

NHDC Development Policies Preferred Options consultation September 2007

Comments by CPRE – The Hertfordshire Society

Chapter 4: Managing Environments

General

In our view the policies in this section would logically have followed the subject headings of the policies set out in Chapter 8: Environment of the draft East of England Plan (dEEP), since policy is intended to flow from the dEEP.

Some policy set out in the dEEP is missing altogether from these Development Policies. In particular, the requirements of Policy ENV1: Green Infrastructure are missing. Although the dEEP states that green infrastructure will be particularly important in areas of new development, it makes it clear that the policies apply throughout the region.

Development Policy 1: Landscape

Policies within the dEEP allow for landscape enhancement not just where development takes place.

In our view and experience there is typically insufficient guidance within the individual Landscape Character Area statements prepared for North Herts to guide the appropriate location, nature and scale of new development.

The proposed policy wording should reflect the wider scope of landscape conservation set out in the dEEP.

Development Policy 2: Biodiversity

This policy covers the requirements of ENV3: Biodiversity and Earth Heritage and ENV5: Woodlands within the dEEP. In our view there is insufficient reflection of the requirements of ENV3 and ENV5 in this development policy in relation to the restoration and re-establishment of biodiversity resources.

In respect of paragraphs 4.16 and 4.17 and in the proposed policy wording, it should be noted that certain types of habitat cannot be replicated, for example ancient semi-natural woodland.

In the proposed policy wording, first paragraph, the word "encourage" should be changed to "*ensure*".

In the third paragraph, add "*or earth heritage*" after "biodiversity" in line two. Change "ecological, geological or biodiversity" to "*biodiversity or earth heritage*".

In sub-paragraph 1), change "affects" to "*effects*". In sub-paragraph 2), add "*and earth heritage*" after both instances of "biodiversity", and delete "*wildlife habitat*" between "alternative" and "provision".

The final paragraph of the proposed policy wording does not reflect either ENV5 of the dEEP or paragraph 4.17 of this document. Policy ENV5 states that "woodland unavoidably lost to development should be replaced with new woodland of at least equivalent area and composition, preferably in the same landscape unit". Bearing in mind that some woodland cannot be replaced adequately (see above), in our view similar wording should be added to this paragraph, together with a similar statement concerning individual trees lost to development.

Development Policy 4: Protecting Amenity

In point 5 of the proposed policy wording, it is not clear what "overbearing" means.

Development Policy 5: Design, Safety and Sustainability

This is a confusing mixture of policies which in our view would be better set out in separate categories of design (incorporating design for safety), energy conservation and greenhouse gas reductions, and waste management and reduction.

In sub-paragraph 3 of the proposed policy wording, "*consumption*" should be added after "energy". Also in this sub-paragraph, it is not clear what is meant by "optimise the potential of the site".

The provisions of sub-paragraph 4 might be difficult to predict!

Development Policy 6: Renewable Energy Development

In the proposed policy wording, second paragraph, point 4), we suggest changing "nature conservation or" to "*earth heritage and*".

In the fifth paragraph, point a), bats should be added to the list.

The final section of this policy makes reference to "major renewable energy proposals". "Major" needs to be quantified.

In point ii), in our view the words "*compared with the amount of energy used in its manufacture, installation and operation*" should be added after "generate".

The supporting text to this policy, paragraph 4.53 deals with wind energy. Reference is made to findings of the Hertfordshire Renewable Energy Study which identified North Hertfordshire as a potential area for wind energy development. Since then, EERA has commissioned Arup Consultants to carry out an assessment of the potential for renewable energy production in the Eastern Region. On every criterion, Hertfordshire was considered to have the least potential of all the counties in the Region for contributing towards national renewable energy targets. Arup have produced maps showing areas of potential for wind generation as 'white' areas. Hardly any of these 'white' areas are in Hertfordshire, apparently due to the predominant settlement pattern, with many small and medium-sized settlements in close proximity to each other, and the effect of Luton and Stansted airports.

We consider that the Council should await EERA's conclusions following this study before developing a wind energy policy for North Hertfordshire.

Development Policy 7: Embedded Renewable Energy

In our view "and Energy Conservation" should be added to the title of this policy.

Policies to encourage and support retrofitting of energy conservation and micro-generation measures in existing properties should be incorporated here.

Development Policy 8: Water Resources

We are concerned that there is no mention anywhere in this policy or those on sewerage and contaminated land of the EU Water Framework Directive (WFD). When fully operational the WFD will require planning authorities *inter alia* not to cause the reduction in quality of all water bodies, including ground water. This will have a major impact on the way in which water abstraction, sewage disposal and contaminated land is managed. In particular, new development will have the potential to damage the quality of water bodies through water demand leading to over-abstraction and planning authorities will have a responsibility in this area.

In the proposed policy wording, second paragraph, the phrase “other important issues” needs further explanation.

Development Policy 9: Sewerage Infrastructure

In our view, the omission of any reference to the requirements of the EU Water Framework Directive in the proposed policy wording should be rectified.

Development Policy 10: Contaminated Land

This policy should also make reference to the Water Framework Directive in respect of the quality of water bodies.

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