

**Three Rivers District Council**  
**Local Plan Regulation 18 Preferred Policy Options Consultation**  
**& Sites for Potential Allocation Consultation**  
**CPRE Hertfordshire Comments**

By Chris Berry, Planning Manager

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CPRE Hertfordshire (CPREH) has undertaken a detailed review of the Three Rivers District Council (TRDC) Local Plan Regulation 18 Preferred Policy Options June 2021 and is pleased to submit the following representation for consideration in the next stage of the Local Plan preparation process. Our remarks are initially concerned with the overall scope and approach of the Local Plan Preferred Policy Options (PPO) and these are followed by more detailed issues which are linked to the questions posed in the consultation document.

**General concerns**

Whilst many of the preferred options may appear sensible and appropriate, the text is occasionally confusing and repetitive, and the headings and numbering system is not logical. TRDC appears to intend to minimise the loss of countryside and protected areas such as the Green Belt and Area of Outstanding Natural Beauty (AONB) but the policies and options presented do not indicate that these intentions will be achieved.

Certain chapters lack focus and include material which is misleading or irrelevant. Key terms and definitions are not specified sufficiently robustly, leading to uncertainty as to what is being proposed, or permitting various interpretations of what need to be robust and firm policies and proposals.

We have seven principal concerns which affect virtually all the options presented and these may be identified at the outset and are discussed further in the treatment of specific Preferred Policy Options (PPO).

**1. Impact on designated protected areas; including Green Belt (GB) and Chilterns Area of Outstanding Natural Beauty (AONB)**

The PPOs need to take appropriate account of the significance of designated protected countryside such as the Green Belt and AONB. Whereas recent public announcements by Government ministers and others have re-emphasised their commitment to protected areas, this is not reflected in either Local Plan preparation or the decisions frequently made by Local Planning Authorities and Planning Inspectors.

76% of Three Rivers District is designated as Green Belt and it also contains 546 hectares of the Chilterns AONB and 159 nationally and locally designated environmental sites. These are key characteristics of the district and contribute massively to the quality of life of residents and visitors. Despite the statement in paragraph 8.3 in the PPO document that “great importance is attached to the Green Belt in Three Rivers”, 8,973 additional houses are identified as being necessary of which 80% are allocated to sites in the Green Belt.

## **2. Lack of protection of Green Belt and Chilterns Area of Outstanding Natural Beauty (AONB) as a Strategic Objective for the Local Plan**

With more than three quarters of the land area of the District being Green Belt, it is unacceptable that its protection is not regarded as a Strategic Objective for the Local Plan. A basic characteristic of the Green Belt is its permanence, and it should be regarded as a principal constraint to development and a huge asset for the District to be protected and enhanced for the benefit of everyone, both residents and visitors alike. The minimal treatment of this major land designation is a significant failing of the Local Plan which inappropriately favours new housing provision in protected areas.

## **3. Overprovision of housing and out-of-date projections**

The overall strategy underlying the Preferred Policy Options (PPO) fails in relying on out of date information, and an apparent misunderstanding of key aspects of national policy in respect of housing numbers and prioritising use of previously developed land. The use of out of date information also affects the scale of provision likely to be needed for employment and retail uses, and should be revisited before the Regulation 19 Plan is published.

CPRE accepts there is a need for housing in Three Rivers as elsewhere, especially truly affordable housing for young and older households, but the projections used in the Local Plan are excessive and out of date. The PPO document uses 2014 data from the MHCLG and we firmly believe that the latest projections, currently available for 2018 and shortly to become available for 2020, should be used, as these show a projected decrease in the rate of new household formation from previously in the District for the plan period, and therefore a reduced number of houses which should be planned for.

The Council has also failed to take account of the National Planning Policy Framework (NPPF) paragraph 11, footnote 6, which allows local planning authorities to restrict the scale of development due to planning constraints including protection of Green Belt and AONB, and the NPPF requirement to use the latest information available.

## **4. Failure to address climate change**

Climate change mitigation and resilience, which are now legal requirements for Local Plans, should be at the centre of the plan preparation process but there is no indication of their significance in Chapter 1, and scant reference under key topics such as transport and housing. This is notwithstanding the declaration of a climate emergency by the Council in May 2019 (para 2.34), where it is stated: "... the Council has committed to use all practical means to reduce the impact of Council services on the environment, to cut carbon emissions and to reduce impacts on the environment". In addition to calling on the Government to provide support and resources, the Local Plan is a key opportunity to influence the achievement of these objectives.

Although Strategic Objective 9 identifies climate change issues in the most general terms, the PPOs clearly prioritise housing provision and greenfield land development over such considerations. Despite the requirements of the NPPF and 2004 Planning and Compulsory Purchase Act 2004 and subsequent legislation, the proposed policies fail to take account of the need for carbon reduction targets and sustainable transport provision, amongst many other concerns, and a carbon reduction pathway is needed to meet national obligations for net zero emissions by 2050.

## 5. Inadequate provisions for water supply and wastewater disposal

The level of new housing proposed is expected to put severe strain on water supplies to Three Rivers during the 2020s under drought conditions, and further pressure will be put on chalk aquifers and affect the rivers which give the District its name. Similarly, the growth proposed will put undue stress on waste water and sewerage networks and substantial infrastructure investment will be required in the next ten years, which is not specified.

## 6. Loss of biodiversity

Strategic Objectives 11 and 12 make passing references to the issue of biodiversity as an asset but mainly as a setting for development and opportunities for recreation and leisure. This is a wholly inadequate response to the legislation regarding net biodiversity gain, which will become increasingly significant in the future. No specific policies are proposed for this critical area in the Local Plan, which is an unacceptable omission.

## 7. Underestimation of the opportunities for regeneration and reuse of land.

The reuse of previously developed land is considered mainly in terms of the release of Green Belt land and some urban sites, which greatly underestimates the likely changes which are already affecting town centres, out of town centres retailing and commercial uses more generally. The impact of the pandemic and projected social and economic trends are likely to create many more opportunities for the conversion of commercial and other space to residential use and changes in the form and function of workspace which are not taken into account in the Local Plan. A more positive place making strategy is needed as part of a formal brownfield land review to realise local enhancement of the existing built environment with benefits for existing and new residents.

These overall concerns are elaborated further in the following responses to consultation questions.

### COMMENTS ON PART 1: Preferred Policy Options

**Question 1. (Chaps 1-2).** *Do you agree with the Council's proposed stance of not complying with the Government's Standard Method for calculating the District's housing need figure (due to the constraints of the District), which means that the Council would not fully meet the residual housing target? If no, please explain why. (paras 1.1 – 2.49)*

We agree in principle with the stance of not using the Standard Method, but not the remainder of the wording of the question which would suggest that there is an objective basis for 'the residual target' which cannot be met 'due to the constraints of the District'. At the very least the residual target (and overall target) should be set at a lower level, and proposals made accordingly.

As an example of the general issue noted above regarding housing numbers, para 1.5 lists key evidence documents relied upon that pre-date the Covid pandemic, Brexit and the latest population and household projections, all of which change the context for decisions on housing provision and future use of existing urban land, and hence decisions on the Green Belt.

There is a basic illogicality in setting a 'target' equivalent to the level of need arising from the Government's 'Standard Method' of calculating housing need, and then reducing housing provision in a way that is contrary to national policy and would be highly unlikely to be found sound in a submitted Plan. If the Council is serious about setting a target lower than assessed housing need, it should do the following to reduce the proposed housing provision:

- use a different method (to the Standard Method) to calculate need, based on local circumstances, in a way that still satisfies the NPPF on this; and
- by setting a lower 'target/requirement' due to policy constraints (including Green Belt and AONB) and making appropriate provision for the lower target.

The problem is particularly apparent in Section 2, where the text fails to make any reference to the process of determining what the target should be. Under 'overall levels of growth' para 2.44 simply sets out the use of the standard method to calculate housing need at 630 per annum, setting a target of 12,624, then para 2.47 states a residual target (after dwellings already committed) of 10,678, and para 2.48 proposes the lower number of 8,973 additional houses. It is not clear how the final number has been calculated and further justification is required.

Section 2 also fails to grasp the difference between optimising development of 'previously-developed land' which is all land on which built development has taken place (with few exceptions) and 'brownfield'. This is usually taken to mean land on brownfield registers but the Council seems to have extended it to include under-utilised land.

The term 'previously developed land' (pdl) should include all land with the potential for regeneration or redevelopment, including land no longer likely to be needed for retail or offices, or other commercial uses following changes to requirements post-Covid. This concern also relates to the use of the term in Para 3.3 seq. (Strategic Objectives) and Section 4 (Sustainable Development).

Summary paragraph 2.36 is wrong to state that 'the supply of previously developed land (pdl) is falling'. The supply of pdl is continuously increasing through new development and this needs to be recognised as the Council seeks to identify the scope for areas and sites already developed to be regenerated, redeveloped or intensified in order to minimise the loss of undeveloped greenfield land.

What is falling is the availability of vacant, derelict and underused land that is already known to the Council, and which is recorded in brownfield registers and the Strategic Housing Land Availability Assessment (SHLAA), and is typically assumed to be the stock of 'brownfield' land. The definition of 'brownfield' thus includes 'previously developed land', and is not limited to the sites on such registers, nor to narrowly defined underused and derelict land.

We strongly oppose the use of the Government's Standard Method to calculate housing need at 630 dwellings a year, and a 'housing target' of 12,624. The housing windfall allowance is far too low, and should reflect the true scale of opportunities for conversion and changes of use across a wider range of land uses, especially following the changes caused by the Covid pandemic. The residual target of 10,678 is excessive as it takes no account of national policies to protect the AONB and Green Belt in particular.

Further specific detailed responses with regard to housing provision are noted as follows:

- para 2.25: the affordability ratio used should be the latest one available from the Office of National Statistics, and comparisons made with other, similarly located, local authorities in the Green Belt and in relation to London.
- para 2.26: the South West Herts Local Housing Need Assessment is out of date.
- para 2.31: there is no mention of the current Chilterns Conservation Board seeking extension of the AONB in Three Rivers in accordance with Government intentions to increase the extent of such protected areas.
- para 2.36: the use of the term 'balance' in respect of the extent of the Green Belt is entirely inappropriate; this is not what the NPPF requires the Council to consider.

- para 2.42: we strongly support the emphasis on quality of life and safeguarding and enhancing the environment and maintaining the Green Belt.
- para 2.48: the proposed lower number of ‘additional homes’ should be the residual figure from the ‘housing target’ (see above).
- Para 2.49: we support maximising housing in built-up areas but would delete reference to ‘brownfield sites’ and rather emphasise making as much use as possible of previously developed land, and a much wider range of opportunities as noted above. (also applicable to Preferred Option 1).

**Question 2. (Beginning of Part 1)(Chaps 3-4)(PPO1).** *Do you think the Preferred Policy Option for meeting the Presumption in Favour of Sustainable Development is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 3.1 – 4.9)*

This question is too narrow in that it does not permit a response with regard to the Strategic Objectives which are central to the scope of the Local Plan and there is no mention of Climate Change in the Vision for Three Rivers (paras 3.1 – 3.3). Specifically, Strategic Objective 1 implies that housing need will be accommodated in full but the lower target means that this will not be the case, and the Plan should set out the justification for this position.

Strategic Objective 3 should refer to making best use of ‘previously developed land’ (pdl) not ‘brownfield’, which implies a much narrower range of sites, and should not state that the supply is falling as it is continuously rising as built development increases in area. This Objective should also seek to minimise the strategic use of Green Belt land.

Strategic Objective 9 bundles climate change together with a number of related issues in stating... ‘continue to tackle climate change and reduce the impacts on the environment by encouraging reductions in carbon emissions, waste, pollution, energy and water consumption and promoting the use of renewable energy and sustainable building materials’ and thereby reducing its significance as a primary objective of the Local Plan.

There is no specific reference to the legal requirement for local planning authorities (LPA) to make climate mitigation and adaptation central principles of plan making and, as set out in Section 19(1A) of the Planning and Compulsory Purchase Act 2004, to include (in the Local Plan) policies designed to secure that the development and use of land in the LPA’s area contribute to the mitigation of, and adaptation to, climate change. Evidence is weak that the policies which are set out will meet the recommendations of the RTPI’s *Planning for Climate Change – Law and Policy Briefing* dated September 2019, which states that meeting the requirements of S 19(1A) will be a consideration when a Local Plan is examined.

With reference to Planning Policy Option 1 (3)a) referencing climate change, and para 4.5 (‘particular priorities for sustainable development within the District include ‘tackle climate change by reducing the area’s carbon footprint and creating resilient and adaptive environments’’), there is little evidence of reference to the recommendations for local authorities produced by the Climate Change Committee (CCC) in its December 2020 publication *Local Authorities and the Sixth Carbon Budget*. These include developing net zero or climate action plans with delivery projects that prepare the area to make the transition to net zero choices from 2030, and monitoring and reporting on progress in reducing emissions.

The RTPI briefing noted above also states: ‘robust evaluation of future emissions will require consideration of different emission sources, likely trends taking into account requirements set in national legislation, and a range of development scenarios’. It goes on to state: ‘The distribution and

design of new development and the potential for servicing sites through sustainable transport solutions, are particularly important considerations that affect transport emissions’.

**Question 3. (Chap 4)(PPO2).** *Do you think the Preferred Policy Option for Housing Mix & Type is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 4.10 – 4.30)*

We support PPO2 in principle but it is based on out of date 2016-based household projections, and other historic sources. Housing policies should be based on the latest available projections (currently the 2018 -based figures) and the results of the 2021 Census if available in time, which would reduce the housing requirement and targets from those stated in the PPO.

**Question 4. (Chap 4)(PPO3).** *Do you think the Preferred Policy Option for Housing Density is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 4.31 – 4.38)*

Yes. We support PPO3 subject to additional guidance and criteria to optimise density in central and sustainably accessible built-up areas.

**Question 5. (Chap 4)(PPO4).** *Do you think the Preferred Policy Option for Affordable Housing is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 4.39 – 4.57)*

Yes. We support PPO4 subject to up to date figures being used and (4) rural exception sites being changed to limit the number of market dwellings to the minimum number essential to fund the affordable housing units, and to require the supporting financial evidence for this to be provided.

**Question 6. (Chap 4)(PPO5).** *Do you think the Preferred Policy Option for Provision for Gypsies, Travellers and Travelling Showpeople is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 4.58 – 4.66)*

No comment

**Question 7. (Chap 4)(PPO6).** *Do you think the Preferred Policy Option for Residential Design and Layout and Accessible and Adaptable Buildings is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 4.67 – 4.82)*

No comment

**Question 8. (Chap 5)(PPO7).** *Do you think the Preferred Policy Option for Employment and Economic Development is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 5.0 – 5.9)*

No. PPO7 should be reconsidered in terms of the re-use of land and floorspace for the Local Plan due to the anticipated changes in demand for land by different sectors of the local economy. The consequences of the pandemic and the work patterns likely to result over the medium to long term from these, are likely to require a more flexible approach in respect of ‘unallocated’ employment sites.

PPO7 may now be unreasonable in terms of requiring evidence of marketing and vacancy for at least a year. The stated amount of land and floorspace needed cannot now be justified on the basis of the

out of date studies referred to, including the South West Herts Employment Study (SWHES) 2019, which is stated to be the principal source.

**Question 9. (Chap 5)(PPO8).** *Do you think the Preferred Policy Option for Warner Bros. Studios at Leavesden is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 5.10 – 5.14)*

No. PPO8 regarding Warner Brothers is inadequate in giving insufficient attention to the protection of the Green Belt in the absence of a requirement for the demonstration of very special circumstances for any specific proposals for development in the Green Belt sought by the site owners and occupiers. Similarly, if a specific development proposal is intended in the Local Plan it should be accompanied by evidence of exceptional circumstances for development in the Green Belt, and the relevant area defined on the Policies Map. The current wording would appear to sanction any development proposed by Warner Brothers, at any stage during the plan period, contrary to national planning policy.

**Question 10. (Chap 5)(PPO9).** *Do you think the Preferred Policy Option for Retail and Leisure is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 5.15 – 5.29).*

No. Retail policy options should be re-considered in the context of the significant changes in retail practices and shopping habits emphasised by responses to the pandemic, and current expectations for the amount of net retail floorspace needed during the plan period and its future location. The specific provision proposed in 2018 studies referred to in the consultation document, especially the South West Herts Retail Study (SWHRS), needs to be reviewed before any specific proposals are published for new retail floorspace or use of existing retail floorspace.

**Question 11. (Chap 6)(PPO10).** *Do you think the Preferred Policy Option for Social and Community Facilities is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 6.0 – 6.5)*

No comment.

**Question 12. (Chap 6)(PPO11).** *Do you think the Preferred Policy Option for Health and Wellbeing is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 6.6 – 6.12)*

No. The PPO misses the huge opportunity for the Local Plan to assess and promote the positive health and well-being benefits of the countryside. Access to the countryside has provided relief for residents and visitors alike during the pandemic, and the recreation opportunities of the AONB and the Green Belt are recognised widely as contributing to peoples' health and well-being in both the long and short term.

**Question 13. (Chap7)(PPO12).** *Do you think the Preferred Policy Option for Carbon Dioxide Emissions and On-site Renewable Energy is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 7.01 – 7.5)*

No. As recommended by the Committee for Climate Change (op cit), essential preparation for the Local Plan should be the production of net zero or climate action plans with delivery projects that prepare the District for attaining net zero carbon by 2050. This should be for all sectors across the District and not just local authority activity.



Key areas to address are emissions from buildings, transport, waste, power and land use, including land use change and decisions on the scale, location and design of new development should be informed by these plans. This will require, for example, new homes to be built to net zero standards as soon as possible to avoid the need for retrofitting and there should be greater clarity in Chapter 7 on the need to reach net zero carbon and other issues as it relates to wider environmental issues.

**Question 14. (Chap 7)(PPO13).** *Do you think the Preferred Policy Option for Adapting to Climate Change and Sustainable Construction is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 7.6 – 7.16)*

No. There are no targets identified by PPO13 and these should be set and made mandatory to achieve the required net zero targets as well as biodiversity enhancement. Specific guidance is likely to be needed and further detail is required with regard to the role of viability in influencing the meeting of targets. The same applies to the distinction between major and minor developments in paras 7.10 and 7.11.

**Question 15. (Chap 7)(PPO14).** *Do you think the Preferred Policy Option for Renewable and Low Carbon Energy Developments is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 7.17 – 7.20)*

No. The role of the Council in planning for and monitoring progress towards net zero across the district is insufficiently proactive. For example, in para 7.19 the Council's aim to 'encourage applicants' to integrate the use of renewable energy technologies into all proposals is inadequate; it should be mandatory.

**Question 16. (Chap 7)(PPO15).** *Do you think the Preferred Policy Option for Flood Risk and Water Resources is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 7.21 – 7.40)*

PPO 15 appears to be robust in respect of flood risk but less so in respect of water resources. For example, the water saving measures listed in para 2m. should be mandatory. There is no reference to potential future water shortages or the requirements of NPPF paras 174 and 175 concerning the conservation, restoration and enhancement of priority habitats.

Chalk rivers (including the Gade and especially the Chess) are priority habitats under S 41 of the Natural Environment and Rural Communities Act 2006. Planning permission should be refused if significant harm to biodiversity cannot be avoided as a result of a development (NPPF para 175). If as a result of new developments substantially increasing water demand, which leads to over-abstraction of chalk streams, significant harm to biodiversity is inevitable.

Although not listed as an evidence base document and in need of revision, the 2010 Water Cycle Study Scoping Study produced for five Hertfordshire LPAs including Three Rivers, predicts water shortages within the plan period without new supplies of water becoming available, which is unlikely except from improved demand management and leakage reductions before 2030.

The Water Cycle Study Scoping Study also identifies 'amber' constraints to development in a number of areas within Three Rivers due to the requirement for extensive infrastructure improvements to allow development. This includes sewer network and waste water treatment works upgrades, together with considerations of sewer flood risk and habitat damage. Para 3 of PPO 15 substantially understates the significance of this issue.



We welcome the setting of 110 litres per person per day as the standard to be achieved in water consumption.

**Question 17. (Chap 8)(PPO16).** *Do you think the Preferred Policy Option for Green Belt is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 8.1 – 8.10)*

No. We have commented above with regard to the lack of protection afforded to the Green Belt in the Local Plan and object strongly to its release. An essential characteristic of the Green Belt is its permanence and there is a growing inconsistency between public statements by ministers and others, and the interpretation of planning policy as stated in the NPPF and Planning Practice Guidance. The only basis for alteration of Green Belt boundaries should be clear evidence that there is no reasonable alternative and this has not been provided.

The NPPF permits councils to apply planning policy relating to the prevention of inappropriate development in designated protected areas such as Green Belt and AONB, notwithstanding the objective assessment of housing need. With such a high proportion of Green Belt as a key characteristic of the District, offering the means to achieve a wide range of environmental objectives, it is entirely inappropriate to promote market housing development in designated protected areas.

PPO18 should include reference to a limitation on buildings associated with appropriate Green Belt uses such as recreation and leisure to those essential to that appropriate use.

**Question 18. (Chap 9)(PPO17).** *Do you think the Preferred Policy Option for Ground Conditions, Contamination and Pollution is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 9.0 – 9.9)*

No comment

**Question 19. (Chap 9)(PPO18).** *Do you think the Preferred Policy Option for Waste Management and Recycling is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 9.10 – 9.18)*

No comment

**Question 20. (Chap 10)(PPO19).** *Do you think the Preferred Policy Option for Green and Blue Infrastructure is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 10.0 – 10.7)*

No. The phrase 'Green Infrastructure' was originally proposed to describe the network of retained and new green space incorporated into new development. The definition has shifted to include all unbuilt-up green space, urban and rural. Recently 'Blue' has been added to incorporate water-based space.

It is disturbing that the wider countryside, including protected landscapes, is not specified as green infrastructure in the list in para 10.0. There is no specific mention of hedgerows in the para 10.0 despite the important role they play as wildlife habitats, landscape features and carbon sinks, with many being significant historic assets as well.

There is also no mention of roadside verges, which if carefully managed are an important biodiversity resource. Throughout the document the only four references to agriculture are connected to agricultural buildings. This is despite the fact that 76% of Three Rivers District is Green Belt, and the 546 hectares of the Chilterns Area of Outstanding Natural Beauty (AONB) are described

as sparsely populated. The way in which land is managed is a significant element of climate change mitigation and adaptation

For PPO19, key assets should include agricultural land and, separately, soils. Well-managed soil can be a significant carbon sink and conversely poorly-managed soil can be a major contributor to loss of carbon into the atmosphere. PPO 19 also lacks any indication of targets for additional assets, or any spatial planning intentions. The omissions noted above are repeated in paras 10.3 and 10.4.

It is largely impossible for development on the scale proposed, especially in the Green Belt, to achieve the ambition in PPO19 para 6, although this is a laudable aim in the attempt to stop further loss of biodiversity. The same applies to the ambition in para 10.10, given that significant losses of Green Belt are proposed which are generally regarded as 'landscape'.

In the light of the significance of countryside issues, we would make the following further key recommendations with regard to Green and Blue Infrastructure:

- Clear and distinct policies are required for separate elements of green and blue infrastructure, especially the protected landscape of the Chilterns AONB, existing designated wildlife sites, habitats supporting protected and priority species, other existing areas of biodiversity value, and new sites. The policies set out in para 3 of PPO21 in particular present an open door for continuing loss of biodiversity across the District.
- There should be much greater emphasis in this chapter on the role of natural habitats and other undeveloped land including farmland to contribute to achieving net zero carbon targets and mitigating the effects of climate change, including reducing the impacts of extreme weather events.
- The general assumption that species and habitats can be successfully relocated and recreated is not supportable in many cases. A key element of the biodiversity value of many sites is the length of time that they have existed on a site and may reflect a long period of stability and lack of disturbance to soils and other physical characteristics.
- The role of agricultural land should be given much greater prominence, due to its existing value, and further potential to enhance landscapes, mitigate climate change, and support health and well-being.

There should be a District-wide spatial strategy for green and blue infrastructure enhancement, such as that being carried out by other LPAs (for example, Lancaster City Council). This would enable the potential of the District to support biodiversity recovery to be better realised, and allocate sites for biodiversity net gain required to mitigate biodiversity losses resulting from new development. It could also set out how the existing network of informal recreational facilities, especially public rights of way, can be expanded where needed, in conjunction with new biodiversity provision.

**Question 21 (Chap 10)(PPO20).** *Do you think the Preferred Policy Option for Landscape Character is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 10.8 – 10.17)*

In respect of the presumption against major development in the AONB, site-by-site assessment should also include cumulative effects, as required in para 1d of PPO20.

**Question 22 (Chap 10)(PPO21).** *Do you think the Preferred Policy Option for Biodiversity, Trees, Woodlands and Landscaping is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 10.18 – 10.38)*

No. Much greater emphasis should be given to the requirement for net biodiversity gain which is likely to be promoted in forthcoming legislation. PPO 21 should reflect the percentage biodiversity net gain figure which is current or proposed for all development (currently 10%).

Paras 3b and 3c need to be much more specific as to the exact meaning of 'local biodiversity' and 'level of biodiversity in the area', in terms of species, habitat structure and what is meant spatially by local. Some habitats and species may never recolonise alternative sites and could become extinct in the locality. On many sites their value lies in their longevity and this cannot be reproduced, so that paras 3b and 3c should not be applicable. This applies especially to Sites of Special Scientific Interest.

Para 10.30 sets out the hierarchy of delivery locations for biodiversity net gain. A spatial strategy indicating locations throughout the District where biodiversity net gain can be located is essential. This should specify in detail the nature of the habitats required and how they should be established and, critically, maintained in perpetuity.

Without this it is probable that least-cost options will be adopted. Partnership with existing landowners will be essential to achieve the desired outcome. Maintenance would be totally impractical if the third option only is achieved (offsetting at a national level) and this would result in the inability to control or match existing conditions and a critical loss of biodiversity locally.

Para 10.31 includes unacceptable proposals: development proposals should not cause harmful effects to protected species or habitats, since this will result in the erosion of biodiversity, and mitigation and compensation are often not satisfactory options. This paragraph also conflicts with the provisions of para 10.33.

Reference should be made to the current consideration being given to extending the AONB to include more land in Three Rivers and adjoining areas. The Local Plan should include policies and criteria to prevent development in the areas under consideration that would normally be resisted if the site was already in the AONB.

**Question 23. (Chap 10)(PPO22).** *Do you think the Preferred Policy Option for Open Space, Play Space, Sport and Recreation is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 10.39 – 10.51)*

PPO22 relates specifically to more formal open spaces rather than the provision of informal open space such as enhancing and extended the network of public rights of way and places where people can enjoy being outside, observe wildlife and experience tranquillity. The ambition in PPO22 (para 9) especially in respect of avoiding large expanses of 'open grass' should be more specific; close-mown grass is less valuable than grassland managed as a wild-flower habitat which is being increasingly appreciated.

Para 10.49 could be much more ambitious in scope, to ensure that informal recreation facilities, in particular public paths, especially in the more rural parts of the District, can be expanded. The importance of the two major pathways, the Hertfordshire Way and the Chiltern Way, should be recognised and the subject of policy to protect and enhance their contributions to health and well-being.

**Question 24. (Chap 11)(PPO 23).** *Do you think the Preferred Policy Option for Local Distinctiveness and Place Shaping is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 11.0 – 11.21)*

Previous responses refer to the importance of countryside and rural life in place-making and this is particularly significant with regard to the distinctiveness and protection of villages, including the prevention of coalescence, and the crucial role of open space between settlements.

**Question 25. (Chap 11)(PPO23).** *Do you think the Preferred Policy Option for Advertisements is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 11.22 – 11.26)*

No comment

**Question 26. (Chap 11)(PPO24).** *Do you think the Preferred Policy Option for Heritage and the Historic Environment is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 11.27 – 11.66)*

No comment

**Questions 27. (Chap 11)(PPO25).** *Do you think the Preferred Policy Option for Sustainable Transport and Travel is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 12.0 – 12.23)*

With regard to transport generally, the Local Plan (para 12.2) should be more aspirational and acknowledge, for climate and related reasons, that we need to reverse patterns of increasing car dependency and ownership with a modal shift to sustainable transport modes. Car dependent sprawl and high car ownership are promoting the loss of green space, countryside and encroachment into the Green Belt. Forecast traffic growth (15% is mentioned) is unsustainable if climate obligations are to be met.

The Local Plan should highlight and aim to address a number of main roads that are noisy, polluting and hostile; detrimental to health and the quality of places. These need to be addressed with a shift to prioritise sustainable movement and greener liveable environment, for example, the A404 in Rickmansworth.

PPOs 26 and 27 should stress that:

- development should be located to maximise sustainable transport modes.
- new development should embrace the 15-minute neighbourhood, demonstrate how the majority of daily trips are possible by sustainable modes with the aim of minimising the impacts of motor vehicles
- new uses, which enhance the diversity and mix of neighbourhoods, and reduce the need to travel, will be viewed positively and encouraged proactively by place making initiatives
- development should demonstrate planned sustainable modal share with review mechanisms for payments for sustainable transport if these are not subject to Section 106 agreements.

**Question 28. (Chap 12)(PPO26).** *Do you think the Preferred Policy Option for Parking is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain.*

**Question 28a. (Chap 12)(PPO27).** *Do you think the Preferred Policy Option for Parking Standards (Appendix 3) is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 12.24 – 12.34)*

High provision parking regimes reduce density and hamper good design and greater weight should be given to sustainable transport funding options. The Local Plan should anticipate the growing role

and impacts of e-bikes and e-scooters with new infrastructure and parking and charging provisions ideally within the dwelling footprint.

High car ownership is a financial burden on poorer families so there is a social benefit to reducing dependency which should be recognised in the Local Plan. Reduced car ownership and parking provision allows for greater urban greening and more attractive places.

Section 106 funds could be pooled to provide settlement wide 'sustainable travel funds' that promote and support sustainable travel via subsidised public transport fares, cycling or car clubs. The Council should consider mechanisms such as parking levies to raise sustainable travel funds to support low car or car free developments with ongoing sustainable travel allowances for residents.

**Question 29. (Chap 12)(PPO28).** *Do you think the Preferred Policy Option for Deliveries, Servicing and Construction is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 12.35 – 12.40)*

Home delivery is becoming more commonplace and its impacts needs to be anticipated, but not to the detriment of the environment. PPO28 makes no reference to the potential for local logistics hubs that can support last mile delivery by cargo e-bikes and town centres (click and collect) and reduce the impact of van deliveries within residential areas. Space provisions for servicing should be balanced against other interests such as place making as service arrangements are frequently unsightly, over-engineered and very wasteful of space.

**Question 30. (Chap 12)(PPO29)** *Do you think the Preferred Policy Option for Waterways is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 12.41 – 12.49)*

We welcome separate mention of waterways which requires the implementation of proactive policy, and the Local Plan should enable the role of waterways as attractive and sustainable travel corridors. In many areas there is highly restricted towpath space and the quality of development has been poor with a negative affect (for example, the rear of Tesco site in Rickmansworth). A comprehensive review of waterside locations should be undertaken identifying a programme of improvements to access and new sustainable development opportunities

Pooled Section 106 funds can be used for Infrastructure Delivery and a Supplementary Planning Document would be appropriate for key opportunity waterfront locations such as in Rickmansworth on the Grand Union Canal which is a long term development opportunity for a much less car based and mixed use housing scheme with retained local retail, more attractive water frontage and connections to the river.

**Question 31. (Chap 12)(PPO30).** *Do you think the Preferred Policy Option for Broadband and Electronic Communications is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If yes, please explain. (paras 12.50 – 12.56)*

New development should be integrated with full fibre communications. This is another reason to concentrate development in urban areas, rather than sprawling low density rural developments.

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## COMMENTS ON PART 2: Sites for Potential Allocation

### General comment

Most of CPRE Hertfordshire's comments relate to the preferred Policy Options in Part 1 and it is generally more appropriate for local interests to respond to specific site allocation proposals affecting the District's communities. Clearly however, the significant inadequacies and shortcomings identified with regard to the Preferred Policy Options (PPO) affect directly the allocation of land for housing and other activities throughout the District, especially in terms of the housing projections used, the status of designated protected areas such as Green Belt and AONB, and the impacts on climate change, carbon reduction requirements and loss of biodiversity.

### Introduction (Chap 1)

Para 1.7 states that: "if any of the potential housing sites for allocation are later found to be no longer suitable for allocation... then replacement sites will have to be identified... This is incorrect, as previously noted. The NPPF clearly identifies that policies relating to the protection of designated areas should be taken into account in determining housing targets and it is the Council's decision to determine the sites which can contribute to achieving their housing target.

**Question 1 (Chap 2)** *Do you think the Proposed Policy for Housing Allocations is the right approach? If not please identify how the proposed policy could be changed.*

No. In Chapter 2, the Council re-iterates a housing target using the Standard Method, and then uses this to identify a residual housing target which it does not in any case intend to achieve. We re-iterate our conviction that this is both misleading and damaging to communities across the District. Together with the use of out-of-date housing projections and the issues noted in our response to Part 1 PPO, this leads to greater site allocations than are needed.

**Question 77 (Chap 9) Green Belt.** *Do you agree with the revised boundary to inset Bedmond and the reasons why? If not explain why?*

No. CPRE Hertfordshire opposes strongly the identification of Bedmond as the only one of three villages (Heronsgate, Sarratt, Bedmond) considered to be recommended for 'insetting' and urges the Council to maintain Green Belt protection for all three villages. The process of inseting leads to the removal of protection and we believe this is entirely unjustified and unnecessary, and will have significant impact on the Green Belt in this area, as well as causing major damage to the local village community.

Bedmond is a small settlement with a compact form and an existing character which would be badly affected by development sites which have been identified by the Council's Green Belt Stage 1 Review as making a significant contribution to the purposes of the Green Belt. The proposed sites surrounding the village core contribute significantly to the openness of the Green Belt in this area, particularly with regard to the prevention of the coalescence of the urban areas of Hemel Hempstead and Abbots Langley which is not recognised in the Stage 2 Green Belt Assessment.

Notwithstanding the inappropriateness of inseting the village, which will in our view inevitably lead to Bedmond becoming a focus for development, with serious impacts for a small and well established village settlement, the countryside characteristics of the three main sites proposed for allocation (CFS10, CFS56, ACFS9e) mean that they are particularly inappropriate for allocation.

All three sites are presently meadow and pasture land which contain high levels of biodiversity and provide crucial habitats for flora and fauna which cannot be replicated elsewhere. Development on

these sites would inevitably jeopardise the achievement of net biodiversity gain which is a requirement of planning legislation, and routinely ignored in Local Plan preparation.

CPRE Hertfordshire supports the efforts of local communities and organisations to bring to the attention of the Council the inconsistencies and inaccuracies in their assessments which have led to the allocation of sites for development which make a very significant contribution to the purposes of the Green Belt.

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