

Hertsmere Local Development Framework

Development Plan Document

Revised Core Strategy

Matter 6 Statement

Open Space and Recreation Provision
(Policies CS14 and CS18);

Protection of the Natural Environment
(Policies CS12); and

Other Infrastructure
(Policies CS15, CS17, CS23, CS25)

Hearing: 3rd May 2012

April 2012



Issues

- 1. Is the RCS based on adequate analysis of the need for recreational open space and leisure provision?**
 - 1.1 The RCS is based on a substantial evidence base with respect to recreational open space and leisure provision.
 - 1.2 The 2011 Open Space Study (CD/83) analyses the current provision of open space within Hertsmere. The study evaluates the quantity and accessibility of open space and recreational land in Hertsmere and recommends appropriate strategy, policy, standards and specific provision required to meet the Borough's future needs. The Study shows that generally Hertsmere has a diverse distribution of different types of open space. This was produced in compliance with the PPG17 companion guide considering both indoor and outdoor leisure space and was produced in cooperation with local leisure groups, Hertsmere Leisure (public leisure centre operator), Hertsmere Parks Department, Hertsmere Borough Council's Sport and Cultural Services Manager, and utilised public survey information.
 - 1.3 A Playing Pitch Strategy was produced in 2006 and was updated in 2010. This document was produced in compliance with the PPG17 companion guide. It includes a detailed assessment of the different outdoor sports, and sought to identify where and when there were any shortfalls in the supply of pitches within sport codes to 2016. Dale Greetham of Sport England undertook a review of the playing pitch study in July 2010 and concluded "Clear conclusions and recommendations are presented to protect and improve playing pitch provision in the area".
 - 1.4 The Council will need to keep technical studies under review and need to maintain an evidence base for future CIL work. Paragraph 7.21 of the Council's Infrastructure Topic Paper (CD/77) states that "Following representations from Sport England concerning the methodology of the Open Space Strategy and Play Pitch Strategy, the Council will review these in 2012/13. Potential changes arising from this will be published as an update or superseded in the forthcoming Hertsmere Parks and Play Strategy." The Council believes that the studies were produced in compliance with the appropriate national guidance, and utilised models and calculators provided by Sport England itself, and as a result is appropriately sound. However, to ensure that the studies are up to date the Council will review both the studies' findings and incorporate further evidence within the reports of work with sports clubs, operators and providers. The Council has agreed a statement of common ground with

Sports England, and both organisations have committed to working together on a future review.

1.5 In addition to the Open Space Study and Playing Pitch Study, the RCS is also informed by Hertfordshire Strategic Green Infrastructure Plan, The Hertsmere Borough Council Green Infrastructure Plan (CD/85) and the Watling Chase Greenways Strategy (2003) (CD/81).

1.6 The Council is also producing an Urban Open Spaces and Amenity Greens report, which reviews the urban open land designations in the Local Plan and will provide the basis for Local Green Space designation in line with paragraph 77 of the NPPF. This evidence will inform the production of the Hertsmere Site Allocations and Development Management DPD.

2. Is there adequate geographical definition of the areas that are to be protected for their nature conservation interest?

2.1 The Hertsmere Local Plan 2003 proposals map (CD/24) has not been superseded by the RCS and will continue to be the relevant map when assessing sites of nature conservation. In that regard, its identification of Wildlife Sites (also known as Sites of Importance for Nature Conservation); Wildlife Sites (protected species); Local Nature Reserves; and Sites of Specific Scientific Interest is still relevant. Policies E1 to E8 inclusive in the Hertsmere Local Plan were saved by way of direction in 2007 (CD/25) and have not been superseded. These policies are complementary to Policy CS12 of the RCS in line with Appendix 5 of the RCS. Wildlife site locations are periodically updated through the AMR and the Council's Biodiversity and Trees SPD through information provided by Herts Biological Record Centre.

2.2 It is noted that such designations are statutory and protected by European and national legislation on biodiversity. Both Hertfordshire and Middlesex Wildlife Trust (HMWT) and Hertfordshire Biological Records Centres (HBRC) are consulted on the preparation of Development Plan Documents, and on planning applications on relevant sites.

2.3 Hertsmere also benefits from a Strategic Green Infrastructure Plan for the County (CD/54), and a Hertsmere Plan (CD/85). These plans have identified and mapped all these relevant sites in connection with planning for green infrastructure, and form part of the evidence base for the RCS. Details of these sites are updated on an annual basis by HMWT and HBRC, and the relevant stakeholders notify the local authority as appropriate on these changes.

- 2.4 It is not considered that additional information is required on these designations through the RCS and it is the intention of the Council to include a review of these sites through forthcoming DPDs.
3. **With regard to key infrastructure, does the RCS give adequate guidance about what is required to underpin delivery of the spatial strategy and how, when and by whom it will be provided? Are the phasing and other implications of the required improvements to waste water treatment works properly considered and acknowledged?**
- 3.1 A substantial amount of infrastructure evidence has been prepared as part of the RCS evidence base. The Infrastructure Topic Paper (CD/77) provides an overview of the infrastructure required during the plan period and where possible it seeks to give a broad overview of the way certain infrastructure is planned and the agencies involved in its delivery. While the Infrastructure Schedule within the Infrastructure Topic paper is not a comprehensive list of all infrastructure projects within the plan period, it outlines a number of forthcoming infrastructure projects in or immediately adjacent to Hertsmere.
- 3.2 Further discussions with Thames Water (TW) have taken place following the preparation of the Infrastructure Topic Paper. A statement of common ground has been signed between HBC and TW in relation to waste water and Sewage provision for new development, and proposes a minor amendment which both HBC and TW appropriate. TW has updated HBC on the status of Blackbirds and Maple Lodge sewage treatment works (STW), where upgrades are likely to be necessary. The scale and timing of the required works are dependent on the size, location and phasing of allocated development sites and windfall sites both within Hertsmere and other authorities that lie within the catchments of the STWs. Further discussions will take place with TW in relation to this matter and also in association with the on-going Community Infrastructure Levy (CIL) preparation.
- 3.3 Statements of common ground have also been signed between HBC and the Highways Agency, Hertfordshire County Council (Property), and Hertfordshire County Council (Environment), including Highways, in relation to infrastructure provision.

- 4. Is there sufficient clarity about the roles and definitions of Transport Development Areas and Transport Corridors in terms of development and accessibility to services and employment (Policy CS23)? What is the justification for the different thresholds for dwelling numbers that are specified in the policy, and are they consistent with the adopted supplementary planning document on parking standards?**
- 4.1 The Council identified Transport Development Areas (TDAs) in response to the RICS Policy Unit's Transport Development Areas: Guide to Good Practice (2002) paper. This states that TDAs are 'a means of securing well designed higher density development around good public transport nodes'.
- 4.2 The RICS paper outlines that TDAs should be identified taking into account 'boundaries, transport accessibility appraisals, urban design, density, parking standards and other key issues'. The Council followed this methodology; the Borehamwood and Potters Bar TDAs broadly centre on the Borough's two main train stations (Elstree & Borehamwood and Potters Bar), and Borehamwood Town Centre and High Street (Potters Bar) District Centre. Their boundaries follow the accessibility zones set out in the Council's Parking Standards SPD (as amended 2010) (CD/35 & CD/36), which are based on a robust methodology that mapped the entire borough at 50m intervals in terms of accessibility to public transport and local services.
- 4.3 The paper also discusses public transport corridors as suitable locations for higher density development. The Council has identified Transport Corridors along major A and B Roads in Borehamwood and Potters Bar, where these are well served by public transport.
- 4.4 The Council wishes to clarify Policy CS23 in light of recent updates to local and national policy. The NPPF, at paragraphs 17, 30 and 34, seeks to direct major developments, especially those that generate significant movement, towards locations that are sustainable, and supports development patterns that facilitate the use of sustainable modes of transport and minimise the need to travel.
- 4.5 It is proposed that references to Transport Corridors are deleted and references to TDAs are clarified, so that they relate to the accessibility zones on which they are based. The Council proposes that RCS Policy CS23, its supporting text at paragraphs 2.54, 7.4 and 7.18, and figure 1, are amended to reflect the relationship between TDAs and accessibility zones, as defined in the Parking Standards SPD (as amended 2010).
- 4.6 A threshold is set out in RCS Policy CS23, under which developments are not required to be in compliance. This was put in place to ensure that

unreasonable burdens are not place on householder and minor developments, which is in line with the aspiration of NPPF paragraph 174. This policy has been through several iterations, and for clarity it is proposed that the current threshold is deleted and the policy amended to use the statutory definition of major development, set out by section 2(1) of The Town and Country Planning (Development Management Procedure) (England) Order 2010, as a threshold. An amendment is also required to paragraphs 7.4.

- 4.7 RCS Policy CS23, in accordance with NPPF paragraph 36, requires the submission of a Travel Plan in support of some major development proposals. The Parking Standards SPD sets further local guidance for when, and in what form, Travel Plans should be submitted. It is noted that there are inconsistencies between the thresholds for Travel Plans set out in Policy CS23 and the Parking Standards SPD, which is now superseded by guidance in the Hertfordshire Local Transport Plan: 2011 – 2031 (LTP3) (CD/63). Therefore, it is proposed that reference to specific thresholds for the submission of Transport Plans is deleted from Policy CS23 and that the text is amended to direct applications towards the thresholds set out within policy section 3.8 of LTP3 2031.

- 4.8 The changes proposed in relation to this issue are set out within Appendix M6.A.

5. Should Policy CS25 do more to make clear where and when additional Greenway developments will take place and where they will be defined? Does paragraph 7.28 seek to secure financial contributions through planning conditions?

- 5.1 Point iii) of Policy CS25 is supported by paragraphs 7.24-7.28, including the Greenway Strategy as adopted in 2003 (CD/81) as referenced in these paragraphs. The Strategy identified a number of linear and circular routes between, through and around the main towns to help create a full network of routes suitable for non-motorised forms of transport. Some of these have been delivered in the last 10 years. A review of the Strategy was recently undertaken by the Council, which requires the approval of the Cabinet for adoption, and includes a schedule of the project with an idea of its priorities. The review is on the Council's Forward Plan for the Cabinet to consider the strategy and make a decision on it in 2012.

- 5.2 MA/69 in the Schedule of Proposed Minor Amendments (CD/07) details the change to Policy CS25 of the RCS. It is proposed that there should be the inclusion of a reference to Greenways. This was in response to representations from Hertfordshire County Council Environment department (Statement of Common Ground: CD/08). It is also proposed to add a reference to the Strategy at the end of the Policy. It has also been

noted that there is an error in the title of the Parking Standards SPD, which will also be corrected. A revised Policy CS25 is included in Appendix M6.B.

- 5.3 Paragraph 7.28 does seek to secure financial contributions through planning conditions. The Council currently holds £500,000 of S106 funding for the delivery of Greenways. In 2010 there was a review of the Planning Obligations SPD (CD/40 & CD/41), which was adopted in December 2010. It incorporated an updated section on financial contributions towards Greenways routes per dwelling on net residential units (Part B of SPD). It is also anticipated, as set out in Table 11 of the RCS, that the forthcoming Community Infrastructure Levy (CIL) will make allowances for Greenway routes.

Appendices Content Page

Appendix M6.A: Minor changes to Core Strategy Paragraphs 2.54 and 7.4, Policy CS23, and Figure 1

Appendix M6.B: Minor changes to Core Strategy Policy CS25

Appendix 6.4A: Minor changes to Core Strategy Paragraphs 2.54 and 7.4, Policy CS23, and Figure 1

N.B.: Deletions are struck through; insertions are underlined.

Paragraph 2.54 - The concept of Transport Development Areas (TDAs), where higher density development is concentrated around transport hubs, will be promoted close to transport interchanges in Borehamwood and Potters Bar, ~~which, together with transport corridors running into;~~ these TDAs, and other main centres, may act as a focus for new development ~~and offer some scope for trip-generating new development.~~ The TDAs are themselves based on the Council's accessibility zones and provide a basis for directing more intensive and trip generating development towards the most accessible parts of the Borough's main settlements.

Paragraph 7.4 - The Council acknowledges that there is no single solution to the problem of congestion. However, there is likely to be limited scope for major, trip generating commercial development outside of (1) the identified 'Transport Development Areas' ~~and associated transport corridors in Borehamwood and Potters Bar~~ (2) town centres identified in the retail hierarchy or (3) the designated Employment Area on Shenley Road, Borehamwood - unless new or improved public transport, pedestrian and cycle routes can be created or funded and the local environment can accommodate such development. Major trip generating developments are considered ~~to be those creating over 2,500 sq m of new / additional office, retail or leisure floorspace, have a site area of one hectare or greater, or requiring more than 150 car parking spaces~~ in Policy CS23.

Policy CS23 - The Council will work towards Hertfordshire County Council's vision of providing a safe, efficient and affordable transport system that allows access for all to everyday facilities.

To obtain the best use of the existing highway network, major trip generating development should be focused principally on Transport Development Areas, ~~Transport Corridors~~ and town centres as indicated on the Key Map Diagram. Major ~~non-residential~~ developments ~~over 2,500 sq m or schemes of 25 residential units~~ will only be permitted where:

- i. it does not conflict with the Transport Objectives of the Hertfordshire Local Transport Plan ~~(April 2011 as amended)~~ and associated Accessibility Strategy;
- ii. it is accompanied by a suitable Travel Plan ~~(for developments over 2,500 sq m or 80 residential units)~~ where required by the Hertfordshire Local Transport Plan (as amended)), prepared in accordance with guidance set out in the Parking Supplementary Planning Document and DfT guidance on preparing travel plans;
- iii. it is in accordance with Hertfordshire County Council guidance and relevant Local Plan ~~/ Development Plan Document~~ (as amended) policies relating to the operation of the Highways network and the achievement of vehicular, pedestrian and equestrian safety; and

iv. it contributes, where required, to the provision or funding of new infrastructure or improved public transport services and non-motorised routes; and
iv.v. the cumulative impact on the highways network can be adequately mitigated.

Figure 1: Page 33, Hertsmere Core Strategy Key Diagram (AMEND) – *Transport Corridors to be removed, TDAs to be reviewed to ensure that they correspond with the accessibility zones.*

Appendix M6.B: Minor changes to Core Strategy Policy CS25

N.B.: Deletions are struck through; insertions are underlined.

Policy CS25 - *The Council will support a wide range of measures to provide safer and more reliable alternatives to the car for accessing new development and existing development and other destinations across the Borough including:*

- i) improved public transport facilities;*
- ii) additional public transport routes and stops;*
- iii) enhanced and new non-motorised links (including Greenways) within and between urban and rural areas, along or additional to the existing rights of way and highways network, which increase walking, cycling or riding opportunities;*
- iv) the safeguarding of proposed non-motorised routes, where necessary, to preclude development occurring which would prevent their future implementations.*

New development will be assessed in terms of their accessibility by a range of transport modes and where appropriate, measure to promote alternative to the car will need to be provided as part of a proposed scheme, having regard to the requirement of the Parking Standards Supplementary Planning Document, and the adopted Greenways Strategy.