.10.69, enlarged 22.11.78.
Aldenham	22.01.73.
Bushey High Street	22.01.73, enlarged 28.06.78 and 05.02.87.
Elstree	04.08.76.
Ridge	28.06.78.
Roundbush	28.06.78.
Watling Street/Park Road/Aldenham Road, Radlett	20.04.88, enlarged 21.11.96.
Cobden Hill/Loom Lane, Radlett	20.04.88, enlarged 21.11.96.
High Road, Bushey Heath	28.03.90.
Shenley Tower	03.04.97.
The Lake, Bushey Heath	23.10.98.
Patchetts Green & Delrow	23.10.98.
The Royds, Potters Bar	25.05.00.

In consultation with amenity societies, residents and commercial firms in the locality, the Council will review which parts of the Borough are appropriate for designation as Conservation Areas. A review will include detailed assessment of the appearance and character of the area being considered for designation.

### **Conservation Area Enhancement**

- 6.2 Detailed analyses of Hertsmere's Conservation Areas will be published as a series of individual assessment studies covering such factors as the area's origins and archaeology, the architectural and historic quality and character of buildings, the special quality of developed and open spaces and important views both within and towards the area. These studies will form the basis for development control decisions and for proposals for enhancement projects. They will also be helpful in the formulation of community based village appraisals.
- 6.3 The Act places a duty on the Council "from time to time to formulate and publish proposals for the preservation and enhancement of .....Conservation Areas" and for such proposals to be subject to public consultation. The involvement of residents and commercial occupiers is considered by the Council to be an essential part of the process of "preservation or enhancement". The continuing attractiveness of the Borough's Conservation Areas depends upon the exercise of high standards of stewardship by all those responsible for public and private buildings and land.
- 6.4 The enhancement of Conservation Areas can be positively encouraged by the implementation of public works projects, such as street paving or furniture, signposts or street lighting. For example, the Council has recently carried out, in association with the County Council, enhancements in Bushey, Letchmore Heath and Shenley Conservation Areas. The Council will contribute to such works, subject to the availability of finance, and will seek funding from local organisations or enterprises where additional resources would be appropriate to the nature of the project.
- 6.5 Control over the demolition of buildings and certain other types of structures in Conservation Areas enables the local planning authority to have some means of preventing radical change to areas that should, in general, at least be preserved. Paragraph 4.27 of PPG15 advises that "The general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area." However, demolition and subsequent redevelopment may preserve or indeed enhance an area if the new structure is of suitable design. Encouragement will be given to the removal of visually unsatisfactory structures and their replacement by new development where appropriate.
- 6.6 Where redevelopment is being considered the Council will require the submission of simultaneous applications for planning permission and conservation area consent. To ensure a site does not remain vacant after demolition and become an eyesore, the Council will impose a condition on any conservation area consent, or will expect the owner of the land to enter into a planning obligation, for development to be completed within an agreed time from the grant of conservation area consent.

**Policy E19: Conservation Areas - Demolition**  
**Consent for demolition of a building or structure in a Conservation Area will be refused unless it can be demonstrated that:**

- (i) its condition is beyond economic repair; or**
- (ii) its removal or replacement would be beneficial to the character or appearance of the area.**

**Policy E20: Conservation Areas - Redevelopment**  
**Consent will not be granted for demolition of a building in a Conservation Area before a detailed scheme for redevelopment, where appropriate, has been approved. A planning obligation will be required to be entered into, or there will be a condition on any conservation area consent, for sequential timing of demolition and redevelopment.**

- 6.7 The loss of uses, or the introduction of new uses, for properties in Conservation Areas can have a considerable impact on the character of such areas. The Council will pay due regard to the effect of changes of use or development involving intensification of activity when determining planning applications in Conservation Areas. It will encourage the retention of uses or the introduction of suitable new uses that provide diversity and vitality and which contribute positively to the character of the area.

**Policy E21: Conservation Areas - Retention of Character**  
**Uses which are considered important to the character and vitality of Conservation Areas will be supported; the introduction of uses that would not preserve or enhance the character of the area will be refused.**

- 6.8 Hertsmere, as local planning authority, has a duty, as defined in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention "to the desirability of preserving or enhancing the character or appearance of that [conservation] area." This has been interpreted through the Courts as meaning that the minimum duty is to preserve. In other words any development should not cause harm to the character or appearance of the area.
- 6.9 The Council is bound by this statutory duty and will carry it out in each of its Conservation Areas. Where appropriate the Council will make Directions under Article 4(2) of the Town and Country Planning (General Permitted Development) Order 1995 to control specific classes of development.

**Policy E22: Conservation Areas - Preservation and Enhancement**  
**Where development proposals within a Conservation Area fail to satisfy the requirement to either preserve or enhance the character or appearance of that area permission will be refused.**

### **Design of New Development**

- 6.10 Replacement of existing structures or new development in a Conservation Area requires considerable skill in design and construction work to achieve preservation or enhancement of the area. Use of appropriate materials and traditional craftsmanship may be needed to harmonise with existing buildings. However, it may not be necessary or appropriate to replicate adjacent or nearby buildings. Imaginative and sensitive modern design can often complement neighbouring development and be preferable to an exact copy or a pastiche.
- 6.11 The Council expects high standards of design in all its Conservation Areas and considers it advantageous for proposals to be discussed at an early stage to enable details to be fully worked up. To assist in achieving suitable forms of development the Council will offer, resources permitting, advice to applicants and their agents on individual Conservation Area features and design matters. Where planning permission is required the Council will resist changes that cause harm to the character and appearance of a Conservation Area; these may include flat roofed extensions, loft conversions and other small scale changes which have a

cumulative detrimental effect. Encouragement will be given to the reuse of materials or to the use of new materials sympathetic to the mature appearance of the surrounding buildings and the Conservation Area as a whole.

**Policy E23: Conservation Areas - Design of Development**

The highest standards of design will be required for new or replacement buildings or extensions to existing buildings. In considering applications particular attention will be paid to the scale, setting, massing, siting and detailed appearance of the proposal in relation to surrounding buildings and the Conservation Area as a whole. Planning permission will be refused for proposals that fail to meet one or more of these criteria.

**Policy E24: Conservation Areas - Cumulative Effect of Small Scale Development**

Planning permission will not be granted for a small scale development that could lead to a number of similar applications, the cumulative effect of which would be detrimental to the character and appearance of the area.

**Policy E25: Conservation Areas - Detailing and Materials**

Well crafted detailing, the use of appropriate standards of workmanship and high quality materials which reflect and contribute to the appearance and character of the area will be required in any new development in, or affecting, a Conservation Area. Proposals involving innovative materials and techniques will especially need to demonstrate a positive contribution to the enhancement of the area.

**Policy E26: Conservation Areas - Submission of Detailed Applications**

In order to properly consider the effect of new developments on the character and appearance of Conservation Areas, and whether preservation or enhancement in the particular instance can be achieved, detailed planning applications must be submitted for all developments in, or adjacent to, Conservation Areas. Proposals must show the relationship of the scheme to its surroundings both in plan and elevation and, where necessary, in section. Accurate surveys of adjoining buildings will be required to show such features as roof ridge and eaves heights, proportions and glazing of windows etc. Drawings should be to an appropriate scale (not less than 1:100).

- 6.12 Development adjacent to a Conservation Area may have a considerable effect on the appearance of the area or on its character, by its impact on views into, or from within, the Conservation Area, or by the generation of traffic or other inappropriate activity in, or in close proximity to, the area.

**Policy E27: Conservation Areas - Adjacent Development**

In determining applications for development adjacent to Conservation Areas consideration will be given to the impact on the character and appearance of the Conservation Area. Planning permission will be refused for those developments that will not preserve its special character or appearance or will adversely affect its setting.

## **Maintaining the Appearance of Conservation Areas**

- 6.13 The appearance of a Conservation Area is as much dependent on the small scale details and common architectural features as on the bulk, scale and massing of buildings. Such elements as chimney stacks, roof materials, window types, doors and garden walls may help to give an area a homogeneity that buildings individually would not achieve. The repair, retention and, where necessary, replacement of such details is essential if the special qualities of Conservation Areas are to be preserved, and the intent of their designation is not to be lost. The Council will utilise its statutory powers to ensure as far as it can that the appearance of its Conservation Areas is not harmed by inappropriate alteration or dereliction of properties and, for example through production of advisory leaflets, will encourage owners and occupiers to have regard to the special features and details of their properties. The Conservation Area assessment studies to which reference has already been made will also assist in providing advice and guidance on this aspect of conservation.
- 6.14 Where it appears to the Council that the preservation of an unoccupied building is important to the character or appearance of a Conservation Area, as provided for in the Planning (Listed Building and Conservation Areas) Act 1990, it will seek the Secretary of State's direction that it may execute any works urgently necessary for the building's preservation.

## **Open Space**

- 6.15 Open space is a characteristic of many of the Borough's Conservation Areas, such as private gardens, road verges, footpaths or 'public' greens. These are significant visual elements, often forming continuous green links within Conservation Areas. The Council attaches great importance to their protection and enhancement. Trees are particularly attractive and important visual foils to buildings in Conservation Areas. Separate legislation applies to them and policies are set out earlier in this chapter. Advice is contained in the Council's 'Trees in Conservation Areas' leaflet.

**Policy E28: Conservation Areas - Open Space**  
**Planning permission will not be granted for the development of sites which form important open spaces or are part of continuous green links in Conservation Areas, or for development on adjacent sites which would harm the appearance of such areas.**

## **Streetscape**

- 6.16 Apart from buildings and their immediate surroundings there are many man-made elements, such as road and pathway surfaces, shopfronts, advertising and highway signs, lamp columns and lanterns, which may make a significant contribution to the character and appearance of a Conservation Area. Features that may provide a sense of liveliness in one area can look incongruous in another and, whilst recognising that it has limited powers in respect of certain equipment, the Council will promote the use and installation of materials and components appropriate to each of its Conservation Areas; it will seek removal or replacement of those that detract from the special visual qualities of an area, for instance overhead cables. Specific policies in the next chapter of the Plan address advertisement control and street furniture issues; however, the Council attaches particular importance to the need to retain and provide appropriate high quality details in Conservation Areas.
- 6.17 Shopfront design is also covered in the following chapter but because of the particular impact that frontages and fascias have on the character and appearance of Conservation Areas, especially the commercial centres of Bushey and Radlett,

the Council considers that the removal of a shopfront of architectural or historic interest is likely to be harmful to the Conservation Area and replacement by a new shopfront will not be permitted. The retention or reinstatement of traditional fascia boards and hanging signs is encouraged and, subject to available finance, the Council will contribute to the cost of installation and maintenance of traditional painted signs and fascias.

**Policy E29 Conservation Areas - Streetscape**  
Works in Conservation Areas carried out by private developers, public companies and statutory authorities will be expected to be to a high standard of design, to employ materials of suitable quality and appearance and, through negotiation, achieve removal of features detrimental to the character and appearance of the Conservation Area.

**Policy E30: Conservation Areas - Shopfronts**  
The removal of shopfronts of architectural or historic interest will not be permitted. New shopfronts will be required to be in keeping with the character of the upper part of the building, relate well to adjoining frontages, where relevant, and employ traditional materials and details.

## ***Historic Parks and Battlefield***

- 7.1 The Garden History Society and English Heritage have identified Wrotham Park, Wall Hall and Aldenham Park to be of historic interest. They are included in the Register of Parks and Gardens of Special Historic Interest in England which is maintained by English Heritage; they have been assessed as Grade II and their extent is shown on the Proposals Map. Historic Parks and Gardens are mentioned in PPG15 which notes that the grading of parks and gardens is independent of the grading of any listed building within the area. Wrotham Park and Aldenham Park are in part in commercial farming use.
- 7.2 In addition to the three parks and gardens noted above, substantial landscaped parkland or gardens surround a number of the larger historic houses in Hertsmere and these areas also may have layouts and features of considerable historic interest. These houses are: Tyttenhanger House, Salisbury Hall, Clare Hall, Rabley Park, Dancers Hill House, Dyrham Park, High Canons, Shenley Hall and Munden House and Park. In addition there is Porters Park, which was formerly associated with The Mansion at Shenley. Other gardens may be identified from time to time.
- 7.3 In considering development proposals that may affect these parks and gardens, the Council will have particular regard to the need to safeguard the appearance, character or setting of the park or garden and will not permit development that will have an adverse impact. Where development is permitted the Council will expect an owner to enter into a planning obligation to safeguard the landscape through a programme of management and restoration. Applications for development affecting a park or garden will be required to be accompanied by an environmental assessment and a survey of its historic interest. The Council may seek independent advice where proposals warrant specialist expertise.
- 7.4 Advice on Registered Parks and Gardens may be obtained from English Heritage and on these and others also from the Garden History Society (Station House, Church Lane, Wickwar, Glos GL12 8NB) and from the Hertfordshire Gardens Trust, c/o Gorhambury, St Albans, Herts AL3 6AH.
- 7.5 A part of the battlefield of the Battle of Barnet (14 April 1471 between the Lancastrians and Yorkists in the Wars of the Roses) is within the Borough and is



one of a limited number of historically significant English and Welsh battlefields on the English Heritage 'Register of Historic Battlefields'. It is shown on the Proposals Map. A leaflet describing the layout of the battlefield has been produced by English Heritage. Encouragement will be given to the provision of sensitive access and interpretative arrangements at the battlefield site.

- 7.6 The Council will treat the presence of the parks and gardens and the battlefield as material considerations in dealing with any proposals which affect the sites and, in association with other bodies, will seek to promote the appropriate management of the sites.

**Policy E31: Historic Parks**

**The three Grade II Registered historic parks and gardens defined on the Proposals Map and other historic parks and gardens will be protected by:**

- (i) refusal of proposals for development that would adversely affect their special character and appearance or which would detract from their setting;**
- (ii) encouragement for the conservation of their landscape and architectural features; and**
- (iii) where development is permitted, the use of a planning obligation requiring an appropriate programme of maintenance and restoration work, based on comprehensive historical research.**

**Policy E32: Battlefield**

**Development on or affecting the setting of the battlefield site identified on the Proposals Map will not be permitted.**



# ***Development***

## ***Introduction and Objective***

- 1.1 Earlier chapters of this Plan have dealt with specific issues or topics. This chapter sets out overall development criteria and policies which will be applicable to most proposals. These will need to be read in conjunction with the topic based policies set out in earlier chapters. Policies on a number of specific issues (such as telecommunications and floodlighting) which do not readily fit into earlier chapters are also included.
- 1.2 The overall objective of the policies in this chapter is to ensure that development is carried out in a manner which minimises its environmental impact and where possible results in an improvement in the Borough's environment.

## ***Drainage and Water***

### **Background**

- 2.1 Thames Water Utilities Limited is responsible for sewerage services. The provision of clean water in the Borough is the responsibility of Three Valleys Water plc. The Borough Council, in co-operation with the Environment Agency (EA) is responsible for land drainage, in association with riparian owners who share ownership of a number of watercourses throughout the Borough.
- 2.2 The EA is developing Local Environment Agency Plans (LEAP's) in order to provide a co-ordinated basis for assessing development proposals and informing local plans. Hertsmere is covered by the Colne LEAP, covering a range of environmental issues, including drainage, waste, pollution and other matters. This will lead to the production of a co-ordinated Action Plan which aims to address specific identified issues across the Environment Agency's areas of interest. In addition, the Council is progressing its own Catchment Management/Land Drainage Plans.

### **Watercourses**

- 2.3 There are several rivers in the Borough, the largest of which is the Colne. Smaller rivers include the Catharine Bourne, Mimmsshall Brook and Tykes Water. The only sizeable areas of open water are Hilfield Park Reservoir, Aldenham Reservoir and the lakes adjacent to the River Colne resulting from gravel extraction at Tyttenhanger and Bowmansgreen Farms (now known as The Willows).
- 2.4 The Council will seek to ensure that development affecting watercourses, river corridors, floodplains, water meadows and open water areas does not have any significant adverse effect on the Borough's water environment. Culverting of watercourses, for example, can adversely affect their ecological value and affect bank stability through increased flow velocity. River corridors, floodplains and water meadows can be important as wildlife habitats and for visual amenity. They can also act as green chains running through, and between, the Borough's towns and linking with other open spaces. The Council will encourage stewardship schemes to recreate wetlands and water meadows adjacent to rivers or streams, particularly where these will contribute to green chains of wetland habitats with public access.

2.5 Lakes and reservoirs can be suitable for a range of uses depending on their location, the characteristics of the water and their importance for nature conservation. Adequate access, slip arrangements, boat storage and visitor facilities are required for boating activities. Only very small scale development is required for bird watching and fishing. Leisure provision needs to be integrated with rights of way and wildlife habitat maintenance and management. The following hierarchy based on intensity of use is proposed:-

- Bowmansgreen (now known as The Willows)/Tyttenhanger - range of uses which may include fishing, waterside walks and wildfowl areas. Also at the Tyttenhanger Pit site there are possibilities for more intensive water borne recreational activities.
- Aldenham Reservoir - sailing (including wind-surfing) and rowing, waterside walking, picnic facilities, fishing and bird watching.
- Hilfield Park Reservoir - bird watching and low intensity informal seasonal activities compatible with wildlife constraints at this Local Nature Reserve.
- Smaller lakes and ponds such as Oakmere Park Lakes - fishing and informal recreation.

**Policy D1: Watercourses, River Corridors, Floodplains and Water Meadows**

**Development, including culverting of watercourses, will not be permitted where it would have an adverse impact on the Borough's watercourses, river corridors, floodplains and water meadows. Subject to policies in the Hertfordshire Minerals Local Plan (1991-2006) as amended development will not be permitted within floodplains as defined on the Proposals Map. Where possible, through stewardship schemes, land adjacent to rivers will be restored to its natural state, thus enhancing the river corridor and providing green chains.**

Note: Potential applicants / developers should refer to the Council's Drainage Services Unit for detailed advice. General advice on pollution control is provided in Policy D17.

**Policy D2: Open Water Areas**

**Development in connection with the use of open water areas for leisure purposes will be granted planning permission so long as the proposal is compatible with its location, the characteristics and nature conservation interests of the site and the hierarchy set out in paragraph 2.5. In particular the suitability of the underwater and edge contours will be considered in respect of the activity proposed.**

## **Drainage**

2.6 The Council is committed to alleviating land drainage flooding problems in the Borough, in association with the EA and with Thames Water Utilities Limited to resolve sewerage flooding problems by means of extensive work programmes. It is also necessary to work with the riparian owners who own stretches of watercourses in the Borough. Flooding has been widespread throughout the Borough and it is important that there is no exacerbation of existing flooding problems as a consequence of development. This can occur as permeable surfaces are replaced with buildings and other hard surfaces, or where a loss of vegetation occurs.

2.7 There are several locations within Hertsmere that are at risk of localised flooding from the sewerage systems and / or the land drainage networks. The Council will attempt to guide development away from these areas.

- 2.8 The Council is committed to effective control and maintenance of watercourses in the Borough. For this reason Hertsmere Borough Council introduced its own bylaws to control watercourses in 1998. In line with this aim, all developments will be expected to conform with the Council's Land Drainage Bylaws of 1998 or as subsequently amended. Other relevant forms of control and guidance are contained within the EC Groundwater Directive (80/68/EEC), the Water Resources Act 1991, Department of the Environment Circular 30/92 (which is of particular importance in this regard), and the EA document 'Policy and Practice for the Protection of Groundwater 1998'.
- 2.9 The Council will also refuse permission for developments that would increase the risk of flooding, or prevent strategic flood prevention measures from being provided by other bodies. Local catchment management plans will be used as the basis of informing developers of the potential risks of flooding. These plans may need to be developed as part of an impact study for a development if no previous data is available. Where necessary a drainage impact study will be requested from the applicant prior to any grant of planning permission. These studies will need to identify the location and degree of existing flood risk, the impact of the proposed development and the steps proposed to limit flood risk. The developer will be required to demonstrate that appropriate protection and/or mitigation measures have been incorporated into the proposals.
- 2.10 Developments that could result in an increased flood risk will be required to incorporate measures designed to control the rate of run-off from within the site. This will involve the application of flow control plus attenuation storage to contain excessive runoff in storm conditions. The Council will encourage source control measures to be located at each individual property, or group of properties, which could reduce the scale of strategic measures required for the whole site. Developers will be required to demonstrate that adequate provision has been made for the long term maintenance of such measures.
- 2.11 Developers will, where appropriate, be required to submit comprehensive data including supporting calculations and construction details of protective measures addressing: hydrological and hydraulic calculations, proposed flow control arrangements, attenuation storage measures, source control measures and flood prevention and/or mitigation proposals. Policy D3 sets out requirements of and advice on drainage considerations for developments. In addition the Council would like to encourage the incorporation of suitable ecological improvements such as the creation of new water meadows which can be rich and valuable natural habitats. Ecological principles can also be designed into other water retention features in flood prevention schemes.

**Policy D3: Control of Development Drainage and Runoff Considerations**

**Planning permission will not be granted for development within areas at risk of flooding unless it incorporates appropriate flood protection measures.**

**Where development is proposed in an area at risk of flooding a detailed drainage impact study will be required from the applicant to assess any increase in risk of flooding. A 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. The development will be refused if it is considered it would unduly increase the risk of flooding.**

**Where development is permitted the developer will be required to provide details of the measures proposed to control runoff from the site. Where necessary it will be a condition of the planning permission that any flood protection or runoff control measures are operative in advance of other site works.**

### **Groundwater Protection**

- 2.12 Water stored in the ground is an extremely valuable asset. Over abstraction can affect river flows, and reductions in abstraction cause water levels to rise. In the northern part of the Borough, underground water is stored within gravel and chalk strata (known as the aquifer) and can easily be polluted. Hertsmere has sizeable tracts defined by the EA as a 'major aquifer' which is highly permeable and classified as vulnerable to pollution. These areas are mainly concentrated near the River Colne. Over the rest of the Borough the chalk aquifer is protected by clay strata. However pollutants, including fertilisers and herbicides, can run into swallow holes, streams and watercourses which recharge the aquifers below, polluting the groundwater.
- 2.13 Pollution control measures are generally outside the remit of land use and development planning, but some measures can be influenced by the Borough Council's decision-making processes. As far as it can, the Council will seek to ensure that pollution risks to the aquifer are minimised and over-use of it is discouraged. The principal legal restrictions on groundwater pollution are the EC Groundwater Directive (1980) and the Water Resources Act (1991) but PPG12 highlights the need to pay particular attention to protection of groundwater resources. Consequently, Policy D4 deals with the important issue of protecting the aquifer and water table in the context of development proposals.

#### **Policy D4: Groundwater Protection**

**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 document 'Policy and Practice for the Protection of Groundwater' published by the Environment Agency in 1998.**

### **Surface Water Protection**

- 2.14 Equally important as groundwater protection is the conservation of surface water, whether used for clean water supply, recreation, navigation, amenity, flood prevention or for wildlife and ecological interest. Protection of quality and supply are the minimum aims and where possible appropriate enhancement should be the objective. The Council, the EA, Three Valleys Water plc and Thames Water Utilities Limited have already been active in this role. PPG12 advises that planning policies should have regard to flood defence and land drainage issues, which may influence the location of new development, and the need to protect water quality. Clearly this should be taken to include both groundwater and surface water in recognition of the relationships between the two.

### **Infrastructure Provision**

New development can cause problems and raise important issues of sustainability for the water environment. Local water supply needs to be adequate and facilities to deal with sewage need to be able to cope with demand. While Three Valleys Water plc has indicated that water supplies for its area are currently adequate it is necessary to recognise that after 2011, that is the end of the Plan period,

alternative water resources will need to be found. Policy D5 takes this issue into account. It also seeks to avoid pollution of surface water through drainage mis-connections (foul water into the surface water system) in new development. Drainage mis-connections can cause sewer flooding and accordingly developers should liaise with the relevant sewerage undertaker at the earliest possible stage. The policy also seeks to help alleviate the water supply problem for high water users such as agriculture and golf courses by encouraging the incorporation of water capture and retention measures which can help even out supplies between the wetter and drier times of the year.

**Policy D5: Water Supply & Sewerage Facilities for New Development**

**In considering proposals for development account will be taken of the availability of water and adequacy of sewerage systems and the impact of the development on them. Drainage requirements must be agreed with the relevant drainage authority to avoid mis-connecting foul water into the surface water system. Where necessary, contributions to improvements to utility infrastructure, related and appropriate to the development, will be required.**

**Subject to the other policies of this Plan, proposals for the development of suitably designed water storage facilities in appropriate locations will be granted planning permission.**

## ***Mineral resources***

- 3.1 Planning applications for the winning or working of minerals are dealt with by Hertfordshire County Council, and therefore the degree of influence the Borough can exert is limited to giving observations on those applications. The area where mineral working is currently taking place is located in the upper Colne Valley, off Coursers Road. The County Council has adopted the Hertfordshire Minerals Local Plan 1991-2006. The Minerals Local Plan identifies 'specific sites' and 'preferred areas' to guide the location of mineral working in the County. The County Council is committed to monitoring mineral working across the County, reviewing and keeping policies up to date and the enforcement of planning control. It forms part of the Development Plan for Hertsmeire and will be used to guide local planning decisions on matters relating to minerals extraction.
- 3.2 There is a need to safeguard known mineral supplies from inappropriate development to ensure availability and minimise pressure to exploit resources in more environmentally sensitive areas. Accordingly proposals which would sterilise or prejudice the extraction of known supplies will not be permitted.

**Policy D6: Safeguarding Mineral Supplies**

**Developments which would be likely to sterilise or prejudice the extraction of known mineral supplies will not be permitted.**

## ***Waste & recycling***

- 4.1 It was once considered acceptable to bury our waste in worked out minerals and landfill sites, but pollution problems, the increasing scarcity of such sites and the intrinsically unsustainable nature of this approach have caused a reappraisal of the way Hertfordshire deals with its waste. The County Council is responsible for waste disposal and has adopted the Hertfordshire Waste Local Plan 1995-2005. Generally this encourages minimisation, reuse, recycling and use of waste as a fuel as preferable approaches to disposal. It regards the transportation to landfill as a

last resort and endorses the proximity principle whereby waste should be dealt with as near as possible to its source. The Waste Local Plan forms part of the Development Plan for Hertsmere and will be used to guide local planning decisions on waste and recycling matters. Hertsmere intends to work with the County Council to produce supplementary planning guidance to further guide the application of policies in the Waste Local Plan.

- 4.2 Construction and demolition waste accounts for over a fifth of the nation's controlled waste. The County Council has adopted a target of a 25% reduction in the volume of construction and demolition waste requiring disposal after 2000. Policies 7, 8 and 9 of the Hertfordshire Waste Local Plan 1995 - 2005 seek to assist in achieving this target. When considering proposals for development the Borough Council will have regard to these policies in addition to Policy D7 below and to any approved supplementary planning guidance, and these may be a material consideration in the determination of planning applications.

**Policy D7: Re-use and Recycling in Construction**  
**When considering development proposals the Borough Council will encourage the appropriate re-use of clean, excavated material from construction projects, including from the proposed development itself, as preparation for development, land restoration or site landscaping and where possible the use of recycled aggregates and building products within buildings and other structures in place of natural aggregates or previously unused materials.**

- 4.3 The Borough Council is responsible for the collection of domestic waste and currently has recycling centres and sites for larger containers to take household and other waste. The market for recycled materials and products is developing all the time. The Council has produced a recycling strategy which is reviewed regularly.
- 4.4 In the waste strategy for England and Wales, 'Waste Strategy 2000', the Government has set the following targets for the management of municipal waste (all household waste, some street cleaning waste and some commercial and trade waste); to recover value from 40% of municipal waste by 2005, rising to 45% by 2010 and 67% by 2015. The waste strategy has also set the following targets for the recycling or composting of household waste; at least 25% by 2005, rising to 30% by 2010 and 33% by 2015. Policy 11 of the Hertfordshire Waste Local Plan 1995 - 2005 seeks to assist in achieving national targets locally. When applications are received for large developments Hertsmere will have regard to this policy and will seek, through negotiation, the provision of facilities for source separation and recycling in line with this Council's overall recycling strategy.

## ***Telecommunications***

- 5.1 Technological advances and the deregulation of the industry have resulted in significant changes to the number and type of development proposals for telecommunications equipment. The nature and impact of these proposals can vary greatly.
- 5.2 Hertsmere has experienced considerable pressures for telecommunications related development over the past decade, in part due to the Borough's location to the north of Greater London and the presence of the A1(M), M1 and M25 motorways. In some locations telecommunications development can have an adverse impact on the Borough's environment.



- 5.3 Government advice is set out in PPG 8 'Telecommunications'. This emphasises that modern telecommunications are an essential and beneficial element in the life of the local community and can benefit economic development. Modern telecommunications can also benefit the environment through reducing the need to travel, and hence reducing vehicle emissions of carbon dioxide and other pollutants.
- 5.4 PPG 8 advises that "Local planning authorities should respond positively to telecommunications development proposals, especially where the proposed location is constrained by technical considerations, while taking account of the advice on the protection of urban and rural areas in other planning policy guidance notes." In addition "Authorities should not question the need for the service which a proposed development is to provide, nor seek to prevent competition between different operators."
- 5.5 It must also be remembered that many proposals are 'permitted development' and therefore do not require planning permission, although for certain apparatus the code system operator must apply to the local planning authority, before installing telecommunications apparatus under permitted development rights, for a determination as to whether their prior approval of the details of the siting and appearance of the development is required.

#### **Policy D8: Telecommunications**

**Telecommunications related development will be permitted unless:-**

- (i) it would harm the appearance of the street scene, be visually intrusive or have an unacceptable impact on a Conservation Area, Scheduled Ancient Monument, Listed Building, Landscape Conservation Area, Site of Special Scientific Interest, Historic Park or Garden or nature conservation site;**
- (ii) the equipment would be out of scale with the building on which it would be erected and its siting would be detrimental to the external appearance of that building;**
- (iii) the siting and appearance of the equipment would harm the amenities of local residents; or**
- (iv) the only means of access to the site is by a footpath or bridleway.**

**Opportunities to share sites and apparatus should be pursued. Conditions will be imposed to ensure that any equipment is removed if it becomes redundant. Proposals should incorporate suitable measures, such as landscaping, to minimise their visual impact.**

Note: Concern in respect of criterion (iv) is that excavation for cables along the route of a right of way can destroy its surface and service vehicles on it may block a narrow right of way. However, permission will not be unreasonably withheld where conditions can be applied to such development, or an agreement entered into, to ensure conflict is avoided and where damage occurs the surface is reinstated to the satisfaction of the Council.

## ***Shopfront Design***

- 6.1 The appearance of the Borough's shopping centres is greatly influenced by the quality and design of shopfronts. Historically shops often had a very simple and

quite high shopfront screen with the shop name on a fascia or frieze topped by a cornice. More recent buildings were often left with simple openings in the structure which were filled in by shopfitters in a variety of styles and proportions.

- 6.2 Recent shopfitting practice often includes ducting and dropped ceilings. This can result in the shop name panel being excessively deep and oppressive in proportion to the display window below. Raised floors in some establishments work against good access for people with disabilities.
- 6.3 When planning permission is required the Council will expect shopfitting to be carried out to a high standard in order to lift the quality of its shopping areas. Attention must be given to the proportion of fascias and their lettering and to the size and shape of glazed and solid areas. Entrances should cater for the needs of people with disabilities.
- 6.4 The Council recognises the need for adequate security of shops. The use of solid security shutters can though have a detrimental, deadening effect on the appearance of shopping areas, attracts graffiti and prevents passing surveillance of the shop interior. Where solid shutters are essential they should relate to the proportions of the building and incorporate imaginative graphics or other designs to reduce their overpowering nature. Grille and shutter boxes should be incorporated into the design of the shopfront.

#### **Policy D9: Shopfronts**

**All new shopfronts, including accessories such as grilles and shutters, should be well designed and relate architecturally to the building on to which they are fitted. Entrances should allow for access for people with disabilities. Development which is intrusive in the street scene and/or would harm the appearance of a shop, or group of shops, will be resisted.**

Note: see Policy E30 for specific advice on shopfronts in Conservation Areas

## ***Advertisement Control & Street Furniture***

### **Signs and Advertisements**

- 7.1 The Council attaches considerable importance to the control of signs and advertisements. Under the Regulations<sup>6</sup> the Borough Council exercises controls on outdoor advertising in the interests of amenity and public safety. Signs and advertisements are important to commercial areas, being both informative and sometimes adding interest and vitality to the street scene. However, a proliferation of signs and advertisements can be particularly damaging to the visual quality of individual buildings, streets and areas of the Borough, particularly when they are badly designed and poorly located. Signs and advertisements must relate to the proportions of the building, particularly if it is of a traditional style. In most cases high level signs and advertisements are inappropriate to the character of the Borough's streets and therefore shop signs should be located at fascia level.
- 7.2 Within residential areas, and in most Conservation Areas, prominent signs and advertisements, including signs on street furniture, are likely to be intrusive and detract from the character of the area. In these areas simple painted timber fascia

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<sup>6</sup> Town & Country Planning (Control of Advertisements) Regulations 1995 (or as amended)

boards, traditional hanging signs or individually lit letters are preferable. In shopping centres which are within Conservation Areas (Bushey and Radlett, for example), there is a need to achieve a reasonable balance between commercial and amenity considerations. The maintenance of the special architectural and historic interest and setting of statutory listed buildings is a further consideration.

- 7.3 In the rural parts of the Borough sufficient information needs to be given to properly name a farm or other rural business premises, and to identify institutions and amenities which attract visitors. Hertsmere lies on several major communication routes and the Council is determined to ensure that advertising material does not proliferate along such corridors. Large or garish signs can intrude into the rural scene, detract from the character and visual amenity of the countryside and distract drivers to the possible detriment of highway safety. The Council intends to review the boundary of the Area of Special Control of Advertisements to ensure that it is consistent with the Green Belt boundary.

**Policy D10: Advertisements**

**In considering applications for advertisement consent particular regard will be paid to the following considerations:-**

- (i) proposals should be well designed and sensitively located within the street scene, and should not have a detrimental impact on interests of amenity and public safety;**
- (ii) proposals to display an advertisement on street furniture will not be permitted where it would be out of scale with the structure to which it would be attached and/or be detrimental to the visual amenity of the area. This applies particularly in Conservation Areas or positions adjacent to listed buildings or other sensitive locations;**
- (iii) within Conservation Areas the Council will expect fascias to be painted and with painted or raised graphics. Internally lit fascias and illuminated box signs will not be permitted. Illumination in these locations will only be permitted if it is provided by discreet means;**
- (iv) all proposals should carefully relate to the scale, design and architectural features of the building on which they will be placed and should not detract from the character of a group of buildings or a street scene;**
- (v) within residential areas illumination will be carefully controlled and will only be permitted if it is provided by discreet means. Proposals should relate to the character, scale and design of the building on which they will be placed and should not detract from the character of a group of buildings or a street scene;**
- (vi) proposals adjacent to, or in close proximity to, listed buildings or Conservation Areas will not be permitted if they would have a significant adverse effect on the appearance and setting of the building or the area.**

**Blinds and Awnings**

- 7.4 It is important to control blinds and awnings because, if poorly designed or over-prominent, they can detract from the appearance of buildings and be obtrusive features in the street scene.

- 7.5 Sunblinds have been a feature of Hertsmere's shopping parades for many decades. In recent years there has been a considerable increase in the number of blinds, particularly curved or other rigid-framed blinds. In some parts of the Borough new blinds have improved the attractiveness of the street scene. However, in some areas the use of curved blinds and plastic materials can appear intrusive and, in particular be harmful to the appearance of historic buildings and Conservation Areas. The type of blind must be appropriate to the age and character of the building and must respect the street scene.

**Policy D11: Blinds and Awnings**

**Blinds and awnings must relate architecturally to the buildings on which they are fitted and have particular regard to their impact on the street scene and the visual amenity of the area. Very bright, fluorescent, glossy or metallic finished blinds will be refused in Conservation Areas and other locations where they would be out of character with the area.**

**Street Furniture**

- 7.6 The design and siting of street furniture are important to the quality of the environment.
- 7.7 The Highways Authority and the statutory undertakers are responsible for most of the street furniture in Hertsmere. Local authorities, including Parish Councils, have 'permitted development' rights and statutory undertakers may erect some types of structures without planning consent, although the Borough Council is usually consulted and may seek to influence the type and location of structures.
- 7.8 Hertsmere's town centres attract shoppers and workers and are intensively used by pedestrians. This results in the need for a large number of litter bins, benches, telephone kiosks, bus shelters, post boxes, signs and similar facilities. If not carefully designed and sited such amenities, together with street lights, planters, and the essential structures of statutory undertakers, can result in visual clutter and confusion, a general air of untidiness and impede safe access, particularly for those with disabilities. While the provision of street amenities is to be welcomed, in some locations there are already so many individual items that further structures cannot be accommodated without harming the environment. In Conservation Areas street furniture can be particularly discordant unless it is designed and sited with respect to the particular character of the area.
- 7.9 Hertsmere has a number of interesting and historical items of street furniture including drinking fountains and cattle troughs, coal duty markers, milestones, statues and memorials. Red cast-iron letter boxes and surviving red telephone kiosks are distinctive features of Britain. The Council will seek to ensure that these historic and characteristic features of the street scene are retained although its statutory powers are in many instances limited.

**Policy D12 Street Furniture**

**Street furniture should be unobtrusive, compatible with the street scene, and be sited so as to minimise visual clutter and allow clear and safe passage for people with disabilities. In Conservation Areas street furniture should be of an appropriate design compatible with the character of the area. Street furniture and other structures of local interest should where possible be retained.**

## **Noise**

8.1 Noise can have a significant effect on the environment and on the quality of life enjoyed by individuals and communities. PPG 24 'Noise' provides guidance on the use of planning powers to minimise the adverse impact of noise. The Council will be guided by the advice set out in PPG 24 in seeking to ensure that noise-sensitive developments, such as housing, are separated from major sources of noise, and that new development with a potential for causing noise nuisance is sited away from noise-sensitive land uses. In implementing the following policies the Council will take into account:-

- possible future increases in noise levels e.g. as a result of increased traffic flows;
- the fact that the background noise level in some residential and rural areas is very low, and the introduction of noisy activities into such areas may be especially disruptive;
- the fact that intermittent sources of noise can be more disruptive than constant sources;
- the particular difficulties posed by commercial developments such as fast food restaurants, discos, night clubs and public houses, not least because these activities are often at their peak in the evening and late at night. The Council will bear in mind not only the noise that is generated within the premises but also the attendant problems of noise that may be made by customers in the vicinity, and the disturbance that can be caused by traffic and associated car parking;
- the fact that whilst design measures such as orientation, layout and double glazing can reduce noise levels within buildings, such measures are less effective in reducing the level of noise experienced in public or private amenity areas.

### **Policy D13: Noise-sensitive Development**

Noise-sensitive developments should be located away from existing sources of significant noise. Residential development, and other noise-sensitive developments, proposed near a source of noise will be assessed against which noise exposure category (NEC), as set out in PPG 24, the site falls within. Permission will be refused where it is considered that the site is subject to an unacceptable level of noise exposure. Where planning permission is granted appropriate conditions may be imposed to ensure an adequate level of protection against noise.

### **Policy D14: Noisy Development**

New development involving noisy activities should be sited away from noise-sensitive land uses. Regard will be paid to the cumulative impact of noisy development, the time and nature of the noise and the character of the surrounding area. In particular there is a need to ensure that residential properties, and nature conservation sites, are protected from the impact of undue noise levels. Where planning permission is granted appropriate conditions may be imposed to control the level of noise emitted.

Note: The Council's Environmental Health Unit has powers and responsibilities in respect of statutory noise nuisances.

## **Energy**

9.1 The production, transfer and use of energy is a major contribution to greenhouse gas emissions and pollution. Accordingly proposals which improve the efficiency

with which energy is generated, transferred and used are key components of a sustainable development strategy.

9.2 The demand for energy can be reduced through more efficient use, and the introduction of conservation measures in the design and layout of buildings. In particular the use of Passive Solar Design (PSD) techniques can help to make the best use of shade or the sun's heat in order to offset the demand for cooling or heating. PSD involves paying attention to:-

- orientation;
- built form and internal layout;
- window shape, area, position;
- thermal mass;
- shading;
- landscaping;
- reflection surfaces;
- atria or conservatories.

9.3 Whilst the planning system limits the Council's powers to influence some of these design issues, it will seek to encourage good practice and, wherever possible, consideration should be given to the incorporation of energy efficiency measures in all developments.

**Policy D15: Energy Efficiency – Design and Layout of Development**  
**Measures to achieve and/or improve energy conservation through the design of buildings, site layout and provision of landscaping will be supported in principle.**

9.4 On the supply side Government policy aims to reduce dependence on fossil fuels and encourage greater use of renewable energy sources where proposals are economically attractive and environmentally acceptable.

9.5 There are several potential sources of renewable energy: waste, landfill gas, wind, sewage sludge and farm slurry, wood, solar, water and geo-thermal. Some of these sources are for climatic or geographical reasons not applicable in Hertsmere e.g. water power. Whilst they can in themselves raise environmental concerns (e.g. pollution, traffic generation and visual impact) such proposals will be supported in principle subject to the considerations set out in Policy D16. A study of potential renewable energy sources in the Eastern Region has been carried out.

**Policy D16: Renewable Energy Sources**  
**Proposals for the development of renewable energy sources will be supported in principle having regard to:-**

- (i) **their visual impact and in particular the impact on the openness and visual amenities of the Green Belt;**
- (ii) **the level of traffic generation;**
- (iii) **the level of pollution emissions (noise and atmospheric);**
- (iv) **their impact on features or areas of ecological, architectural, landscape or conservation importance; and**
- (v) **their impact on adjoining properties and land holdings.**

Note: An application will be required to be supported by an Environmental Impact Assessment where this is appropriate in terms of Circular 2/99 or any amendment of the latter.

## ***Pollution Control, Hazardous Materials and Notifiable Installations***

- 10.1 The Environment Agency is largely responsible for pollution control in the United Kingdom. PPG 23 'Planning and Pollution Control' advises that local planning authorities should not seek to duplicate controls which are the statutory responsibility of other agencies, but it does recognise the need for close co-ordination between the various responsible bodies.
- 10.2 Whilst the dividing line between planning and pollution control is not always clear-cut, PPG 23 advises that planning should focus on land use issues and that concerns over potential pollution risks should be left to the relevant authority to take into account in considering licence applications i.e. the fact that a proposed development may emit pollutants is not in itself a reason for refusal if such emissions could be controlled by licence. PPG 23 does however, recognise that local planning authorities have an important role to play in:-
- regulating the location of development and the control of operations in order to avoid or minimise adverse effects on the use of land and the environment;
  - controlling other development in proximity to potential sources of pollution;
  - determining applications under The Planning (Hazardous Substances) Act 1990 and associated Regulations which introduced specific planning controls over the storage and use of hazardous substances; and
  - ensuring that inappropriate development does not take place on contaminated land.

### **Policy D17: Pollution Control**

**Planning Permission will be refused for development in locations where:-**

- (i) **there is a potential health risk to the occupiers of the proposed development as a result of the land being contaminated, or pollutants being emitted from land or existing premises in the vicinity; or**
- (ii) **it could give rise to unacceptable levels and types of pollution which would adversely affect the use of other land, natural resources or the environment in general.**

### **Policy D18: Hazardous Substances**

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

- (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.

10.3 Within and adjacent to the Borough certain sites and pipelines are designated as notifiable installations by virtue of the quantities of hazardous substances stored, used or transported. In accordance with Department of the Environment Circular 11/92 the Health and Safety Executive (HSE) will be consulted, as appropriate, about any proposed development of notifiable installations, and about any proposed development in the vicinity of existing notifiable installations. In determining proposals regard will be paid to the advice received from the HSE.

## ***Floodlighting & Light Pollution***

11.1 Floodlit buildings can add interest to town centres, and lighting can improve security and community safety. Recreational and leisure facilities, such as sports playing surfaces, may require floodlighting, and this can optimise their use and viability. However, light spill from such installations can result in what is termed light pollution. Adjoining residential properties can be adversely affected. Lit facilities can have a detrimental effect on the visual amenity of the Green Belt as a result of the lighting itself. In the daytime the appearance of any associated masts and columns can also be harmful. The Institution of Lighting Engineers publishes Guidance Notes for the Reduction of Light Pollution which also lists other relevant standards.

### **Policy D19: Lighting Installations and Light Pollution**

**In order to minimise light pollution, external lighting scheme proposals, including floodlighting, will only be approved where it can be demonstrated that:**

- (i) the scheme proposed is the minimum needed for security and/or operational purposes;
- (ii) it minimises the potential pollution from glare and light spillage;
- (iii) there would be no adverse impact on residential amenity;
- (iv) there would be no adverse impact on the character or openness of the Green Belt;
- (v) it would not adversely affect ecological interests; and
- (vi) there would be no dazzling or distraction of drivers using nearby roads.

## ***Supplementary Advice***

12.1 In order to assist developers and the public, the Council produces guidance leaflets which advise on the detailed criteria it intends to use when considering planning applications. They are subject to public consultation before they become operative. Guidance leaflets contain material which is too detailed for a Local Plan. The Council treats the advice in its guidance leaflets as a 'material consideration' in



dealing with planning and related applications. A schedule of supplementary guidance documents is set out in Appendix 6.

**Policy D20: Supplementary Guidance**

The Council will maintain a series of supplementary guidance leaflets to further develop and explain the application of policies in this Plan and to guide proposals for domestic extensions and alterations. They will be added to and amended from time to time. They will be a material consideration in the determination of applications and will be subject to public consultation before they become operative. They are listed in the appendices to this Plan.

## ***Design Advice***

13.1 Design considerations have had an increased emphasis since the publication of the revised version of PPG 1 in February 1997. This recognises that new buildings have a significant effect on the character and appearance of an area. The appearance of proposed development, and its relationship to its surroundings are material planning considerations. Good design can help:-

- promote sustainable development;
- improve the quality of the environment and visual amenity;
- attract business and investment;
- reinforce civic pride and a sense of place; and
- secure public support for new development.

13.2 The following policy provides overall guidance and aims to encourage good design which reflects the overall character of the area and encourages innovation, originality and initiative. In addition other policies provide guidance on specific developments e.g. Policy H8 which relates to housing development.

**Policy D21: Design and Setting of Development**  
**Development proposals must:**

- (i) respect or improve the character of their surroundings and adjacent properties in terms of scale, massing, materials, layout, bulk and height;
- (ii) retain, enhance or create spaces, views, landmarks or other townscape and landscape features which make a material contribution to the character of the area;
- (iii) not impact adversely on prominent ridge lines, or other important topographical, ecological or landscape features; and
- (iv) create safe and accessible environments.

### **Amenity Greens**

13.3 Many parts of the Borough were planned and developed with roadside grass verges and small amenity greens. These grassed areas help to provide a pleasant and attractive setting for development, particularly housing development, enhancing the visual amenity of the area. The development of these areas, including their use for car parking and incorporation into residential curtilages, can lead to a general deterioration in the visual quality of the local environment and proposals that would result in the loss of these green amenity areas will be resisted.

**Policy D22: Amenity Greens**

**Proposals that would result in the loss of roadside grass verges and / or small amenity greens that contribute to the character and visual amenity of the area will be refused.**

**Percent for Art**

- 13.4 The Council has adopted the suggestion from the Arts Council of Great Britain that wherever possible a proportion of the development budget should be devoted to including the work of artists or craftsmen in the fabric or landscaping of schemes. This need not increase the cost of a project, but is an attempt to get some artistry and craftsmanship back into the building process. This was regularly undertaken by previous generations but has often been lacking in recent years.
- 13.5 The Council will encourage the provision of works of art or craft as part of the development process in places visible to the public and will seek to achieve this through negotiation.

**Access for People with Disabilities**

- 13.6 In order to ensure equality of access all developments which will be accessed by the public should be designed to accommodate access for the disabled.

**Policy D23: Access for People with Disabilities**

**All proposals for new buildings and facilities that will be accessible to the public, including shops, must comply with minimum access requirements to allow people with disabilities satisfactory access. Proposals for a change of use or proposals that include alterations to a principal entrance, including new shopfronts, should also demonstrate adequate access arrangements for people with disabilities.**

# ***Implementation Monitoring and Review,***

## ***Monitoring and Review***

- 1.1 The policies and proposals set out in this Plan generally reflect the issues and the availability of resources as at 1 April 2000.
- 1.2 Inevitably there will be significant changes over the Plan period which will have implications for Hertsmere. Many of these, such as the general economic situation and global environmental issues such as climate change, will be beyond the influence of the Borough Council. It is important that the Plan is monitored and reviewed on a regular basis so that it is kept up to date and responds to change and new issues. In order to achieve this the Council will:-
- develop in liaison with partner agencies performance indicators and targets, including sustainability indicators, which will be used to monitor progress;
  - produce Annual Monitoring Reports which will highlight trends and issues and assess the ongoing effectiveness of the policies set out in the Plan;
  - produce additional supplementary planning guidance on specific topics and issues. This guidance will support the policies set out in this Plan and will be subject to public consultation;
  - produce occasional Policy Reviews where it is considered that areas of the Plan need to be updated, or new policies have to be introduced to tackle emerging issues. These will be subject to public consultation before they are approved by the Council;
  - carry out a formal review of this Plan, or introduce limited alterations to part of the Plan, to ensure that it remains in conformity with government advice and the County Structure Plan, or to address issues of local concern.

### **Policy R1: Monitoring and Review**

**The policies set out in this Plan will be monitored on a regular basis and the Council will seek to ensure that they are kept up-to-date, and respond to changing circumstances and new issues through:-**

- (i) supplementary planning guidance to provide detailed advice on specific issues;**
- (ii) informal Policy Reviews;**
- (iii) limited alterations to the Plan;**
- (iv) a formal review of the whole Plan.**

## ***Implementation***

2.1 The successful implementation of the Plan will depend on the actions of a number of organisations and individuals. The Borough Council will have a major role to play through the consideration of planning applications and the direct provision of services via its annual revenue budget and capital programme. However, it has to be recognised that:-

- the Council has limited resources;
- the Council has to act within its statutory powers and have regard to Government advice;
- the Council is increasingly seen as an enabler rather than a direct provider of services;
- many services and proposals are the responsibility of other agencies.

Private sector investment will remain the most significant means by which the policies of this Plan are implemented from small extensions through to major housing and employment developments. Success will also depend on the involvement of the general public and the voluntary sector.

2.2 The Council will seek to co-ordinate the programmes of other agencies and will encourage investment in the Borough which will meet the needs of the community, and help achieve the aims and objectives of this Plan. The Plan will provide the framework for the Council's land use related proposals and investment decisions, and the Council will expect other agencies' land use policies and proposals to be led by this Plan.

2.3 The Council will continue to explore avenues of support funding through sources such as the government's Single Regeneration Budget, National Lottery Funds or the European Commission. Increasingly success will depend on the development of ongoing partnerships between the public, private and voluntary sectors and local residents and businesses. The proposed development of Whole Settlement Studies (Comprehensive Settlement Appraisals) and Village Appraisals should assist the establishment of constructive working partnerships. It should be noted, however, that this Plan runs to 2011 and that some of the proposals will need to be phased over the period of the Plan. There will inevitably be conflicting views and priorities which will affect the implementation of some projects. It should also be remembered that this is a land use plan and that many services fall beyond its scope.

2.4 It is anticipated that due to its location and good communications Hertsmere will continue to attract private investment. This will be essential if the Plan's objectives are to be achieved.

2.5 However, some developments can result in social, environmental and infrastructure costs and such costs should not involve additional expenditure by the public sector, or a burden on the existing community. In accordance with government policy the Council considers it essential that developers contribute towards the infrastructure required to serve a development and make appropriate provision to mitigate any possible adverse environmental impact.

2.6 The detailed assessment of contributions due from each development will be determined at the time an application is made in accordance with government advice on such matters. Whilst there is no simple prescribed method of assessment, in some cases contribution guidance may be issued for particular sites by the preparation of planning briefs.

- 2.7 The following general policy will mainly be implemented through the development control process, planning conditions and where appropriate obligations entered into by the Council and developers under Section 106 of the Town and Country Planning Act 1990. Other public authorities may require developers to enter into agreements under other legislation.

**Policy R2: Developer Requirements**

The design and provisions of development will be expected to help achieve the sustainability aims and objectives of this Plan. Development will be required to make provision for environmental works, infrastructure and community facilities, services and other needs that are directly related to it, and necessary to the grant of planning permission. Developers will be required to provide, or to finance the cost of, all such provision which is fairly and reasonably related in scale and kind to the development including:-

- (i) on-site facilities directly related to the proposed development in the interests of proper planning and to mitigate any possible adverse environmental impact;
- (ii) off-site improvements, services and facilities necessary as a result of the development in order to avoid placing an additional burden on the existing community and to mitigate any possible adverse environmental impact arising from the development; and
- (iii) affordable housing in accordance with Policy H16 or H17.

This policy will mainly be implemented through planning conditions and obligations entered into by the Council and developers under Section 106 of the Town and Country Planning Act 1990 and any related or subsequent legislation.

## ***Enforcement***

- 3.1 Sometimes unauthorised development takes place in breach of planning and related controls. Although legislation imposes no duty on the Council to utilise its enforcement powers in respect of breaches of planning controls, the Council is nevertheless committed to taking enforcement action where necessary.
- 3.2 In some instances it may not be expedient to take enforcement action because the development does not cause any demonstrable harm and accords with the policies in this Plan. However, the Council recognises the need to apply the policies of this Plan consistently and effectively and will not hesitate to use its legal powers when it is considered appropriate.

**Policy R3: Enforcement**

Where it is considered expedient, the Borough Council will take all necessary appropriate action to secure compliance with planning, and related controls, utilising its powers under the Town and Country Planning Act 1990 and other associated legislation to ensure compliance with the policies set out in this Plan.



# Appendices

The appendices to this statement are arranged in the sub-sections set out below and are in the following order:

- Bibliography
- Organisations and abbreviations
- Index of Policies
- Proposals Map (in six colour sections A - F with legend on fold out page opposite Map A)
- Map enlargements showing the main shopping areas (6 colour maps comprising Appendix 1, numbered 1.1 to 1.6)
- Map showing Watling Chase Community Forest and its landscape zones (Appendix 2)
- Map enlargements of Major Developed sites in the Green Belt (15 monochrome maps comprising Appendix 3, numbered 3.1 to 3.15)
- Map of South Mimms (Bignell's Corner) Special Policy Area defining the areas described in sub-paragraphs (i) and (ii) of Policy M14 (Appendix 4)
- Maps of Urban Open Land Areas (20 monochrome maps comprising Appendix 5, numbered 5.1 – 5.20)
- List of supplementary guidance documents (Appendix 6)

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## ***Organisations and abbreviations***

**ADAS** : Agricultural Development Advisory Service, Chequers Court, Huntingdon, Cambs. PE18 6LT

**B C P - Borehamwood Community Partnership**, The Community Shop, 5 Leeming Road, Borehamwood Herts. WD6 4BX

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**C M S - Countryside Management Service**, Environment Department, County Hall, Hertford, Herts. SG13 8DN

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**E A - Environment Agency**, Apollo Court, 1 Bishops Square Business Park, St Albans Road West, Hatfield, Herts. AL10 9PW - Incorporates the former National Rivers Authority (NRA)

**E C - European Commission**, 8 Storey's Gate, London SW1P 3AT

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**E C S R - Eastern Council for Sport and Recreation** - now Eastern Sport, Crescent House, 19 The Crescent, Bedford MK 40 2QP

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**G H - Groundwork Hertfordshire**, Mill Green, Hatfield, Herts AL9 5PE

**Go-East - Government Office for the East of England** - Victory House, Vision Park, Histon, Cambs. CB4 1YG

**H B R C - Hertfordshire Biological Records Centre**, Environment Department, County Hall, Hertford SG13 8DN

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**Working Herts**, c/o Paul Watkinson, Ridgehill Housing Association, 12 Elstree Way, Borehamwood, Herts.

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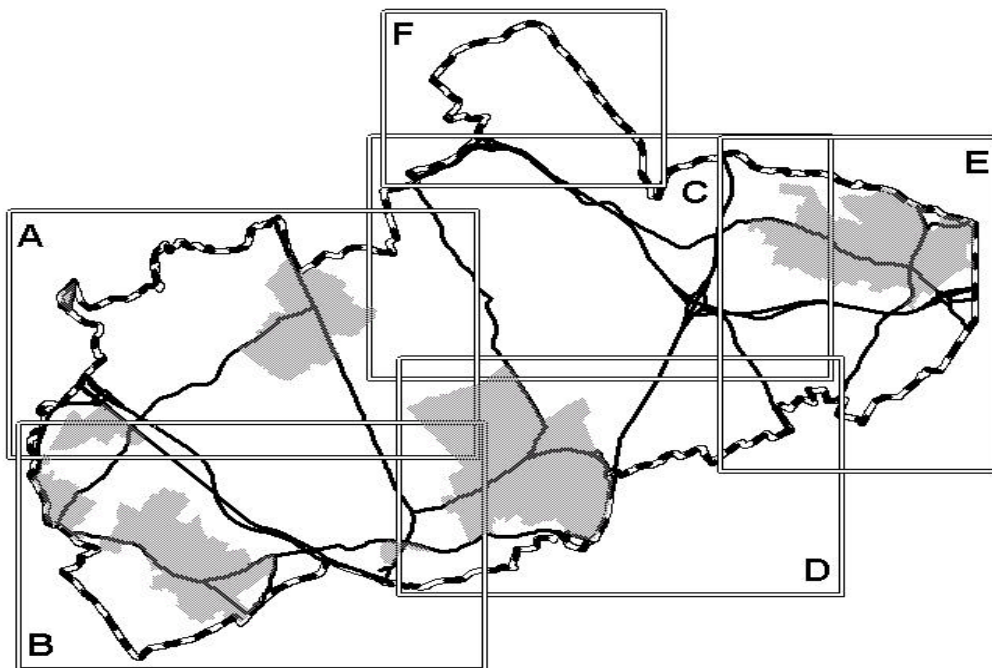
## ***Proposals Map, Enlarged Maps & Guidance***

Six colour map sections comprise the Proposals Map and follow this page with a legend on the reverse of this page. The map sections (see key map below) cover:-

- A Radlett, Aldenham, Letchmore Heath, Munden & North Bushey
- B Bushey & Bushey Heath & Elstree
- C Shenley, Ridge & South Mimms
- D Borehamwood & Dyrham Park
- E Potters Bar, Bentley Heath & Wrotham Park
- F Coursers Road/Tytenhanger

For ease of reference you are advised to open this sheet and leave it folded out whilst referring to sections of the Proposals Maps. When looking at maps B – F, refold earlier sections to leave the legend visible.

Enlarged maps and guidance follow the Proposals Map and are scheduled after sheet 'F' of the Proposals Map.



## ***Maps & Guidance***

### ***Maps***

- 1 Enlarged maps of town centres:
  - Appendix 1.1 Borehamwood at 1:10,000 scale
  - Appendix 1.2 Bushey at 1:5000 scale
  - Appendix 1.3 Bushey Heath at 1:5000 scale
  - Appendix 1.4 Potters Bar (Darkes Lane) at 1:5000 scale
  - Appendix 1.5 Potters Bar (High Street) at 1:5000 scale
  - Appendix 1.6 Radlett at 1:5000 scale
- 2 Map of Watling Chase Community Forest showing Landscape Zones and boundary
- 3 Enlarged details of major developed sites in the Green Belt (15 monochrome maps numbered 3.1 to 3.15 in the same order as the list set out in paragraph 13.3 of the Countryside Chapter).
- 4 Map enlargement of the South Mimms (Bignell's Corner) Special Policy Area defining the extent of the special policy area at 1:5,000 scale and defining the areas to which reference is made in sub paragraphs (i) and (ii) of Policy M14.
- 5 Maps showing Urban Open Land Areas (20 monochrome maps comprising Appendix 5, numbered 5.1 – 5.20)

### ***Supplementary guidance***

- 6 List of supplementary guidance

## ***Appendix 6***

### ***List of supplementary guidance***

- A Landscape strategy for Hertfordshire - Volume 1
- Blackwell House, Aldenham Road, Bushey - Planning Brief
- Car Parking Standards
- Cycling Strategy
- Economic Development & Community Regeneration Strategy
- Grant Aid for Signs in Conservation Areas
- Grant Aid Rules
- Guidelines for Domestic Extensions/Alterations
- Habitat Survey for Hertsmere Borough (HMWT / HBRC)
- Hartspring Centre site, Hartspring Lane, Bushey - Planning Brief
- Letchmore Heath Conservation Area
- Lifetime Homes
- Percent for Art
- Recreation Provision for Residential Development
- Refuse Bins - Guidance note for developers on the collection of domestic refuse.
- Repairs to Historic Buildings
- Residential Development Standards
- Residential Development Standards for Radlett
- Shenley Hospital Development
- Shop Signs and Advertisements
- Sparrows Herne site, Little Bushey Lane, Bushey Heath - Planning Brief
- Surplus Borehamwood Schools - Planning Brief
- Sustainability Indicators

- The Conservation Areas of Hertsmere
- The Provision of Affordable Housing - A Guide for Developers
- Trees in Conservation Areas
- University of Hertfordshire Wall Hall Campus - Planning Brief
- Watling Chase Community Forest Plan
- Wildlife Sites - A Guide for Landowners and Developers.