

## **Three Rivers District Council**

Three Rivers Development Management  
Policies Local Development Document  
Proposed Submission

Sustainability Appraisal  
July 2012

**Halcrow Group Limited, CH2MHill  
Company, in association with TRL**

**Three Rivers District Council**  
Three Rivers Development Management  
Policies Local Development Document  
Proposed Submission

Sustainability Appraisal  
July 2012

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# **Three Rivers District Council**

## **Three Rivers Development Management Policies**

### **Proposed Submission Sustainability Appraisal**

**July 2012**

#### **Contents Amendment Record**

This report has been issued and amended as follows:

Issue	Revision	Description	Date	Signed	Verified
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# 1 Non-Technical Summary

## 1.1 Introduction

The Planning and Compulsory Purchase Act (2004), and more recently the Town and Country Planning (Local Planning) (England) Regulations 2012 and the National Planning Policy Framework, requires Sustainability Appraisals (SAs) to be carried out on Local Development Documents (LDDs). In addition, the Environmental Assessment of Plans and Programmes Regulations (2004) (hereafter referred as The Regulation) require Strategic Environmental Assessments (SEA) for a wide range of plans and programmes, including Local Development Documents (LDDs).

SAs and SEAs aim to help make planning more sustainable and provide for a high level of protection of the environment. It is possible to satisfy the requirements of both pieces of legislation through a single appraisal process; an approach which is taken here. Three Rivers' emerging Development Management Policy, the Adopted Core Strategy and its other development plan documents, form part of its LDDs and must be subject to both sustainability appraisal and strategic environmental assessment. The LDDs will provide a long-term vision for development in Three Rivers. Three Rivers District Council commissioned the Centre for Sustainability at TRL and Halcrow to progress the SEA/SA work in 2005.

Three Rivers District Council (TRDC) have already completed production of the Core Strategy, which was adopted in October 2011. Subsequent Local Plans, such as the Development Management Policies LDD (DMP LDD), the accompanying document, will support the Core Strategy and form material consideration to inform decisions on future planning applications. The LDDs will replace remaining saved policies of the existing Three Rivers Local Plan 1996-2011 once fully adopted.

Most policies included in the Development Management Policies LDD have previously formed part of the Core Strategy Initial Issues and Options (2006), the Core Strategy Supplementary Issues and Options (2007) and the Core Strategy Preferred Options (2009). These Development Control policies of the Core Strategy have now been refined as Development Management policies. All these policies were subject to statutory and public consultation, and sustainability appraisals, as part of the Core Strategy process at each of the aforementioned stages. Further to the consultations and iteration by Three Rivers, the Development Control policies were removed from the Core Strategy such that they may be elaborated as another Local Development Document. The first version of the Development Management Policies LDD, called the Pre-Submission Version was produced in January 2012 and was subject to consultation with the statutory consultees and with members of the public. Based on the responses gathered during this consultation and with more information becoming available, TRDC have now refined the Development Management Policies LDD and produced this version for consultation, called the Development Management Policies Proposed Submission Document.

During 2006 a scoping process was carried out to help ensure that the Sustainability Appraisal (SA) covered the key sustainability issues relevant to the Three Rivers Core Strategy. Relevant

plans and programmes were reviewed to develop a wider understanding of the issues and priorities for Three Rivers, and information about the current and future social, environmental and economic characteristics of the District was compiled. A Sustainability Appraisal Framework was drawn up, setting out Sustainability Objectives that aim to resolve the issues and problems identified. The information compiled during the scoping process - SA Scoping Report- was sent to a statutory environment bodies and was also made available on the Three Rivers District Council website. The responses received helped improve the Appraisal Framework. As the Sustainability Appraisal Framework was considered fit to use to assess the accompanying Development Management Policies LDD, this Framework has been adopted for this report.

This Framework of objectives was then used to test the sustainability of the Core Strategy- Issues and Options. This was undertaken at the Issues and Options Core Strategy Stage, and an Issues and Options SA Working Note was produced in June 2006. Further changes were made to the Issues and Options, and these alterations were again assessed to produce an Additional Issues and Options SA Working Note in July 2007. Recommendations were made where opportunities to enhance the sustainability of the emerging policies were identified. Further, there was an ongoing interaction between the planning and sustainability teams which has resulted in other recommendations being made as to how the Core Strategy could be improved from a sustainability point of view.

A number of these recommendations were taken forward to prepare the 'Core Strategy Preferred Options' Report which was placed on public consultation in February 2009. Based on stakeholder discussion, an addendum to this document was prepared which was again subject to a sustainability appraisal and refined with additions relating to strategic and non-strategic sites. The addendum to the Core Strategy was consulted on in November 2009, which was accompanied by an SA addendum. Until this stage the Development Management Policies were part of the Core Strategy, meaning that the previous versions of the Development Management Policies have already undergone the Sustainability Appraisal process required by the Regulations.

In January 2012, a separate Development Management Policies Document was produced taking into account the previous stage inputs from the Core Strategy. This document was titled- Development Management Policies Pre-Submission Version. A Sustainability Appraisal Report was prepared to accompany the Pre-Submission Draft version of the Development Management Policy Document, which compiled the SA process records since the Core Strategy SA Scoping Report Stage and predicted the impacts of the proposed Development Management Policies against the established SA Framework. It also made recommendations for monitoring any adverse effect identified during the assessment. The Pre-Submission Policies and the accompanying SA Report were put forward for consultation with members of the public and with the statutory authorities. Further to this stage, the Development Management Policies have been refined and few amended taking into account the consultation responses and the recent change to the national policy i.e., the introduction of the National Planning Policy Framework. The accompanying reports: Development Management Policies Proposed Submission Local Development Document and the Development Management Policies Proposed Submission Version SA Report are now being put forward for consultation to the members of the public and with the statutory consultees in July 2012.

This chapter forms the Non-Technical Summary (NTS) of the SA Report and provides a summary, in non-technical language of the principal findings of the assessment of the Proposed Submission Document.

## ***1.2 Three Rivers Development Management Policies Proposed Submission version***

The Development Management Policies LDD sets out the criteria against which all planning applications within the District will be considered. The Council considers that these policies will enable the delivery of the objectives and long term vision for Three Rivers set out in the Core Strategy which was adopted by the Council on 17 October 2011. The Development Management Policies are classified under fifteen topics as identified below:

**DM1** Residential development;

**DM2** Green Belt;

**DM3** The Historic Built Environment;

**DM4** Carbon dioxide emissions and Renewable Energy;

**DM5** Renewable energy developments;

**DM6** Biodiversity, Trees, Woodlands, Watercourses and Landscaping;

**DM7** Landscape Character;

**DM8** Flood risk and Water resources;

**DM9** Contamination and Pollution;

**DM10** Waste management;

**DM11** Open space, Sports and Recreation facilities and Children's Play Space;

**DM12** Community, leisure and cultural facilities;

**DM13** Parking;

**DM14-** Telecommunications; and

**DM15-** Moorings

This SA Report discusses the results of the sustainability assessment of these policies. It documents the SA process since the Scoping Stage and suggests mitigation measures for any uncertain or negative effect identified by the assessment

## Key Sustainability Issues

The main sustainability issues that are considered to be relevant in Three Rivers are illustrated below.

Air Quality	Pollutant levels have decreased in the area but 5 AQMAs are declared.
Biodiversity	The District has five Sites of Special Scientific Interest (SSSIs), and nine Local Nature Reserves (LNRs)
Flood risk	Parts of the District fall under Flood Zone 2, 3a and 3b. River Chess Valley and River Colne Valley are considered flood plains. The regional SFRA produced in 2007 must be refereed to identify actual flood risk areas.
Climatic Factors	Domestic CO <sub>2</sub> emissions per capita are above the regional average
Conservation Areas	There are 3 Scheduled Ancient Monuments, 22 conservation areas and 351 Listed Buildings in the District
Landscape/Townscape	Three Rivers falls into three Landscape Character Areas, “Northern Thames Basin”, “Thames Valley” and “Chilterns”
Material Assets	The amount of household waste recycled has increased between 2001 and 2009 from 307.4 kg per household to 481.58 kg per household. In 2009/10, residents in Three Rivers recycled nearly 50% of their waste.
Population	Three Rivers population has grown from 82,840 in 2001 to 86,400 in 2008. Population projections indicate that the population as a whole will increase by 1.8% by 2021.
Water	While the Chemical quality of Rivers Chess, Colne and Ver are very good, Biological quality fluctuates between good and poor among the rivers (2008) Water resources are over abstracted in the region.
Housing	A relatively high percentage of Local Authority homes were recorded as unfit for living in (2003/04) <sup>1</sup> . Some 90% of households say that their accommodation is adequate for their needs. Around 10% say that it is inadequate (Three Rivers Housing Needs Survey 2001)
Crime	In terms of violent crime per 1000 population Three Rivers is in a lower quartile compared to other Councils in England.

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<sup>1</sup> In 2008, Local Authority housing stock was transferred to a Housing Association (Thrive Homes).

	Racial incidents were lower than the Hertfordshire average (Audit Commission, 2009)
Health Care & Education	74% of Three Rivers population state to be in generally good health (Census, 2001)
Economy & Employment	At January 2010, Three Rivers had a lower recorded figure of unemployment than for Hertfordshire, the East of England and the UK.

### **1.3 Sustainability Appraisal Framework**

The Scoping Report, produced during early stages of the Core Strategy Sustainability Appraisal compiled a set of sustainability objectives, with criteria to assess future development options. This report was consulted on with key environmental authorities and the framework was finalised. This framework was later used in the Issues and Options Appraisal and for the Preferred Options Appraisal in order to assess development documents, and help resolve sustainability issues identified for the District. As this Framework has been found fit to use to assess the Development Management Policies LDD, it has been used in this assessment.

While the detailed SA Framework is set out in Table 4.1, of the main report the objectives are reiterated below:

1. To protect and enhance biodiversity
2. Maintain/enhance water quality and limit water consumption
3. Ensure new developments do not increase flood risk
4. Minimise the loss of valuable soils
5. Reduce the emissions of CO<sup>2</sup> and other greenhouse gases
6. Ensure development is 'climate change proof'
7. Achieve good air quality, especially in urban areas
8. Maximise the use of previously developed land
9. To use natural resources efficiently
10. To maintain and enhance historic and cultural assets
11. Conserve and enhance the landscape and townscape
12. Encourage healthy lifestyles
13. To deliver more sustainable patterns of development

14. Promote equity & address social exclusion
15. Ensure that everyone has access to good quality housing that meets their needs
16. Enhance community identity and participation
17. Reduce both crime and fear of crime
18. Achieve sustainable levels of prosperity and growth
19. Promote wider prosperity and fairer access to services
20. Revitalise town centres

#### ***1.4 Issues and Options Appraisal and Additional Issues and Options Appraisal***

Three Rivers District Council consulted members of the public, statutory authorities and other relevant stakeholders on the Core Strategy - Initial Issues and Options Report in June 2006 and Additional Issues and Options Paper in July 2007. This version of the Core Strategy comprised of options that lead to the development of Development Control Policies in the subsequent version of the Core Strategy Preferred Option produced in February 2009. The Issues and Options report was accompanied by the Core Strategy Preferred Options SA working note, which documented results of the sustainability appraisal of the Initial Options and Additional Issues and Options paper.

The Issues and Options and Supplemental Issues and Options SAs identified positive, negative and uncertain affects for all identified options and made recommendations, wherever appropriate to strengthen options to achieve a sustainable development.

The Development Control Policies were subsequently removed from the Core Strategy, and has now been developed into Development Management Policies, with amendments and additions.

#### ***1.5 Pre-Submission Preferred Options Sustainability Appraisal, January 2012***

Based on the issues and options SAs, stakeholder responses, findings of local and regional studies and assimilation of further information on development issues and options, the Development Control Policies related content of the Core Strategy 2009 version, have been refined and now developed as a set of preferred options. Each policy element of the Pre-Submission Preferred Option, including the fifteen policy topics were evaluated against the sustainability objectives for:

Severity – significant positive or negative, mild positive or negative, uncertain or neutral impact.

The extent of the effects were also analysed in temporal (short, medium or long term) and geographic (national, regional or local) terms.

The Pre-Submission Preferred Options SA identified positive, negative and uncertain affects for proposals and made recommendations, wherever appropriate to strengthen policies to achieve sustainable development. The findings of the assessment concluded that the Development Management Policies were likely to have significant or minor positive and in some cases uncertain effects on the defined sustainability objectives across social, environmental and

economic topics. No significant adverse effect was identified, however one minor negative effect was predicted for the policy DM2 Greenbelt against the Brownfield SA objective.

The Pre-Submission document was put forward for consultation from the statutory stakeholders and from members of the public in January 2012. While no comments on the SA Report were received, changes to the Development Management Policies were made and are now being put forward for consultation in July 2012. .

#### **1.6 Proposed Submission Version Sustainability Appraisal, July 2012**

Further to the changes made to the Development Management Policies document since January 2012, in accordance with regulations and guidance on SA production, these were assessed against the SEA Framework to determine whether the proposed changes will alter any effect predicted at the Pre-Submission Stage SA.

The changes to Development Management Policies that has altered the predicted effects relate to the policies: DM1 Residential Design and Layout; DM2 Green Belt; DM8 Flood Risk and Water Resources; DM 14 Telecommunications; and DM15 Moorings.

This section provides information on the sustainability assessment result of each Proposed Submission Version Development Management Policy, and discusses the potential contribution from each of these policies towards achieving the sustainability objectives identified in section 1.3. It is to note that the assessment is a desk top based exercise informed by the findings of - the recently adopted Core Strategy Sustainability Appraisal; plans and policies review relevant to the study topics; the baseline information study; and through discussions with the Three Rivers Council Planning Team.

As part of the SA Guidance, the assessment, along with appraising the preferred option is required to assess development under a Do-nothing scenario i.e., future development without the proposed policies. Table 1.1 summarises the assessment results for all the proposed policies along with the Do-nothing option. In general negative effects have been predicted against most environmental, social and economic SA objectives, if future developments are allowed without the implementation of the Development Management Policies LDD.

Based on findings of the SA, all Development Management Policies are likely to have significant or minor positive, and in some cases uncertain, contribution to the progression of sustainable development in Three Rivers District and to the achievement of the Core Strategy objectives. No significantly adverse effects have been predicted by the assessment; however two minor negative effects are predicted for policy DM2 Greenbelt against the Soils and Brownfield SA objective. Where it has not been possible to predict the effects (i.e. there is uncertainty) an explanation of how the uncertainty may be addressed is provided in the detailed assessment matrix (Appendix 5 of the main Development Management Policies SA Report). The Schedule of Changes made to the Development Management Policies since the Pre-Submission Stage (January 2012) and the corresponding impact on the predicted SA effects are documented in Appendix 6.

The Development Management Policies are likely to have an overall positive impact on maintaining or improving biodiversity value of the District. Likewise they are predicted to have a positive effect on most environmental features, such as water (quality and quantity), air (quality),

soils and on maintaining or reducing the potential for developments to release greenhouse or carbon emissions.

Most policies proposed will require future developments to maintain or enhance the landscape character and the cultural heritage assets in the district, making a significant contribution to progressing the landscape and cultural heritage SA objectives.

Relevant Development Management Policies are designed to ensure that residents' access to spaces that support healthy lifestyle (such as open spaces and parks) will be maintained or improved- thus potentially supporting the health objective.

Other social objectives are generally upheld by most policies, particularly DM11: Open space, Sports and Recreation facilities and Children's Play Space is predicted to have a significant positive effect on: maintaining/ improving the landscape, support healthy lifestyle for residents and creating sustainable development patterns by ensuring access to community amenities for all residents of the District.

Through the policies all future developments are likely to create spaces that the neighbourhood and the community will be able to appreciate, thus creating a sense of pride and belonging and fostering community partnerships.

**Table 1.1 Assessment Summary Table- Development Management SA Proposed Submission Version**

Development Management Policy	Biodiversity	Water quality	Flood risk	Soils	CO <sub>2</sub> emissions	Climate change proof	Air quality	Use of brownfield land	Resource efficiency	Historic & cultural assets	Landscape and townscape	Health	Sustainable development patterns & accessibility	Equity & social exclusion	Good quality housing	Community identity & participation	Crime	Sustainable prosperity & growth	Revitalise town centres		
Do-nothing	-	?	?	?	-	-	-	?	-	-	-	?	-	?	?	?	?	?	?		
DM1	+	0	0	+	+	0	+	+	0	+	+	0	0	0	+	+	+	0	0		
DM2	+	?	0	0	+	-	0	0	?	+	+	?	+	0	0	0	+	0	?	0	
DM3	+	0	0	+	0	0	0	0	0	++	++	0	0	0	0	+	0	0	+		
DM4	+	0	+	0	+	0	0	0	+	0	?	+	0	0	+	0	0	+	0		
DM5	+	+	?	0	+	0	+	0	+	+	+	+	0	0	0	+	0	+	0		
DM6	++	+	+	+	+	+	+	0	+	+	++	+	+	0	0	+	0	?	0		
DM7	?	0	0	+	0	0	0	0	0	+	++	+	+	0	0	+	0	0	0		
DM8	+	++	+	?	0	0	+	0	0	0	0	+	0	0	0	?	0	0	0		
DM9	+	+	0	+	+	0	+	+	+	0	+	+	0	+	0	0	0	0	0		
DM10	0	+	0	+	+	0	+	0	+	0	?	+	0	0	0	0	0	0	0		
DM11	+	0	?	0	0	0	0	?	0	0	++	++	++	+	+	+	0	+	+		
DM12	0	0	0	0	+	0	+	0	0	0	0	++	+	+	0	++	0	+	0		
DM13	0	0	0	0	+	0	+	0	0	0	0	0	0	+	0	0	0	+	?	+	?
DM14	?	0	0	0	0	0	0	0	+	+	+	+	+	0	0	0	0	+	0		
DM15	+	0	+	0	0	0	0	0	+	+	0	0	0	0	0	0	0	0	0		

Key

Symbol	Description
++	Very sustainable - Option is likely to contribute significantly to the SA/SEA objective
+	Sustainable - Option is likely to contribute in some way to the SA/SEA objective
0	Neutral – Option is unlikely to impact on the SA/SEA objective
?	Uncertain – It is uncertain how or if the Option impacts on the SA/SEA objective
-	Unsustainable – Option is likely to have minor adverse impacts on the SA/SEA objective
--	Very unsustainable – Option is likely to have significant adverse impacts on the SA/SEA objective

- DM1** Residential development;
- DM2** Green Belt;
- DM3** The Historic Built Environment;
- DM4** Carbon dioxide emissions and Renewable Energy;
- DM5** Renewable energy developments;
- DM6** Biodiversity, Trees, Woodlands, Water Resources and Landscaping;
- DM7** Landscape Character;
- DM8** Flood risk and Water resources;
- DM9** Contamination and Pollution;
- DM10** Waste management;
- DM11** Open space, Sports and Recreation facilities and Children’s Play Space;
- DM12** Community, leisure and cultural facilities;
- DM13** Parking;
- DM14-** Telecommunications; and
- DM15-** Moorings

The assessment considers that opportunity to enhance the policies contribution to sustainable development should be strengthened, therefore recommendations have been made for each policy. For example strengthen the Waste Management (DM10) and Residential Design and Layout (DM1) policies by including major refurbishments under the policy remit, and to set recycled contents target in the construction material to be used in future developments.

### **1.7 Cumulative, synergistic and secondary impacts**

The SA Guidance<sup>2</sup> requires that in addition to predicting the positive, negative, neutral or uncertain effect against the SEA/SA objectives, any cumulative, synergistic and secondary effect these policies will have whilst interacting with each other, or with other LDF policies. Explanatory to these effects are given below

*Cumulative-* On its own the policy option does not have significant effect, but when combined with other policies may have significant impact;

*Synergistic-* Synergistic effects occur when policies interact to produce a total effect greater than effect of an individual policy e.g., interaction between habitats and humans when habitats reach their capacity;

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<sup>2</sup> DCLG, DPD Guidance on Sustainability Appraisal, 2005

*Secondary*- Indirect effects that are not a direct result of the policies, however effects may occur through complex pathways.

In general all Development Management Policies are likely to have synergistic or cumulative positive effect with many Core Strategy policies, particularly CP1 Sustainable Development. Other likely synergistic effects predicted are for interaction of CP 11 Green Belt with DM2 Green Belt and CP12 Design of Development with DM1 Residential Design and Layout.

- Synergistic positive effect between DM4 Carbon dioxide emissions and Renewable Energy and DM5 Renewable Energy Developments is predicted against CO<sub>2</sub> Emissions and Air Quality objectives. Cumulative effect between the policies may help limit the uncertain effect DM5 is predicted to have on the Landscape character and Cultural Heritage of the District.
- Synergistic positive effect is likely between DM7 Landscape Character, with DM6 Biodiversity, Trees, Woodland and Landscaping on the Landscape Character SA objective.

## **1.8 Mitigation Measures**

Where negative or uncertain impacts are identified, appropriate mitigation measures to limit identified negative effect have been recommended. In addition, recommendations to address uncertain impacts are discussed for each policy, both in this report and in the detailed assessment matrix. This also includes suggestions to strengthen the sustainability quotient of the Development Management Policies LDD.

### Monitoring

The requirement in the SEA Regulations relating to monitoring focuses specifically on significant environmental effects of the implementation of plans and programmes, with a view to identify unforeseen adverse effects at an early stage and be able to undertake appropriate remedial action.

Once the plan is implemented, its effects on the environment are to be monitored to allow action to be taken to reduce and/or offset any significant effects on the environment.

Where possible the monitoring will make use of existing monitoring arrangements and link with similar monitoring regimes of the TRDC. Table 7.1 of the Development Management Policies DPD Proposed Submission version sets out monitoring indicators, and a monitoring framework, that can be used in conjunction with the TRDC Annual Monitoring Report indicators. Taking these indicators into consideration a bespoke draft monitoring framework is proposed. This framework should be refined and altered prior to the adoption stage.

## **1.9 Next Steps**

The requirement in the SEA Regulations relating to monitoring focuses specifically on significant environmental effects of the implementation of plans and programmes, with a view to identify unforeseen adverse effects at an early stage and be able to undertake appropriate remedial action.

Once the plan is implemented, its effects on the environment are to be monitored to allow action to be taken to reduce and/or offset any significant effects on the environment.

### **1.10 Further Details**

This Proposed Submission version of the Sustainability Report will accompany the Development Management Policies Proposed Submission LDD . Both the Development Management Policies and the Sustainability Appraisal/Environment Report are being put forward for consultation with the Statutory consultees and with members of the public between July 23 2012 and 3 September 2012.

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