Hertsmere Site Allocations and Development Management Policies Plan

Inspector's Report – Appendix

List of Main Modifications

This schedule sets out the recommended Main Modifications to the Submission Site Allocations and Development Management Policies Plan (SADM) which are considered necessary to make the plan sound. The proposed modifications are listed in document order of the SADM.

MM. No.: the unique reference number for each proposed Main Modification.

Policy / Paragraph Number: The specific policy or paragraph within the SADM to which the modification applies.

Inspector's Proposed Modifications:

- Where text is recommended for deletion it is shown by strikethrough as: deleted text.
- Where text is recommended for addition it is underlined as: <u>additional text</u>.

Chapter 2 - Housing

MM No.	Policy / Paragraph Number:	Inspector'	s Proposed Modification:	
MM1	Para 2.4	other source	ovides an update on the housing supply in Hertsmere, includin ces. It shows a supply of 4,445 4,177 dwellings over 15 years, very housing target (3,990 dwellings, 2012-2027). Over half of the termission.	which is more than sufficient to meet th
MM2	Table 1		Source of Supply	No. of Units (Net)
			Completions 2012/13 to 2014/15 (3 Years)	912
			Commitments to 2026/27 (12 Years)	
			Planning Permissions - schemes under construction	341 379
		*	Planning Permissions - schemes not yet started	963 1,077
		*	Sites under consideration ¹	41
			Identified Sites	
		*	Allocations in Policy SADM1 ^{2,3}	<u>654</u> 685
		*	Elstree Way Corridor ⁴	<u>666</u> 813
		*	Town Centre Sites (under Policy SADM43) ⁵	92
		*	Other	<u>115</u> 89
		*	Discount ⁶	-152 -168
			Windfall	
			Small Scale Urban Windfall ⁷	252
			Rural Windfall ⁷	119
			Large Scale Urban Windfall ⁸	174

			To	otal Completions and	d Commitments	<u>4,177</u> 4 ,445	
MM3	Para 2.9	site s and v come unde • info • ide • indi	pecific recreased in the forward of the forward over the	quirements identified he estimated numbe on the site, being ne erall housing supply. Contained within the velopment constrain hemes put forward by	•	r availability, deliv n indication of wh of the estimates h	rerability nat may elps to
		• any	planning	<u>permissions.</u>			
MM4	Policy SADM1 – Site H9		#9	Former Sunny Bank School, Potters Bar	Housing development should respect and as appropriate protect and enhance the character of the surrounding area, in particular the setting of The Royds Conservation Area and the relationship with the Green Belt and its landscape. Development should provide a continuation of the existing established building lines so as to fit with the established grain of development in the surrounding area. Dwellings should be either detached or semidetached with spacious plots including front and rear gardens. Building heights should not exceed two storeys. Large flatted blocks will not be acceptable. Measures to mitigate any intrusive noise and pollution emanating from the M25 must be provided. Accesses may be taken from Field View Road, Sunnybank Road and/or Meadow Way although it is expected that the primary access will be via Field View Road. Pedestrian and cycle access should be	31	

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		provided through the site to the remaining	
		education facility.	
		The layout should include a minimum of	
		1.4ha of open space which will thereafter be	
		treated as Local Green Space for planning	
		policy purposes (Proposal C1 in SADM33).	
		The developer will be required to make a	
		contribution towards the cost of	
		implementation and maintenance of this	
		open space. The space must be usable, well-	
		designed and safely and conveniently	
		accessible from the surrounding housing	
		area. It should enable formal sports use	
		unless satisfactory off-site replacement	
		playing field provision is secured or	
		demonstrated not to be required. The	
		developer will be required to produce a	
		master plan indicating how the whole site is	
		proposed to be laid out. Inter alia, this will	
		show how the existing educational support	
		centre (which may be retained) can be	
		integrated in the layout and brought forward	
		for housing at a later date.	
MM5	Policy SADM1 - Site	Flatted development using existing access onto Elton Way. Full parking standards to be met. Carefully designed	ŀ
	H11	and usable communal amenity space required. The Council has approved planning application 14/0911/FUL for	
	(Site specific	102 units and prefers this to a conversion of the existing building on the site. The adequacy of waste water	
	requirements)	capacity is to be assessed: adequate capacity should be made available before development is first occupied.	
MM6	Policy SADM1 – Site	Removal of former swimming pool building (currently used by the Nursery) and associated hardstanding.	
	H12	Development of residential units to be situated nearer to Falconer Road thereby reducing the impact on the	
	(Site specific	openness of the Green Belt. Needs to meet requirements of Core Strategy Policy CS19 Key Community Facilities	es
	requirements)	in respect of the current nursery use.	
MM7	Policy SADM1	Total estimated units from housing allocation sites: 685-654	
	(Total Units from		
	1 .		

	Housing Allocations)	
MM8	Policy SADM2	These sites are reserved for housing development in the future. They will only be released for housing in the
		event that a review of this the Local Plan indicates that there is insufficient suitable land available, within the
		defined urban area and/or consistent with Local Plan and national planning policy, to meet longer term housing
		needs. the sites will be treated as if they are in the Green Belt: there will be a presumption against
		inappropriate development. Until that time-their use should respect their former Green Belt designation. Any
		proposal should not prejudice future housing development.
MM9	Para 2.25 - 2.27 and	2.25 A Written Ministerial Statement in November 2014 set out changes to national policy in relation to planning
	Policy SADM 4	obligations under s106 of the Town and Country Planning Act 1990 (as amended). These have been reflected in
		amendments to the national Planning Practice Guidance. The changes seek to remove the requirement for
		developer contributions (including Affordable Housing) on sites of 10 units or less, the stated aim being to help
		increase housing supply by lowering the construction cost of small-scale new build housing.
		2.26 There is, however, an acute need for affordable housing provision in Hertsmere, a situation to which the
		adopted Core Strategy responds; the site size threshold of 5 reflects independent recognition of both the
		magnitude of local housing need and the deliverability of small sites including the required affordable housing
		provision. The Inspector examining the Core Strategy concluded that it would accord with the NPPF by helping to
		meet the need for Affordable Housing, without compromising delivery or viability. This has been reflected in the
		number of schemes which have come forward for 5-10 units since January 2013. The evidence supports the
		Council in continuing to require an Affordable Housing contribution from sites of 10 units or less.
		2.27 Some additional flexibility in relation to contributions to Affordable Housing provision on small sites (of
		between 5 and 10 units) is however proposed. Contributions will therefore be sought in the form of cash
		payments, commuted until after completion of units within the development. This flexibility does not apply to
		Rural Exception sites under Core Strategy Policy CS5.
		Policy SADM4 - Small Sites for Affordable Housing
		On sites of between 5 and 10 residential units (inclusive), the Council will seek financial contributions to support
		the delivery of Affordable Housing. Contributions will be sought in the form of commuted payments, calculated
		on the basis set out in the Affordable Housing SPD and any subsequent update.

Chapter 3 – Employment and Economy

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
MM10	Para 3.2	The Government has relaxed controls on the conversion of buildings to residential <u>use</u> through changes to permitted developments rights, as part of its current drive to promote new homes. The periods when changes can be introduced are temporary: tThis affects change of use from offices (Use Class B1(a)) and warehouses (Use Class B8) <u>including changes from Class B uses to residential</u> . Each change is subject to prior approval: i.e. consideration of a limited set of factors. The Government has also consulted on the possibility of the changes of control being permanent, as well as changes from light industry (Use Class B1(c)) to residential. Nevertheless, the Government confirms that councils should be able to protect strategically important office space in their local areas and should continue to support economic development. The new permitted development rights have been introduced in exceptional circumstances and are short term measures in comparison with the 15 year span of the development plan. It is therefore prudent for the Council to retain pursue policies which seek to prevent the loss of key employment floorspace.
MM11	Policy SADM6	The following sites identified on the Policies Map are allocated as Employment Areas: a) Elstree Way, Borehamwood; b) Stirling Way, Borehamwood; c) Cranborne Road, Potters Bar; d) Station Close, Potters Bar; and e) Otterspool Way, Bushey Further policy requirements for these sites are set out in Policy CS8 and Policy CS10 of the Core Strategy. The boundaries of the sites which are allocated as Employment Areas in accordance with Policy CS8 are shown on the Policies Map. Land uses within these areas will be limited by the provisions of Policies CS8 and CS10.
MM12	Policy SADM7	The following site identified on the Policies Map is allocated as a Key Employment Site: • Centennial Park, Elstree Infilling, additions or redevelopment for employment purposes will be acceptable provided they comply with Policy SADM27. Further policy requirements are set out in Policy CS8 of the Core Strategy.

MM No.	Policy / Paragraph Number:	Inspector's Proposed Modification:
		The boundaries of the Key Employment Site at Centennial Park, Elstree, allocated in accordance with Policy CS8, are shown on the Policies Map. Infilling, additions or redevelopment for employment purposes will be acceptable provided they comply with Policy SADM27.
MM13	Policy SADM8	The boundaries of the Local Significant Employment Sites where, in accordance with Policy CS9, employment generating uses are focussed, are shown on the Policies Map.
MM14	New supporting text to Policy SADM9	The Council recognises the need to increase the supply of new homes both locally and nationally and acknowledges the changes to permitted development rights which have been introduced by the government to facilitate this objective. Both recent and planned changes to permitted developments rights have the potential to impact on the local supply of land and buildings for jobs and, specifically, B class floorspace. The NPPF requires that local planning authorities must seek to meet objectively assessed needs and deliver sufficient homes and jobs. However, the additional permitted development rights may, without some safeguards, impact on the ability of the Council to retain sufficient land and buildings for local employment needs and to promote the local economy during the Plan period. The Council will, therefore, consider the introduction of Article 4 Directions, where appropriate, in order to remove permitted development rights for the change of use of strategically important offices to residential use. Planning permission will then be required which will enable the impact of such changes to be fully considered.
	Policy SADM9	Where planning permission or prior approval is required, change of use to residential use will not be resisted permitted in the following Strategically Important Business Locations: i) Employment Areas listed in Policy SADM6; ii) the Key Employment site in Policy SADM7; iii) Locally Significant Employment Sites listed in Policy SADM8, and iv) Existing office buildings (or parts of buildings) elsewhere in the Borough which exceed 500 square metres floorspace unless it can be demonstrated that the premises are no longer suitable for and have been marketed effectively for continued B1(a) use.

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
MM15	Para. 3.9	The Core Strategy identifies two sites as Safeguarded Land for employment use. As a result, neither area is in the Green Belt. Both areas may be used for B class development needs beyond the plan period. The purpose of safeguarding is to provide some land for future employment use and help maintain the permanence of the Green Belt in the long term. The two sites are:
	Para. 3.9 (b)	b) land between Rowley Lane and the A1 at Elstree Way in Borehamwood. Land at Rowley Lane is redesignated in order to be consistent with the Council's safeguarding policies. This land includes the Holiday Inn site in line with paragraph 5.9 in the Core Strategy. It also includes a former sports ground, on which a sports hub or sports centre of excellence is considered appropriate, particularly if it creates new jobs and can be accommodated satisfactorily in its surroundings. Any future proposal for employment development would be expected to establish whether there is a need for new or improved playing field provision, in light of the previous use of the site and any current or future community playing fields needs.
	Policy SADM10 2 nd paragraph	These sites are safeguarded for future employment use. They will be released for employment purposes in the event that a review of thise Local Plan indicates that there is insufficient suitable land available within the then defined urban area and/or consistent with Local Plan and national planning policy, to meet longer term employment needs. Until that time they will be treated as if they are in the Green Belt: inappropriate development will not be approved, except in very special circumstances. their use should respect their former Green Belt designation. Any use of the sites should not prejudice future employment development.

Chapter 4 - Open Land and the Environment

MM No.	Policy / Paragraph Number:	Inspector's Proposed Modification:	
MM16	Policy SADM11	Second sentence of policy:-	
		These sites and their boundaries are reviewed by the responsible organisations from time to time: the Policies Map will be updated when necessary over the plan period to reflect any such decisions.	
MM17	Para. 4.11	4.11 When there is a proposal for a development at a site where there are existing trees, consideration need be given to the impact of the proposals on the natural environment, including trees, hedgerows and other fo of landscaping. It is expected that any healthy, high quality trees on a development site will be retained. High quality trees are those which are assessed as being Category A or Category B as defined in British Standard B: 5837:2012 (or any successor document). An arboricultural assessment is required wherever trees are present development site in line with the guidance in the Biodiversity, Trees and Landscaping SPD Part C.	
	Policy SADM13	Planning permission will be refused for development which would result in the loss, or likely loss, of: i) healthy, high quality trees subject to a Tree Preservation Order; or ii) any healthy, high quality trees and/or hedgerows that make a valuable contribution to the amenity or environment of the area in which they are located. If development is approved which would result in the removal of trees and/or hedgerows, equivalent and appropriate replacement planting will be required. All development affecting trees, hedgerows and other plants or landscaping should comply be consistent with the Biodiversity, Trees and Landscape SPD and BS5837 (or any subsequent guidance). This includes the requirement for appropriate landscaping schemes and, if necessary, replacement trees. Where possible, the Council will make additional Tree Preservation Orders to ensure that existing trees, or groups of trees, which are healthy and contribute to the amenity of the area, are retained and protected.	

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
MM18	Policy SADM16	The design of new development should include sustainable drainage measures. In particular, the Council will require the introduction of sustainable drainage (SuDS) on all major developments of 10 residential units or 1,000 square metres of floorspace (or more). (as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and any subsequent order Major proposals should also comply with the principles and standards set out by the Lead Local Flood Authority for SuDS.
MM19	Policy SADM23	The amended boundary of the Green Belt, to which Policy CS13(Core Strategy) and Policy SADM2327 apply, is shown on the Policies Map
MM20	Policy SADM24	Village envelopes are shown on the Policies Map for parts of Elstree, Shenley and South Mimms. The areas defined by the village envelopes are part of the Green Belt, within which limited infilling will be permitted may be appropriate. Such infilling will be considered appropriate if it complies with Core Strategy Policy CS13 and other relevant plan policies.
MM21	First new para. after 4.80	Focusing essential development within a defined part of the site will help to limit the impact on the openness and character of the Green Belt, and contribute to the overall maintenance of the Green Belt. The submission of long term plans indicating future investment and development is encouraged. The definition of the 'infilling areas' has been based on long terms plans respecting the Green Belt location, wherever possible. In cases where comprehensive development of the site is proposed, a planning brief should be prepared in consultation with the local planning authority.
	Second new para. after 4.80	The Key Green Belt Sites are listed in Appendix F. Information about listed buildings, Registered Parks and Gardens and archaeological remains on these sites is provided, together with guidance on how these assets are to be taken into account.
	4.85	There are three Key Green Belt Sites which are subject to redevelopment. The Bushey Academy, formerly known as Bushey Hall School, is being redeveloped and the infilling envelope boundary has been re-drawn accordingly. The governors of Hertswood Lower School, formerly known as Nicholas Hawksmoor School, are seeking new

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
		(redeveloped) school premises and St Margaret's School in Bushey is promoting redevelopment together with
		some school buildings on the south side of Merry Hill Road. Proposals may also come forward for the
		Haberdashers' Aske's schools. The infilling envelopes for these sites may be amended in the future when the
		extent of the redevelopment proposals is clearer. Smaller adjustments to the infill boundaries at Bio Products
		Laboratory and Bushey Meads School have also been made to take account of known development proposals. A
		number of existing publicly funded secondary schools are within the Green Belt; the important role these facilities
		play in supporting the needs of the community is recognized. In several cases there are known development needs
		which have been taken into account in defining current infill boundaries. The Bushey Academy has been
		redeveloped, and plans put forward for expansion at Bushey Meads School; the infilling envelope boundaries have
		been re-drawn accordingly. Proposals to provide new (redeveloped) school premises on a single site for
		Hertswood Academy are being developed; the infilling envelope has been amended to reflect the anticipated
		requirements of the Academy arising from any future expansion to 10 forms of entry should an enlarged building
		footprint be sought. The Academy has confirmed that (subject to funding and ministerial approvals) they would
		seek to expand the school to meet any increased local demand.
MM21		The private education sector is also well represented in Hertsmere's Green Belt; the schools perform valuable
(cont.)		educational, economic and community functions and in some cases safeguard the future of important heritage
		assets. Some of these establishments may need to undertake improvement and expansion in the future. St
		Margaret's School in Bushey is promoting redevelopment together with some school buildings on the south side of
		Merry Hill Road. Proposals may also come forward for others, including Haberdashers' Aske's schools and the
	First new para. after	Aldenham School.
	4.85	
		Adjustments have been made to the Bio Products Ltd infill site boundary to reflect known development proposals.
		Further proposals for expansion within the site may come forward in future. The infill envelopes for these and
		other Key Green Belt sites may be amended through any future review of this document once the extent of
		development needs has been established and an appropriate form of development agreed.
		The following Key Green Belt Sites are identified on the Policies Map:
	Second new para. after	a) Aldenham School, Letchmore Heath;
	4.85	b) Bio Products Laboratory, Dagger Lane, Aldenham;
		c) Blackbirds Sewage Works, Oakridge Lane, Aldenham;

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
	Policy SADM25	d) The Bushey Academy, formerly Bushey Hall School, London Road, Bushey;
	(as submitted)	e) Bushey Meads School, Coldharbour Lane, Bushey;
		f) Dame Alice Owen's School, Sawyers Lane, Potters Bar;
		g) Electricity Transforming Station, Hilfield Lane, Elstree;
		h) Elstree Aerodrome, Hogg Lane, Elstree;
		i) Haberdashers' Aske's School (Boys), Aldenham Road, Elstree;
		j) Haberdashers' Aske's School (Girls), Aldenham Road, Elstree;
		k) Cancer Research UK, formerly Imperial Cancer Research Fund, Blanche Lane, Potters Bar;
		I) National Institute for Biological Standards and Control (NIBSC), Blanche Lane, Potters Bar;
		m) Hertswood Lower School, formerly Nicholas Hawksmoor School and Sports Centre, Cowley Hill,
		Borehamwood;
		n) Queen's School, Aldenham Road, Bushey;
		o) Purcell School, Aldenham Road, Bushey;
MM21		p) St Margaret's School, Merry Hill Road, Bushey;
(cont.)		q) Willows Farm Village, London Colney.
		Continuation of the existing use is supported.
		Infilling or redevelopment may be appropriate within the defined 'envelope' area in each site, taking
		full account of the following factors:
		(i) the impact on the openness of the Green Belt and the purpose of including land within it;
		(ii) the impact of proposals on any playing fields;
		(iii) the impact on wildlife and the ecological network;
		(iv) the impact on any heritage asset;
		(v) the impact on the amenity of adjacent properties;
		(vi) the proposal being ancillary to, or supporting an existing or approved use on the site;
		(vii) the impact of the relocation or introduction of a hard surfaced area such as car park or
		playground; and
		(viii) whether the proposal would lead to any significant increase in motorised traffic generation.
		The submission of long term plans for Key Green Belt Sites indicating future investment and development is

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
	Policy SADM25	encouraged. In cases where comprehensive development of the site is proposed, a planning brief should be prepared in consultation with the local planning authority. At Key Green Belt Sites development will be directed towards the 'envelope' defined on the Policies Map.
MM21 (cont.)	(as modified)	Any proposal for infilling or redevelopment within the 'envelope' must be ancillary to or support an existing or approved use on the site. This development will be permitted provided it: a) would not have a greater impact than the existing development on the openness of the Green Belt and the purpose of including land within it and b) meets the criteria set out below. All proposals must satisfy the following criteria: i. the proposed development should protect, conserve or enhance any relevant heritage assets in accordance with Policy SADM 30; ii. the relocation or introduction of a hard surfaced area such as car park or playground should not have unacceptable impacts; iii. the development should not result in a significant increase in motorised traffic; and iv. there should be no significant adverse impact on: a. designated open space and sports and leisure facilities; b. wildlife sites and ecological network; and c. the amenity of adjacent properties. Green Transport Plans should accompany planning applications for any significant development at these sites.

MM No.	Policy / Paragraph Number:	Inspector's Proposed Modification:	
MM22	Policy SADM26 (fourth paragraph)	Proposals will not be supported permitted which: (i) exacerbate existing traffic or environmental conditions; (ii) have an adverse impact on the safe and effective operation of the existing or expanded Highways England and Connect Plus facilities and the strategic road network; (iii) prejudice the rationalisation and improvement of the area, or (iv) are located in the flood plain of Mimmshall Brook.	
MM23	Policy SADM27 (first sentence)	The Council will assess all applications for development in the Green Belt, as defined on the Policies Map, in accordance with Core Strategy Policy CS13 and to ensure they comply with the following principles:	
MM24	Policy SADM30 (Historic Parks and Gardens)	For proposals relating to registered or locally important historic parks and gardens the Council will consider: (i) whether the proposal conserves and, where possible, enhances the significance, character or appearance of the heritage asset and its setting; (ii) the potential harm to the historic asset; and (iii) the scale, design, character and materials of the proposed development. Proposals relating to registered or locally important historic parks and gardens should: (i) avoid any harm to the historic asset; and (ii) where possible, enhance its significance, character, appearance and setting. The scale, design, character and materials of the proposed development must respect the appearance and landscape of the park or garden.	

Chapter 5 – Building Sustainable Communities

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
MM25	Policy SADM31 Design Principles	All development should comply <u>be consistent</u> with Hertsmere's Planning and Design Guide SPD (and any successor document).
	Final paragraph	

MM	Policy / Paragraph	Inspector's Pr	oposed Modificat	ion:		
No.	Number:					
MM26	Para 5.21	• new re-pro • Herts	ovision of key com wood Upper Schoo	on the Sunny Bank Sch munity facilities as pa ol north and south site	nool site off Field View Road ort of the redevelopment of the es: there may also be an opportunity to p to the development envelope.	rovide a new
	SADM 33 Key Community Facilities	provided: (i) they w accome (ii) they ar CS13, C (iii) they ar (iv) where (v) in the or met th suppor (vi) they sa the Par The following of a site-spec	ill principally servended elsewher appropriately local control	e a local community of re; ocated and designed he did the amenity of adjournments are designed to be allowed and existing school emonstrating the new Policy CS25 and proven.	ide for an appropriate amount of car pa	not be cicularly Policies SP1, nity uses and users; cy which cannot be new site is rking in line with
		Reference	Site	Proposal	Site Requirements	Page 15 d
		C1	Former Sunny Bank School,	Provision of new public open space	1.4ha of open space (thereafter to be treated as Local Green Space for	

Potters Bar

planning policy purposes) to be provided within site HQ (SADM1)

MM	Policy / Paragraph	Inspector's P	roposed Modificat	ion:		
No.	Number:					
MM26	SADM33	Reference	Site	Proposal	Site Requirements	
MM26 (Cont.)		Reference C1	Site Former Sunny Bank School, Potters Bar	Proposal Provision of new public open space	1.4ha of open space (thereafter to be treated as Local Green Space for planning policy purposes) to be provided within site H9 (SADM1). The space must be usable, well designed and safely and conveniently accessible from the surrounding housing area. It should enable formal sports use unless satisfactory off site replacement playing field provision is secured or demonstrated not to be required. Developer will be required to make a contribution towards the cost of	
		€2 <u>C1</u>	Hertswood Lower School, Cowley Hill, Borehamwood	Provision of new and/or refurbished school facilities	implementation and maintenance of this open space. The site is to be used for the consolidation of Hertswood Academy and associated key community facilities and any other educational facilities that may be necessary to serve the immediate local area.	

MM No.	Policy / Paragraph Number:	Inspector's Proposed Modification:
NO.	Number.	Site Requirements for Hertswood Lower School (Cont.)
		Buildings should be concentrated in one part of the site. Open space and landscaping should provide a soft edge with and visual links to the wider Green Belt. A transport statement is required to show how the cumulative impact on the highways network can be adequately mitigated.
		The proposal is linked to the residential development of Hertswood Upper School, Proposal H6 (see Policy SADM1), This includes the relocation of Hertswood Upper School, playing fields, the Hertswood Centre and The Ark Theatre to the Hertswood Lower School site.
		Proposals should minimise any reduction in the overall quantity of playing field provision and its effect; improvements to the quality and accessibility of playing field and sports provision will be required as part of any agreed mitigation strategy. Programme of development on the two sites to be considered against Policy CS19 (key community facilities) and agreed, in particular, to ensure that (i) the proper level of school facilities, including playing fields and indoor sports facilities, is available throughout the development period, (ii) there are local facilities available to allow the satisfactory operation of theatre activities and indoor sports facilities throughout the development period, and (iii) the provision of the replacement theatre premises and indoor sports facilities is made at the earliest possible opportunity. The playing fields and indoor sports facilities are to be made available for community use on a basis to be agreed with the Council.
MM27	SADM 35 (To be deleted)	SADM35 – Major Green Space Development proposals, which would result in the loss of a Major Green Space identified on the Policies Map or detract from its open character, will not be permitted unless exceptional circumstances can be demonstrated. Where exceptional circumstances can be demonstrated, proposals will not be considered acceptable unless they:
		(i) are ancillary to the use of the space or to any buildings on that land; (ii) will enhance activities associated with the open nature of the space; (iii) are appropriate in scale; and (iv) will contribute positively to the setting and quality of the space.

MM No.	Policy / Paragraph Number:	Inspector's Proposed Modification:
MM27 (Cont.)		
	Replacement policy SADM35	Policy SADM35 – Open Space, Sports and Leisure Facilities Where appropriate all development affecting open space and sports and leisure facilities should seek to improve the quality, quantity, and/or accessibility of the space/facility through appropriate financial contribution and/or direct provision.
		As a minimum, development must not exacerbate existing deficits of open space and sports and leisure facilities in the locality and within the Borough. Proposals which will result in the loss of, or negatively impact upon the designated open space / facility will only be considered appropriate where:
		 The development proposal is a small scale ancillary use which supports or enhance the quality and/or accessibility of the provision; or
		2. Equivalent or improved provision can be created in the most appropriate and accessible location available; or
		3. There is substantiated evidence of significant surplus of provision within the catchment of the existing space / facility, both quantitatively and qualitatively.
		Any development on a designated open space / facility should not cause significant harm to the character, appearance and visual amenity of the local area. Development will not be supported where it would cause significant harm to the integrity of the green infrastructure network.
MM28	SADM 36	Policy SADM36 – Local Green Space Development proposals, which would result in the loss of a Local Green Space defined on the Policies Map or would have a negative impact on the features which make it locally significant, will not be permitted unless exceptional very special circumstances can be demonstrated.

Policy / Paragraph	Inspector's Proposed Modification:
Number:	
	The Council will consider the following development as appropriate within Local Green Space if they:
	Where exceptional circumstances can be demonstrated, proposals will not be considered acceptable unless they:
	(i) are ancillary to the use of the space or to any buildings on that land;
	(ii) will enhance activities associated with the use of the space;
	(iii) are appropriate in scale; and
	(iv) will contribute positively to the setting and quality of the space.
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Chapter 6 – Transport and Parking

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
MM29	Paragraph 6.6	6.6 The Borough Council has a major role to play in ensuring that development within the Borough takes place in a manner which is consistent with achieving the objectives of the Local Transport Plan. The Core Strategy supports the Local Highway Authority's strategic transportation plans, in particular the Local Transport Plan and Urban Transport Plans. The accommodation of road works, planned traffic movement, accesses and improvements will be guided by Policies SADM39, SADM40, SADM41 and the principles which are set out in the Local Transport Plan for each category of road.
	Policy SADM39 (Deleted)	Policy SADM39 - The Road Hierarchy Hertfordshire County Council's current road hierarchy is shown on the Policies Map: it will be updated during the plan period to accord with the latest version of the local highway authority's road hierarchy. New and existing roads will be used as effectively as possible in accordance with their role in the road hierarchy. The accommodation of accesses and improvements will be guided by Policy SADM41 and the principles set out in the Local Transport Plan for each category of road. The road hierarchy is shown on the Policies Map. All new development will be directed to the appropriate
		The road hierarchy is shown on the Policies Map. All new development will be directed to the appropriate

		category of road in the road hierarchy based on the amount of traffic generated and its effect on safety and the
	Policy SADM39	environment.
	(replacement)	<u>environmenta</u>
	(replacement)	The traffic generated from new development must be compatible with the location, design and capacity of the
		current and future operation of the road(s) within the road hierarchy. In reaching a judgement, the Council will
		have regard to:
		any planned improvements on the road;
		- the cumulative effects of incremental developments;
		- advice from the local highway authority, including guidance on the relative priorities given to particular types
		of traffic and/or modes of transport; and
		- the protection of rural character.
		The type and nature of accesses will be controlled according to the category of road. In particular, new access
		will not be permitted on to a Primary Trunk Road or a Main Distributor Road.
MM30	Policy SADM40	In accordance with policy CS24, major trip generating development should be focused principally on town
	,	centres and on the Transport Development Areas at Borehamwood and Potters Bar which are shown defined on
		the Policies Map.
MM31	Policy SADM41	The Council will support development provided that:
IVIIVIDI	TOTICY SADIVIAL	Development will be permitted where:
		(i) it can be accessed by a range of transport modes including, where appropriate, public and other
		sustainable transport modes;
		(ii) it provides safe and convenient links through the site and within the site and enables access to adjoining
		routes and services for all users;
		(iii) it will not harm the safety of any users of the highway network, cause or add significantly to road
		congestion or unduly harm the flow of vehicles;
		(iv) the proposed design and layout give priority to pedestrians, cyclists and other non-vehicle users and
		provide for safe and convenient:
		a) movement, circulation, parking, manoeuvring and picking up or dropping off;
		b) accommodation of larger vehicles including emergency and servicing vehicles and/or coaches
		where required and
		c) site access for all users (including adequate visibility splays);
	1	c) site access for an users (including adequate visibility splays),

 (v) off-street car and cycle parking is provided in accordance with Core Strategy Policy CS25 and is consistent with the Parking Standards SPD; and (vi) for major trip generating schemes, the applicant provides a Transport Statement or Transport Assessment (prepared in compliance with guidance issued by the Council and local highway authority), which demonstrates that the scheme accords with the policies in the Local Plan.
Where development may be expected to have negative impacts, appropriate mitigation measures will be required at the developer's expense.

Chapter 7 – Town Centres and Shopping

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
MM32	SADM43	Retail/commercial uses on ground floor fronting Watling Street. Community uses required on part of the site to
	TC2 Radlett Service	replace former community use, subject to the provisions of Core Strategy Policy CS19 Key Community Facilities.
	Station/Regency House,	
	Former Fire Station and	
	Burrell & Co	

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
MM33	Para 7.8	Primary frontages are the core shopping areas of the Borough's centres and contribute significantly to the overall level of vitality. The approach in these areas is therefore to support the retention of A1 shops as far as possible. The change of use of A1 shops to A2 and (up to 150 square metres and subject to prior approval, which includes consideration of the sustainability of a key shopping area) A3 uses is currently permitted development; the Council recognises that these additional uses within primary frontages are capable of supporting retail vitality and footfall subject to there not being an over concentration of such uses. The Council considers an over concentration of A3 uses to be harmful to the sustainability of primary frontages within a key shopping area. Generally an over-concentration would be regarded as having more than the following proportion of A3 units within primary frontages: 15% in Borehamwood and Darkes Lane Potters Bar, 20% in Radlett and Bushey Village and 25% in Bushey Heath. (financial and professional services) is currently permitted development with no need for prior approval, so the Council seeks to retain a combined proportion of 70% A1 and A2 uses at ground floor level within all of the Borough's primary frontages. This proportion reflects the current proportion of A1 and A2 uses within the primary frontages, based on a December 2015 retail survey. Where the current proportion of A1 and A2 uses within that frontage will not be permitted unless the unit has been effectively marketed for class A1 and/or A2 uses and

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
MM33 (Cont.)	Para 7.8 (Cont.)	any change will not lead to an overconcentration of other class A uses. To avoid an over-concentration of A5 premises, proposals within primary frontages should not lead to the creation of three or more consecutive A5 units. Where the Council's retail survey for the area is not up to date the onus will be on the applicant to provide up to date information on current uses.
		7.x The change of use to A3 (dining establishments) is also permitted development and (up to 150 square metres and subject to prior approval, which includes consideration of the sustainability of a key shopping area), and the Council recognises that additional A3 uses within primary frontages are capable of supporting retail vitality and footfall subject to there not being an over-concentration of such uses. The Council considers an over-concentration of A3 uses to be harmful to the sustainability of primary frontages within a key shopping area. Generally an over-concentration would be regarded as there being more than the following proportion of A3 units within primary frontages: 15% in Borehamwood and Darkes Lane Potters Bar, 20% in Radlett and Bushey Village and 25% in Bushey Heath. 7.x Where a betting or pay day loan shop is proposed within a primary frontage, the Council will seek to avoid an over-concentration of these uses. As a guide, more than two units of each type in close proximity to each other would be regarded as an over-concentration within a primary frontage.
	Policy SADM44 (Policy to be deleted)	In the primary shopping frontages (defined on the Policies Map) the Council will seek to ensure that Class A1 (retail shops) predominate in ground floor units.
		The Council will control any proposal requiring consent in a primary frontage on the following basis:
		(i) the retail function should remain predominant or be enhanced;
		(ii) the new use should support the retail function; and
		(iii) there would be clear benefits for the vitality and viability of the frontage and the centre generally.
		Proposals for Class A4 (drinking establishments) and A5 (hot food take aways) uses, betting shops and pay-day loan shops, or for uses with a non-active frontage at street level, will not be supported in Primary Frontages.

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
Mo. MM33 (Cont.)	Replacement Policy SADM44	In the primary shopping frontages (defined on the Policies Map) the Council will seek to ensure that class A1 (retail shops) predominate in ground floor units. A development proposal which reduces the combined proportion of class A1 and A2 retail uses at ground floor level below 70% within that centre's primary frontage will not be permitted. Changes of use which will result in any loss of class A1 (retail shops), or A2 (financial and professional services) uses will only be permitted where it can be demonstrated that: (i) the development proposal supports the overall retail function of the primary frontage and, in the case of class A3 uses within key shopping areas, does not lead to an over-concentration of such units within the primary frontage; and (iii) the site has been effectively marketed for class A1 and/or A2 uses. Proposals for class A4 (drinking establishments) and A5 (hot food takeaways) uses will not be permitted if the combined proportion of these two types of uses exceed 5% within primary frontages in Borehamwood, Radlett and Potters Bar; or exceed 10% within primary frontages in Bushey Village and Bushey Heath. Development proposals for betting shops and pay-day loan shops will not be permitted if they result in an overconcentration of these uses within any primary frontage. Development proposals for uses with a non-active frontage at ground floor level will also not be permitted in primary frontages.

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
MM34	Paragraph 7.9	Secondary frontages have a much greater mix of uses. The Council will seek to maintain and encourage A1, A2 and A3 uses. Other main town centre uses, as defined in the NPPF, will also be acceptable provided that they make a positive contribution to the frontage and the centre generally. Acceptable uses include A4 (drinking establishments) and A5 (hot food takeaways) and will be those that create activity and interest along the frontage and which are well integrated in design terms, although to avoid an over-concentration of A5 premises, this should not lead to the creation of three or more consecutive A5 units. Where premises are currently vacant and a
		proposed use would not result in an active frontage, the Council will have regard to how long the premises have been vacant and seek evidence of active marketing for 'A' class uses over a significant period of time. Where a betting or pay day loan shop is proposed in a particular location (other than in a primary frontage, where they will not be supported), the Council will seek to avoid an over-concentration of these uses. As a guide, three or more units of each type in close proximity to each other would be regarded as an over-concentration.
	Policy SADM45 (To be deleted)	In the secondary shopping frontages (defined on the Policies Map) the Council will seek to maintain and encourage class A1 (retail shops), A2 (financial and professional services) and A3 (restaurants and cafes) uses in ground floor units. Proposals for other main town centre uses, including A4 (drinking establishments), A5 (hot food take away) and D2 (assembly and leisure) will be supported provided that they would not harm the vitality or viability of the frontage and the centre generally.
		The new use will be expected to maintain an active frontage at street level. In the secondary shopping frontages (defined on the Policies Map) the Council will seek to maintain and
	Policy SADM45 (Replacement Policy)	encourage class A1 (retail shops), A2 (financial and professional services) and A3 (restaurants and cafes) uses in ground floor units.
		Changes of use which result in any loss of class A1 (retail shops), A2 (financial and professional services), or A3 (restaurants and cafes) uses will only be permitted where it can be demonstrated that the development proposal does not undermine the overall retail character of the secondary frontage.
		Proposals for other main town centre uses, including A4 (drinking establishments), A5 (hot food takeaway) and D2 (assembly and leisure) will be permitted where they would not harm the vitality or viability of the frontage
		and the centre generally, and would not lead to an overconcentration of such uses. New uses will be expected to maintain an active frontage at street level.
		<u>Development proposals will not be permitted if they will result in an over-concentration of betting shops and pay-day loan shops within any secondary frontage.</u>
		Page 25 0

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
MM35	Policy SADM47	Policy SADM47 - Retail and Commercial Development in Shenley
		The Council will support small scale development within Classes A1, A2, A3, A4, A5 in the following locations:
		a) Andrew Close Neighbourhood Centre and its immediate vicinity, excluding the designated Major Green Space at Porters Park Drive; and
		b) along the east side of that part of London Road which falls within the Shenley village envelope provided it can be demonstrated that it would primarily serve and benefit the local community.
		provided it can be demonstrated that it would primarily serve and benefit the local community.
MM36	Paragraph 7.18	7.18 Although there are no particular issues identified at present, it <u>It</u> is also important to control the quantity, type and location of A3, A4, A5 and other evening or late night uses in the interests of local amenity and health. The location of hot food take-aways close to secondary age schools gives rise to health concerns. Research indicates that students are likely to walk up to 400 metres to buy lunch. Proposals to locate new hot food take-aways within a 400 metre walking distance of a school site entrance will therefore be assessed for their impact on the accessibility of hot food take aways to students, unless the proposal is within an existing town, local town or district centre on the Shopping Centre hierarchy table 3. It is also important to control the quantity, type and location of A3, A4, A5 and other evening or late night uses in the interests of local amenity and health. The Hertsmere Health and Wellbeing Strategy (2014-17) identifies that 15.4% of year 6 students are obese (30.2% are overweight or obese), many of whom will go on to become obese or overweight adults. The Government's White Paper Healthy Lives, Healthy People; Our strategy for public health in England (2010) highlights the role of councils in taking action to improve public health, including regulating the development of new fast food restaurants in their role as local planning authority.
	SADM48 - Controlling	The Council will consider the following factors in determining applications for non-retail uses:
	Non-Retail Uses (Deleted Policy)	(i) the nature of the operation and the number of such occupiers within the centre, parade or frontage and the local area generally;
		(ii) the concentration or clustering of such operators within the centre, parade or frontage and the local area generally;
		(iii) the likely effects of the proposal, whether individually or cumulatively, in terms of noise, odours,

MM No.	Policy / Paragraph Number:	Inspector's Proposed Modification:
MM36 (Cont.)		traffic, parking, general disturbance or problems of disorder and nuisance; (iv) the likely impacts of the proposal, whether individually or cumulatively, on the retail image of the area in which it is located; and (v) in the case of hot food take aways, which may fall partly or wholly within Class A5, their proximity to local secondary age schools.
	SADM48 (Replacement Policy)	Applications for non-A1 retail uses within the Borough's key shopping areas (defined in Table 3 shopping hierarchy) will be permitted where it can be demonstrated that:
		(i) the nature of the use would not have a significant detrimental impact on the functioning of the centre, parade or frontage and the local area generally;
		(ii) the concentration or clustering of such uses would not have a significant detrimental impact on the functioning of the centre, parade or frontage and the local area generally;
		(iii) the proposal would not result in unacceptable levels of noise, odours, traffic, parking demand, general disturbance or disorder and nuisance; and
		(iv) the proposal would not have an unacceptable negative impact on the retail image of the area in which it is located.
		Outside of key shopping areas, applications for non-A1 retail uses will be permitted provided that the proposal would not result in unacceptable levels of noise, odour, traffic, parking demand, general disturbance, or disorder and nuisance.
		Where the proposal is for a hot food takeaway (use class A5), and the premises would be clearly visible from any entrance or access point to a secondary school, it must be demonstrated that the proposed use would not undermine any existing or proposed healthy eating policy at that school.
MM37	SADM49 - Night-time and Evening Uses	The Council will in addition consider the following factors in determining planning applications for. Applications for evening economy uses, including entertainment, late night retailing and eating and drinking

MM	Policy / Paragraph	Inspector's Proposed Modification:
No.	Number:	
		establishments these uses will be permitted where:
		(i) whether the proposal supports the creation of a balanced evening economy;
		(ii) the likely effects of the proposal, whether individually or cumulatively, in terms of noise, traffic, parking,
		signage and lighting, general disturbance or problems of disorder and nuisance;
		(iii) the design of the development, as it relates to public safety, crime prevention and the reduction of anti-
		social behaviour;
		(iv) arrangements for mitigating pollution, including noise, odours and emissions;
		(v) access arrangements for people of all ages and abilities;
		(vi) whether adequate levels of parking and public transport would be available during the hours of operation; and
		(vii) whether the day time use would detract from the character and amenity of the surrounding shops and
		services (i.e. by providing a blank frontage due to closure during the day rather than maintaining an active
		street frontage).
MM37		(i) the proposal supports the creation of a balanced evening economy;
(Cont.)		(ii) the likely effects of the proposal, whether individually or cumulatively,
, ,		would not result in unacceptable impacts in terms of noise, traffic, parking, signage and lighting, general
		disturbance or problems of disorder and nuisance;
		(iii) the design of the development is acceptable, as it relates to public
		safety, crime prevention and the reduction of anti-social behaviour;
		(iv) arrangements are agreed for mitigating pollution, including noise,
		odours and emissions;
		(v) the proposal incorporates access arrangements for people of all ages
		and abilities;
		(vi) adequate levels of parking and public transport would be available
		during the hours of operation; and
		(vii) the day-time use would not detract from the character and amenity of the surrounding shops and services
		(i.e. by providing a blank frontage due to closure during the day rather than maintaining an active street
		frontage).

Chapter 8 – Implementation and Monitoring Framework

MM38	Table 4: Monitoring	Insert Table 4 as in SC131	
	Framework		

Appendices and Policies Map

MM39: Delete the whole of Appendix G and substitute:

Appendix G: Policy SADM35 Major Green Open Space and Policy SADM36 Local Green Space

SADM35 Open Spaces

Boundaries are shown on the Policies Map

Site ref.	Site Location
Borehamwood	d
BW 001	Land at Tomkins Close and Bairstow Close
BW 003	Organ Hall Open Space
BW 004	Land at Wetherby Road
BW 008	Old Haberdashers Sports Ground
BW 009	Haggerston Park
BW 010	Brook Meadow
BW 011	Leeming Park
BW 012	Land at Gateshead Road/Beech Drive
BW 013	Aberford Park
BW 014	Playing fields at Aycliffe Road
BW 015	Thirskcliffe Nature Park
BW 016	Walshford Green
BW 017	Land at Ayot Path and Walshford Way
BW 018	Land at Ayot Path and Stapleton Road

BW 019	Land R/O Stapleton Road
BW 020	Clarendon Park
BW 022	Furzehill Road Allotments
BW 023	Meadow Park and Football Ground
BW 024-9	Potters Wood and land at Studio Way
BW 030	Tempsford Green
BW 031	Maxwell Hillside Park (south)
BW 032	Maxwell Hillside Park (north)
BW 033	Land on corner of Byron Avenue/Vale Road
BW 034	Playing field at Woodside and Cowley Hill Primary Schools & Crown Road Amenity Green
BW 035	Land at Shakespeare Drive
BW 036	Kelly Court (Studio Way estate)
BW 037a	Kenilworth Park
BW 038	Farriers Way Open Space and Playground at Fell Path
BW 039	Land at Grantham Green
BW 040	Ripon Park
BW 041	Playing field at Yavneh College/Monksmead School
BW 043	Playing field at Kenilworth school
BW 044	Land R/O 100 Aycliffe Road
BW 045	Playing field at Parkside Primary School
BW 046	Playing field at Summerswood Primary School
BW 047	Playing field at St Teresa's Primary School
BW 048	Playing field at Saffron Green Primary School
BW 049	Playing field at Meryfield Community Primary School
BW 186	Land at Wordsworth Gardens
BW 190	Land at 24-50 Milton Drive
BW 191	Land at 29-57 Milton Drive
BW 198	Land at Lemsford Court
BW 204	Land at Cleveland Crescent
BW 214	Land at Lakeside
BW 236	Playground at Fell Path

BW 239	Land at Hunter Close
BW 249	Land at Windsor Close
Bushey	
BU 002	The Moatfield Playing fields
BU 003	King George Recreation Ground
BU 004	Playing field at Bournehall Primary School
BU 005	Playing field at Little Reddings Primary School
BU 006	Playing field at Merry Hill School
BU 022	Land and Cemetery at St James' Church
BU 043	Boundary Green (Land at Brick Kiln Close)
Bushey Heath	
BH 001	Hillmead Nature Park
BH 003	Windmill Recreation Ground/Allotments
BH 004	Land at R/O 2-44 Richfield Road
BH 005	Playing field at Bushey Heath Primary School
BH 007	The Paddock, Elstree Road
BH 006	Covered reservoirs
BH 028	Land between 22 and 24 Prowse Avenue
Elstree Village	
EV 009	Playing field at St Nicholas' Primary School
North Bushey	
NB 001	Millbrook Road Open Space (Land at Forest Walk)
NB 004	Land at Scottswood Close
NB 006	Playing field at Highwood Primary School
NB 009	Playground at Hartswood Close
Potters Bar	
PB 003	Land at Willow Way
PB 004	Land R/O Willow Way and Mutton Lane
PB 005	Allotments at High View Gardens
PB 013	Land at Abingdon Place
PB 014	Potters Bar Cricket and Bowls Club

PB 015	Parkfield and Ladbroke JMI School
PB 016	Oakmere (including War Memorial)
PB 020	Land at Church Road/Osborne Road
PB 021	Playing field at Lochinver House School
PB 022	Playing field at Mount Grace School
PB 025	Land at Cranborne Crescent
PB 026	Elm Court Community Centre
PB 027	Playing field at Cranborne Primary School
PB 029	Allotments at Aberdale Gardens
PB 030	Land at Berkeley Close
PB 031	Land at Rushfield
PB 034	Former allotment gardens at Elmroyd Avenue
Radlett	
RT 001	Land at Williams Way
RT 002	Land at Canons Close
RT 011	Square at Phillimore Place
RT 014	Playing field at Fairfield Junior School
RT 017 - 020 - 022	& Phillimore Recreation Ground, Allotments Elm Walk, & Wood at Fir Spring
RT 021	Scrubbitts Wood (north)
RT 023	Scrubbitts Wood (south)
RT 024	Land Rear of Christ Church, Watling Street
RT 029	Lauteral Green (Tykeside Gardens)
RT 030	Land opposite Station Road, Watling Street
Shenley	
SH 001	Land west of Andrew Close
SH 014	Land at Cockle Way
SH 016	Land at Ribston Close
SH 017	Land at Grace Avenue
SH 023	Green at Mead Road

SH 027	Playing Fields at Shenley Primary School
SH 029	Newcome Road Play Area (Anderson Road)
South Mimms	
SM 002	The Glebeland (Playground at Blanche Lane)
SM 003	Playing fields at St Giles' School
SM 011	Brookside Play Area

SADM36 Local Green Spaces

Boundaries are shown on the Policies Map

Site ref.	Site Location
BH 002	Mary Forsdyke Garden
BU 001	Bushey Rose Garden
BU 015	War Memorial at Sparrows Herne
BW 185	War Memorial at Shenley Road
EV 013	War Memorial at Elstree Hill North
SH 026	Pond and War Memorial at London Road
SM 004	Cemetery, St Giles' Church
SM 005	War Memorial at St Albans Road
BW 021	All Saints Graveyard
EV 010	Cemetery, St Nicholas' Church
RT 025	Cemetery, Watling Street

MM40: Delete Appendix A from the list of appendices on page 79 of the plan. Delete page 241 and remove Appendix A together with all of the Policies Maps from the plan.