

LOCAL PLAN SUB-COMMITTEE - 5 SEPTEMBER 2022

PART I – NOT DELEGATED

5. LOCAL PLAN: Changes to Preferred Policy Options following Regulation 18 Consultation (DCES)

1 Summary

This report proposes changes to some of the preferred policy options contained in the Draft Local Plan Regulation 18 Part 1: Preferred Policy Options document in response to changes to national planning policy and comments received to the Regulation 18 consultation.

2 Details

2.1 The Regulation 18 Part 1 Preferred Policy Options was approved for consultation by Full Council on 25 May 2021. The consultation ran from 11 June – 20 August 2021.

2.2 The policy changes in this report are proposed in response to changes to national planning policy and representations received to the Regulation 18 consultation.

2.3 Any proposed changes to the wording of the policies in the appendices are in red text. Any text proposed to be removed is struck through. The remaining wording remains the same as approved by the Council prior to the Regulation 18 Part 1 Preferred Policy Options Document going out to consultation.

2.4 In March 2022, the key policy changes proposed in response to changes to national planning policy, the Environmental Act (November 2021) and representations received to the Regulation 18 consultation were reported to the Local Plan Sub Committee. A further two policies were considered at the Local Plan Sub Committee in July and another 5 policies were considered at the 18 August Local Plan Sub Committee.

2.5 This report proposes updates to a further 5 policies:

- Open Space, Play Space, Sport and Recreation
- Health & Wellbeing
- Ground Conditions, Contamination & Pollution
- Waste Management and Recycling
- Renewable and Low Carbon Energy Development

2.6 A final group of policy updates will be reported to the 13 October Local Plan Sub Committee.

Open Space, Play Space, Sport and Recreation

2.7 Overall, there was significant support for the Open Space, Play Space, Sport and Recreation policy in recognition of associated benefits such as the protection of

wildlife and their role in general health and wellbeing. Statutory Consultees and landowners requested amendments to ensure the policy is in accordance with the latest NPPF guidance.

- 2.8 There was some concern amongst residents that play space shouldn't be provided on all sites e.g., in elderly accommodation, and other amenity space would be more relevant. There were also concerns about the maintenance of existing and new open spaces. In addition, residents wanted more play space, sports and recreation facilities and amenity space however the Three Rivers Open spaces, sport and recreation study demonstrates a good coverage of open space typologies across the district, despite deficiencies in certain types of open spaces. This responds to the local circumstances of Three Rivers where we encourage the multifunctional use of our open spaces to meet the needs of all sectors of the community, which is in accordance with best practice.
- 2.9 The revised Open Space, Play Space, Sport and Recreation Policy is in Appendix 1 and representations received relating to the proposed policy are in Appendix 2 to this report. As this is a long policy a 'clean version' of the updated policy is included in Appendix 11 to ease reading the policy as a whole.

Health and Wellbeing

- 2.10 Comments made regarding the proposed policy were broadly supportive, with a few changes recommended by statutory consultees, notably Sport England and Hertfordshire County Council. Some changes to the policy wording have been made to improve clarity and understanding, and a small correction was needed regarding the threshold of new dwellings which would cause a Health Impact Assessment to be required. A point regarding healthy eating has been added to strengthen the policy.
- 2.11 The revised Health and Wellbeing Policy is in Appendix 3 and representations received relating to the proposed policy are in Appendix 4 to this report.

Ground Conditions, Contamination and Pollution

- 2.12 Two criteria have been added to the policy to add further details into how to minimise light pollution and to signpost applicants to the guidance available from the Institute of Lighting Professionals. These changes are based on Hertfordshire County Council comments. Light pollution, of late, has emerged as a significant planning issue. Reasoned justification has been expanded to include the local context and approach to ground conditions, contamination, pollution, air quality and lighting.
- 2.13 The revised Ground Conditions, Contamination and Pollution Policy is in Appendix 5 and representations received relating to the proposed policy are in Appendix 6 to this report.

Waste Management and Recycling

- 2.14 Amendments to the policy have been made for clarification purposes. Specifically, they refer to Modern Methods of Construction (MMC) and integrating a circular economy statement into the Waste Management Plan as a means to achieve a raft of benefits including reduced carbon emissions, higher levels of sustainability, less construction waste and lower total development cost, due to lower whole life costs and lower costs in use. Hertfordshire County Council are actively encouraging the use of MMC through Herts IQ, the County's Enterprise Zone with its innovation

partner BRE. The amendments are in line with amendments made in Preferred Policy Option 13 Adapting to Climate Change and Sustainable Construction.

- 2.15 The revised Waste Management and Recycling Policy is in Appendix 7 and representations received relating to the proposed policy are in Appendix 8 to this report.

Renewable and Low Carbon Energy Development

- 2.16 Minor changes to the wording of the policy were recommended by Sarratt Parish Council and colleagues in Development Management requested the removal of the words 'large scale' from the policy.
- 2.17 The revised Renewable and Low Carbon Energy Development Policy is in Appendix 9 and representations received relating to the proposed policy are in Appendix 10 to this report.

3 Policy/Budget Reference and Implications

The recommendations in this report are within the Council's agreed policy and budgets.

Financial, Legal, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications

None specific.

4 Recommendation

That the Local Plan Sub Committee note the contents of this report, and recommend to the Policy & Resources Committee the following policy updates:

- Open Space, Play Space, Sport and Recreation (Appendix 1)
- Health and Wellbeing (Appendix 3)
- Ground Conditions, Contamination & Pollution (Appendix 5)
- Waste Management and Recycling (Appendix 7)
- Renewable and Low Carbon Energy Development (Appendix 9)

5 Background Papers

National Planning Policy Framework (2021)

Planning Practice Guidance (2022)

Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011)

Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

APPENDICES

Appendix 1 Open Space, Play Space, Sport and Recreation Policy

Appendix 2 Representations received on Open Space, Play Space, Sport and Recreation Policy

Appendix 3 Health and Wellbeing Policy

Appendix 4 Representations received on Health and Wellbeing Policy

Appendix 5 Ground Conditions, Contamination & Pollution Policy

Appendix 6 Representations received on Ground Conditions, Contamination & Pollution Policy

Appendix 7 Waste Management and Recycling Policy

Appendix 8 Representations received on Waste Management and Recycling Policy

Appendix 9 Renewable and Low Carbon Energy Development Policy

Appendix 10 Representations received on Renewable and Low Carbon Energy Development Policy

Appendix 11 Clean Version of Open Space, Play Space, Sport and Recreation Policy

Consultees	Not consulted	Deadline date for comments	Initial when completed	Date on which completed
Legal: Matthew Barnes				
Finance: Hannah Doney				
Other: Geof Muggeridge				

Author	Deadline for completion	Initial when signed off	Date signed off
Marko Kalik			

	Deadline for completion	Initial when signed off	Date signed off
Joanne Wagstaffe			
Alison Scott			