

CHAPTER 8: Development Policies

GREEN BELT

National Context

- 8.1 The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open²⁵. Green Belts perform five important functions in:
- Preventing urban sprawl
 - Preventing towns from merging into one another
 - Safeguarding the countryside from encroachment
 - Preserving the setting and character of historic towns
 - Helping urban regeneration, by encouraging the recycling of under-used and outworn urban land and buildings.
- 8.2 The Green Belt has a positive role to play in providing opportunities for access to the countryside for the urban population. Within Green Belt, there is a general presumption against inappropriate development, which should not be approved, except in very special circumstances. Inappropriate development is that which is harmful to the visual amenities of the Green Belt by reason of siting, materials or design.

Regional Context

- 8.3 The East of England Plan²⁶ states that extensive areas of the region are designated as Green Belt to constrain the growth of large urban areas, prevent coalescence, safeguard the countryside, preserve the setting of historic towns and assist urban regeneration. The Plan aims to reconcile growth with the protection of the environment and maintenance of the general extent of the Green Belt.
- 8.4 Whilst the emphasis is on retaining and enhancing the Green Belt, selective reviews of the Green Belt have been identified as necessary; this is both in relation to the Key Centres for Development and Change where strategic reviews will be required and also outside these areas where minor alterations to the Green Belt boundary may be necessary.

Local Context

- 8.5 Green Belt covers 77% of the area of Three Rivers. Protecting the Green Belt and open countryside is a strategic objective for the Core Strategy. However, as set out in the Spatial Strategy, some minor adjustments to the Green Belt boundary may be necessary over the Plan period to promote a sustainable pattern of development. Detailed changes to the established boundary as defined in the Local Plan will be shown in future on the Proposals Map.
- 8.6 The main focus for future development in Three Rivers will continue to be the main urban areas, but there is also a need for some development in the longer term on the boundaries of the urban area to meet Regional Spatial Strategy housing targets post-2014. This is covered in Spatial Strategy and developed further in the Place-Shaping and Core Policies.
- 8.7 Two sites in the Green Belt are identified in the Local Plan as Major Developed Sites: Leavesden Studios Site (now known as Leavesden Park) and Maple Lodge Sewage Treatment Works. This designation acknowledges that development in these areas may be necessary over the Plan period for strategic and operational reasons. It is proposed that these designations continue to apply to these sites and are reviewed as they come forward for development in accordance with the Spatial Strategy. A need for similar designations to other sites in the District is not considered necessary at this stage.

²⁵ Planning Policy Guidance 2: Green belts

²⁶ Policy SS7: Green Belt

What you told us

Issues and Options consultation highlighted strong support for protecting the Green Belt and focusing development on brownfield land.

However, it was recognised that small-scale review of the Green Belt may be necessary to ensure the integrity of the Green Belt and to ensure that development is genuinely sustainable; in such cases development should be clustered at transport corridors and the edge of urban areas to ensure this.

What the Sustainability Appraisal told us

Placing future development in Green Belt areas risks detracting from the viability of town centres, especially if new developments are mixed-use

The consequence of avoiding development in the Green Belt could place excessive concentration of development within the urban area and potentially lead to impacts on natural areas, built heritage, residential amenity and undue burden on existing infrastructure.

DC1

Preferred Policy Approach – Green Belt

The preferred approach is to:

- Maintain the general extent of the Metropolitan Green Belt in the District: this will be shown on the Proposals Map at submission stage
- Make minor revisions where appropriate to the detailed Green Belt boundaries around the main urban area, to accommodate development needs, as detailed in the Spatial Strategy and Place-Shaping Policies
- Retain ‘Major Developed Site in the Green Belt’ status for Leavesden Park and Maple Lodge Sewage Treatment Works; no changes or additional designations elsewhere are proposed.

There will be a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it.

Any new development will need to accord with:

- National planning policy
- Three Rivers Design Guidance Supplementary Planning Document.

8.8

The proposed Design Guidance Supplementary Planning Document will contain detailed guidance for development proposals within and/or affecting the Green Belt. It will incorporate detailed guidance currently contained with Policies GB1, GB5-10 of the Local Plan and Extensions to Dwelling in The Green Belt Supplementary Planning Guidance. The Design Guidance Supplementary Planning Document will cover:

- Criteria for infilling development
- Replacement dwellings
- Extensions to dwellings
- Extensions to residential curtilage
- Ancillary buildings
- Non-residential development.

Reasoned Justification

8.9 The Metropolitan Green Belt is a long-standing instrument of national and regional planning policy. Whilst much guidance is provided in national policy, the preferred approach supplements this with other relevant local criteria. The preferred policy approach seeks to provide the context for protecting the Green Belt in Three Rivers and ensures that development does not harm the Green Belt.

8.10 This policy links directly to the Core Strategy Objective 1: to ensure that development in Three Rivers recognises and safeguards the District's distinctive character of small towns and villages interspersed with attractive countryside and Green Belt, through sustainable patterns of development.

Options Rejected

8.11 There were no objections at Issues and Options consultation to including policies on Green Belt, although two respondents suggested that policies for replacement of dwellings in the Green Belt should not be included. This was rejected as it would not allow the Council to ensure the appropriateness of replacement dwellings in the Green Belt.

8.12 Requests were made to designate land at Royal Masonic School, Rickmansworth, Merchant Taylors School, Moor Park and at The Grove and Langleybury, as Major Developed Sites in the Green Belt. These were rejected on the basis that they are not considered to be suitable for designation in accordance with national policy.

BIODIVERSITY, TREES AND WOODLANDS

National Context

- 8.13 Biodiversity encompasses the whole variety of plant and animal life on Earth including all species of plants and animals and the complex ecosystems of which they are part. The world is losing biodiversity at an ever-increasing rate as a result of human activity. In the UK over 100 species were lost during the last century.
- 8.14 Woodlands, trees and hedgerows are important contributors to biodiversity and may be protected by wildlife or conservation designations, tree preservation orders or the Hedgerow Regulations. It is important that those not covered by designations are retained, protected and wherever possible, added to, since pressure for development will increasingly threaten trees, woodlands and hedgerows. National Planning policy²⁷ requires the potential impacts of planning decisions on biodiversity, landscape, trees and geological conservation to be fully considered. Authorities are also obliged to enhance wildlife and landscape under the Natural Environment and Rural Communities Act 2006.
- 8.15 Local Development Frameworks are required to indicate the location of designated sites of biodiversity and geological importance, and identify any areas or sites for the restoration or creation of new priority habitats. Appropriate weight should be attached to designated sites of international, national and local importance, protected species and to biodiversity and geological interests in the wider environment.

Regional Context

- 8.16 The East of England Plan²⁸ requires policies to ensure that internationally and nationally designated sites of biodiversity and geological interest are given the strongest level of protection. Potential effects of development on the conservation of habitats and species outside designated sites should also be considered.

Local Context

- 8.17 Biodiversity is an integral part of the character of Three Rivers and contributes to the high quality of life in the area. The District supports a variety of wildlife in habitats as diverse as wetlands, woodlands, grasslands, heath and urban gardens. Protecting and improving the diversity of wildlife and habitats in Three Rivers is therefore a strategic objective for the Core Strategy.
- 8.18 Three Rivers has a number of important wildlife sites, ranging from nationally designated Sites of Special Scientific Interest (SSSIs) to Local Nature Reserves (LNRs) and sites of local wildlife importance. These include:
- 8.19 Sites of Special Scientific Interest at:
- Frogmore Meadows
 - Sarratt Bottom
 - Croxley Common Moor
 - Whippendell Woods
 - Westwood Quarry.
- 8.20 Local Nature Reserves at:
- Oxhey Woods
 - Stockers Lake
 - The Withey Beds

²⁷ Planning Policy Statement 9: Biodiversity and Geological Conservation

²⁸ Policy ENV3: Biodiversity and Earth Heritage

- Croxley Common Moor
- Prestwick Road Meadows
- Chorleywood House Estate
- Rickmansworth Aquadrome

8.21 and 152 Hertfordshire wildlife sites. These sites are identified on **Map 8**.

8.22 The Hertfordshire Biodiversity Action Plan (BAP): A 50-Year Vision for the wildlife and natural habitats of Hertfordshire (2006) identifies three key biodiversity areas in Three Rivers:

- Mid-Colne Valley – wetlands (gravel pits) and grassland
- Whippendell Woods and surrounds – woodlands, grasslands and wetland
- River Chess Valley – wetlands, grasslands, woodland and heath.

8.23 These represent priority areas for conserving existing biodiversity resource and also provide the best opportunity for maintaining and creating large areas of quality habitat.

8.24 Given the levels of growth identified for Three Rivers and the surrounding areas, we must establish a network of biodiversity areas and corridors to both conserve existing biodiversity and to restore and regenerate biodiversity in areas which may be suffering from a current deficit. The key areas of important habitat and existing/potential linkages between them, within the District and across boundaries, can be seen in **Map 8**.

8.25 Rickmansworth forms a focal point for the identified biodiversity corridors, which are as follows:

- The Chess Corridor linking Chorleywood and areas to the west of the District with Rickmansworth, including the Sarratt Bottom and Frogmore Meadows Sites of Special Scientific Interest and Chorleywood House Estate Local Nature Reserve
- The Gade and Grand Union Canal Corridor linking Kings Langley and areas to the north of the District with Rickmansworth, including the Whippendell Woods and Croxley Common Moor Sites of Special Scientific Interest
- The Rickmansworth Corridor (including the Ebury Way) linking Maple Cross and areas to the south-west of the District, through Rickmansworth and South Oxhey, towards Watford and Harrow, including the Aquadrome, Oxhey Woods and The Withey Beds Local Nature Reserves.

8.26 Our Green Space Biodiversity Plan which is due in the Spring of 2009, is a landscape strategy based on the identified biodiversity corridors and will be informed by the Countryside Management Service management proposals of several sites located along the water corridors of Rickmansworth. This will contribute to the development of a Green Infrastructure Strategy in partnership with neighbouring authorities.

What you told us

- There was strong support for protecting important wildlife sites and species, with the suggestion that policy should also require enhancement of biodiversity where possible
- There was also support for including policies to cover protection of trees, woodlands and hedgerows
- It was felt that assessment of biodiversity should be undertaken to ensure that decisions are evidence-based.

What the Sustainability Appraisal told us

- Protection of important wildlife sites and species would have positive benefits in relation to landscape and townscape, biodiversity, air quality, human health, water quality, social well-being and the economy
- Protecting the natural environment will enhance the area as an attractive business location and will subsequently help economic growth and vitality through attracting potential investors
- Protection and enhancement of biodiversity is a Strategic Environmental Assessment objective against which all issues and options have been assessed.

DC2

Preferred Policy Approach – Biodiversity, Trees and Woodlands

The preferred approach is:

Biodiversity

In accordance with national policy on biodiversity and geology the Council will protect and, where possible, enhance:

- Sites of Special Scientific Interest
- Local Nature Reserves
- County Wildlife Sites
- Protected Species
- Trees and Ancient Woodlands
- Geological and physiographical features.

Development should result in no net loss of biodiversity value in any of the following key biodiversity areas as identified in the Hertfordshire Biodiversity Action Plan:

- Mid Colne Valley
- Whippendell Woods and surrounds
- River Chess Valley.

Development that would affect a Site of Special Scientific Interest, Local Nature Reserve, County Wildlife Site or protected species under UK or European law, or identified as being in need of conservation by the UK Biodiversity Action Plan, will not be permitted where there is an adverse impact on the ecological, geological or biodiversity interests of the site, unless it can be demonstrated that:

- There are exceptional circumstances for the development which clearly outweigh the need to safeguard the biodiversity of the site, and where alternative wildlife habitat provision can be made in order to maintain local biodiversity; and
- Adverse effects could be satisfactorily minimised through mitigation and compensation measures to maintain the level of biodiversity in the area.

Development must conserve, enhance and, where appropriate, restore biodiversity through:

- Protecting habitats and species identified for retention
- Providing compensation for the loss of any habitats
- Providing for the management of habitats and species
- Maintaining the integrity of important networks of natural habitats, and

- Enhancing existing habitats and networks of habitats and providing roosting, nesting and feeding opportunities for rare and protected species.

When considering development, the Council will take account of the Hertfordshire Biodiversity Action Plan and other relevant information to:

- Assess the importance of a habitat
- Consider the potential impact of development
- Identify ways to maintain and enhance biodiversity in Three Rivers
- Improve connectivity between habitats through establishment of networks of semi-natural green spaces within and between built-up areas and expansion of wildlife corridors, as shown in **Map 8**
- Expect the developer to contribute where appropriate to improvements in biodiversity as part of the development proposals.

The Council will support measures identified in management plans and related status reports for Sites of Special Scientific Interest, Local Nature Reserves and other wildlife sites that seek to protect, enhance and restore biodiversity.

Important Trees and Woodlands

Development proposals should demonstrate that existing trees, hedgerows and woodlands will be retained, safeguarded and managed during and after development in accordance with the relevant British Standards.

Planning permission will be refused for any development that would be liable to cause demonstrable harm to protected woodland (including ancient woodland), trees and hedgerows, unless conditions can be imposed to secure their protection. Where the felling of a tree or removal of a hedgerow is permitted, a replacement tree or hedge of an appropriate species, size and in a suitable location will be required, taking account of issues such as landscape and biodiversity.

Development should be designed in such a way as to allow trees and hedgerows to grow to maturity without causing undue problems of visibility, shading or damage. Development likely to result in future requests for significant topping, lopping or felling will be refused.

Reasoned Justification

8.27 The preferred policy approach demonstrates the Council's commitment to meet the relevant national requirements to protect and enhance biodiversity, trees and woodland. It also recognises that where development is necessary it is not at the expense of irreplaceable natural assets.

8.28 The policy will contribute directly to achieving Core Strategy Objective 9 which is to protect and improve the countryside and the diversity of wildlife and habitats.

Options Rejected

8.29 There were no objections at Issues and Options consultation to including policies on biodiversity. The broad approach previously put forward has been developed and expanded into more detailed policies taking into account comments made. No new additional policies were suggested for this policy area and therefore none was rejected.

LANDSCAPE CHARACTER

National Context

- 8.30 National policy²⁹ states that the most valued landscapes should have the highest level of protection and that locally valued landscapes should be protected through appropriate policies, with reference to landscape character assessments.
- 8.31 Areas of Outstanding Natural Beauty (AONBs) are designations of national importance for reasons relating to their natural beauty and contribution to the wider countryside.

Regional Context

- 8.32 The East of England Plan requires protection and enhancement of local distinctiveness and all important aspects of the wider landscape. Policy³⁰ states that planning authorities' policies should recognise and aim to protect and enhance the diversity and local distinctiveness of nationally defined countryside character areas by:
- Developing area-wide strategies based on landscape character assessments, setting long-term goals for landscape change, targeting planning and land management tools and resources to influence that change and giving priority to those areas subject to most growth and change
 - Developing criteria-based policies, informed by the area-wide strategies and landscape character assessments to ensure that all development respects and enhances local landscape character
 - Securing appropriate mitigation measures where avoidance of damage to local landscape character is unavoidable.

Local Context

- 8.33 The landscape of Three Rivers is a complex mix of rural and urban areas, woodlands, wildlife habitats, farmland, water features and other land forms. The landscape has been heavily altered by human activity so many distinctive features such as field boundaries are of historical interest as well as visual and ecological merit. Wildlife habitats such as meadows, woodlands, hedgerows and wetlands are valued components of the landscape and have their own special management requirements.
- 8.34 Three Rivers incorporates 546ha of the Chilterns Area of Outstanding Natural Beauty, an area of national landscape importance, made up of a mosaic of woodland, copses, enclosed pastures, arable fields, wooded and open heath and scattered farms and villages, overlying rolling hills and valleys. The areas of the District within the Area of Outstanding Natural Beauty will in future be shown on the Proposals Map.
- 8.35 Hertfordshire County Council has completed a **landscape character assessment** for the whole of Hertfordshire. This identifies three landscape regions in Three Rivers (shown on **Map 9**): the Chilterns (including parts of the Chilterns Area of Outstanding Natural Beauty), the Central River Valleys, and the South Hertfordshire Plateau.
- The Chilterns landscape region of rounded hills is part of the chalk ridge which crosses England from Dorset to Yorkshire. It contains a diversity of habitats and contains many prehistoric traces
 - The Central River Valleys landscape region is defined by the former route of the Thames and now contains the major rivers of Hertfordshire, the major communication corridors and the centre of many major settlements. Most of the valleys are broad, shallow, land forms of open character
 - The South Hertfordshire Plateau is a complex topographical region of many valleys,

29 Planning Policy Statement 7: Sustainable Development in Rural Areas

30 Policy ENV2: Landscape Conservation

often dry and with vegetation obscuring the topography. The region generally consists of small fields, woodland and heaths of some historic, scientific and amenity importance.

8.36

These landscape regions contain a variety of landscape character areas, for which assessments have been produced identifying key characteristics and influences. A Landscape Strategy (2001) has been produced which includes suggestions for managing future change (further details can be seen at <http://enquire.hertscc.gov.uk/landscsh/>). This assessment is being updated as part of the review of the Regional Spatial Strategy.

What you told us

- There was strong support for ensuring that development should make full and effective use of land whilst respecting the character of the surrounding area
- There was also support for requiring development to also enhance the landscape where possible through design and setting
- Full use should be made of landscape character assessment to ensure that decisions are based on evidence
- Landscapes of the highest quality, such as the Chilterns Area of Outstanding Natural Beauty, should be protected from appropriate development that would be potentially damaging.

What the Sustainability Appraisal told us

- Although landscape character should be protected, this could limit residential densities and result in additional housing being directed to greenfield sites, whilst the dispersed nature of development could increase car use and compromise the viability of public transport
- Protecting the landscape will enhance the area as an attractive business location and subsequently help economic growth and vitality through attracting potential investors.

DC3

Preferred Policy Approach – Landscape Character

The preferred approach is that:

Development should complement the surrounding local landscape character of Three Rivers as identified in the current landscape character assessment, through the siting, layout, design, appearance and landscaping of development.

Consideration should be given to:

- The development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change
- The pattern of woodlands, fields, hedgerows, trees, waterbodies, walls and other features
- The topography of the area.

Development will not be permitted where there is any:

- Unsympathetic intrusion in the wider landscape
- Detrimental effect on the character of the immediate environment
- Detrimental effect on any important long distance views or skylines.

Within or near the Chilterns Area of Outstanding Natural Beauty, in accordance with national policy, the setting, siting, design and external appearance of any development will be of the highest standard to respect and enhance the existing high quality landscape. The conservation of natural beauty, wildlife and cultural heritage will be given priority over other considerations. Development will only be permitted where there would be no adverse impacts on the character, quality, views, natural beauty, distinctiveness or public enjoyment of the AONB landscape.

In all landscape regions, the Council will require proposals to make a positive contribution to the surrounding landscape. In addition it will support proposals that:

- Lead to the removal or a reduction in the impact of existing structures and land uses that are detrimental to the visual quality of the landscape
- Enhance public access and recreation opportunities without detriment to the landscape or wildlife
- Contribute to the measures identified in the Hertfordshire Landscape Strategy (2001) to strengthen, reinforce, safeguard, manage, improve, restore and reconstruct landscapes.

8.37 In applying this policy, the Council will have regard to the Chiltern Design Guides and Chilterns Management Plan 2008-2013, available from office@chilternsaonb.org which provides further information on acceptable design in the Chilterns Area of Outstanding Natural Beauty and the issues facing the area and the management actions required.

Reasoned Justification

8.38 As there will be increasing pressure for development across the District, it is important that all landscape, including the Chilterns Area of Outstanding Natural Beauty, is either protected, enhanced or improved. The preferred policy approach ensures that the design of development proposals is sensitive enough to ensure that schemes make a positive contribution to the landscape.

8.39 This policy will contribute directly to achievement of the Core Strategy Objective 9: to protect and improve the countryside and the diversity of wildlife and habitats and part of the Core Strategy Objective 10, ensuring that new development respects the unique character and identity of the towns and villages in the District.

Options Rejected

8.40 There were no objections at Issues and Options consultation to including policies on landscape. The broad approach previously put forward has been developed and expanded into more detailed policies, taking into accounts comments made. No new additional policies were suggested for this policy area, and therefore none was rejected.

OPEN SPACE, SPORT AND RECREATION FACILITIES

National Context

8.41 National Guidance³¹ states that local authorities should complete robust assessments of existing open space, sport and recreation provision, and future needs of communities for open space, sport and recreation facilities. Open space standards should also be set locally and include:

- Quantitative estimates of how much is needed
- A qualitative component (against which to measure the need for enhancement of existing facilities) and
- Accessibility considerations (including distance thresholds and consideration of the cost of using a facility).

8.42 Existing open space, sports and recreation buildings and land should not be redeveloped unless an assessment has been undertaken which has clearly shown that they are/will be surplus to requirements. Planning obligations should be used to remedy local deficiencies in the quality or quantity of open space, sports or recreational provision. National guidance³² also states that proposed residential development should provide or enable good access to community and green and open amenity recreational space (including play space) as well as private outdoor space.

Regional Context

8.43 The East of England Plan³³ states that Local Development Documents should include policies to respond to locally identified need for open space, including any increased demand for recreational open space associated with planned development, and to identify the scale and location of green networks required to ensure that existing, extended and new communities are attractive places in which to live and work.

Local Context

8.44 In accommodating additional growth it is important that the quality, pattern and character of the environment in the District is maintained and enhanced for new and existing residents.

8.45 The Council carried out an assessment of open space, sport and recreation facilities in line with national requirements³⁴. The Assessment was carried out in three parts:

- Open Space – a comprehensive analysis of open spaces which included parks and gardens, semi/natural green spaces, green corridors, amenity green space, allotments, cemeteries/church yards, civic spaces and small and large play areas
- Indoor Sports Facilities – considered the supply of and demand for indoor sports facilities such as leisure centres, community centres, village halls and schools and their ancillary facilities
- Outdoor Sports Facilities – considered the supply of and demand for outdoor sports facilities such as football, cricket, rugby, hockey, bowls, tennis, netball, golf and watersports and their ancillary facilities.

31 Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation

32 Planning Policy Statement 3: Housing

33 Policy ENV1: Green Infrastructure (supporting text)

34 Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation

8.46 Further details can be viewed at: www.threerivers.gov.uk/Default.aspx/Web/EvidenceBase

8.47 The Assessment identified some areas of surplus provision and under-provision across the District.

8.48 The agreed Action Plan includes the following area specific priorities (also referred to in the Place Shaping Policies):

Rickmansworth:

- Extend cemetery facilities at Woodcock Hill
- Maintain and improve biodiversity, recreational access and watersports facilities at Rickmansworth Aquadrome
- Develop a play area to meet identified need.

Abbots Langley:

- Improve facilities and access at Leavesden Country Park
- Improve facilities at Abbots Langley Community Centre.

Chorleywood:

- Maintain biodiversity and access improvements to Chorleywood House Estate as part of the agreed management plan
- Develop play area in Chorleywood to address current deficiency.

Croxley Green:

- Improve access at Croxley Hall Wood.

South Oxhey:

- Support the development of a 'friends group' at Oxhey Woods Local Nature Reserve and assess the feasibility of providing an education centre on site.

Eastbury:

- Develop play area to address identified deficiency.

Sarratt:

- Extend and improve Frogmore Meadows
- Develop play area to meet identified need.

The Council has adopted a Supplementary Planning Document on Open Space, Amenity and Children's Play Space which sets out the Council's requirements for the provision of facilities as part of new residential developments.

What you told us

- There was support at Issues and Options to plan for additional space and/ or improvements where deficiencies in the District have been identified
- There was also strong support for continuing to require developers to contribute towards the provision of sports facilities, amenity and children's play space, both directly on site and through commuted payments
- Planning obligations to contribute to open space, sport, leisure and recreation were identified as a priority
- There was also support for including policies in the Local Development Framework to deal specifically with parks and open spaces.

What the Sustainability Appraisal told us

- Retaining and protecting open space and increasing accessibility would help to provide a good quality environment, retain existing businesses and attract new investment
- Protection and enhancement of public open space would also improve human health through providing an area where people can walk, socially interact, encourage community gathering and social cohesion
- Ensuring provision of sports, recreational facilities and open space should benefit social objectives and human health if provision is focused in those communities where they are most needed and where health benefits can be delivered
- Consideration should be given to the role of nature conservation sites as recreational areas and potential impact on biodiversity
- Where biodiversity may be adversely affected, ring-fenced money obtained from contributions from local developers may help to manage recreational activities in a more sustainable manner.

DC4

Preferred Policy Approach – Open Space, Sport and Recreation Facilities

The preferred approach is:

Protection

Protect against the loss of open space, sport and recreation facilities, including playing pitches which will be identified on the Proposals Map.

Development proposals which result in the whole or partial loss of existing sport, recreational or open spaces will only be permitted where:

- The proposed development includes provision for open space, sports and recreation facilities of sufficient benefit to recreation provision to outweigh the loss or
- Alternative provision of equivalent or better quality is made for the catchment area served by the open space in an accessible location served by sustainable modes of transport or
- The proposal is ancillary to an existing leisure use serving the catchment area or
- A deficiency of open space is not created through its loss, now or over the plan period or
- It can be demonstrated that the users would benefit more from the improvement of the facilities on the open space despite a loss of part of the site.

New provision and enhancement

The Council will seek to rectify deficiencies in the quality and quantity of facilities in the District as identified in the Assessment of Open Space, Sport and Recreation Facilities (2005) and related Action Plans (2006). Specific area-based proposals are set out in the Place-Shaping Policies of this document. Development proposals for open space, sport and recreation facilities will need to accord with the criteria contained in Policy DC7 (Design of Development), other relevant policies in this document and the Council's Supplementary Planning Document on Open Space, Amenity and Children's Play Space.

All residential developments will be expected to contribute to the provision of formal and informal open space in the local area to meet the needs of the population:

- For developments of 25 or more dwellings, or 0.6 hectares and above, 10% of the site area will be required for the provision of amenity open space. Proper maintenance of the open space will be required or, where the Council is requested to adopt the open space, acceptance will depend on the agreement of a commuted sum for maintenance

- For developments of less than 25 dwellings or 0.6 hectares, financial contributions to open space will be required, based on a ratio of 0.4 hectares of amenity open space per 1000 population.

Variation to these standards may be appropriate where the development is already fully served by existing amenity space within 400m of the site without the need to cross a main road.

Detailed guidance on requirements for the provision of facilities and maintenance as part of new development, including formulae for the calculation of contributions, is set out in the Council's Supplementary Planning Document on Open Space, Amenity and Children's Play Space. The Document also sets out design standards for new open space provision.

Reasoned Justification

8.49 The preferred policy approach aims to protect the existing open spaces to maintain the character of the settlements, the quality of environment and provide opportunities for recreation. It also requires provision of an adequate level of open space within new developments to meet the needs of the community.

8.50 This policy will contribute directly to achievement of Core Strategy Objective 11: to provide accessible and varied opportunities for leisure, sport and recreational activities in order to promote healthy lifestyles.

Options Rejected

8.51 There were no objections at Issues and Options consultation to including policies on open space, sport and recreation. The broad approach previously put forward has been developed and expanded into more detailed policies, taking into account comments made. No new additional policies were suggested for this policy area, and therefore none was rejected.

CHILDREN'S PLAY SPACE

National Context

- 8.52 New housing developments are likely to increase demands on existing local open space provision including children's play areas. National policy³⁵ states that proposed development should enable good access to community and green and open amenity recreational space (including play space) as well as private outdoor space. Furthermore national policy³⁶ also recognises the value of recreation provision and advises that local planning authorities should draw up their own standards of provision based on their assessment of need.

Regional Context

- 8.53 The East of England Plan³⁷ states that Local Development Documents should include policies to respond to locally identified need, including any increased demand for recreational open space associated with planned development and to identify the scale and location of green networks required to ensure that existing, extended and new communities are attractive places in which to live and work.

Local Context

- 8.54 Three Rivers has carried out an assessment of open space, sport and recreation facilities in line with national policy³⁸. The Assessment identifies deficiency in children's play area provision in Chorleywood, Moor Park, Eastbury, Northwood and Sarratt and local demand for additional play areas in Rickmansworth.
- 8.55 The District Play Strategy has been developed in consultation with children, young people and families, and aims to ensure that more children and young people can play freely in the outdoors close to their homes and have a freedom of choice in play.
- 8.56 Detailed guidance on requirements for the provision of children's play space and maintenance as part of new development, including formulae for the calculation of contributions, is set out in the Council's Supplementary Planning Document on Open Space, Amenity and Children's Play Space. The Document also contains guidelines for designing children's play space.

What you told us

- There was strong support for continuing to require new residential development to contribute towards the provision of sports facilities, amenity and children's play space both directly on site and through commuted payments
- There was also support for inclusion of policies for the protection and provision of open spaces, parks and children's play space.

What the Sustainability Appraisal told us

- Protection and enhancement of public open space can enhance human health through providing an area where people can walk, socially interact, encourage community gathering and social cohesion
- Ensuring provision of sports, recreational facilities and open space should benefit social objectives and human health if provision is focused in those communities where they are most needed and where health benefits can be delivered.

35 Planning Policy Statement 3: Housing

36 Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation

37 Policy ENV1: Green Infrastructure (supporting text)

38 Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation

DC5

Preferred Policy Approach- Children's Play Space

The preferred approach is to protect existing children's play spaces and to rectify deficiencies in the quality and quantity of children's play space as identified in the Assessment of Open Space, Sport and Recreation Facilities (2005) and related Action Plans (2006).

Specific area-based proposals are set out in the Place-Shaping Policies of this document. Development proposals for children's play space will need to accord with the criteria contained in Policy DC7, other relevant policies in this document and the Council's Supplementary Planning Document on Open Space, Amenity and Children's Play Space.

Protection

Development proposals which result in the loss of, or prejudice the use of, any existing children's play space will only be permitted where:

- A carefully quantified and documented assessment of current and future needs demonstrates that there is an excess of the particular type of amenity space in the local catchment
- The proposed development is ancillary to the principal use of the site and does not affect the quality, quantity, use or availability of the amenity space
- The amenity space that would be lost would be replaced by a facility of equivalent or better usefulness and quantity and subject to equivalent or better management arrangements being in place prior to the commencement of the development.

New Provision and Enhancement

All residential developments will be expected to contribute to the provision of new children's play space to meet the needs of the population as follows:

- For developments of 25 or more dwellings, or 0.6 hectares and above where the development is likely to be occupied by families, on-site provision of children's play space will be required, comprising 2% of the site area. Appropriate equipment should be provided by the developer directly or by funding agreement with the Council. Proper maintenance of the play space will be required, or where the Council is requested to adopt the play space, acceptance will depend on the agreement of a commuted sum for maintenance
- For development of less than 25 dwellings, or 0.6 hectares, financial contributions to children's play space will be required, based on a ratio of 0.2 hectares of amenity open space per 1000 population.

Reasoned Justification

8.57 The preferred policy approach aims to protect existing children's play spaces, to maintain opportunities for recreation and provide an adequate level of open space within new developments to meet the needs of the community.

8.58 This policy will contribute directly to achievement of Core Strategy Objective 11: to provide accessible and varied opportunities for leisure, sport and recreational activities in order to promote healthy lifestyles.

Options Rejected

8.59 There were no objections at Issues and Options consultation to including policies on children's play facilities. The broad approach previously put forward has been developed and expanded into more detailed policies, taking into account comments made. No new additional policies were suggested for this policy area, and therefore none was rejected.

COMMUNITY, LEISURE AND CULTURAL FACILITIES

National Context

- 8.60 An important element of sustainable development and creating sustainable communities is the provision and protection of community uses such as health, education, places of worship, facilities for arts and community halls at locations that are readily accessible. In addition, especially outside the urban areas, facilities such as public houses, post offices and petrol stations can perform a vital function in terms of the economic and social welfare of such areas and to help ensure the continued vitality of village and rural communities.
- 8.61 Government policy³⁹ makes it clear that all members of the community should be able to access leisure and community facilities and that they should not be disadvantaged as a result of development proposals.

Regional Context

- 8.62 The East of England Plan⁴⁰ states that sustainable communities will be well served by public, private, community and voluntary services.

Local Context

- 8.63 The Three Rivers Community Strategy 2006-2012 identifies the provision of local services such as education, leisure, health and council services as a priority for Three Rivers. The provision of these facilities is an important factor in the promotion of healthier lifestyles, the creation of sustainable communities, providing varied cultural opportunities for local communities including the most vulnerable groups.

What you told us

- There was support at Issues and Options for including policies to deal with community and cultural facilities, in order to ensure adequate provision
- In particular, there were requests for the Local Development Framework to make provision for worship facilities for different faith groups
- Consultation carried out with the Three Rivers Citizen Panel (2006) on perceived access to facilities indicated that access to cultural/recreational facilities was of highest concern. Access to other facilities such as neighbourhood centres, banking facilities and local shops also ranked relatively highly.

What the Sustainability Appraisal told us

- Policies should increase access to services and facilities, particularly for those who need it most.

39 Planning Policy Statement 1: Delivering Sustainable Development

40 Policy SS1: Achieving Sustainable Development

DC6

Preferred Policy Approach – Community, Leisure and Cultural Facilities

The preferred approach is to protect existing community, leisure and cultural facilities and to support the provision of new facilities where appropriate.

Protection

Proposals for the redevelopment or change of use of any premises resulting in the loss of facilities or services that support the local community, will only be permitted where the Council is satisfied that:

- The existing facility can be satisfactorily relocated within the development
- The use concerned is not economically viable, could be provided by some other means, or it can be demonstrated that there is no longer a demand for the use
- The premises or site cannot readily be used for, or converted to, any other community facility
- The facility or service which will be lost will be adequately supplied or met by an easily accessible existing or new facility in an appropriate alternative location, served by sustainable modes of transport.

New provision and enhancement

Where development proposals are submitted for new or improved leisure, community or recreation facilities they will be permitted subject to the following criteria:

- The facility is accessible by sustainable modes of transport
- It accords with Policy DC7 on Design and other relevant policies in this document.

The Council will support in principle the implementation of strategies by partner organisations to address deficiencies and to realise enhancements of education and health facilities, which are vital community facilities, and measures to make better use of existing facilities.

Within the context of this policy, community, leisure and cultural facilities will include (but not be limited to) village halls, community centres, sports halls, theatres, public halls, doctors' and dental surgeries, faith facilities, post offices, public houses, schools and local shops.

Reasoned Justification

8.64 Local facilities, whether publicly or privately owned, can be subject to development pressures from alternative uses. It is therefore important that where appropriate such facilities are retained within the local community. The preferred policy approach seeks to both protect existing facilities from development pressures and to provide new or enhanced facilities wherever possible. The provision of facilities will meet local needs and reduce the need to travel further afield.

8.65 This policy will contribute directly to achievement of Core Strategy Objective 6: to facilitate the provision of services and infrastructure to meet the needs of existing development and new development by working on cross-boundary issues with adjoining authorities, service providers and the development industry.

Options Rejected

8.66 There were no objections at Issues and Options consultation to including policies on community facilities. Specific areas for inclusion were suggested and have been incorporated and no suggestions were rejected.

DESIGN OF DEVELOPMENT

National Context

8.67 National policy requires the achievement of high quality, sustainable design⁴¹. It seeks planning policies that promote high quality, inclusive design in layouts and buildings in terms of function and impact. Design can have a large impact not only on individual buildings but also on the wider 'public realm', including our streets, town centres, parks and open spaces. Design which does not make the most of opportunities to improve the character and quality of an area should be refused.

8.68 Further guidance on design is provided by the Commission for Architecture and Built Environment (CABE), for example through the national standard 'Building for Life'. This includes how to consider character, public space, design and construction and the surrounding environment and community, and developers are encouraged to incorporate these principles in proposals.

Design and Access Statements

8.69 The Government now requires that design and access statements accompany most planning applications and applications for listed building consent. This requirement provides an opportunity for the early consideration of design and access. These should contain relevant information and details compatible with the scale and complexity of the proposal, including:

- A full site analysis of existing features and designations
- An accurate site survey including landscape features and site levels
- The relationship of the site to its surroundings
- Existing access for pedestrians, cyclists and vehicles
- Any known historical importance.

8.70 It will need to demonstrate how the proposed development will:

- Maximise energy efficiency and address water and drainage requirements
- Achieve an inclusive environment that can be used by everyone, regardless of age, gender or disability and
- Take account of the transport considerations.

8.71 The Commission for Architecture and Built Environment provide guidance on Design and Access Statements and is available on the following website: <http://www.cabe.org.uk>

Regional Context

8.72 The East of England Plan⁴² states that Local Development Documents should require new development to be of high quality and draws together the different strands of national policy which underpin quality in the built environment.

Building Futures: A Hertfordshire Guide to Promoting Sustainability in Development

8.73 The Council, working in partnership with the County Council and other Districts in Hertfordshire, has prepared guidance on how design should complement local architectural traditions and how sustainable construction techniques can be incorporated within the context of quality and character of the existing built heritage. It also includes guidance on how to take account of crime prevention and community safety considerations as part of the design and layout of new development. Further details can be found at: www.hertslink.org/buildingfutures

41 Planning Policy Statement 1: Delivering Sustainable Development, Planning Policy Statement 3:Housing, Planning Policy Guidance 15: Planning and the historic environment

42 Policy ENV7: Quality in the Built Environment

Local Context

8.74 The promotion of sustainable design, dealing with crime and anti-social behaviour and reducing, re-using and recycling waste are all key Council and community objectives in Three Rivers.

8.75 The Council has produced a range of detailed guidance for development. However, these are covered in a number of separate documents. It is proposed that this guidance will be brought together and further supplemented as part of a Three Rivers Design Guide, which will appear as a Supplementary Planning Document. This will seek to provide comprehensive design guidance for new development in the District and will bring together existing design guidance contained in the following documents:

- Residential development and extensions (Appendix 2 in the Local Plan)
- Various design guidance relating to Conservation Areas
- Design modules in Building Futures: A Hertfordshire Guide to Promoting Sustainability in Development
- Extensions to Dwellings in the Green Belt Supplementary Planning Guidance
- Design of Open Space within the Open Space, Amenity and Children's Play Space Supplementary Planning Document
- Chilterns Area of Outstanding Natural Beauty Design and Material Guides
- Shopfront Design Guide
- Good design principles as prescribed by the Commission for Architecture and Built Environment and others.

What you told us

In the Core Strategy Issues and Options Consultation there was strong support for:

- New housing development to respect the character of the surrounding area
- New development to be designed and built sustainably
- New development to use recycled or reclaimed materials and to provide recycling facilities on site to allow the recovery and recycling of materials wherever possible
- Reducing crime through several options including through the design of new development (Safer by Design)
- A range of housing to be provided to meet identified needs, including a range of dwelling sizes and types.

What the Sustainability Appraisal told us

There are no conflicts with sustainability objectives provided due consideration and sensitivity are shown when establishing the design principles towards the heritage in the area and the landscape/townscape character. This is particularly important when looking at the design policies requiring new developments to be in keeping with neighbouring buildings and the local area.

DC7

Preferred Policy Approach – Design of Development

The preferred approach is that:

In seeking a high standard of design, the Council will expect all development proposals to:

- Have regard to the local context and preserve or enhance the character, amenities and quality of an area
- Protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space
- Make efficient use of land whilst respecting the distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials
- Build resilience into a site's design taking into account climate change (e.g. flood resistant design)
- Use innovative design to reduce energy and waste and optimise the potential of the site
- Ensure buildings and spaces are, wherever possible, orientated to gain benefit from sunlight and passive solar energy
- Design out opportunities for crime and anti-social behaviour through the incorporation of appropriate measures to minimise the risk of crime and create safe and attractive places
- Incorporate visually attractive frontages to adjoining streets and public spaces; all appropriate frontages to contain windows and doors that assist informal surveillance of the public realm
- Use high standards of building materials, finishes and landscaping; also provide/ contribute towards street furniture and public art where appropriate
- Ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features; landscaping should reflect the surrounding landscape of the area and where appropriate integrate with adjoining networks of green open spaces
- Make a clear distinction between public and private spaces and enhance the public realm
- Ensure that places and buildings are accessible to all potential users
- Provide convenient, safe and visually attractive areas for the parking of vehicles and cycles without dominating the development or its surroundings
- Be durable and, where practical, buildings should be capable of adapting to other uses and functions in order to ensure their long-life.

Detailed design guidance and standards will be provided in the Three Rivers Design Guide Supplementary Planning Document.

DC8

Preferred Policy Approach – Residential Design and Layout

The preferred approach is that all residential development should:

- Protect existing and proposed residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space
- Protect the character of the existing area.

New Residential Development

The Council will seek to protect the character and residential amenity of existing areas of housing from forms of “backland” or “infill” development which the Council considers to be inappropriate for the area. Proposals for new residential or other development will not be permitted where the proposal involves:

- Tandem development
- Servicing by an awkward access drive which cannot easily be used by service vehicles
- The generation of excessive levels of traffic
- Loss of residential amenity
- Layouts unable to maintain the particular character of the area in the vicinity of the application site in terms of plot size, building footprint, plot frontage width, frontage building line, height, gaps between buildings and streetscape features (e.g. hedges, walls, grass verges etc.) particularly in a Conservation Area.

Subdivision of Dwellings

Subject to other development policies, proposals for the conversion of single dwellings into two or more units will be acceptable where:

- The building is suitable for conversion by reason of its size, shape and number of rooms. Normally, only dwellings with three or more bedrooms will be considered suitable for conversion
- The dwellings created are self-contained, with separate front doors either giving direct access to the dwelling, or a secure communal lobby or stairwell which itself has a secure entrance
- Adequate car parking, services and amenity space can be provided for each new unit in compliance with the Council's standards
- The character of the area and the residential amenity of immediate neighbours are protected
- If conversion of semi-detached dwellings is proposed, this takes place in pairs in order that privacy and the amenities of the occupants of the adjoining dwelling are maintained.

The Council will take into account the individual and cumulative effect of applications for development on the character of an area, and will resist piecemeal development in favour of comprehensive proposals that properly address the criteria above.

8.76 In order to promote good design across the District, we plan to introduce a civic design award. The proposed Three Rivers Design Guide will also contain guidance on residential design.

Reasoned Justification

8.77 The preferred policy approach is in accordance with national and regional policy frameworks and reflects local priorities to maintain, protect and enhance the quality of the built environment and in particular residential amenities. The approach will contribute directly to the Core Strategy Objective 3: in relation to adapting design and climate change; to Objective 10: whereby new development respects the unique character and identity of the towns and villages in the District; and Objective 12: in creating safe and attractive places to live.

Options Rejected

8.78 There were no alternative options at Issues and Options on design matters. The broad approach previously put forward has been developed and expanded into more detailed policies, taking into account comments made. In order to meet sustainable development objectives locally, there is no real alternative to the preferred approach.

FLOOD RISK AND WATER RESOURCES

National Context

- 8.79 National Guidance⁴³ aims to ensure that flood risk is taken into account at all stages of the planning process and to avoid inappropriate development in areas at risk from flooding. Areas can be mapped according to the level of flood risk:
- Zone 1 (Low probability – less than a 1 in 1000 annual probability of flood)
 - Zone 2 (Medium probability – between a 1 in 100 and a 1 in 1000 probability)
 - Zone 3a (High probability – a 1 in 100 or greater probability)
 - Zone 3b (Functional floodplain – area providing flood storage)
- 8.80 Through a ‘sequential approach’, the overall aim should be to steer new development to Flood Zone 1 (Low risk) in the first instance; development in Zone 2 and the Zone 3 may be considered if no other reasonably available sites exist and an ‘Exception Test’ is satisfied. Development in higher risk zones will be restricted to certain categories where an identified need for that type of development in that location exists.
- 8.81 The use of Sustainable Drainage Systems to manage water flows can be an important tool in minimising flood risk by increasing permeable surfaces in an area which allows water to seep into the ground rather than running off into the drains system, and in reducing the impact of pollution from run-off and flooding. The use of Sustainable Drainage Systems should be incorporated in all new development where technically possible. Site-specific Flood Risk Assessments need to be submitted with certain planning applications.
- 8.82 It is essential to protect water quality and, where possible, make efficient use of it. This means protecting and enhancing the quality and quantity of groundwater; protecting and enhancing surface water features and controlling aquatic pollution; ensuring new development has an adequate means of water supply and sufficient foul and surface water drainage. In addition, efficient use of water resources, including recycling, should be sought through sustainable construction methods that conserve and make prudent use of water and other natural resources.

Regional Context

- 8.83 The East of England Plan⁴⁴ states that parts of the East of England are at a significant risk of flooding and that the main priorities are to defend existing properties from flooding and locate new development where there is little or no risk of flooding.
- 8.84 The East of England is the UK’s driest region, and Hertfordshire is one of the driest counties with the average rainfall returning only two-thirds of the national average. People in Hertfordshire also use more water than any other county – 20% above the national average. Hertfordshire’s natural water environment is constantly at risk to periods of drought and floods. Groundwater resources are now at or approaching full utilisation, and many rivers and streams suffer from low flows which detrimentally impacts upon water quality.

Local Context

- 8.85 Some areas within Three Rivers are at risk of river or surface water flooding and it is likely that the effects of climate change will lead to increased risks. As a means of assessing levels of risk, the Council in conjunction with adjoining authorities in south and west Hertfordshire commissioned a Strategic Flood Risk Assessment (SFRA). This further refines the flood risk areas and takes into account other sources of flooding and future climate change impacts. This document details the following five Flood Risk Objectives:
- Achieve flood risk reduction through spatial planning and site design

⁴³ Planning Policy Statement 25: Development and Flood Risk and the Companion Guide

⁴⁴ Policy WAT4: Flood Risk Management

- Enhance and restore the river corridor
- Reduce surface water run-off from new developments
- Safeguard functional floodplain and areas for future flood alleviation schemes
- Improve flood awareness and emergency planning.

8.86 The Council has taken into account flood risk in identifying the broad areas of housing growth within the Spatial Strategy Section. Further details of the sequential approach used to identify areas and flood risk matters for future investigation are set out in an addendum to the Strategic Flood Risk Assessment, as part of the Council's evidence base

8.87 The Three Rivers area has a high level of surface water resources including the Rivers Colne, Gade and Chess, the Grand Union Canal, several lakes and numerous ponds. In addition the District is entirely underlain by a pervious aquifer (high quality water-table) which is the main drinking water resource for the area. It is important to protect these resources from pollution and to safeguard them, taking into account future climate change.

What you told us

As part of Issues and Options consultation there was concern about the effect new development would have on the existing water supply and that development in the floodplain should be avoided.

What the Sustainability Appraisal told us

- Flood risk – Controlling development in flood risk areas and also to the use of Sustainable Drainage Systems is supported.
- Additional policies recommended, for example, in encouraging innovative design when 'future-proofing' new developments and infrastructure to take into account the causes and effects of climate change
- Water Resource Usage – new developments will need to be future-proofed against a drier climate. This includes the issue of decreasing water supply for an increasing number of dwellings.
- Policies and criteria should relate to requirements encouraging innovative forms of water storage and water usage efficiency within new developments.

DC9

Preferred Policy Approach – Flood Risk and Water Resources

The preferred approach is:

Flood Risk

In assessing development proposals, the Council will accord with national policy and the Three Rivers Strategic Flood Risk Assessment (SFRA). Areas at risk from flooding are available from the Environment Agency.

Future development in Flood Zone 1 (low probability)

- For sites of 1ha or above, the vulnerability of other sources of flooding should be considered as well as the effect of new development on surface water run-off
- A Drainage Impact Assessment will be required to demonstrate that run-off from the site is reduced, thereby reducing surface water flood risk. This will involve the use of Sustainable Drainage System techniques.

Future development in Flood Zone 2 (medium probability)

- Development is restricted to 'water compatible', 'less vulnerable' and 'more vulnerable' categories. 'Highly vulnerable' uses will need to satisfy the Exception Test.
- A detailed site-specific Flood Risk Assessment should be prepared and submitted with development proposals
- Floor levels should be situated above the 1% (1 in 100 year) plus climate change predicted maximum level plus a minimum freeboard of 300mm
- The development should be 'safe' – dry pedestrian access to and from the development should be possible above the 1 in 100 year plus climate change flood level and provision of emergency vehicular access during flooding
- The approved Sustainable Drainage Systems and mitigation measures should be implemented to reduce run-off from the site, post-development and controlled by conditions.
- The proposed development should be set back from the watercourse with a minimum 8m wide undeveloped buffer zone.

Future development in Floodzone 3a (high probability)

- Land uses should be restricted to 'less vulnerable' uses. For more vulnerable uses the Exception test needs to be satisfied
- A detailed site-specific Flood Risk Assessment should be prepared and submitted with development proposals
- Floor levels should be situated above the 1% (1 in 100 year) plus climate change predicted maximum level plus a minimum freeboard of 300mm
- The development should be 'safe'- dry pedestrian access to and from the development should be possible above the 1 in 100 year plus climate change flood level and provision of emergency vehicular access during flooding
- Sustainable Drainage Systems should be implemented to reduce run-off from the site, post development
- The proposed development should be set back from the watercourse with a minimum 8m wide undeveloped buffer zone
- Basements should not be used for habitable purposes. Where they are permitted for commercial use, basement access points should be above the 1 in 100 year flood level plus climate change.

Future Development in Floodzone 3b (functional floodplain)

- Development should be restricted to 'water compatible uses', or 'essential infrastructure' that passes the Exception Test and is designed and constructed to remain operational in times of flood and not impede water flow.

For the 'Exceptions Test', referred to in this policy, to be passed:

- It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by the Strategic Flood Risk Assessment
- The development should be on developable previously used land, or if not it must be demonstrated that there is no such alternate land available
- A flood risk assessment (FRA) must demonstrate that the development will be safe, without increasing flood risk elsewhere, and, where possible, reducing flood risk overall.

Land in Flood Zone 1 that is surrounded by areas of Flood Zone 2 or 3 will be treated as if it is in the higher risk zone and a Flood Risk Assessment will be required to prove that safe access/egress exists for the development or that the land will be sustainable for the duration of the flood period.

Where planning permission is granted, developers will be required to show that any flood protection and mitigation measures which may be necessary do not have an unacceptable impact on nature conservation, landscape, recreation or other important issues.

Where appropriate, developers will be required to contribute to the delivery of flood risk management schemes and facilities as identified in the Three Rivers Strategic Flood Risk Assessment (2007), enhance and restore river corridors and improve flood awareness and emergency planning, in partnership with the Council, the Environment Agency and other authorities.

Water resources

New development will need to ensure that:

- The quantity and quality of surface and groundwater resources are protected from aquatic pollution and where possible enhanced.
- There is an adequate and sustainable means of water supply and sufficient foul and surface water drainage
- Efficient use is made of water resources and account taken of climate change. This means incorporating the following measures as part of development:
 - Rainwater harvesting techniques (for example providing waterbutts fitted to drainpipes and underground water storage as part of new development)
 - Harvesting and recycling greywater (wastewater from baths, showers, washbasins, kitchen sinks)
 - Using water efficient appliances (for showers, taps, washing machines, toilets etc.)
 - Using water efficient landscaping and irrigation measures (for example by using drought tolerant plants).

Reasoned Justification

8.88 The preferred policy approach recognises that due to the potential impacts of climate change and the increasing pressure for development across the District, it is vital that developments are protected as reasonably as possible against the flood risk, the risk of pollution to water is reduced and that the development itself is as water efficient as possible. The approach will contribute directly to the Core Strategy Objective 3: in reducing pollution, conserving water resources and taking into account climate change through design of development.

8.89 Further guidance on ways to conserve water are continued in Building Futures: A Hertfordshire guide to promoting sustainability in development (<http://www.hertslink.org/buildingfutures>)

Options Rejected

8.90 There were no objections at Issues and Options consultation to including policies for the above. No new additional policies were suggested for this policy area, and therefore none was rejected. The broad approach previously put forward has been developed and expanded into more detailed policies, taking into account comments made.

CARBON EMISSIONS AND RENEWABLE ENERGY

National Context

- 8.91 The legally binding Kyoto protocol (which came into force on 16 February 2005) requires the UK to reduce greenhouse gas emissions to 12.5% below 1990 levels by 2008–2012. In response to climate change the Government has also set the following targets for carbon dioxide emissions and percentage increases in the contribution to electricity generation from renewable sources:
- A 20% reduction in carbon dioxide emissions below 1990 levels by 2010 and a 60% reduction below 1990 levels by 2050
 - A 10% contribution to electricity generation by renewable sources by 2010 to increase to 20% by 2020 and 30 – 40% by 2050.
- 8.92 The Planning and Energy Act 2008 allows local authorities to set reasonable requirements in their development plan documents for:
- a proportion of energy used in development to be energy from renewable sources in the locality of the development
 - a proportion of energy used in development to be low-carbon energy from sources in the locality of development
 - development to comply with energy efficiency standards that exceed the energy requirements of building regulations.
- 8.93 National policy⁴⁵ states that local authorities should ensure that development plans contribute to global sustainability by addressing the causes and potential impacts of climate change. This includes preparing planning policies that promote the prudent use of resources by making more efficient use or re-use of existing resources and encouraging the development of renewable energy resources. In particular, consideration should be given to encouraging energy efficient buildings, community heating systems and the use of combined heat and power in developments.
- 8.94 Building a Greener Future: Towards Zero Carbon Development, and its subsequent Policy Statement, state:
- Where the net carbon emissions from all energy use in the home would be zero over a year, development may be described as zero carbon
 - The Government's intention for all new homes to be zero carbon by 2016 with a progressive tightening of the energy efficiency building regulations.
- 8.95 The Housing Green Paper (2007) establishes targets for all new homes to emit 25% less carbon from 2010, 44% less from 2013 and to be zero carbon from 2016.
- 8.96 National policy⁴⁶ states that local authorities should set out a target percentage of the energy to be used in new development to come from decentralised and renewable or low carbon energy sources where it is viable. The Government is committed further to change in seeking to achieve a zero carbon target by 2016.
- 8.97 Since May 2008 it has been mandatory for all new homes to have a rating against the Code for Sustainable Homes. The Code attempts to rate the sustainability of residential dwellings by assessing them against nine key criteria including energy and carbon dioxide emissions, water, materials, surface water run-off, waste, pollution, health and well being, management and ecology. Code level 6 is the highest rating.

45 Planning Policy Statement 1: Delivering Sustainable Development

46 Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1

Regional Context

8.98 The East of England Plan⁴⁷ states that local authorities should contribute to the achievement of medium- and long-term national emissions targets through planning policies that move development in the Region towards zero carbon development. It also states that:

- Development Plan Documents should set ambitious but viable proportions of the energy supply of new developments to be secured from decentralised, renewable and low-carbon energy sources
- Until targets are set in Development Plan Documents, new developments of more than ten dwellings or 1000m² of non-residential floorspace should secure at least 10% of their energy from decentralised and renewable or low-carbon sources.

Local Context

8.99 The Council is already committed to and working towards lower carbon emissions and increasing the use of renewable energy through:

- Sustainable Communities: Supplementary Planning Document: this sets out guidance on good principles and practice on how development in the District can reduce carbon emissions through appropriate design, energy and water efficiency, waste reduction and recycling.
- Building Futures: A Hertfordshire Guide to promoting Sustainability in Development: this guide is produced by the ten local planning authorities and Hertfordshire County Council. It gives practical guidance for local authorities and developers and provides possible solutions for energy efficient construction processes, sustainable building materials and building operation, the use of sustainable approaches to design, increased renewable energy generation and water and waste management.
- C-Plan: Carbon Impact Assessment: this is a web-based service that enables applicants for development to evaluate a variety of sustainable energy measures including energy efficiency, combined heat and power and renewable energy. It enables applicants to submit an energy statement as part of planning applications to demonstrate the carbon emissions performance of the development electronically to the Council.
- The Hertfordshire Renewable Energy Study (2005): this assesses how the County could meet the regional target for renewable energy. The study indicated that there is the potential within Hertfordshire to achieve levels of renewable energy production by a number of various means. These include, but are not limited to, photovoltaic, solar water heating, ground source heat pumps, wood pellet boilers, micro Combined Heat & Power and increased insulation. The study concluded that almost 50% of Hertfordshire's renewable energy target could be achieved if 10% of the average household energy demand for new build dwellings were to be reduced.
- The Council is leading by example on reducing energy carbon emissions, increasing energy efficiency and using renewable energy sources within its own stock of properties. A recent example includes the installation of a ground source heat pump at Three Rivers House.

What you told us

In the Core Strategy Issues and Options Consultation there was a general support for development to be:

- Sustainable in terms of energy efficiency, and for all new major developments to provide up to 20% of their energy requirements through on site renewable energy
- Designed and built sustainably to ensure that greenhouse gas emissions are minimised.

47 Policy ENG1: Carbon Dioxide Emissions and Renewable Energy

What the Sustainability Appraisal told us

- Support is given to policies that incorporate resource and energy efficiency within the design and construction of new housing
- As well as policies requiring renewable energy as part of new development consideration also needs to be given to energy efficiency. Standards could be set/ adopted by the Council and achieved through innovative sustainable design.

DC10

Preferred Policy Approach- Carbon Dioxide Emissions and On-Site Renewable Energy

The preferred approach is that applications for all new residential development of one unit and above, and for all new commercial development, must be submitted with a C-Plan energy statement available at <http://www.carbonplanner.co.uk>

Up to 2012, applicants are required to demonstrate that their development will produce 25% less carbon dioxide emissions than Building Regulations Part L requirements with a minimum of 10% being provided by on-site renewable and/ or low carbon (i.e. Combined Heat & Power) energy supply systems.

From 2013, applicants will be required to demonstrate that their development will produce 44% less carbon dioxide emissions than Building Regulations Part L requirements with a minimum of 20% being provided by on-site renewable and/ or low carbon (i.e. Combined Heat & Power) energy supply systems.

From 2016, applicants will be required to demonstrate that their development will produce zero net emissions of carbon dioxide from all energy use and/or achieves a Code Level 6 as defined in The Code for Sustainable Homes.

In line with Government policy, where it can be proven that on-site renewable technology is not feasible, the Council will consider connection to a local, decentralised, renewable or low carbon energy supply as a substitute for on-site renewable energy technology.

Reasoned Justification

- 8.100 The proposed policy approach is critical to helping to address global warming and reflects national and regional policy and the local high priority to tackle this issue.
- 8.101 Buildings such as houses and offices account for approximately 40% of all carbon dioxide emissions in the UK and the Council will encourage all new development to be as energy efficient as possible as well as requiring a proportion of energy use to be met through renewable energy sources.
- 8.102 The benchmark used for targets to reduce carbon emissions is the current Part L of the Building Regulations, in line with national policy. The Council's proposed use of the C-Plan system provides a reliable, consistent and transparent method of assessing the likely energy use of a proposed development for developers and the Council.
- 8.103 The policy approach will contribute directly to the Core Strategy Objective 3: in terms of reducing energy consumption, promoting use of renewable energy and addressing climate change.

Options Rejected

- 8.104 The 20% target for renewables, as put forward at the Issues and Options stage, has been incorporated into the policy from 2013 to align with national and regional targets and the expectant advancement in technologies required to meet such targets. More ambitious targets and standards will be considered once viability has been proven through future analysis of C-Plan energy statements.

RENEWABLE ENERGY DEVELOPMENTS

National Context

- 8.105 The Government's Energy White Paper set a target that by 2010, 10% of the UK's electricity would be from zero carbon or carbon neutral sources with 20% by 2020. Renewable sources of energy include: wind, wave, tidal, hydro or solar power and biomass.

Regional Context

- 8.106 The East of England Plan's⁴⁸ policy for renewable energy targets for the Region (excluding energy from offshore wind) aim for:
- 10% of the Regions' energy to come from renewable sources by 2010
 - 17% of the Region's energy to come from renewable sources by 2020

- 8.107 Of the Region's electricity that could be generated from renewable sources by 2010, the broken down figure for Hertfordshire was the production of 153,000 megawatt hours per year (MWh/year) by 2010; this figure was 3% of the County's predicted electricity consumption by 2010.

Local Context

- 8.108 Hertfordshire County Council, in conjunction with the 10 Districts, commissioned the Hertfordshire Renewable Energy Study (2005) to assess how the County could meet the regional target for renewable energy. It found that if renewable energy targets are to be met, much of the energy targets will have to be produced by wind power. However, the Three Rivers area was not considered suitable for large-scale renewable energy involving wind; greater potential exists in North Hertfordshire and East Hertfordshire. However, the Study found that Hertfordshire as a whole has the technical potential to achieve a significant amount of renewable energy production by a number of other various means including Biomass, dedicated Combined Heat & Power facilities, Bio-diesel and Bio-ethanol.

What you told us

There has been no consultation on specific renewable energy developments. However, from the Issues and Options Consultation, there was a general support for development to be sustainable in terms of energy efficiency and for all new major developments to provide a percentage of their energy requirements through on site renewable energy.

What the Sustainability Appraisal told us

- Support given to policies that incorporate resource and energy efficiency within the design and construction of new housing
- Energy efficiency – as well as policies requiring renewable energy as part of new development consideration also needs to be given to energy efficiency. Standards could be set/ adopted by the Council and achieved through innovative sustainable design.

48 Policy ENG2: Renewable Energy Targets

DC11

Preferred Policy Approach – Renewable Energy Developments

In considering proposals for large-scale renewable energy development, assessment will be made taking into account the following potential impacts on:

- Residential/workplace amenity
- The visual amenity of the local area, including landscape character
- Local natural resources, including air and water quality
- Biodiversity, nature conservation and historical/archaeological interests
- Public access to the countryside
- The openness and visual amenity of the Green Belt.

Developments will be expected to be located at, or as close as possible to, the source of the resource needed for that particular technology, unless, exceptionally, it can be demonstrated that the benefits of the scheme outweigh the costs of transportation of the resource.

In all cases, the Council will expect the end of life/redundant plant, buildings, apparatus and infrastructure to be removed and the site restored to its former state.

Applications for all major renewable energy proposals will need to be accompanied by a statement detailing:

- The environmental effects of the development; and
- Its benefits in terms of the amount of energy it is expected to generate; and
- Any unavoidable damage that would be caused during installation, operation or decommissioning, and how this will be minimised and mitigated, or compensated for.

Micro-renewables

In considering proposals for micro-renewables (such as, but not limited to, micro-wind turbines, solar panels), assessment will be made taking into account the following potential impacts on:

- The character and appearance of the local area
- Residential/workplace amenity
- The visual amenity of the local area.

Reasoned Justification

8.109 The need to tackle climate change by reducing carbon emissions, including through use of renewable energy is well established at national, regional and local levels. In considering proposals for renewable energy development, large and small, the preferred policy approach seeks to balance the beneficial outcomes of renewable energy and any adverse impacts produced by the development itself.

8.110 The policy approach will contribute directly to Core Strategy Objective 3: in terms of reducing energy consumption, promoting use of renewable energy and addressing climate change.

Options Rejected

8.111 There was no specific consultation on renewable energy developments at Issues and Options stage. However, comments received in relation to the use of renewable energy generally have been used to develop this policy.

WASTE MANAGEMENT

National Context

8.112 National policy⁴⁹ sets out a number of objectives including:

- Encouraging and engaging with the community to take more responsibility for dealing with waste
- Disposing of waste without harming human health and the environment
- Locating waste recycling, handling and reduction facilities as close as practicable to the origin of waste
- Driving waste management up the waste hierarchy, with disposal as a last resort (see below).

8.113 The 'waste hierarchy' consists of the following:

Prevent/Reduce/Minimise waste production	Most preferred option ▼
Re-Use waste	▼
Re-cycle waste	▼
Recover energy from waste	▼
Disposal	▼ Least preferred option

8.114 Whilst the responsibility for dealing with waste (and minerals) lies principally with county councils, district councils can help also help promote kerbside collection and community recycling through planning policy. This can be done by ensuring that new development makes sufficient provision for waste management and promoting designs and layouts that secure the integration of waste management facilities; this should be done without adverse impact on the street scene or, in less developed areas, the local landscape.

Regional Context

8.115 The East of England Plan⁵⁰ supports national objectives and refers to the waste management targets for the Region which are to secure at least the following minimum levels of recovery:

- Municipal waste – recovery of 50% at 2010 and 70% at 2015
- Commercial and industrial waste – recovery of 72% at 2010 and 75% at 2015
- Eliminate the landfilling of untreated municipal and commercial waste in the region by 2021.

8.116 The RSS acknowledges that there is a significant need to minimise construction and demolition waste because it represents the largest waste stream in the Region and is forecast to grow by some 17½ million tonnes between 2003/4 and 2021. Policies that encourage the use of construction and demolition methods which minimise waste generation and re-use/recycle materials as far as practicable on site are supported.

49 Planning Policy Statement 10: Planning for Sustainable Waste Management

50 Policy WM1: Waste Management Objectives, Policy WM2: Waste Management Targets

Herts Waste Development Framework

- 8.117 Hertfordshire County Council are producing three waste development documents that will eventually replace the Hertfordshire Waste Local Plan 1995-2005:
- **The Core Strategy Document;** sets out the spatial vision and strategic objectives for waste planning in Hertfordshire up to 2021, with a view to providing the basis for the County's Waste Management Strategy to 2024. The Plan seeks to ensure that sufficient waste management facilities are located as close as possible to the Key Centres for Development and Change (Watford and Hemel Hempstead are the nearest Centres to Three Rivers).
 - **Site Allocations Document;** identifies a range of sites for waste management facilities including municipal, commercial, industrial and commercial wastes. A number of sites are included in Three Rivers and these will be referred to in the Three Rivers Site Allocations document.
 - **Development Policies Document;** sets out the criteria for determining waste planning applications. The County Council is responsible for determining all waste management related planning applications.

8.118 Further information on these documents can be viewed at <http://www.hertsdirect.org>

Local Context

- 8.119 The amount of waste produced in Hertfordshire is approximately 2 million tonnes per year, around a quarter of which (550,000 tonnes) is household waste. By 2010 the majority of sites currently accepting household waste in Hertfordshire will be almost full. Levels of recycling are increasing, particularly in Three Rivers which has the highest rate of recycling of household waste in Hertfordshire at 47% (2007/08), and likely to rise to about 50% (in 2008/09). Nevertheless, 58% of all of Hertfordshire's waste still goes to landfill. In seeking to reduce the amount of overall waste produced locally it will be important to:
- **Re-use materials wherever possible:** high value materials such as bricks, slates, tiles, beams and architectural details can often be re-used for the same function
 - **Sorting of waste and recycling on-site:** allowing space on-site for segregating of construction waste and recycling where conditions allow
 - **Use of pre-cast/pre-fabricated materials and modular construction:** components such as pre-cast concrete beams, insulated wall panels, bathroom pods reduce the amount of waste generated
 - **Use materials with recycled content:** products are available that incorporate waste into the manufacturing process that have the same performance and costs as non-recycled materials. The Sustainable Buildings Task Group (2004) recommended that the target for recycled and re-used content in new buildings is at least 10%
 - **Allocate appropriate recycling storage facilities:** providing sufficient space within development for domestic kerbside collection and composting facilities, or larger commercial waste recycling facilities, will facilitate recycling generally.

What you told us

- There was strong support at issues and options for policy options proposing to require use recycled or reclaimed materials as part of new development
- There was also strong support for policy options proposing to require provision of recycling facilities on site such as composters and bottle banks.

What the Sustainability Appraisal told us

- The Sustainability Appraisal supports the policy measures proposed at issues and options as they would reduce waste produced, enable the use of previously developed land, and reduce agricultural land and soil loss. They will also help provide employment opportunities in waste management, reduce fly-tipping, and potentially reduce the health impacts from the transport of waste
- There is a risk that waste management uses could have an adverse impact on the landscape and so careful choice in site location will be essential to minimise any adverse impacts.

DC12

Preferred Policy Approach – Waste Management

The preferred policy is that new development will be expected to contribute to reducing the amount waste generated through the following measures:

- Re-using materials wherever possible as part of construction
- Planning ahead to enable the sorting of waste and recycling on-site taking into account impact on residential amenities and the environment
- Using pre-cast/pre-fabricated materials and modular construction wherever possible so that the amount of recycled and re-used content in new buildings reaches a target of 20%
- Allocating appropriate refuse and recycling storage facilities for domestic kerbside collection, composting facilities and commercial waste recycling facilities.

Developers will be expected to provide information on how development accords with these measures as part of the Sustainability Statement which will accompany planning applications (Policy DC10).

New developments should be flexible enough to accommodate different collection systems and the potential for future changes. In particular, full consideration should be given to:

- The location and design of facilities to ensure minimal impact on residential and workplace amenity and full integration into the scheme design
- Access to ensure waste containers can be easily accessed (and moved) by occupiers and local authority/private waste contractors
- Safety to ensure that bins do not obstruct pedestrian, cyclist or driver sight lines.

In all new development waste and recycling storage areas should be designed into the scheme layout at the initial stages and must demonstrate adequate space to facilitate waste recycling through separation, storage, handling, bulking and collection of waste generated within the property.

Reasoned Justification

8.120 The need to reduce waste as part of development is acknowledged at all levels. The preferred approach seeks to reduce, re-use and recycle waste as part of the construction process and design development in order to facilitate waste recycling.

8.121 The policy approach will contribute directly to the Core Strategy Objective 3: reducing the impact on the environment by reducing waste.

Options Rejected

8.122 None of the specific options put forward at Issues and Options stage have been rejected. However the preferred policy approach refines earlier proposals particularly in terms of adding a target for use of recycled and re-used content as part of development proposals and adding further guidance for the design of development in relation to waste issues.

HISTORIC ENVIRONMENT

National Context

- 8.123 Government policy⁵¹ sets out objectives for achieving sustainable development, protecting and enhancing the natural and historic built environment and setting the policy for the treatment of archaeological remains on land.
- 8.124 The protection of the District's Listed Buildings and Ancient Monuments is covered by statute and Government policy and are therefore not repeated in the preferred policy approach.

Regional Context

- 8.125 The need to protect, preserve and enhance the historic environment is identified at the regional level through the East of England Plan⁵² highlighting the importance of the historic built environment to reflect local character and distinctiveness. Local authorities should protect, conserve and enhance all aspects of the historic environment including landscapes, historic buildings and their settings.

Local Context

- 8.126 Three Rivers District contains approximately 400 Nationally Listed buildings, over 250 Locally Important Buildings, 22 Conservation Areas, 3 Ancient Monuments, two registered historic parks and gardens, as well as 18 sites of archaeological interest. All of these heritage assets contribute to the unique character and quality of Three Rivers' historic built environment and provide an invaluable record of the District. Therefore, it is essential that these special buildings and sites are preserved, protected and, where appropriate, enhanced using all tools available in line with national and regional planning policy.
- 8.127 The Council plans to continue to offer the Historic Buildings Grant Scheme which exists to encourage and promote the repair and restoration of buildings of architectural or historic interest within the District, by helping towards the costs involved and by making advice available.

Policy Approach

Conservation Areas

- 8.128 Conservation Areas are designated not on the basis of individual buildings but because of the overall quality of the area, its mix of uses, historic layout, characteristic materials, scale and detailing of open spaces. Designation also takes into account the need to protect trees, hedges, walls, railings and other characteristic features. Once designated, special attention must be paid in all planning decisions to the desirability of preserving or enhancing its character and appearance. In Three Rivers there are 22 Conservation Areas which make a very significant contribution to protecting the attractiveness and character of the District.
- 8.129 The Council will continue with a programme of Conservation Area Appraisals which will assess the existing boundaries, character and important features of the areas and Management Plans which will be used as a material consideration when assessing planning applications. Applicants should also refer to the Design Supplementary Planning Document which will include relevant guidance for development affecting Conservation Areas.

51 Planning Policy Statement 1: Delivering Sustainable Development, Planning Policy Guidance 15 Planning and the historic environment, Planning Policy Guidance 16: Archaeology and planning

52 Policy ENV6: The Historic Environment

Demolition in Conservation Areas

- 8.130 National policy states that the Council's general presumption will be in favour of retaining buildings and structures which make a positive contribution to the character and appearance of a Conservation Area. The extent of a building's contribution can be judged taking into account the following characteristics: age, style, materials, form, function, setting, historic association, landmark quality and use of public space.

Development in Conservation Areas

- 8.131 New development within Conservation Areas needs to ensure that it will preserve and where possible enhance the character of the area.

Shop Fronts, Advertisements, Displays in Conservation Areas

- 8.132 Some Conservation Areas, such as the Rickmansworth and Abbots Langley Conservation Areas in particular, contain many shops and commercial buildings. Conservation Area status should not inhibit commercial activities but at the same time it is important that advertising displays, shop front design (including the use of roller shutters and external grilles for security) should not detract from the appearance of areas of architectural or historic interest. New or replacement shop fronts will also have to be acceptable in terms of the criteria set out in the Design Supplementary Planning Document.

Enabling Development of Listed Buildings

- 8.133 National policy⁵³ sets out the policies for the identification and protection of Listed Buildings of national importance and applications for development will be assessed against these policies. The main aim of policies on Listed Buildings is to protect them from harm. However, Listed Buildings can be very costly to maintain and are sometimes left neglected where they have ceased to have an economic purpose or are beyond economic repair.
- 8.134 In order to keep Listed Buildings in use and thereby secure their upkeep, exceptions to existing policy may be considered, for example, allowing alternative uses or to provide funds to enable a Listed Building or its setting to be restored. Further guidance on enabling development is contained within the English Heritage booklet "Enabling Development and the Conservation of Heritage Assets", available from their web site www.english-heritage.org.uk

Locally Important Buildings

- 8.135 Listed Buildings are determined on the basis of their importance to the Nation either for their architecture or built quality, or for their historic associations. However, there are a large number of other buildings that, whilst not of sufficient quality or importance to be listed, nevertheless make a significant local contribution to the local area and/or local history. In Three Rivers there are large numbers of nineteenth and early twentieth century buildings which fall into this category. At present, there are over 250 Locally Important Buildings on the Council's list and further buildings will be added which are considered to have local importance.

Historic Parks and Gardens

- 8.136 Historic parks and gardens complement the historic buildings and landscapes of the District and are an important feature of the area. They are identified in the English Heritage Register of Parks and Gardens of Special Historic Interest. Within Three Rivers the grounds at Moor Park Mansion are listed as Grade II* because of their important contribution to the historic, recreational and conservation value of the landscape. Part of Cassiobury Park, which is also a Registered Park, falls within Three Rivers District. In addition, there are other unregistered

53 Planning Policy Guidance 15: Planning and the historic environment

parks and gardens in the District which include Rickmansworth Park, The Grove, Oxhey Grange, Sandy Lodge, Redheath, Micklefield Green and Chorleywood House. Although these currently fall below the threshold for inclusion in the English Heritage Register, they are of importance locally and as such their character will be protected from harmful development.

Archaeology

- 8.137 The Hertfordshire Historic Environment Record, held by Hertfordshire County Council, gives information on archaeological sites and monuments. However, given the wealth of the past in Hertfordshire, this record can never be complete and new areas will be added as new information comes forward. Prospective developers should contact the County Council to establish whether there is potential archaeological interest and establish the need for investigation and evaluation at an early stage. Sites of known archaeological interest will be shown in future on the Proposals Map.
- 8.138 Where it is deemed that there is archaeological potential, the developer will be required to commission an archaeological evaluation to define the character and condition of any remains. This will include the character and depth of remains together with an impact of development upon the remains including any mitigation measures to avoid unnecessary damage.

What you told us

There was strong support in the Issues and Options consultation for the protection and enhancement of all aspects of the historic environment including Listed, Locally Important Buildings and the character of Conservation Areas. The need to protect areas of archaeological importance was also identified.

There was also strong support for Environment and Resource Conservation including policies for the:

- Preservation and enhancement of the historic environment and criteria for assessing applications for development: and
- Protection, enhancement and preservation of sites of archaeological interest and their settings.

What the Sustainability Appraisal told us

- Recognises the need to protect local character and to protect and enhance locally important sites, buildings and townscape with positive benefits in relation to social well-being, human health, townscape, the economy and the vitality of town and local centres
- The historic environment also acts as an important lure for new residents and businesses.

DC13

Preferred Policy Approach –The Historic Built Environment

The preferred approach is that:

Planning applications for development proposals (including applications for Conservation Area Consent for demolitions) in or affecting Conservation Areas will be determined in accordance with:

- Legislative provisions and national policy⁵⁴
- Guidance contained in specific Conservation Area Appraisals and Management Plans (where they exist)
- The Design Supplementary Planning Document.

54 PPG15: Planning and the Historic Environment, Planning (Listed Buildings and Conservation Areas) Act 1990

Conservation Areas

Within Conservation Areas development will only be permitted if the proposal:

- Is of a design and scale that preserves or enhances the special character, local distinctiveness and appearance of the area
- Uses building materials, finishes and building techniques, including those for features such as walls, railings, gates and hard surfacing, that are appropriate to the local context
- Retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges
- Retains and restores, where relevant, traditional features such as shop fronts, walls, railings, paved surfaces and street furniture, and improves the condition of structures worthy of retention
- Does not harm important views into, out of or within the area
- Protects trees, hedgerows and other significant landscape features and incorporates landscaping appropriate to the character and appearance of the Conservation Area
- Results, where relevant, in the removal of unsympathetic features and the restoration or reinstatement of missing features.

Within Conservation Areas permission for development involving demolition will only be granted if it can be demonstrated that:

- The structure to be demolished makes no material contribution to the special character or appearance of the area; or,
- It can be demonstrated that the structure is wholly beyond repair or incapable of beneficial use; or
- It can be demonstrated that the removal of the structure and its subsequent replacement with a new building and/or open space would lead to the enhancement of the Conservation Area.

The Council will only grant consent for the demolition of a building in a Conservation Area once permission has been granted for redevelopment of the site.

Permission will not be granted for development outside but near to a Conservation Area if it adversely affects the setting, character, appearance of or views in to and out of that Conservation Area.

Shop Fronts, Advertisements and Displays

The Council will only permit development proposals involving solutions to shop front security and/or use of standardised shop front designs, fascias or advertisement displays in a Conservation Area if they:

- Are sympathetic to the character and appearance of the Conservation Area;
- Respect the scale, proportions, character and materials of construction of the upper part of the building and adjoining buildings and the street scene in general;
- Incorporate traditional materials where the age and character of the building makes this appropriate.

Signage

- Totally internally illuminated fascias or projecting signs will not be permitted.
- Applications for additional signs that would result in a proliferation of, and excess amount of, advertisement material on any individual building or group of buildings will not be permitted.

Locally Important Buildings

Planning Permission or Conservation Area Consent for the demolition of a Locally Important Building will only be granted where:

- The building is structurally unsound and cannot reasonably be made sound; or
- It is not feasible to sustain the existing use and there are no viable alternative uses; or
- Redevelopment would produce substantial community benefits outweighing the resultant loss of the building; and
- Full planning permission has been granted for a redevelopment scheme that will be commenced prior to or immediately after demolition.

Development proposals for the alteration or extension of a Locally Important Building will be refused unless features of historic or architectural interest are retained and conserved in an appropriate manner.

Where demolition or alteration is permitted, the following will be required:

- The recording of features and the proper archiving of the results and/or
- Materials and/or components to be set aside for re-use or salvage.

Planning permission will not be granted for development which adversely affects the character or appearance of a Locally Important Building.

Historic Parks and Gardens

Planning permission will not be granted for proposals that would cause unacceptable harm to historic parks or gardens (both registered and unregistered), their settings or public views into, out of, or within them. Applicants are required to submit a Historic Landscape Assessment prior to the determination of the application. This may include an archaeological assessment if located within an area of archaeological importance.

The extent of Conservation Areas and historic parks and gardens will be set out in the Proposals Map.

Archaeology

Archaeological sites will be protected in accordance with national policy. Sites of known archaeological importance will be shown on the Proposals Map.

Reasoned Justification

8.139 Protection of the District's heritage is an important function of the Council, particularly through the determination of planning applications. The preferred approach seeks to reflect national policy and includes clarification on what characteristics will be considered when determining development within the historic environment of Three Rivers. This approach will contribute directly to Core Strategy Objective 10: protecting and enhancing the historic environment and unique character of the District.

8.140 It is acknowledged that the preferred approach may in due course need to be altered in parts to reflect the Government's proposals to reform the way in which places, sites and buildings are designated, protected and managed. The proposals are set out in the Draft Heritage Protection Bill; it is anticipated that legislation will come into force in 2010.

Options Rejected

8.141 There were no alternative options at Issues and Options on Historic Built Environment other than to continue to protect and enhance the historic environment. The policy has been developed and expanded in the light of comments received at the Issues and Options stage.

CONTAMINATION AND POLLUTION

National Context

- 8.142 The planning system has an important role to play in protecting the environment, biodiversity, local residents, businesses and the public in general from all forms of development that could give rise to pollution. Pollution can be in many forms and includes all solid, liquid and gaseous emissions to air, land and water (including groundwater) from all types of development. Pollution includes noise, light, vibration, smell, smoke and fumes, soot, ash, dust or grit which has a damaging effect on the environment and the public's enjoyment, health or amenity.
- 8.143 Government policy⁵⁵ gives guidance on the pollution control regimes, including those affecting noise, that interact with the planning system. These considerations are complemented by legislation outside the planning process⁵⁶.

Regional Context

- 8.144 The need to protect, preserve and enhance the environment, is identified at the regional level through the East of England Plan⁵⁷, highlighting the importance of reducing pollution and considering the nature and location of proposed development. This is as part of a broadly based concern for, and awareness of, biodiversity and other environmental issues, including light and noise pollution.

Local Context

- 8.145 Three Rivers District enjoys a generally high environmental standard (Strategic Environmental Assessment/Sustainability Appraisal Scoping report, 2006). However, whilst air pollution levels and carbon emissions per capita are below national targets, biological water quality has fallen in recent years. Also light pollution and loss of tranquillity has also increased on a county-wide basis. The minimisation of pollution and contamination remains a key local priority. The Council will consider the possible polluting effects of a development proposal on aspects such as amenity and surrounding land-uses. There are a number of potentially polluting activities that need to be addressed locally:

Contaminated Land

- 8.146 The Council wishes to ensure that sustainable development is achieved through securing the regeneration and the redevelopment of previously developed sites. However, the risk of pollution arising from contamination and the impact on human health, property and the wider environment also needs to be considered. The Council maintains a register of contaminated land. The information stored on the formal register is that relating to regulatory action and remediation that has been undertaken at sites within the District. At the time of writing no sites within Three Rivers had been determined as "contaminated land" or as "special sites" and so there are no entries in the register.
- 8.147 In order to establish the risks that a site poses, it is necessary for applicants to use a competent and suitably experienced consultant to investigate and, where necessary, remediate to reduce the risk to an acceptable level.

Air Quality

- 8.148 Air pollutants (including dust and odours) have been shown to have an adverse effect on health and the environment. Emissions arising from any development including indirect emissions, such as those attributable to associated traffic generation must therefore be considered in determining planning applications.
- 8.149 The District Council is required to carry out a review and assessment of air quality across the District. This involves measuring air pollution and trying to predict how it will

55 Planning Policy Statement 23: Planning and Pollution Control, Planning Policy Guidance 24: Planning and noise

56 Pollution Prevention and Control Act 1999, Pollution Prevention Control Regulations 2000, Environment Act 1995.

57 Policy ENV6: The Historic Environment

change in the next few years. The aim of the review is to make sure that the national air quality objectives are achieved by the relevant deadlines. These objectives have been put into place to protect public health and the environment. In locations where the objectives are not likely to be achieved, the Council will designate an Air Quality Management Area and will put together a plan to improve the air quality through a Local Air Quality Action Plan. Further information regarding Air Quality Management Areas can be obtained from the Council's Environmental Health Department.

Noise

- 8.150 In line with national guidance⁵⁸, it will be important to ensure noise-sensitive developments are located away from existing sources of significant noise and that potentially noisy developments are located in areas where noise will not be such an important consideration or where its impact can be minimised.

Lighting Proposals

- 8.151 In common with all other built-up areas, artificial lighting is essential for safety and security within the District. There may also be some opportunities to add to the amenity of the built environment by highlighting buildings and open spaces of character. However, it is important to avoid insensitive lighting (light pollution) which can have a negative effect on the amenity of surrounding areas and have a negative impact on biodiversity by influencing plant and animal activity patterns.

Water

- 8.152 Three Rivers has a high level of surface water resources including the Rivers Colne, Gade and Chess, the Grand Union Canal, several lakes and numerous ponds. In addition the District is entirely underlain by a pervious aquifer (high quality water-table) which is the main drinking water resource for the area. Surface and groundwater contamination may occur from pollutants entering or filtering down from a variety of sources, from simple urban run-off to seriously polluting land uses. Once groundwater has been contaminated, it is virtually impossible to reverse and it is therefore important to safeguard resources from pollution.

What you told us

- As part of Issues and Options consultation there was support to achieve a measurable reduction of pollution and green house gas emissions
- There was also strong support for the Council's Sustainable Development Policies, which include criteria against which potentially polluting development should be considered, and for policies to deal with the potential for contamination and remediation of land
- There was general concern about the effect of new development on the existing water supply.

What the Sustainability Appraisal told us

The following are key Sustainability Appraisal objectives against which plans and proposals will be assessed:

- To maintain/enhance water quality
- To minimise loss of valuable soils to development
- To achieve good air quality especially in urban areas
- To reduce the emissions of carbon dioxide and other green house gases.

⁵⁸ Planning Policy Guidance 24: Planning and noise

DC14

Preferred Policy Approach- Contamination and Pollution Control

The preferred approach is to:

Amenity and Pollution

Refuse planning permission for development, including changes of use, which would or could give rise to polluting emissions to land, air and water by reason of disturbance, noise, light, smell, fumes, vibration or other (including smoke, soot, ash, dust and grit) unless appropriate mitigation measures can be put in place and be permanently maintained.

Contaminated Land

Only grant planning permission for development on, or near to, former landfill sites or on land which is suspected to be contaminated, where the Council is satisfied that:

- There will be no threat to the health of future users or occupiers of the site or neighbouring land; and
- There will be no adverse impact on the quality of local groundwater or surface water quality.

Applications for development should be submitted with details of an investigation of the site detailing any remedial measures that need to be carried out.

The approved remedial measures will be required by condition.

In considering the amount and type of development on or near contaminated land, the Council will take into account the viability of development in relation to the cost of remedial works particularly where the contamination from the site poses a significant risk to human health or biodiversity.

Air Quality

Development proposals will need to have regard to any emissions arising from the proposed use and seek to minimise those emissions to control any risks arising and prevent any detriment to the local amenity by locating such development appropriately.

Where significant increases in emissions covered by the nationally prescribed air quality objectives are proposed, the applicant will need to assess the impact on local air quality by undertaking an appropriate modelling exercise to show that the national objectives will still be achieved. Development will not be permitted where it would adversely affect air quality in an Air Quality Management Area.

Noise Pollution

Planning permission will not be granted for development which:

- Has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development
- Has an unacceptable adverse impact on countryside areas of tranquillity which are important for wildlife and countryside recreation; or
- Would be subject to unacceptable noise levels or disturbance from existing noise sources, both ambient levels and having regard to noise impulses whether irregular or not.

Conditions may be attached to any planning permission to ensure adequate attenuation of noise emissions or to control the noise at source. Consideration will be given to the increase in road traffic that may arise due to development and conditions or Section 106 agreements may be used to minimise such noise.

In particular sensitive locations, business-use development may be restricted to office use only (B1(a) as defined in the Town & Country Planning (Use Classes) Order 1987 as amended.

The Council will seek to ensure that noise from proposed commercial, industrial, recreational or transport use does not cause any significant increase in the background noise level of nearby existing noise-sensitive property such as dwellings, hospitals, residential institutions, nursing homes, hotels, guesthouses, schools and other educational establishments.

Lighting Proposals

Development proposals which include external lighting should ensure that:

- Proposed lighting schemes are the minimum required for public safety and security
- There is no unacceptable adverse impact on neighbouring or nearby properties or on the surrounding countryside
- There is no dazzling or distraction to road users including cyclists, equestrians and pedestrians
- Road and footway lighting meets the County Council's adopted standards
- There is no unacceptably adverse impact on wildlife.

The use of planning conditions to limit times when lighting is used to minimise the disturbance may be considered.

Water

Permission will only be granted for development that will not significantly adversely affect the quantity and quality of surface and groundwater resources or wetland habitats. Applications for planning permission will be required to demonstrate that the proposal:

- Will not produce run-off which will adversely affect the quality of surface or groundwater
- Has sufficient capacity to accept, and where necessary, treat, run-off which would otherwise have an adverse effect on the quality of surface or groundwater.

Reasoned Justification

8.153 The preferred policy approach is in accordance with national and regional policy frameworks and reflects local priorities to maintain, protect and enhance the quality of the environment in relation to pollution and contamination. This approach will contribute directly to Core Strategy Objective 3: to reduce impact on the environment by reducing pollution and conserving water resources.

8.154 The Council will consult with the Environment Agency, British Waterways and other authorities as appropriate in relation to water and have regard to their views when determining applications. Where emissions from industrial processes are subject to pollution control legislation the regulatory authority will also be consulted with respect to controlling these emissions.

Options Rejected

8.155 There were no alternative options at Issues and Options on contamination and pollution issues. The broad approach previously put forward has been developed and expanded into more detailed policies, taking into account comments made.

8.156 In order to accord with national regional policy and to meet sustainable development objectives locally, it is considered that there is no real alternative to the preferred approach.

PARKING

National Context

- 8.157 Virtually all development proposals generate demand for parking of some kind, whether for residents, visitors, employees or for operational purposes. It is therefore necessary to ensure that parking is provided at a level appropriate to location, type and scale of development. Parking may also help to influence travel demand and mode of travel.
- 8.158 National policy⁵⁹ states that parking policies should be used alongside other planning and transport measures to promote sustainable transport choices and reduce reliance on the car. It states that reducing the amount of parking in new development (and in the expansion and change of use of existing development) is essential as part of a package of measures to promote sustainable travel choices. At the same time, the amount of good quality cycle parking should be increased to promote more cycle use.

8.159 Policies should:

- Set maximum levels of parking for broad classes of development
- Be developed as part of a package of planning and transport measures to promote sustainable transport choices
- Not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances
- Encourage the shared use of parking
- Require developers to provide designated parking spaces for disabled people
- Require safe, convenient and secure cycle parking in development; and
- Consider appropriate provision for motorcycle parking.

- 8.160 Furthermore, national policy⁶⁰ states that residential parking policies should be developed taking account of expected levels of car ownership, the importance of promoting good design and the need to use land efficiently.

Regional Context

- 8.161 The East of England Plan⁶¹ requires parking controls to be used as part of packages to influence travel change, using parking standards as maxima, while adopting more rigorous local standards where necessary.

Local Context

- 8.162 Parking standards for the District were established in the Local Plan, in Supplementary Planning Guidance: Parking at New Developments (2002), which in turn is based on Hertfordshire County Council's Supplementary Planning Guidance: Parking at New Development (2000). These standards will be maintained, though they may also be influenced at a later date by work taking place at County level to establish the need for any revisions.
- 8.163 Three Rivers has Controlled Parking Zones in Rickmansworth and Chorleywood and other parking schemes, including permit parking, which have been established to meet the requirements of existing residents in areas where off-street parking is either limited or not available. Parking space in these areas is frequently used to maximum capacity and, as a consequence, there may be a conflict in the use of space between existing residents and occupiers of new residences.

59 Planning Policy Guidance 13: Transport

60 Planning Policy Statement 3: Housing

61 Policy T14: Parking

What you told us

There was support at Issues and Options stages for maintaining existing car parking standards, and the need to encourage a shift towards sustainable modes of transport was highlighted.

What the Sustainability Appraisal told us

- Maintaining existing car parking standards for new developments would help limit car use and therefore have positive benefits in relation to landscape and townscape quality, air quality and human health objectives
- The impacts of reviewing parking standards for new development are uncertain; high parking standards could encourage more traffic and adversely affect air quality, congestion and traffic accidents and the demand for new roads; limiting car parking provision could reduce accessibility and harm the economy and vitality of town and local centres
- A balance between restricting traffic flows and improving accessibility to town and local centres should be sought, whilst ensuring that alternative sustainable modes of transport are in place before lowering standards.

DC15

Preferred Policy Approach – Parking

The preferred approach is that:

Development should make provision for parking in accordance with the parking standards and, where relevant the zone based reductions set out in **Appendix 7**. Standards comprise a set of maximum vehicle parking standards for residential and non-residential uses and a set of minimum parking standards for cycle and disabled parking.

For new development in Controlled Parking Zones (CPZ) and other areas covered by permit parking and other restrictions, the following conditions will apply:

- Where developments are large enough to have their own new roads, residents will not qualify for permits within any existing Controlled Parking Zone or other relevant parking scheme, unless the Council makes the decision to include the roads as a new zone or as an extension of an existing parking scheme
- For all other developments within an existing Controlled Parking Zone or area covered by parking restrictions (including permit schemes) which are expected to add to the demand for on-street parking in local streets, and where the local streets can be shown to have difficulty in meeting this demand, the residents of the new development will not qualify to receive parking permits
- Developers will be required to fund changes to Traffic Regulation Orders to exclude the above developments as part of the granting of planning permission.

Guidance on the design and layout of parking areas will be contained in the Council's Design Supplementary Planning Document.

Reasoned Justification

- 8.164 The preferred policy approach seeks to strike the balance between providing sufficient parking to meet the operational requirements of development whilst at the same time encourage a range of sustainable transport options. The approach addresses the needs of all users including parking for people with disabilities, cyclists, powered two-wheelers. The approach will contribute directly to Core Strategy Objective 7: to deliver improved and more integrated transport systems.

Options Rejected

- 8.165 There were no objections at Issues and Options consultation to including policies on parking. No new additional policies were suggested for this policy area, and therefore none was rejected. The broad approach previously put forward has been developed and expanded into more detailed policies, taking into account comments made.
- 8.166 Higher and lower parking standards have subsequently been considered but have been rejected on the basis that they could adversely affect the delicate balance between the Council's objectives of encouraging more sustainable forms of transport on the one hand and safeguarding the vitality and viability of shopping centres in Three Rivers on the other. However the Council may reconsider the setting of standards at a later date in the light of new research being undertaken by Hertfordshire County Council.