## **ESSENTIAL REFERENCE PAPER 'B'**

# National Planning Policy Framework East Herts Council Compatibility Self-Assessment Checklist

# **Achieving Sustainable Development**

What the NPPF expects local plans to include to deliver its objectives	Key questions to help understand whether the East Herts Local Plan includes what the NPPF expects	Does the Local Plan address this issue and meet NPPF expectations?	How significant are any differences?  Do they affect our overall strategy?
Policies in local plans should follow the approach of the presumption in favour of sustainable development and guide how it should be applied locally. (15)	Does the plan positively seek opportunities to meet the development needs of the area?	Local Plan allocates land for new housing development and seeks to protect existing employment and retail uses so that the needs of these uses can continue to be met.	Local Plan is 'time-limited' and does not adequately meet the development needs of the district beyond 2011. District Plan needs to roll forward housing supply to 2031 including overall target and approach to phasing and monitoring.
	Does the plan meet objectively assessed needs, with sufficient flexibility to adapt to rapid change?	The Local Plan was based on objectively assessed needs at the time (particularly housing) and is pragmatic which allows for flexibility.	An assessment of objectively assessed needs is required to be rolled forward to 2031. Flexibility will need to be built into the new strategy.
	Does the plan have a policy or policies which reflect the principles of the presumption in favour of sustainable development? (PINS have provided a 'model policy'.)	No specific policy wording reflecting the presumption in favour of sustainable development.	The model policy will need to be included in the District Plan.
The NPPF sets out 12 core land-use principles which should underpin both plan-making and decision-making. (17)	Does the plan meet up-to-date, objectively assessed development needs based on evidence?	Policies in the Local Plan are based on evidence (particularly housing) although the Plan is time-limited' and needs to be 'rolled forward' to 2031.	An assessment of objectively assessed needs is required to be rolled forward to 2031. The District Plan will need to encourage mixed-use development.
	Does the plan make effective use of land and specifically promote mixed use development?	The Local Plan promotes the use of brownfield land and includes allocated mixed use sites in Hertford and Ware.	

Does the plan take account of wider geographic areas e.g. cross boundary and strategic issues?	No cross-boundary issues were identified other than for Stansted Airport related housing at Bishop's Stortford.	Need to deal with any cross boundary issues arising to 2031 including explicitly the new Duty to Co-operate.
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#### **Delivering sustainable development**

#### Building a strong, competitive economy (paragraphs 18-22) What the NPPF expects local plans Key questions to help understand Does the Local Plan address this How significant are any differences? to include to deliver its objectives issue and meet NPPF expectations? Do they affect our overall strategy? whether the East Herts Local Plan includes what the NPPF expects Local Plan sets out economic General compliance. Local Plan is Set out a clear economic vision for the How far does the plan articulate a clear pragmatic which allows for flexibility area which positively and proactively economic vision for the area? development aims and objectives encourages sustainable economic Are the policies flexible enough to which EDE policies seek to address. although could be more proactive. growth. (21) accommodate requirements not However, the economic vision is not anticipated in the plan and allow a particularly proactive and does not rapid response to changes in economic explicitly set how growth will be circumstances? (21) delivered. In supporting economic development Barriers to investment are not Careful consideration needs to be Recognise and seek to address to what extent does the plan take into potential barriers to investment. specifically identified. The Local Plan given to the relationship between jobs including poor environment or any lack account the matters raised in seeks to continue the status quo. and housing and how this may affect paragraph 21 of the NPPF? This of infrastructure, services or housing. the District Plan (21)includes local and inward investment: supporting existing business sectors and new / emerging sectors; clusters and networks of knowledge / creative / high technology industries; economic regeneration, infrastructure provision and environmental enhancement: new working practices. Is there an up to date assessment of 2008 Employment Land Review General compliance. the deliverability of allocated assesses suitability of existing employment sites, to meet local needs, employment areas. to justify their long-term protection (taking into account that LPAs should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of an allocated site being used for that purpose). (22)

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Policies should be positive, promote competitive town centre environments, and set out policies for the management and growth of centres over the plan period. (23)	To what extent do the plan and its policies have regard to the criteria set out in paragraph 23 for the management and growth of town centres over the plan period? This includes such matters as definition of networks and hierarchies; defining town centres; encouragement of residential development on appropriate sites; allocation of appropriate edge of centre sites where suitable and viable town centre sites are not available; consideration of retail and leisure proposals which cannot be accommodated in or adjacent to town centres.	The Local Plan sets out retail and town centre aims and objectives which STC policies seek to address. The Local Plan identifies a hierarchy of town centres and sets out policies appropriate for their management.  Town centre boundaries have been recommended in the 2008 Retail and Town Centres technical study.	District Plan will need to identify town centre boundaries.
Allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community services and residential development needed in town centres. (23)	Have we undertaken an assessment of the need to expand your town centre, considering the needs of town centre uses? Does the plan identify primary and secondary shopping frontages?	2008 Retail and Town Centres technical study assessed the role, function and future of the town centres. It identified specific sites suitable for future retail use. The Local Plan identifies primary and secondary shopping frontages and their future appropriateness was assessed in the 2008 Retail and Town Centres technical study.	General compliance.
Assess the impact of retail and leisure and office proposals. (26)	Has the plan assessed the impact of the policy on existing, committed and planned public and private investment in a centre or centres in the catchment area?	Policy STC6 applies a sequential test although more explicit reference may need to be made in respect of impacts.	General compliance. More explicit reference may be required in the District Plan.

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Support sustainable economic growth in rural areas by taking a positive approach to new development.  Planning strategies should maintain a prosperous rural economy by taking a positive approach to new development. (28)	Do the policies in the plan align with the objectives of paragraph 28? These include policies to support sustainable growth of rural businesses; promote the development and diversification of agricultural businesses; support sustainable rural tourism and leisure developments.	<ul> <li>The Local Plan contains specific policies relating to rural diversification and economic development in the rural area including:</li> <li>GBC8 - Rural Diversification</li> <li>GBC9 / GBC10 - Re-use / Change of Use of Agricultural Buildings</li> <li>LRC10 - Tourism</li> <li>STC8 - Local Centres and Rural Provision</li> <li>STC9 - Farm Shops</li> <li>OSV1 (II)(c) - Category 1 Villages – suitably sized employment and services</li> <li>OSV8 - Villages Shops, Community and Leisure Facilities</li> </ul>	General compliance.

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Facilitate sustainable development whilst contributing to wider sustainability and health objectives. (29)  Balance the transport system in favour of sustainable transport modes and give people a real choice about how they travel whilst recognising that	Have you worked with adjoining authorities and transport providers on the provision of viable infrastructure? This is necessary to support sustainable economic growth with particular regard to the facilities referred to in paragraph 31 of the NPPF.	Close working with highways authority and liaison with transport providers and neighbouring authorities (e.g. Harlow/Stansted Gateway Transportation Board) including in respect of LTP.	Paragraph 31 of NPPF not considered applicable in East Herts, other than for in conjunction with housing growth.
different policies will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. (29)  Encourage solutions which support reductions in greenhouse gas emissions and congestion. (29)  Encourage solutions which support reductions in greenhouse gas emissions and reduce congestion by supporting a pattern of development	To what extent do the policies consider the matters set out in paragraph 32 of the NPPF? These include opportunities for sustainable transport modes; safe and suitable access; costeffective improvements to the transport network.	Local Plan contains a number of policies that seek to encourage sustainable transport including:  TR1 - Traffic Reduction in New Developments TR2 - Access to New Developments TR3 / TR4 - Transport Assessments / Travel Plans TR10 to 14 – Cycling TR17 - Traffic Calming TR20 – Development Generating Traffic on Rural Roads	General compliance.
which, where reasonable to do so, facilitates the use of sustainable modes of transport.(30)	Does the plan have any policies which plan for ports, airports or airfields which are not subject to a separate national policy statement in accordance with the considerations set out in paragraph 33 of the NPPF?	N/A	N/A

Ensure that developments which generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. (34)

To what extent do policies in the plan ensure that developments are located where the need to travel will be minimised and use of sustainable transport modes maximised - taking into account policies set out elsewhere in the NPPF, particularly in rural areas. (34)

References in policies SD1, HSG1, TR1 and specific reference to rural roads in TR20.

General compliance. The District Plan will need to encourage development in sustainable locations.

To what extent does the strategy protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people? To what extent are developments located taking into account the criteria set out in paragraph 35 of the NPPF? These include the efficient delivery of goods and supplies; priority to pedestrian and cycle movements and access to high quality public transport; safe and secure layouts; facilities for ultra-low emission vehicles; consider the needs of disabled people.

Policy TR1 seeks the provision of sustainable transport measures in new development. Policies TR10 to TR14 relate to meeting the needs of cyclists and TR16 to the needs of powered two wheelers. Policy SD1 encourages sustainable movement patterns through design and transport infrastructure.

General compliance. The District Plan will need to encourage development in sustainable locations.

To what extent do the policies aim for a balance of land uses so that people can be encouraged to minimize journey lengths for employment, shopping, leisure, education and other activities? (37) In relation to larger scale residential developments in particular, to what extent do the policies promote a mix of uses to provide opportunities to undertake day-to-day activities including work on site? (38)

The Local Plan does not specifically encourage or seek a mix of uses. In town centre locations, STC policies seek appropriate uses which could incorporate a mix of uses. On sites where the previous use was employment, Change of Use to residential will only be permitted where the retention of the employment use has been explored without success. Notwithstanding this, specific allocations do refer to a mix of uses to be delivered as part of the

General compliance. The District Plan will need to encourage mixed-use development in sustainable locations.

	development.	
If local (car parking) standards have been prepared, are they justified and necessary? (39) (The cancellation of PPG13 removes the maximum standards for major non-residential development set out in Annex D. PPS4 allowed for non-residential standards to be set locally with Annex D being the default position. There is no longer a requirement to set non-residential parking standards as a maximum but that does not preclude local planning authorities from doing so if justified by local circumstances).	Local car parking standards are set out in Policy TR7 and Appendix II, supplemented by Vehicle Parking SPD. A zonal approach applies maximum standards to both residential and non-residential development.	General compliance.
Does the Local Plan identify and protect sites and routes which could be critical in developing infrastructure to widen transport choice? (41)	Policy TR22 refers to surplus transport sites or routes being retained for alternative sustainable transport uses.	General compliance.

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Support the expansion of the electronic communications networks, including telecommunications' masts and high speed broadband. (43)	To what extent has a ban been imposed on new telecommunications' development in certain areas or restrictions place? (44)	No ban imposed and no Article 4 directions.	General compliance.
Aim to keep the numbers of radio and telecommunications masts and the sites to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified. Where new sites are required,	Do policies identify the need for communications infrastructure not to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the National interest? (44)	Policy ENV28 sets out the approach to telecommunications and encourages use of existing structures and/or buildings rather than erection of new masts.	General compliance.
equipment should be sympathetically designed and camouflaged where possible.(43)	Does the plan have policies to ensure that the construction of new buildings or other structures do not cause interference with broadcast and telecommunications services? (44)	No specific reference.	Policy approach will need to be set ou in District Plan Part 2.

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Identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements; this should include an additional buffer	What is our record of housing delivery?	Over 20 year Structure Plan period 1991-2011, achieved 98%. Over 10 year Regional Plan period 2001-2011, achieved 78%.	Technical work to generate district housing target to 2031 in preparation.
of 5% or 20% (moved forward from later in the plan period) to ensure choice and competition in the market for land. (47)	Have we identified:  a) five years or more supply of specific deliverable sites;	The 2011/12 AMR and housing trajectory sets out housing supply. Between 3.6 and 4.5 years worth of supply identified (dependent on target).	Work to identify 5 years worth of deliverable sites ongoing including through the SLAA and District Plan preparation.
	b) an additional buffer of 5% (moved forward from later in the plan period), or	Additional buffer identified in latest AMR.	Additional buffer will be included.
	c) If there has been a record of persistent under delivery have you identified a buffer of 20%? (47)	No record of persistent under delivery.	N/A
	Does this element of housing supply include windfall sites; if so, to what extent is there 'compelling evidence' to justify their inclusion? (48)	It has been agreed that there is 'compelling evidence' to include a windfall allowance in the District Plan to take account of small sites and conversions that fall below the SLAA threshold. The latest AMR reflects this.	Windfall allowance will be included.
Identify a supply of developable sites or broad locations for years 6-10 and, where possible, years 11-15. (47)	Does the plan identify a supply of developable sites or broad locations for: a) years 6-10; b) years 11-15? (47) Does supply for years 6-10 include windfall sites; if so, to what extent is	Some developable sites are identified in the housing trajectory. However, these are insufficient to meet the housing requirement. Broad locations have not been identified. Does not	The District Plan will need to identify developable sites and broad locations to ensure a continuous supply of housing. A windfall allowance will be included to take account of small sites

	there "compelling evidence" to justify their inclusion? (48)	include windfalls.	and conversions that fall below the SLAA threshold.
Illustrate the expected rate of housing delivery through a trajectory; and set out a housing implementation strategy describing how a five year supply will be maintained. (47)	Is there an up-to-date housing trajectory that illustrates progress with delivering the strategy in the plan? (47)  Is there a housing implementation strategy describing how delivery of a five year supply of housing will be maintained to meet the housing target? (47)  To what extent does the removal of national and regional brownfield targets have an impact on housing land supply?	AMR sets out current housing trajectory.  Local Plan is time expired and implementation of strategy including phasing needs to be rolled forward to 2031.  Council has achieved a high brownfield land target but supply is finite. SLAA identifies further brownfield sites.	District Plan needs to roll forward housing supply to 2031 including overall target and approach to phasing and monitoring.  Removal of brownfield target likely to be beneficial given the fact that such land is finite.
Set out the authority's approach to housing density to reflect local circumstances. (47)	Does the plan include policies on density of development? To what extent do these reflect local circumstances?	There are no specific density policies in the Local Plan, proposals judged on a case-by-case basis. Housing allocations assumed 30dph.	District Plan will need to set density policies taking into account viability.
Plan for a mix of housing based on current and future demographic and market trends, and needs of different groups (50) and caters for housing demand and the scale of housing supply to meet this demand. (159)	To what extent have we planned for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as families with children, the elderly and people with disabilities?) To what extent have we identified the size, type, tenure and range of housing required in particular locations, reflecting local demand? (50)	Housing Needs Survey set out size mix across the district (by Ward) and informed the tenure split.	SHMA technical work undertaken recommending size mix and tenure split across the district. Also considered housing needs of minority groups.  SHMA currently being refreshed to 2031 and includes specific work on housing needs of older people. Study, along with viability implications, will inform size and tenure mix in the District Plan.
	Does the plan include policies requiring affordable housing? Do these need to	HSG3 and HSG4 set the requirement for up to 40% affordable housing on	Policies being reviewed as part of District Plan preparation and will

	be reviewed in the light of removal of the national minimum threshold? Is our evidence for housing provision based on up to date, objectively assessed needs? (50)	sites above the threshold.  Local Plan based on requirements of Structure Plan.	include affordable housing policies informed by SHMA and viability work. Work to assess development needs of the district to 2031 in preparation including in respect of housing and economic development.
	Do these require on-site provision or if off-site provision or financial contributions are sought, to what extent can these be robustly justified and to what extent do they contribute to the objective of creating mixed and balanced communities? (50)	On site provision is required although off-site or commuted sum may be considered if evidence is provided.	Anticipated that District Plan will continue presumption for on-site provision.
In rural areas be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. (54)	Have we considered whether our plan needs a policy which allows some market housing to facilitate the provision of significant additional affordable housing to meet local needs?	Policies OSV1 and OSV2 allow market housing in Category 1 and 2 villages, up to 40% of which would be provided as affordable housing.	District Plan likely to continue this approach in accordance with NPPF.
	Have we considered the case for setting out policies to resist inappropriate development of residential gardens? (This is discretionary) (53)	Proposals are judged on a case-by-case basis.	The District Plan Part 2 will need to consider whether it would be appropriate to include such policies.
In rural areas housing should be located where it will enhance or maintain the vitality of rural communities.	Examples of special circumstances to allow new isolated homes listed at paragraph 55 (note, previous requirement about requiring economic use first has gone).	Policies GBC2 & GBC3 apply a general rule of restraint against residential development in the countryside although GBC9 does allow for the residential adaptation and reuse of rural buildings. This requires economic alternatives to be considered first.	Aspects of current policy approach may be contrary to NPPF (requirement for economic use) although policy could retain wording given need to promote prosperous rural economies (paragraph 28).

7. Requiring good design (paragraphs 56-68)			
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Develop robust and comprehensive policies that set out the quality of development that will be expected for the area. (58)	Does the plan include a policy or policies that reflect this objective? To what extent do design policies encompass the principles at paragraph 58 of the NPPF?	The Local Plan sets out environment and design aims and objectives which ENV policies seek to address. Policies SD1 and ENV1 sets the broad parameters for ensuring design and environmental quality and ENV3 relates to crime.	General compliance. Design principles may need to be strengthened to conform to the NPPF.

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Policies should aim to design places which: promote community interaction, including through development; are safe and accessible environments; and are accessible developments. (69)	Does the plan include a policy or policies on inclusive communities? To what extent do these promote opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixeduse developments which bring together those who work, live and play in the vicinity; safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion; and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas? (69)	The Local Plan includes allocated mixed use sites in Hertford and Ware  Policy ENV3 specifically refers to planning out crime.  ENV1 refers to design (e.g. structure, layout, and street pattern) although not specifically legible pedestrian routes.	General compliance. Design principles may need to be strengthened to conform to the NPPF. The District Plan will need to encourage mixed-use development, ensuring any allocations provide for the full range of community needs.
Policies should plan positively for the provision and use of shared space, community facilities and other local services. (70)	Does the plan include a policy or policies addressing community facilities and local services?  To what extent do policies plan positively for the provision and integration of community facilities and other local services to enhance the sustainability of communities and residential environments; safeguard against the unnecessary loss of valued	The Local Plan sets out leisure, recreation and community facilities aims and objectives which LRC policies seek to address. Policies STC8 and OSV8 are also relevant. The policies seek to retain such facilities and enable appropriate improvements.	General compliance.

	facilities and services; ensure that established shops, facilities and services are able to develop and modernise; and ensure that housing is developed in suitable locations which offer a range of community facilities and good access to key services and infrastructure?		
Identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities; and set locally derived standards to provide these. (73)	To what extent do policies identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area? (74)	Technical work (including playing pitch strategy, indoor sports audit and Green Infrastructure Plan) has been undertaken to assess the current suitability of existing recreation provision and the future recreation needs of the district.	General compliance.
	Does the plan include locally derived standards for provision of open space, sports and recreational facilities?	Policy LRC3 and Appendix IV of the Local Plan set out the local standards supplemented by the Open Space Sports and Recreation SPD.	
	To what extent do policies protect and enhance rights of way and access? (75)	Policy LRC9 protects existing Rights of Way in any proposals for development, and where possible seeks to incorporate measures to maintain and enhance the rights of way network.	
Enable local communities, through local and neighbourhood plans, to identify special protection green areas of particular importance to them – 'Local Green Space'. (76-78)	Do we have a policy which would enable the protection of Local Green Spaces and manage any development within it in a manner consistent with policy for Green Belts? (Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period. Designation should only be used when it accords with the criteria in paragraph 77).	This is a new planning responsibility arising from the NPPF and superseding the Local Plan, although Policy LRC1 in the Local Plan protects open spaces.	No local green space designations but potential for District Plan to include them.

9. Protecting Green Belt land (paragraphs 79-92)				
What the NPPF expects local plans to include to deliver its objectives	Key questions to help understand whether the East Herts Local Plan includes what the NPPF expects	Does the Local Plan address this issue and meet NPPF expectations?	How significant are any differences? Do they affect our overall strategy?	
The general extent of Green Belts across the country is already established. New Green Belts should only be established in exceptional circumstances. (82)  Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. (83)  Boundaries should be set using 'physical features likely to be permanent' amongst other things. (85)	Do the Green Belt policies in the plan accurately reflect NPPF policy? For example:  Local planning authorities should plan positively to enhance the beneficial use of the Green Belt. Beneficial uses are listed in paragraph 81. PPG2 set out that 'Green Belts have a positive role to play in fulfilling objectives.  Paragraph 1.6 of PPG2 set out the objectives — some of these have been rephrased/amended and 'to retain land in agricultural, forestry and related uses' has been omitted.  Ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development. (85)  Does the plan allow for the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building? (89) PPG2 previously referred to dwelling. Original building is defined in the Glossary.  Does the plan allow for the replacement of a building, provided the	Green Belt boundaries currently set on the Proposals Map. Green Belt review technical work being undertaken to establish new long-term boundaries.  Approach to Green Belt perhaps not as proactive as set out in NPPF in respect of leisure, although Policy LRC5 promotes countryside recreation.  Policy GBC1 sets out the development that is considered not inappropriate in the Green Belt. Wording does not reflect changes in NPPF relating to:  • building not dwelling • replacement building not materially larger • community right to build  No reference to park & ride/local transport infrastructure.  Policy GBC4 also relates to Major Developed Sites. This policy (and GBC1) does not reflect change in NPPF.	Differences not considered to be significant in respect of the emerging development strategy (i.e. general extent of the Green Belt).  General Compliance. District Plan policies will need to reflect change to wording to comply with NPPF.	

new building is in the same use and not materially larger than the one it replaces? (89) PPG2 did not have a separate bullet point – replacement related to dwellings rather than buildings.

Does the plan allow for limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development? (89) (PPG2 referred to 'major existing developed sites').

Change from 'Park and Ride' in PPG2 to local transport infrastructure and the inclusion of 'development brought forward under a Community Right to Build Order' in relation to other forms of development that are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. (90)

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Adopt proactive strategies to mitigate and adapt to climate change taking full account of flood risk, coastal change and water supply and demand considerations. (94)	Have we planned new development in locations and ways which reduce greenhouse gas emissions?  Does the plan actively support energy efficiency improvements to existing buildings?  When setting any local requirement for	Policy SD1 seeks the sustainable use of resources and SD3 encourages renewable energy. ENV1 encourages schemes to incorporate sustainable initiatives in terms of design, layout, construction, energy and water conservation.	General compliance.  Local Plan does not explicitly seek to reduce greenhouse gases, nor energy efficiency, although the latter is encouraged. District Plan could be more proactive.  District Plan needs to justify building
	a building's sustainability, have we done so in a way that is consistent with the Government's zero carbon buildings policy and adopt nationally described standards? (95)		sustainability requirements consistent with national zero carbon standards.
Help increase the use and supply of renewable and low carbon energy. (97)	Does the plan have a positive strategy to promote energy from renewable and low carbon sources?	Policy SD3 encourages renewable energy.	General compliance. District Plan may need to be more proactive in respect of renewable energy, low carbon and decentralised energy sources.
	Have we considered identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources?	The Hertfordshire Renewable Energy and Low Carbon Technical Study identifies suitable technologies and areas in East Herts.	
	Does the plan identify where development can draw its energy supply from decentralised, renewable or low carbon supply systems and for co-locating potential heat customers and suppliers? (97)		

Minimise vulnerability to climate change and manage the risk of flooding (99)	Does the plan allocate, and where necessary re-locate, development away from flood risk areas (100)?  Was the location of development informed by flood risk assessment and sequential test?	Policy ENV19 seeks to prevent development in areas at risk of flooding and reduce and mitigate the effects of flooding.  Flood risk is assessed at the planning application stage. Allocated sites considered the issue of flood risk.	General compliance. SFRA technical work informing preparation of District Plan.
Manage risk from coastal change (106)	Does the plan identify where the coast is likely to experience physical changes and identify Coastal Change Management Areas? Is it clear what development will be allowed in such areas? Does it make provision for development and infrastructure that needs to be re-located from such areas? (106)	N/A	N/A

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Protect valued landscapes. (109)	Does the plan contain a strategy to create, protect, enhance and manage networks of biodiversity and green infrastructure?	The Local Plan sets out Green Belt and Countryside (including landscape) and environmental quality aims and objectives which GBC and ENV policies seek to address.  Policy GBC14 relates to landscape character and seeks to conserve and enhance and strengthen key characteristics and features.	General compliance. District Plan will refer to Green Infrastructure.
	Does the plan minimise the loss of higher quality agricultural land? (112)	Policy GBC12 Agricultural Land was not 'saved'.	Not compliant. District Plan will need to refer to agricultural land.
	Does the plan give great weight to protecting the landscape and scenic beauty of National Parks, the Broads and AONBs?	N/A	N/A
Prevent unacceptable risks from pollution and land instability. (109)	Does the plan ensure development is appropriate for its location having regard to the effects of pollution on health, the natural environment or general amenity, taking account of the potential sensitivity of the area or proposed development to adverse effects from pollution?	Chapter 8 of the Local Plan (ENV) contains a number of policies that deal with environmental protection and pollution including the impact of proposals on wildlife sites, the water environment and noise, light and air pollution.	General compliance. NPPF makes more explicit reference to suitability of land and ground conditions, including reference to less valuable land. District Plan should make reference to tranquility.
	Are sites suitable for the proposed use taking account of ground conditions, pollution from previous uses and any	Policy ENV20 deals with groundwater protection. Policy SD5 Development on Contaminated Land was not 'saved'.	

	proposals for land remediation?  Does the plan identify areas of tranquility and protect them from noise? (123)	ENV26 refers to Hazardous Substances.  The issue of tranquility is covered indirectly in terms of landscape character. Noise is explicitly covered in policies ENV23, ENV24 and ENV25.	
Planning policies should minimise impacts on biodiversity and geodiversity. (117)	In identified Nature Improvement Areas, have we considered specifying the types of development that may be appropriate in these areas? (117)	N/A	N/A
Planning policies should plan for biodiversity at a landscape-scale across local authority boundaries. (117)	Does the plan identify and map local ecological networks?  Does the plan include policies to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the recovery of priority species?	Wildlife sites (local, national and European) are mapped and protected in the Local Plan (Policies ENV12-ENV17) as well as reference to hedgerows (ENV11) and the water environment (ENV18).	General compliance. District Plan could include reference to networks rather than just sites e.g. green infrastructure and key biodiversity areas.
	Does the plan prevent harm to geological conservation interests? (117)	No explicit reference to geological conservation save for groundwater protection (ENV20).	District Plan could refer to geological conservation, perhaps in conjunction with ground conditions.

What the NPPF expects local plans to include to deliver its objectives	Key questions to help understand whether the East Herts Local Plan includes what the NPPF expects	Does the Local Plan address this issue and meet NPPF expectations?	How significant are any differences? Do they affect our overall strategy?
Include a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk. (126)	Does the plan identify heritage assets (buildings, monuments, sites, places, areas, landscapes)?	The Local Plan sets out built heritage aims and objectives which BH policies seek to address including archaeology, listed buildings, scheduled monuments and conservation areas. GBC14 also identifies landscape character areas.	General compliance. If appropriate, the District Plan could identify heritage assets at risk and set out how development will make a positive contribution to character.
	Does it identify heritage assets most at risk?	Local Plan does not specifically identify those heritage assets at risk.	
	Does it promote new development in ways that will make a positive contribution to character and distinctiveness? (126)	BH polices, along with ENV1 and SD1 seek to promote good design and local distinctiveness.	

# 13. Facilitating the sustainable use of minerals (paragraphs 142-149)

What the NPPF expects local plans to include to deliver its objectives	Key questions to help understand whether the East Herts Local Plan includes what the NPPF expects	Does the Local Plan address this issue and meet NPPF expectations?	How significant are any differences? Do they affect our overall strategy?
It is important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation. (142)	N/A	Policy GBC15 refers to mineral resources although mostly remit of Hertfordshire County Council Minerals Plan.	N/A
Minerals planning authorities should plan for a steady and adequate supply of industrial materials. (146)			

# Plan-making

Local Plans (paragraphs 150-157)				
What the NPPF expects local plans to include to deliver its objectives	Key questions to help understand whether the East Herts Local Plan includes what the NPPF expects	Does the Local Plan address this issue and meet NPPF expectations?	How significant are any differences Do they affect our overall strategy?	
Each local planning authority should produce a Local Plan for its area. Any additional DPDs should only be used where clearly justified. SPDs should be used where they help applicants make successful applications/aid infrastructure delivery/not be used to add unnecessarily to financial burdens on development. (153)	Are we able to clearly justify the use of additional DPDs if this is the approach that you are pursuing?	Single Local Plan.	Preparing the District Plan in two parts  Part 1 deals with strategy Part 2 sets allocations and policies  This approach ensures the Council has an up-to-date development strategy in place as soon as possible.  Use of 'District Plan' terminology reinforces message that it is the plan for the district as opposed to local which could get confused with neighbourhood.	
Local Plans should: Plan positively. (157)	Have we objectively assessed development needs and planned for them?	Local Plan based on Structure Plan requirements to 2011.	Work to assess development needs of the district to 2031 in preparation including in respect of housing and economic development.	
	If we can't meet them in your area, have you co-operated with others on meeting them elsewhere? (182)	No requirement to meet needs outside the district.	Cross boundary issues being considered under Duty to Co-operate.	

What the NPPF expects local plans to include to deliver its objectives	Key questions to help understand whether the East Herts Local Plan includes what the NPPF expects	Does the Local Plan address this issue and meet NPPF expectations?	How significant are any differences?  Do they affect our overall strategy?
Defence, national security, counter- terrorism and resilience	Have we worked with the Ministry of Defence's Strategic Planning Team to take into account the most up-to-date information about defence and security needs? (164)  Have we worked with local advisors and others to ensure they have taken into account the most up-to-date information about high risks sites? (164)	Policy ENV3 covers crime. No defence/resilience issues identified.	Reference to Safer By Design and liaison with Hertfordshire Constabulary Architectural Liaison Officers.
Ensuring viability and deliverability  The sites and scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. (173)	To what extent has the plan been assessed to ensure viability, taking into account the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements?  In so doing to what extent has the plan taken into account the normal cost of development and on-site mitigation and provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable? (173)	Local Plan did not explicitly take into account issue of viability.	Stage 1 financial viability technical work now complete and will be used to inform the Infrastructure Delivery Plan and CIL.

	the area of all existing and proposed local standards, supplementary planning documents and policies that support the development plan, when added to nationally required standards been assessed to ensure that the cumulative impact of these standards and policies do not put implementation of the development plan at serious risk, and facilitate development throughout the economic cycle? (174)		
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Examining Local Plans (paragraph 182)				
What the NPPF expects local plans to include to deliver its objectives	Key questions to help understand whether the East Herts Local Plan includes what the NPPF expects	Does the Local Plan address this issue and meet NPPF expectations?	How significant are any differences? Do they affect our overall strategy?	
Authorities should submit a plan for examination which it considers is sound including being positively prepared	Has the plan been positively prepared?	Local Plan was positively prepared and found sound.	District Plan in preparation.	

# Planning policy for traveller sites

What the policy for traveller sites expects local plans to include to deliver its objectives	Key questions to help understand whether the East Herts Local Plan includes what the policy expects	Does the Local Plan address this issue and meet NPPF expectations?	How significant are any differences?  Do they affect our overall strategy?
Early and effective community engagement with both settled and traveller communities.	Has our evidence been developed having undertaken early and effective engagement including discussing travellers accommodation needs with travellers themselves, their representative bodies and local support groups?	The Northern and Eastern Hertfordshire Partnership Study (undertaken by ORS, published in 2006) was a joint initiative covering five local authority areas. Part of process involved residents on all existing Gypsy and Traveller sites being approached for face-to-face interviews. In East Herts this resulted in two out of the three sites providing a response. No bricks and mortar interviews were carried out due to lack of information on such residents. Further information was supplied by Hertfordshire County Council's Gypsy and Traveller Unit. No evidence to allow for delivery beyond 2021. No Travelling Showpeople evidence beyond Showman's Guild EiP evidence.	General Compliance for Gypsies and Travellers, but no direct contact made by consultants with Travelling Showpeople.  Revised Assessment of Accommodation Needs and Site Scoping Study to be undertaken in coming months to inform District Plan preparation and ensure that supply can be identified. This will expand level of engagement beyond the scope of the initial GTAA and ensure full compliance.
Co-operate with travellers, their representative bodies and local support groups, other local authorities and relevant interest groups to prepare and maintain an up-to-date understanding of likely permanent and transit accommodation needs of their areas.	Can we demonstrate that we have a clear understanding of the needs of the traveller community over the lifespan of the plan?	The Northern and Eastern Hertfordshire Partnership Study (undertaken by ORS and published in 2006) was a joint initiative covering five local authority areas. Part of process involved residents on all existing Gypsy and Traveller sites being approached for face-to-face interviews. In East Herts this resulted in two out of the three sites	General Compliance for Gypsies and Travellers, but no direct contact made with Travelling Showpeople other than that carried out by the Showmen's Guild as part of RSS evidence base.  Revised Assessment of Accommodation Needs and Site Scoping Study to be undertaken in

providing a response. No bricks and coming months to inform District Plan mortar interviews were carried out due preparation and ensure that supply can be identified. This will expand to lack of information on such residents. Further information was supplied by level of engagement beyond the Hertfordshire County Council's Gypsy scope of the initial GTAA and ensure and Traveller Unit. No evidence to allow full compliance with Government for delivery beyond 2021. No Travelling Policy. Showpeople evidence beyond Showman's Guild EiP evidence. Have we worked collaboratively with The 2006 GTAA and subsequent 2007 While an updated GTAA will be neighbouring local planning authorities? Site Scoping study were undertaken in carried out as a single authority partnership with four neighbouring exercise, ongoing dialogue will Hertfordshire local planning authorities. continue with neighbouring authorities, as appropriate. While base data to inform figures for Have we used a robust evidence base For Gypsies and Travellers, the 2006 GTAA was deemed to be "broadly Gypsies and Travellers and for to establish accommodation needs to Travelling Showpeople is considered inform the preparation of our local plan robust" in the benchmarking exercise and make planning decisions? to be robust, this will need updating carried out as part of the East of England case study which formed part via a revised Assessment of of the CLG publication 'Preparing Accommodation Needs (to be carried Regional Spatial Strategy reviews on out in 2013) to provide further Gypsies and Travellers by regional evidence to support District Plan to planning bodies', 2007. The findings 2031. were 'moderated' via application of formula approach to result in the Option 1 figures for the Issues and Options version of the RSS Single Issue Review (SIR), which were accepted as a good reflection of need as locally arising. The Option 1 figure, for provision up to 2011, and application of the 3% compound growth increase applied to Policy H3 for provision to 2021 is considered to be a robust basis to inform the preparation of the plan and

for the determination of planning applications.	
For Travelling Showpeople, evidence was submitted by the Showmen's Guild which was accepted by the EiP Panel into the RSS SIR. Having been considered by the Panel and adopted as RSS Policy H4, the findings are considered to be robust and a good basis for plan preparation and determination of planning applications. This policy requires a compound increase in provision at a rate of 1.5% beyond 2011.	

What the policy for traveller sites expects local plans to include to deliver its objectives	Key questions to help understand whether the East Herts Local Plan includes what the policy expects	Does the Local Plan address the policy's expectations?	How significant are any differences?  Do they affect our overall strategy?
Set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs of travellers in your area, working collaboratively with neighbouring local planning authorities. (8)	Have we identified, and do we update annually, a supply of specific, deliverable sites sufficient to provide 5 years worth of sites against locally set targets? Have we identified a supply of specific, developable sites or broad locations for growth for years 6-10, and, where possible, for years 11-15. (9)	Local Plan policy does not address this issue as was previously covered under RSS Policies H3 and H4. Policy HSG10 is a criteria based policy.	While no specific targets for pitches and plots are set within the Local Plan, on the basis of previous needs assessment and RSS benchmarking, specific, deliverable pitches have been identified to cover both first 5 years and years 6-10 for Gypsy and Traveller provision. Work to identify 5 years worth of deliverable plots and beyond for Travelling Showpeople needs to be undertaken. Revised Assessment of Accommodation Needs to be undertaken in coming months to inform District Plan preparation and ensure that supply can be identified.
Consider the production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites.	Have we identified constraints within our local area which prevent us from allocating sufficient sites to meet likely future need? If so have we prepared a joint development plan or do we intend to do so? Is the reason for this clearly explained?	No constraints have been identified to prevent us from allocating sufficient sites to meet likely future need. No current intention to prepare a joint development plan. Policy does not explain this as was adopted in 2007 and reflects the requirements of the then current guidance Planning Circular 01/2006.	The district should be able to continue to accommodate its own generated needs and these will be reflected in updated policy form in the District Plan.
Relate the number of pitches and plots to the circumstances of the specific size and location of the site and the surrounding population size and density.		Partly. Criterion (II) (g) of Policy HSG10 requires that "the proposal respects the scale of the nearest settled community".	General Compliance. District Plan policy will need to revise this element to ensure complete compatibility with 'Planning policy for traveller sites' Government policy.

Protect local amenity and environment.		Partly. Criterion (II) (d) of Policy HSG10 requires that "the occupation and use of the site would not cause undue harm to the amenity of local residents by reason of noise, disturbance or loss of privacy" and criterion (II) (e) stipulates that "the proposal is capable of being visually assimilated into the surrounding landscape without significant adverse effect".	General Compliance. The District Plan will need to strengthen environmental aspect.
Set criteria to guide land supply allocations where there is identified need.	Has an up-to-date assessment of the need for traveller sites been carried out?	Partly. Benchmarked GTAA completed in 2006 and requires updating; however is considered robust evidence for short-term application.	General Compliance to 2021. However, while base data to inform figures for Gypsies and Travellers and for Travelling Showpeople is considered to be robust, this will need updating via a revised Assessment of Accommodation Needs (to be carried out in 2013) to provide further evidence to support District Plan to 2031
	If an unmet need has been demonstrated has a supply of specific, deliverable sites been identified based on the criteria we have set?	Need identified via Option 1 figure (5 pitches) for delivery by 2011 plus additional compound growth to 2021 (4 pitches) has been met for Gypsy and Traveller provision by planning permission being granted for 10 pitches in the district. For Travelling Showpeople the need remains unmet and adopted Local Plan does not identify any specific, deliverable sites.	Plan not compliant in terms of Travelling Showpeople as initial guidance (Circular 04/2007) was introduced after the Local Plan was adopted when there was no specific requirement to specify plot provision targets for this group. District Plan will be required to address this issue and meet unmet need.
	Where there is no identified need, have criteria been included in case applications nevertheless come forward?	Criteria based policy is applicable to Gypsies only and there is no equivalent Travelling Showpeople policy.	Plan not compliant in terms of Travelling Showpeople as initial guidance (Circular 04/2007) was introduced after the Local Plan was

			adopted when there was no specific requirement to include specific policy provisions for this group. District Plan will be required to address this issue and meet unmet need.
Ensure that traveller sites are sustainable economically, socially and environmentally.	Have our policies been developed taking into account criteria a-h of para 11 of the policy?	While not developed in these specific terms, the criteria of Local Plan policy HSG10 largely comply with the aims of this paragraph and ultimately serve to achieve the same outcomes.	General compliance. The District Plan will need to strengthen some aspects, notably specific references to flooding, live/work arrangements and collaboration with commissioners of health services.

Policy C: Sites in rural areas and the countryside (paragraph 12)			
What the policy for traveller sites expects local plans to include to deliver its objectives	Key questions to help understand whether the East Herts Local Plan includes what the policy expects	Does the Local Plan address the policy's expectations?	How significant are any differences?  Do they affect our overall strategy?
When assessing the suitability of sites in rural or semi-rural settings local planning authorities should ensure that the scale of such sites do not dominate the nearest settled community?		Criterion (II) (g) of Policy HSG10 requires that "the proposal respects the scale of the nearest settled community".	General compliance. Principles may need to be strengthened in District Plan to reflect rural/semi-rural context to conform to national Policy.

Policy D: Rural exception sites (paragraph 13)			
What the policy for traveller sites expects local plans to include to deliver its objectives	Key questions to help understand whether the East Herts Local Plan includes what the policy expects	Does the Local Plan address the policy's expectations?	How significant are any differences? Do they affect our overall strategy?
If there is a lack of affordable land to meet local traveller needs, local planning authorities in rural areas, where viable and practical, should consider allocating and releasing sites solely for affordable travellers sites.	If we have a lack of affordable land to meet local traveller needs in our rural area have we used a rural exception site policy, and if so, does it make it clear that such sites shall be used for affordable traveller sites in perpetuity?	No specific policy in relation to traveller needs in the Local Plan. Policy HSG5 'Rural Exceptions Affordable Housing' applies to general needs housing; however, the general principles could be applied to traveller provision.	Updated rural exceptions policy will be needed to include traveller provision as well as general needs housing.

Policy E: Traveller sites in Green Belt (paragraphs 14-15)			
What the policy for traveller sites expects local plans to include to deliver its objectives	Key questions to help understand whether the East Herts Local Plan includes what the policy expects	Does the Local Plan address the policy's expectations?	How significant are any differences? Do they affect our overall strategy?
Traveller sites (both permanent and temporary) in the Green Belt are inappropriate development.	Have we made an exceptional limited alteration to the defined Green Belt boundary to meet a specific, identified need for a traveller site? Has this alteration been done through the planmaking process and is it specifically allocated in the development plan as a traveller site only?	No exceptional limited alteration to the defined Green Belt boundary to meet a specific, identified need for a traveller site has been carried out as part of the adoption of the current Local Plan.	As part of preparation of the District Plan consideration will need to be given to this issue.

Policy F: Mixed planning use traveller sites (paragraphs 16-18)			
What the policy for traveller sites expects local plans to include to deliver its objectives	Key questions to help understand whether the East Herts Local Plan includes what the policy expects	Does the Local Plan address the policy's expectations?	How significant are any differences? Do they affect our overall strategy?
	Have we considered including travellers sites suitable for mixed residential and business use (having regard to safety and amenity of the occupants and neighbouring residents)?  If mixed sites are not practicable have we considered the scope for identifying separate sites for residential and for business purposes in close proximity to one another?	Local Plan policy does not include any specific criteria for accommodating the employment needs of travellers beyond the terms of (II) (a) "the site is in a sustainable location in terms of accessibility to existing shops, social, education and health services and potential sources of employment".	The District Plan will need to take due consideration of the employment needs of travellers, and take these issues into account, making distinctions for the differing requirements of Gypsies and Travellers and Travelling Showpeople.
	Have we had regard to the need that travelling showpeople have for mixed-use yards to allow residential accommodation and space for storage of equipment?	Criteria based policy is applicable to Gypsies only and there is no equivalent Travelling Showpeople policy.	

What the policy for traveller sites expects local plans to include to deliver its objectives	Key questions to help understand whether the East Herts Local Plan includes what the policy expects	Does the Local Plan address the policy's expectations?	How significant are any differences?  Do they affect our overall strategy?
	Do we have a major development proposal which requires the permanent or temporary relocation of a traveller site? If so has a site or sites suitable for the relocation of the community been identified (if the original site is authorised)?	N/A	N/A