

Proposed changes to Green Space policies in the Submitted Hertsmere Site Allocations and Development Management (SADM) Policies Plan:

Proposed revised Open Spaces section

BACKGROUND

The Inspector wrote to the Council on 29 December 2015 raising a number of concerns in respect of policies SADM 35 *Major Green Space* and SADM36 *Local Green Space* in the submitted Plan. A copy of his note (Document Ex2f on the Examination website (<http://www.hwa.uk.com/projects/hertsmere-site-allocations-and-development-management-policies-plan>) is available [here](#).

The note set out that the Inspector “considers it necessary for all of the potential Local Green Space (LGS) sites to be re-evaluated against the National Planning Policy Framework (NPPF) criteria and further evidence brought forward to show that the sites are, indeed, ‘demonstrably special’ and ‘of particular local significance’ for the local community.”

The Inspector also invited the Council to

- put forward a revised wording for Policy SADM35 *Major Green Space* in order to bring it more in line with paragraph 74 of the NPPF, and
- amend the wording of Policy SADM36 *Local Green Space* in order to refer to ‘very special’, rather than ‘exceptional’ circumstances as the test to be applied to proposals for development on sites to which the policy applies.

The Council has therefore

- undertaken a review of the sites identified as Local Green Spaces in the submitted Plan and identified nine sites for which it proposes to retain the Local Green Space designation. These sites are listed in the revised SADM Appendix G below and their locations shown on the maps which follow it.
- proposed a new Policy SADM35 *Open Space, Sports and Leisure Facilities* to replace the submitted Policy SADM35 *Major Green Space*. This new policy is set out below and would apply to
 - sites that were originally proposed to be designated as Major Green Spaces in the submitted Plan (now to be called ‘Open Spaces’ rather than ‘Major Green Spaces’), and
 - sites that were originally proposed to be designated as Local Green Spaces in the submitted Plan but following the review are now proposed to be re-classified as Open Spaces.

These sites are listed in the revised SADM Appendix G below and their locations shown on the shown on the maps which follow it.

- proposed an amendment to Policy SADM36 *Local Green Space* as requested by the Inspector. This policy would apply to the nine sites retaining the Local Green Space designation. The proposed amended policy is set out below.
- proposed amendments to the supporting text to these policies as a result of the above changes. The proposed amended text is set out below.

Further explanation and evidence in support of these proposed changes is set out in the Council's Hearing Statement (Document HBC/1) submitted to the Inspector available [here](#) (Matter 7, starting at page 51).

PROPOSED AMENDMENTS TO POLICIES SADM35 AND SADM36 AND SUPPORTING TEXT

The following section sets out the proposed amendments to Policies SADM35 and SADM36, and the supporting text.

Changes from the [submitted version](#) of the SADM Plan are indicated as follows:

- where it is proposed that originally submitted text is deleted it will have a strikethrough as so: ~~deleted text~~.
- where it is proposed that additional text is added, it will be underlined as so: additional text.

Green Open Spaces

5.28 The NPPF recognises high quality open spaces and opportunities for sport and recreation as vital components of sustainable communities. It contains a strong presumption against building on existing open spaces and sports and recreational land, including playing fields. Core Strategy Policy CS19 affords a high degree of protection to key community facilities, including allotments and other urban open land, green infrastructure and town or village greens together with parks, sports clubs and pitches.

5.29 National guidance also contains a presumption in favour of new community facilities. The NPPF is clear that local authorities should plan positively to deliver sufficient community facilities to meet local needs. This includes open space and sports and recreation facilities. Planning policies should be based on robust and up to date assessments of needs, and identify opportunities for new provision as appropriate. Open space needs and provision are kept under review by the Council. An Open Spaces Study has been carried out, together with a Green Spaces and Amenity Land Assessment, and an Indoor Sports and Playing Pitch Study is to be undertaken in ~~2015~~ 2016. An update of the Green Spaces and Amenity Land Assessment has been undertaken in 2016.

5.30 The Green Spaces and Amenity Land Assessment reviewed existing urban open land in the Borough. A rigorous criteria-based approach was taken to identifying those spaces with high environmental, spatial and social value, worthy of protection for the benefit of local people and the environment. ~~The Assessment recommends the protection of three different types of open space, i.e. Major Green Spaces, Local Green Spaces, and Minor Amenity Land.~~

5.31 The Council is committed to protecting and enhancing existing open spaces in the Borough including parks, gardens, sport pitches, children's play areas and leisure facilities. The NPPF also makes specific reference to Local Green Space: this should apply to green areas of particular importance to the local community and would rule out new development on them other than in very special circumstances. ~~The Green Spaces and Amenity Land Assessment, which recommends areas which could appropriately be defined as Local Green Spaces, was subject to public consultation before it was finalised to allow the community to make a case for any areas which might have special local significance.~~ Designated Open Spaces and Local Green Spaces These spaces are shown on the Policies Map and listed in Appendix G.

5.32 Major Green Spaces are defined on the basis of their size and structural value rather than communal value. They have an essentially open character which it is considered necessary to protect. They are typically larger than Local Green Spaces and generally offer opportunities for sports and recreation. These spaces are also shown on the Policies Map and listed in Appendix G.

5.323 Minor Amenity Land, as identified in the Green Spaces and Amenity Land Assessment, is land within the urban area, such as road side grass verges and small amenity greens, which contributes to character and visual amenity but does not serve the functions of a Major Green Space designated Open Space or have the local significance of a Local Green Space. A lower level of protection is afforded to this category of space and proposals to develop part of Minor Amenity Land to facilitate off street parking or to provide access to driveways will be considered on their individual merits. Parts of Borehamwood and Potters Bar, in particular, contain large areas of Minor Amenity Land: where a small amount of hardstanding is needed for parking proposals are likely to be viewed favourably provided they do not undermine the setting of nearby housing. In assessing such proposals, it is important to avoid leaving small pieces of soft landscaping with little amenity value that are difficult to maintain efficiently.

5.334 An assessment of past planning applications reveals significant pressures on open space in the Borough from the expansion of education facilities. The Government wants a sufficient choice of school places to meet the needs of existing and new communities. Great weight is therefore given in the NPPF to the need to create, expand or alter schools. Where there is a proven need for additional local education provision and it can be clearly demonstrated that it is not possible to meet the need in a better way, the Council may accept a case for exceptional very special circumstances: this would override the protection afforded to areas defined as Major Green Open Spaces and Local Green Spaces.

5.345 Provision of new open space may be required in accordance with the Council's published Developer Contributions Framework. The Council expects that open space and play provision will be suitably designed and made on-site in order to ensure an acceptable distribution of and accessibility to open space and play provision across Hertsmere; this is important for amenity, biodiversity and well-being. Provision of or a contribution towards identified off-site enhanced or new facilities may be an acceptable alternative, where on-site provision is not viable.

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.

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:

1. 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.

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.

Where ~~exceptional~~ very special circumstances can be demonstrated, proposals will not be considered acceptable unless they:

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

Policy SADM37 – Minor Amenity Land and Policy SADM38 – New and Improved Public Open Spaces are not proposed to be changed from the Policy in the submitted Plan. The policies are not the subjects of this consultation.

REVISED LIST OF SITES TO WHICH POLICIES SADM35 OPEN SPACE, SPORTS AND LEISURE FACILITIES AND SADM36 LOCAL GREEN SPACE ARE PROPOSED TO APPLY

As a result of the review of sites and proposed changes to the policies SADM35 and SADM36, Appendix G of the Plan, which lists the sites to which each policy applies, will also need to be updated. The following list is proposed to replace the version of Appendix G in the [submitted SADM Plan](#).

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

SADM35 Open Spaces

Boundaries are shown on the Policies Map

Site ref.	Site Location
Borehamwood	
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 021	All Saints Graveyard
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 006	Covered reservoirs
BH 028	Land between 22 and 24 Prowse Avenue
Elstree Village	
EV 009	Playing field at St Nicholas' Primary School
EV 010	Cemetery, St Nicholas' Church
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 025	Cemetery, 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
BH 007	The Paddock, Elstree Road
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

NB. Four sites were omitted in error from the list of sites set out in the Council's Examination Statement [HBC/1](#). These were BH001, BH003, BH004 and SM003. These sites are all proposed to be designated as Open Spaces and are included in the list above.

For the purposes of this consultation the location of each site is shown on the following maps.




**Policy SADM35 – Open Space, Sports and Leisure Facilities and
Policy SADM36 – Local Green Space**

North Borehamwood (west)



Key

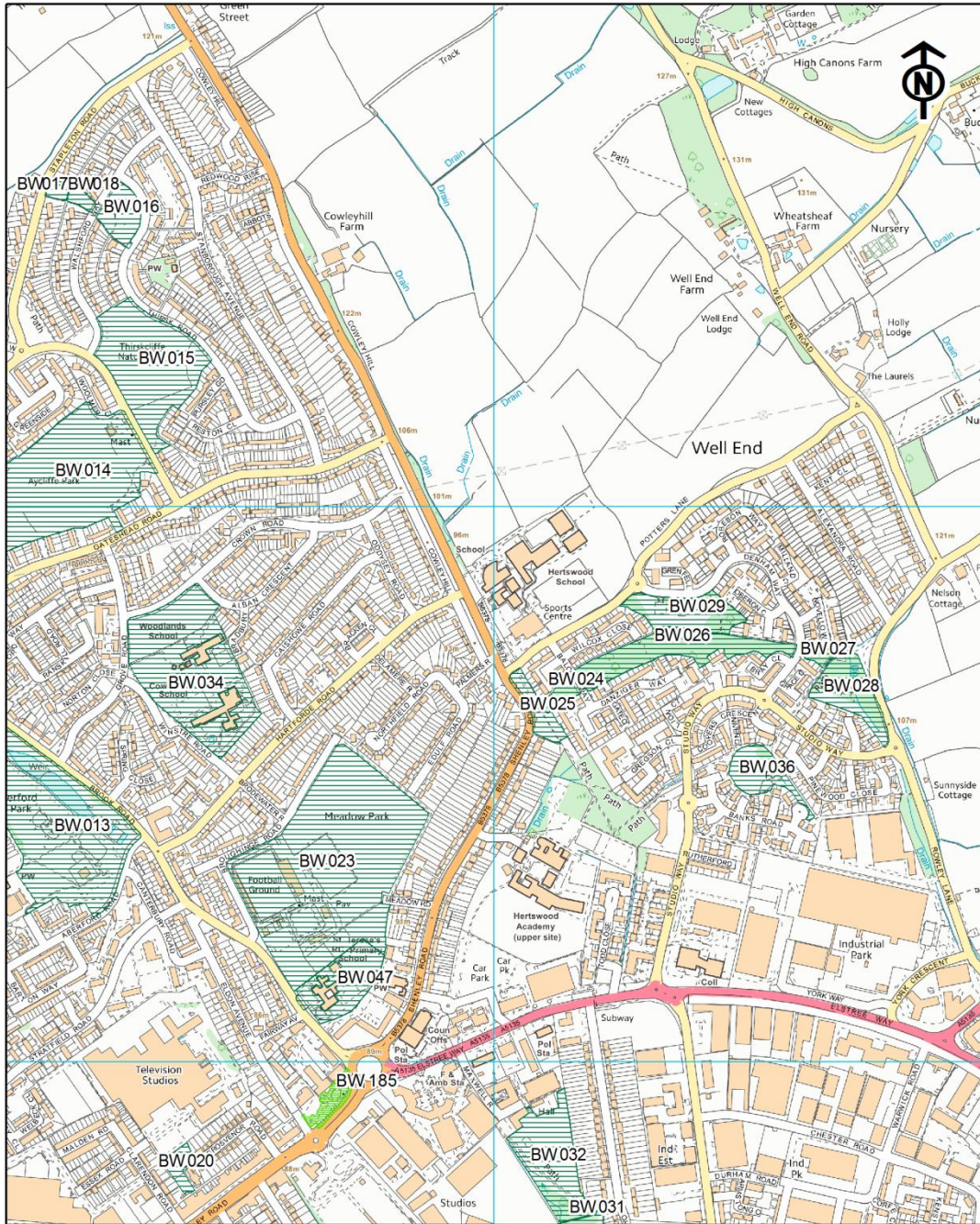
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-  SADM35 Open Space, Sports and Leisure Facilities (proposed Feb 2016)
-  SADM36 Local Green Space (proposed Feb 2016)
-  Hertsmere Borough Boundary

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

**Policy SADM35 – Open Space, Sports and Leisure Facilities and
Policy SADM36 – Local Green Space**

North Borehamwood (east)



Key

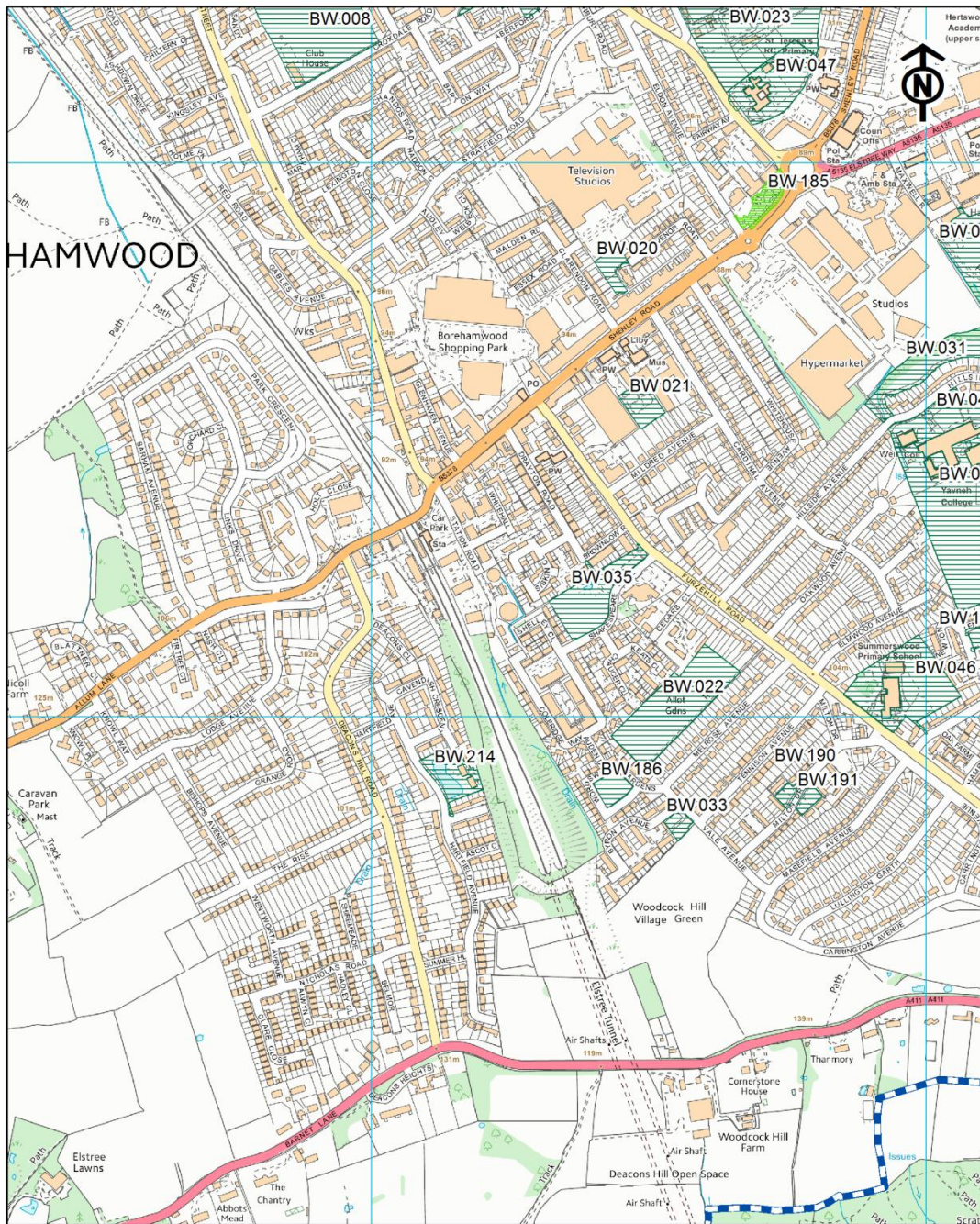


-  SADM35 Open Space, Sports and Leisure Facilities (proposed Feb 2016)
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Policy SADM35 – Open Space, Sports and Leisure Facilities and Policy SADM36 – Local Green Space

South Borehamwood (west)



Key

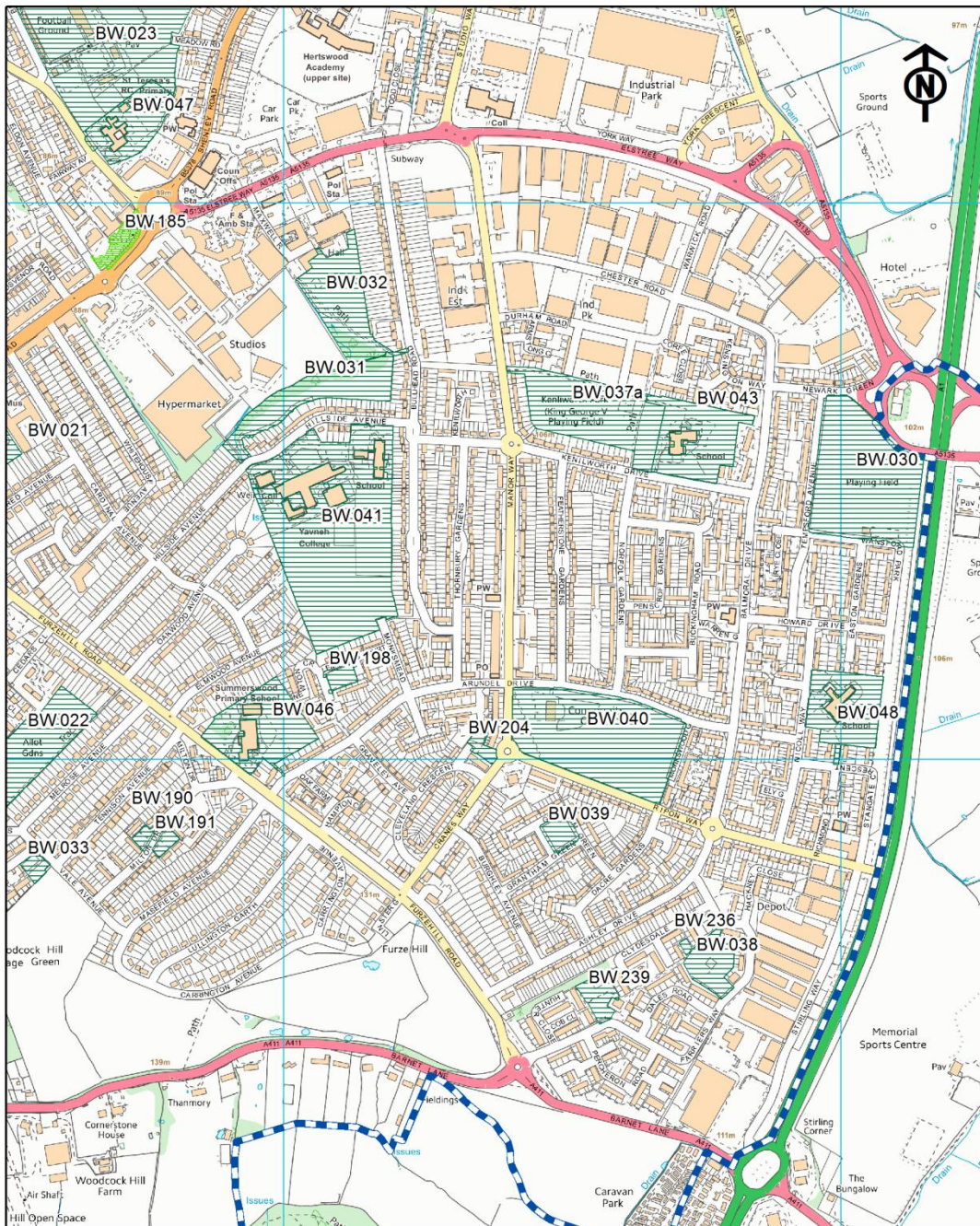
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-  SADM36 Local Green Space (proposed Feb 2016)
-  Hertsmere Borough Boundary






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**Policy SADM35 – Open Space, Sports and Leisure Facilities and
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South Borehamwood (east)



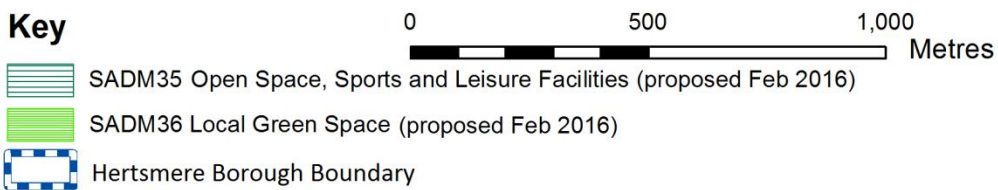
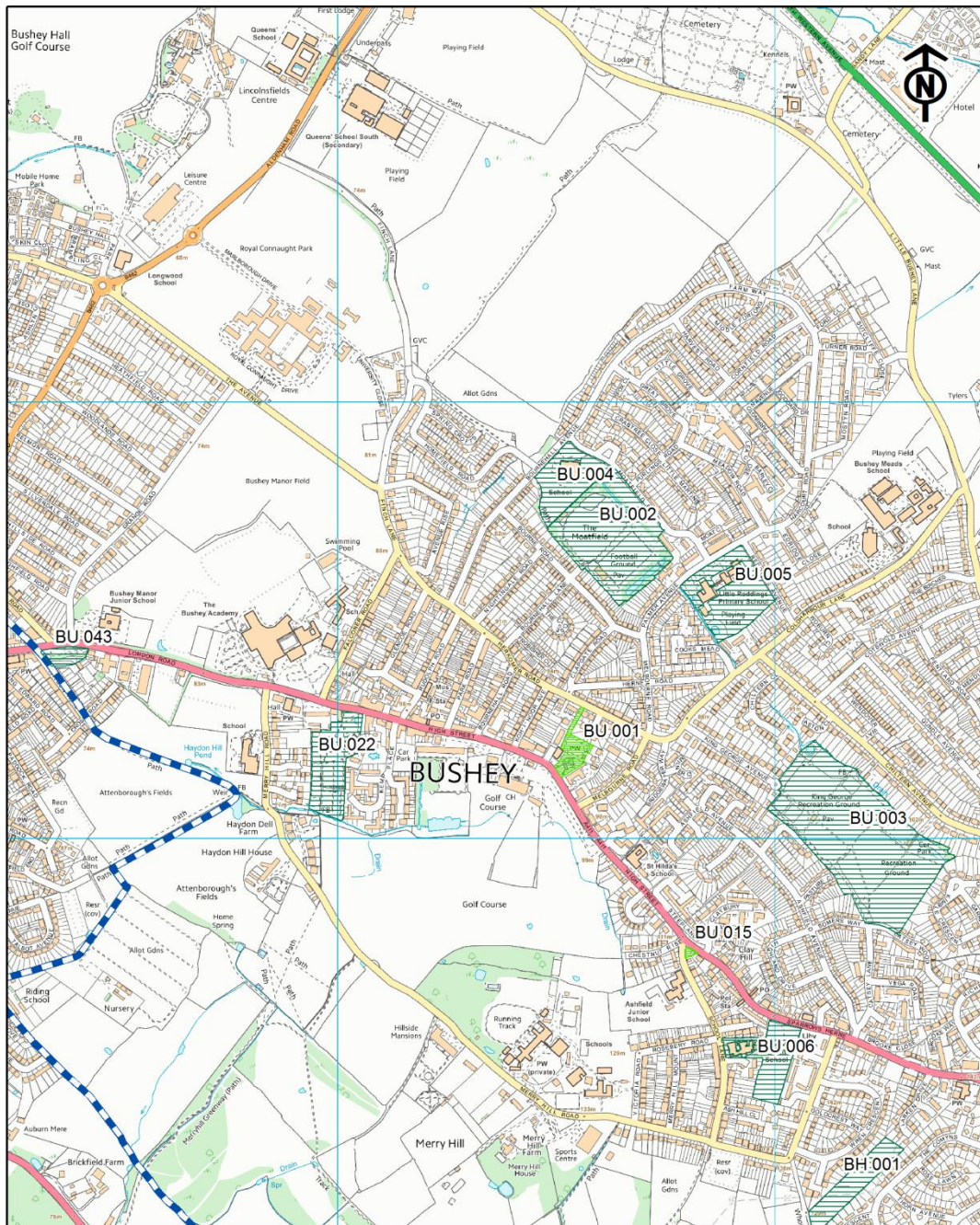
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Policy SADM35 – Open Space, Sports and Leisure Facilities and Policy SADM36 – Local Green Space

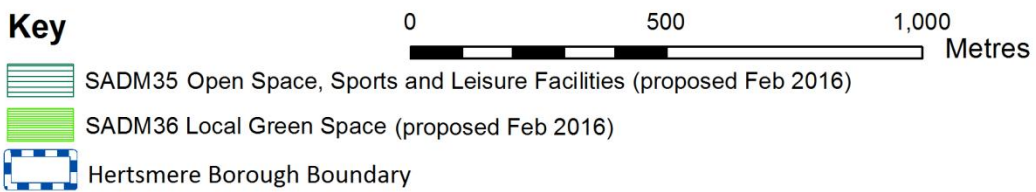
Bushey



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**Policy SADM35 – Open Space, Sports and Leisure Facilities and
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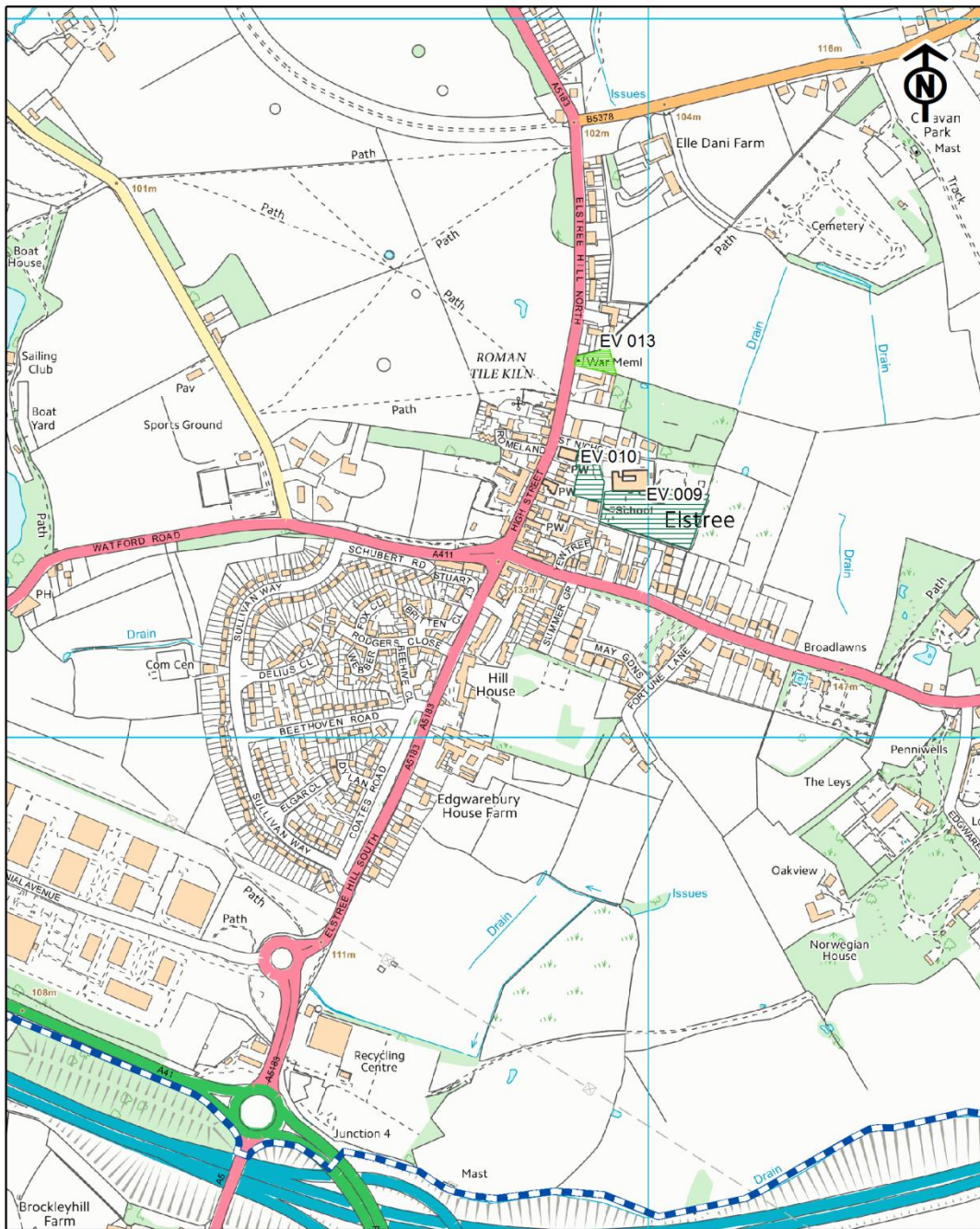
Bushey Heath



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**Policy SADM35 – Open Space, Sports and Leisure Facilities and
Policy SADM36 – Local Green Space**

Elstree Village



Key

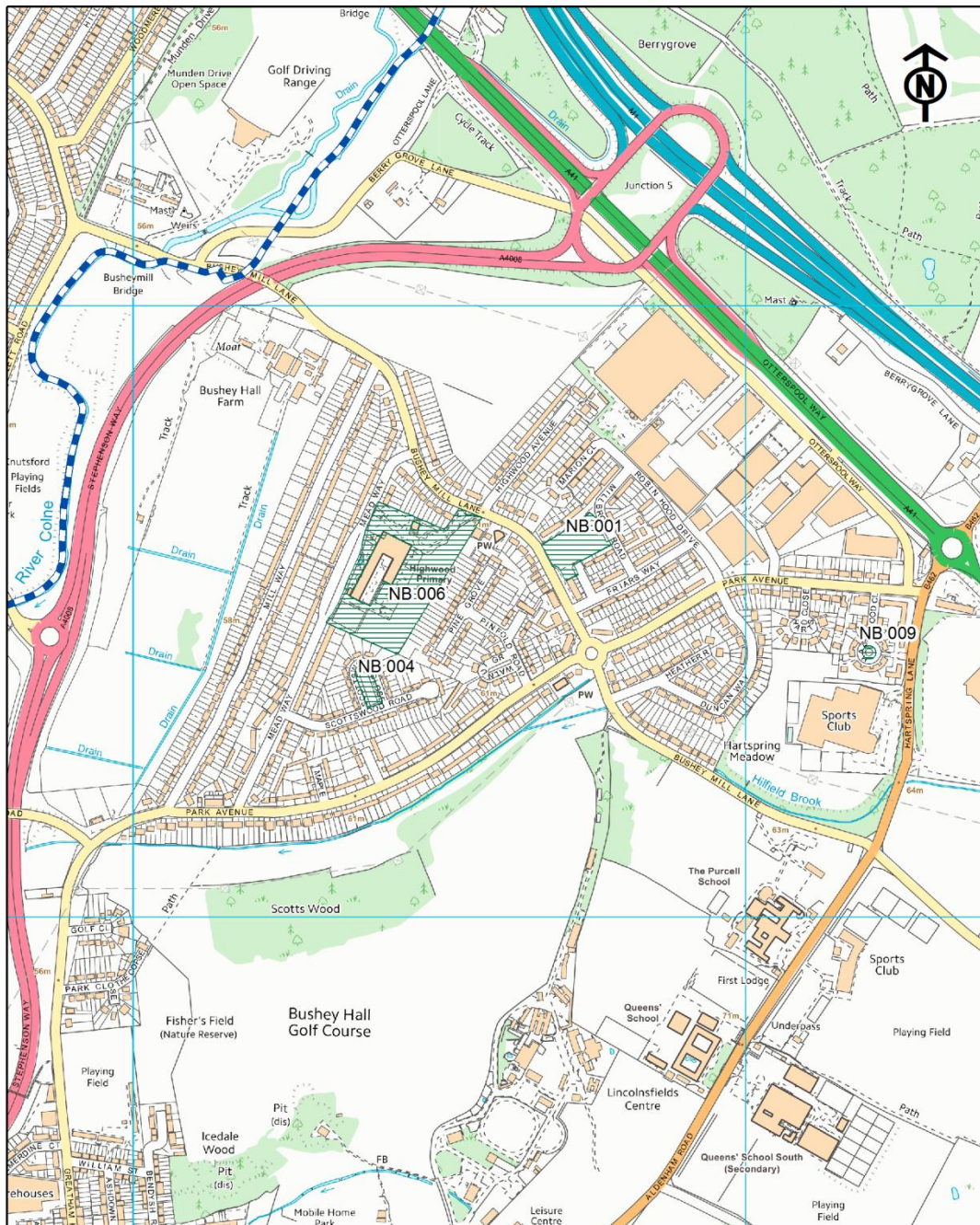
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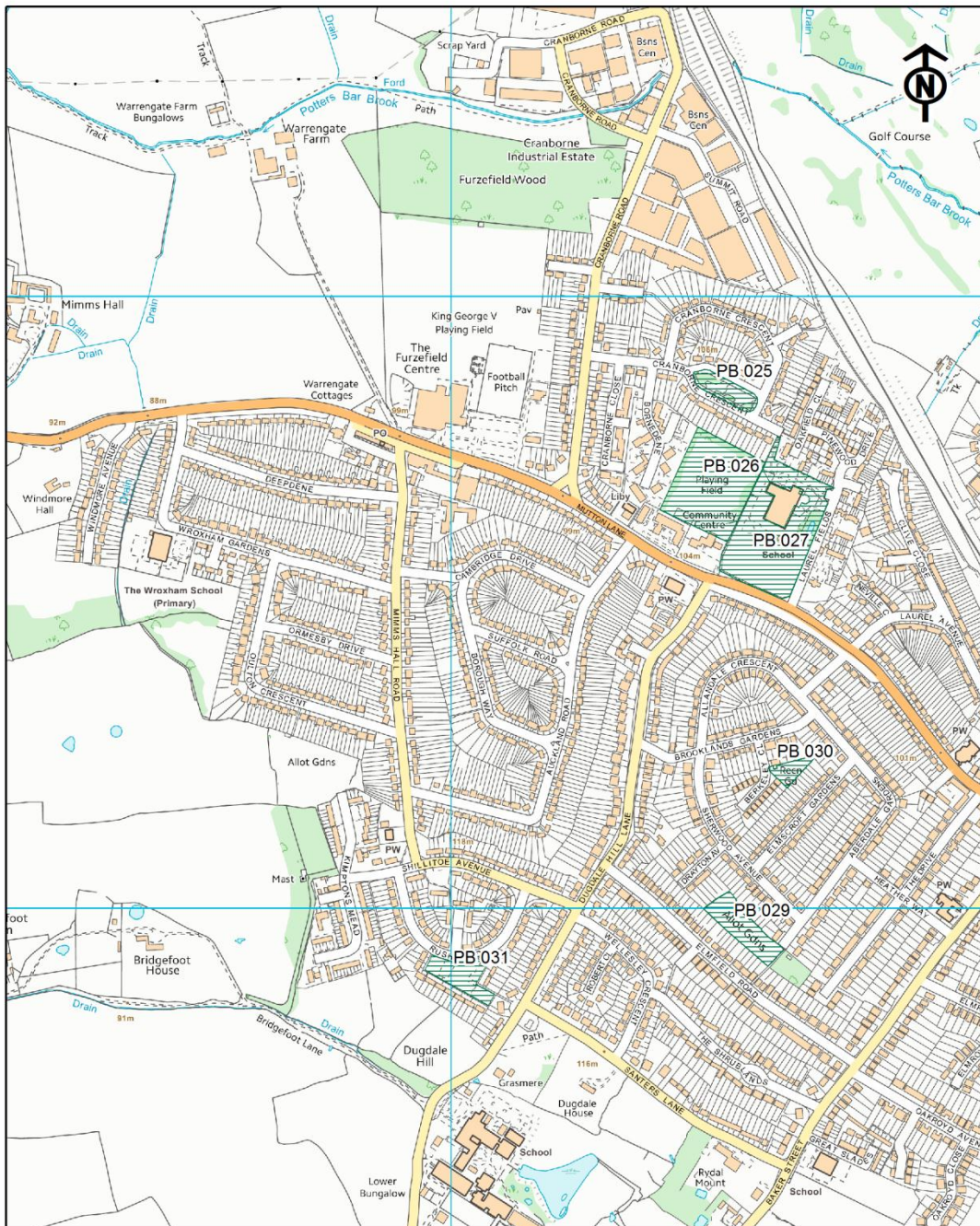
North Bushey



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Policy SADM35 – Open Space, Sports and Leisure Facilities and Policy SADM36 – Local Green Space

Potters Bar West



Key

0

500

Metres



SADM35 Open Space, Sports and Leisure Facilities (proposed Feb 2016)



SADM36 Local Green Space (proposed Feb 2016)



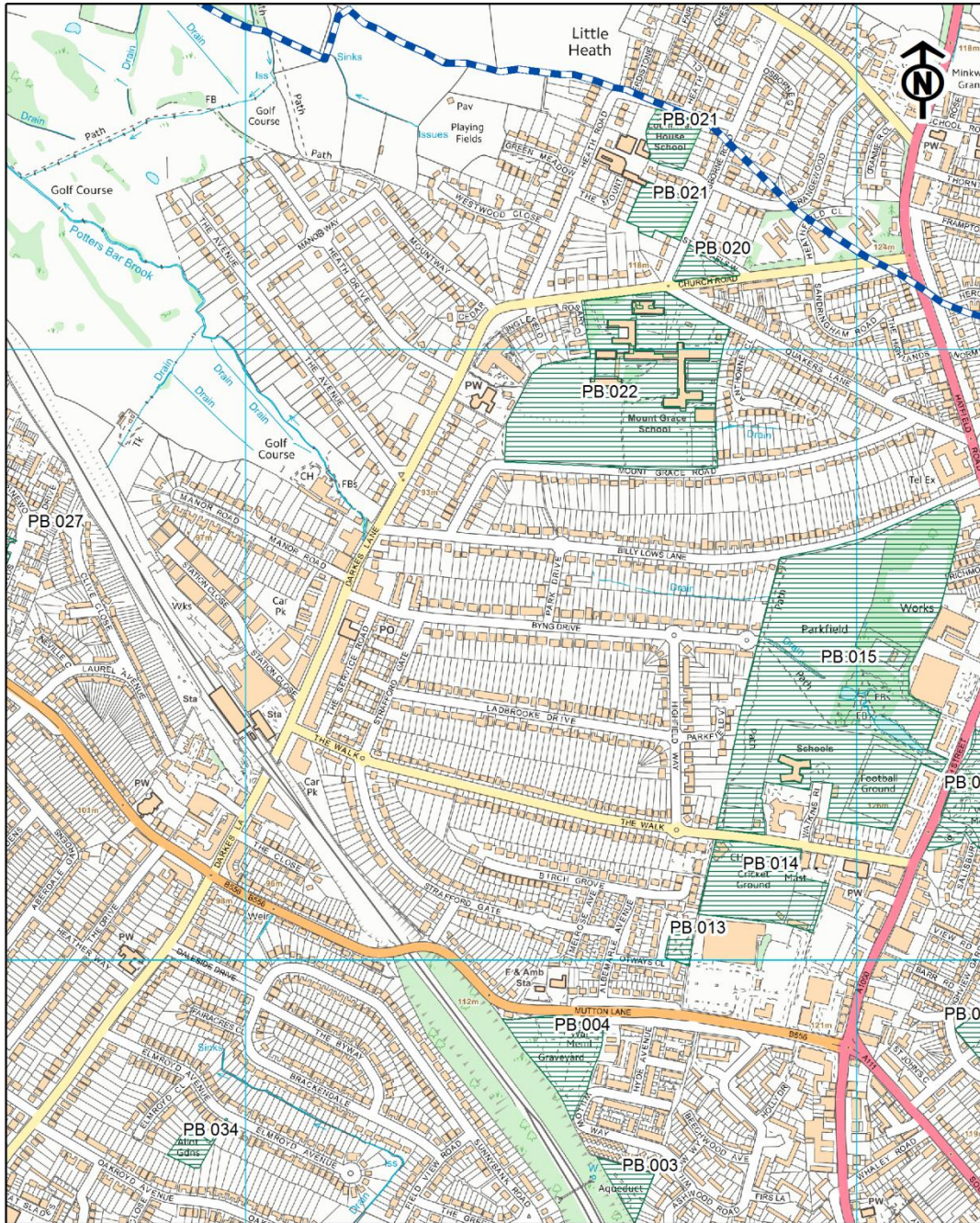
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**Policy SADM35 – Open Space, Sports and Leisure Facilities and
Policy SADM36 – Local Green Space**

Potters Bar Central



Key

0

500

Metres



SADM35 Open Space, Sports and Leisure Facilities (proposed Feb 2016)



SADM36 Local Green Space (proposed Feb 2016)



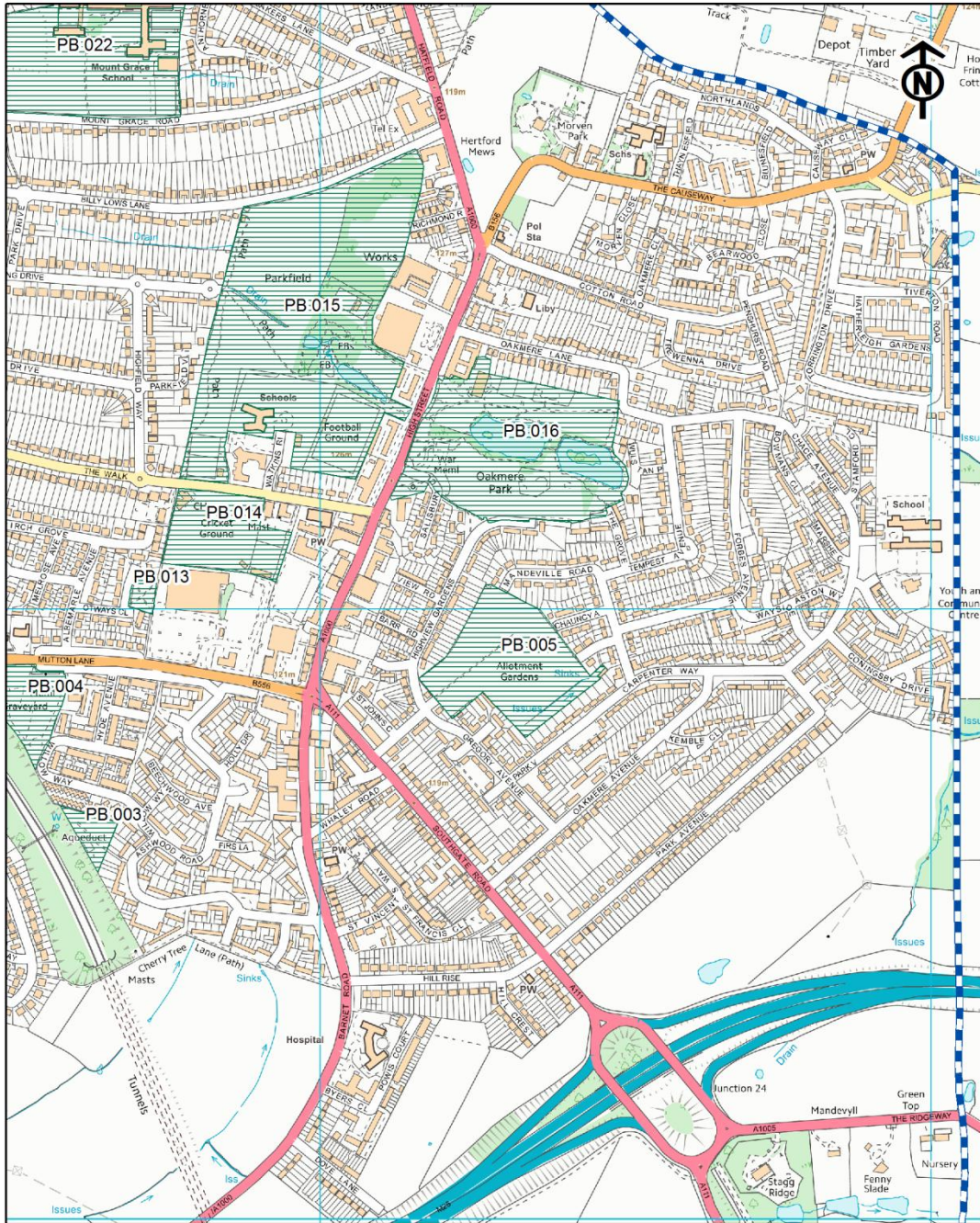
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**Policy SADM35 – Open Space, Sports and Leisure Facilities and
Policy SADM36 – Local Green Space**

Potters Bar East



Key

0

500

Metres



SADM35 Open Space, Sports and Leisure Facilities (proposed Feb 2016)



SADM36 Local Green Space (proposed Feb 2016)



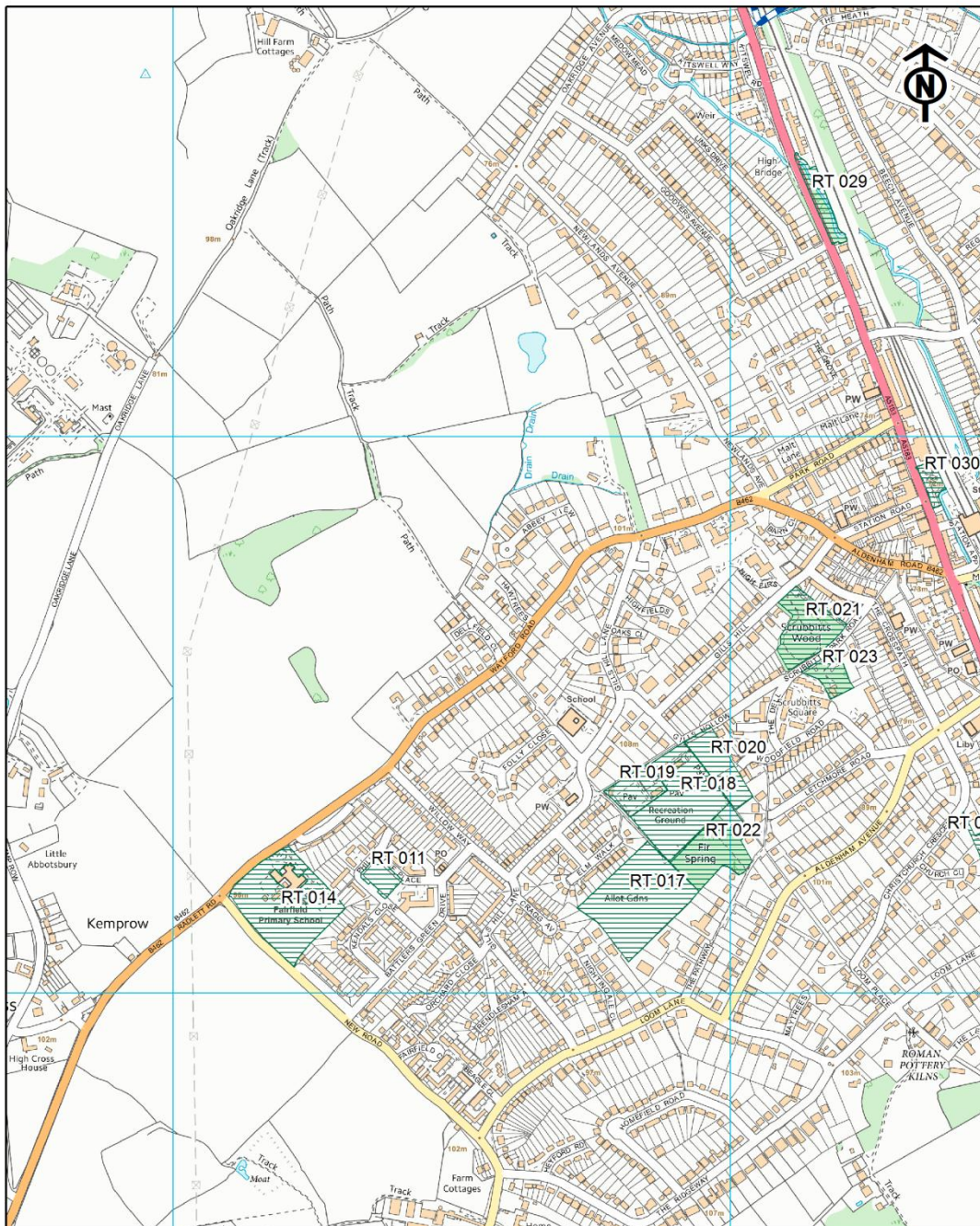
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

**Policy SADM35 – Open Space, Sports and Leisure Facilities and
Policy SADM36 – Local Green Space**

Radlett West



Key

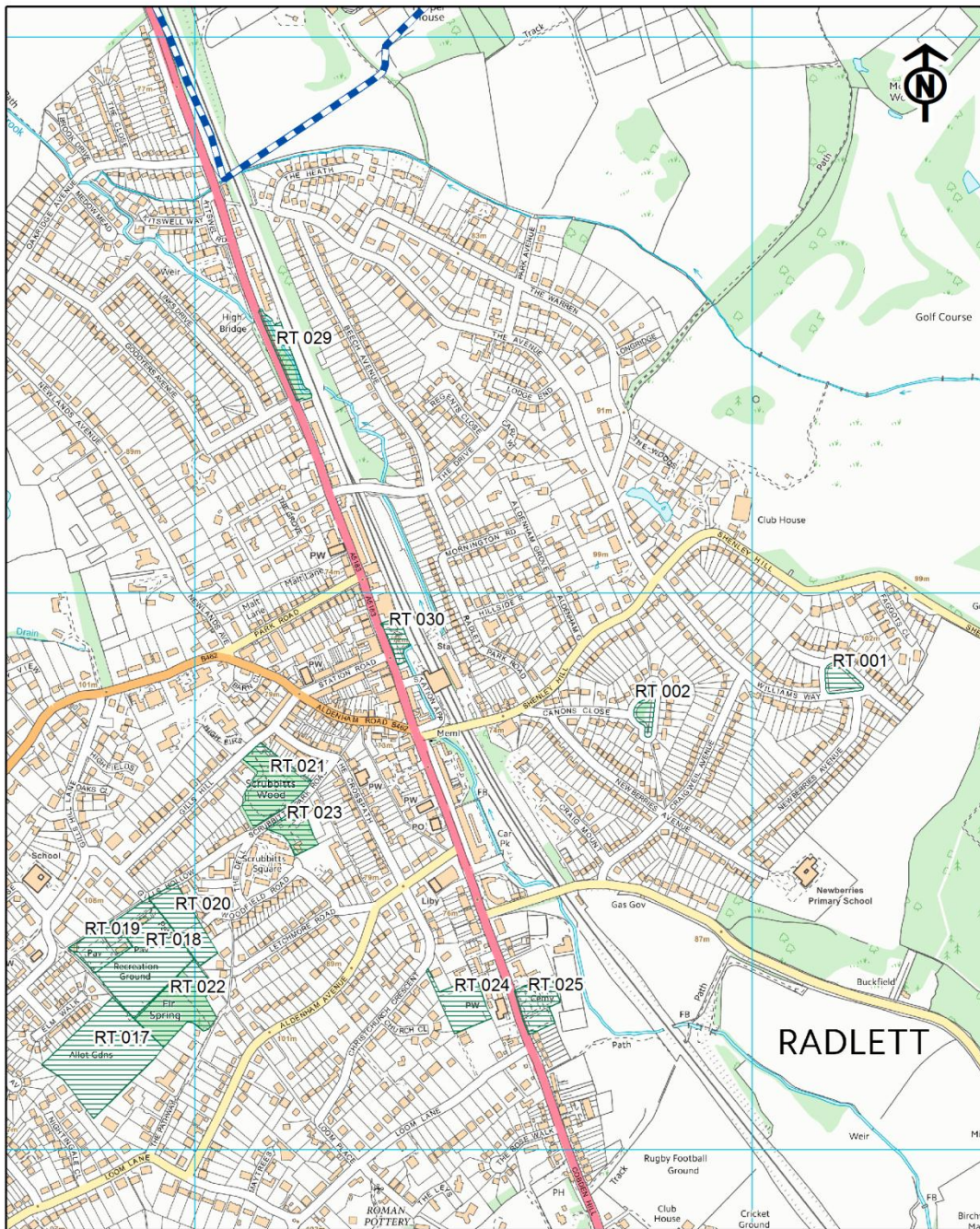
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

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**Policy SADM35 – Open Space, Sports and Leisure Facilities and
Policy SADM36 – Local Green Space**

Radlett East



Key

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**Policy SADM35 – Open Space, Sports and Leisure Facilities and
Policy SADM36 – Local Green Space**

Shenley



Key

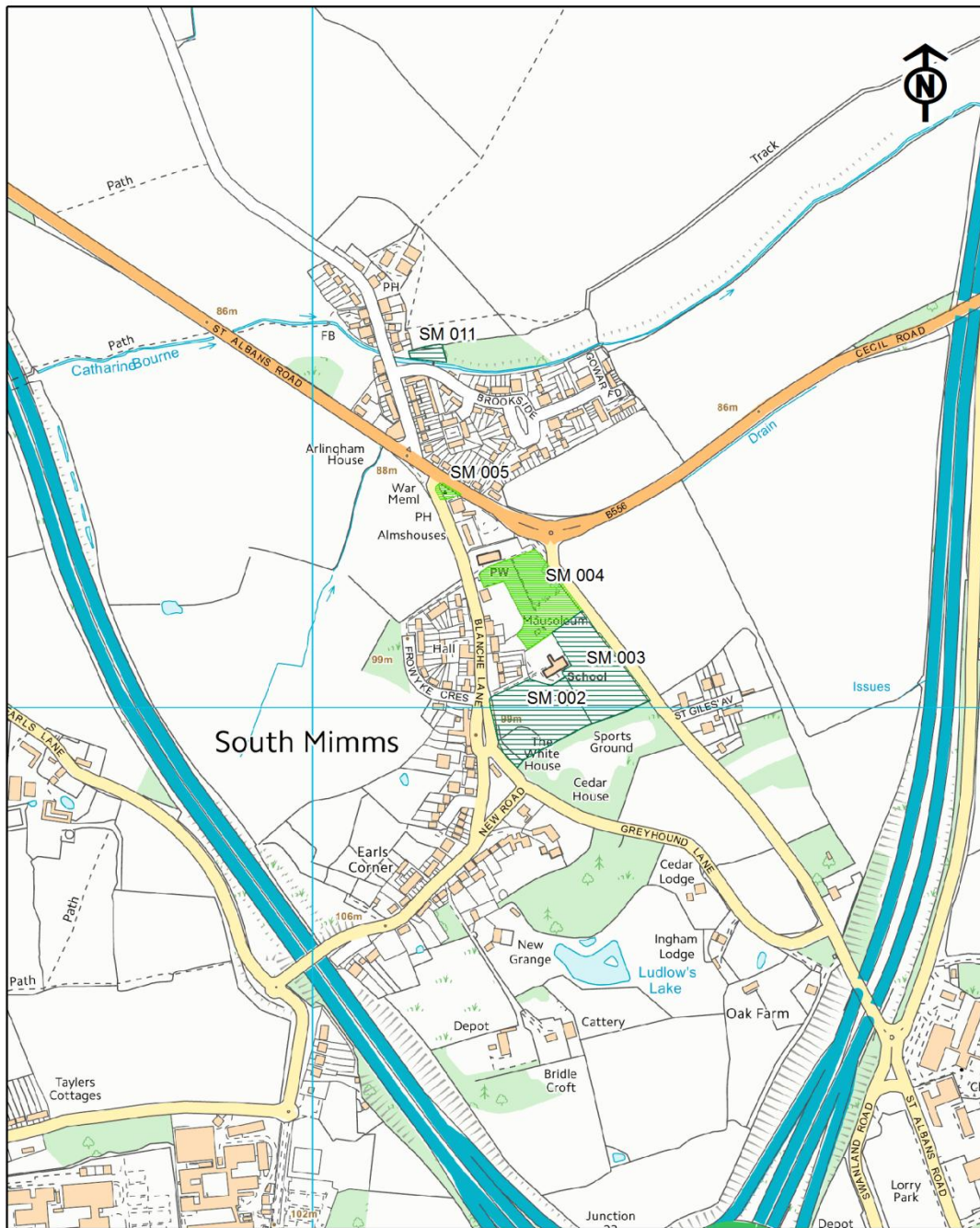
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-  Hertsmere Borough Boundary

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**Policy SADM35 – Open Space, Sports and Leisure Facilities and
Policy SADM36 – Local Green Space**

South Mimms



Key



-  SADM35 Open Space, Sports and Leisure Facilities (proposed Feb 2016)
-  SADM36 Local Green Space (proposed Feb 2016)
-  Hertsmere Borough Boundary

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