



**MEETING** : DISTRICT PLANNING EXECUTIVE PANEL  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : MONDAY 18 NOVEMBER 2013  
**TIME** : 7.00 PM

**MEMBERS OF THE PANEL**

Councillors M Carver (Chairman), L Haysey and S Rutland-Barsby

All other Members are invited to attend and participate if they so wish.

Members are requested to retain their copy of the agenda and bring it to the relevant Executive and Council meetings.

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## DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
  - must not participate in any discussion of the matter at the meeting;
  - must not participate in any vote taken on the matter at the meeting;
  - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
  - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
  - must leave the room while any discussion or voting takes place.
  
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
  
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.

4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

## **AGENDA**

1. Apologies

*To receive apologies for absence.*

2. Chairman's Announcements

3. Minutes (Pages 5 - 14)

*To approve the Minutes of the meeting of the Panel held on 3 October 2013.*

4. Declarations of Interests

*To receive any Member(s)' Declaration(s) of Interest*

5. London Commuter Belt (East) Sub-Region: Older People's Housing Requirements: October 2013 (Pages 15 - 38)

6. District Plan – Update Report (Pages 39 - 50)

7. District Plan Topic-Based Policies Report (October 2013) (Pages 51 - 172)

8. Dates of Future Meetings

*3 December 2013 and 16 January 2014.*

9. Urgent Business

*To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.*

MINUTES OF A MEETING OF THE  
DISTRICT PLANNING EXECUTIVE PANEL  
HELD IN THE COUNCIL CHAMBER,  
WALLFIELDS, HERTFORD ON THURSDAY  
3 OCTOBER 2013, AT 7.00 PM

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PRESENT: Councillor M Carver (Chairman)  
Councillors L Haysey and S Rutland-Barsby.

ALSO PRESENT:

Councillors P Ballam, E Buckmaster, S Bull,  
K Crofton, G Jones, J Jones, G Lawrence,  
M McMullen, P Moore, M Newman, T Page,  
M Pope, P Ruffles, N Symonds and J Wing.

OFFICERS IN ATTENDANCE:

Martin Ibrahim	- Democratic Services Team Leader
Kay Mead	- Senior Planning Officer
Martin Paine	- Senior Planning Officer
Laura Pattison	- Assistant Planning Officer
Jenny Pierce	- Senior Planning Officer
Claire Sime	- Planning Policy Team Leader
Katie Simpson	- Planning Policy Officer
Brendan Starkey	- Assistant Planning Officer
Kevin Steptoe	- Head of Planning and Building Control Services
Bryan Thomsett	- Planning Policy Manager

ALSO IN ATTENDANCE:

Andrea Gilmour	- Hertfordshire County Council
Jenny Hill	- Nathaniel Lichfield and Partners
Kate Ma	- Hertfordshire County Council

**10 RETAIL AND TOWN CENTRES STUDY UPDATE REPORT  
(SEPTEMBER 2013)**

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**The Panel considered a report summarising the findings of the East Herts Retail and Town Centres Study Update, September 2013, which sought endorsement to use the Study to inform the preparation of the East Herts District Plan.**

**In 2008, the Council had commissioned Chase and Partners Consultants to undertake a Retail and Town Centres Study to audit the amount and type of retail across the District and to provide recommendations for an approach to planning for retail needs for the emerging Plan period. However, this Study had been undertaken just before the economic recession and had used a 2006 baseline when undertaking forecast calculations. As such, it no longer reflected the latest economic situation. Therefore, the 2013 Study Update, prepared by consultants Nathaniel Lichfield and Partners, provided an updated assessment of the current economic circumstances, using up-to-date baseline and expenditure evidence from which to provide more accurate forecasts.**

**The Panel noted that the full report was not yet available and therefore, was requested to consider an amended recommendation, whereby support for the Study Update to inform the preparation of the East Herts District Plan be delegated to the Head of Planning and Building Control Services, in consultation with the Executive Member for Strategic Planning and Transport.**

Jenny Hill of Nathaniel Lichfield and Partners gave a presentation on the findings of the Study Update and answered Members' questions. Various comments were made in respect of the current economic vitality of town centres in the District and the recent national policy amendments permitting changes to any Use Class for two years.

The Panel supported the recommendation as now amended.

**RECOMMENDED** – that support for the East Herts Retail and Town Centres Study Update Report, September 2013, being used as part of the evidence base to inform and support the East Herts District Plan and for Development Management purposes in the determination of planning applications, be delegated to the Head of Planning and Building Control Services, in consultation with the Executive Member for Strategic Planning and Transport.

11 **STRATEGIC HOUSING MARKET ASSESSMENT UPDATE 2012 (MARCH 2013): LONDON COMMUTER BELT EAST SUB-REGION**

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The Executive Member for Strategic Planning and Transport submitted a report setting out the key findings of the Strategic Housing Market Assessment (SHMA) Update 2012 (March 2013) technical study for the London Commuter Belt East Sub-Region, prepared by Opinion Research Services (ORS). He also sought approval to the study forming part of the evidence base to inform and support the preparation of the District Plan, and for housing strategy purposes.

The Panel was reminded that the purpose of the SHMA was to assess current and future housing demand and need across the plan area. It also needed to consider future demographic trends and identify the accommodation requirements of specific groups.

Importantly, the SHMA would also be used to inform decisions relating to affordable housing, tenure mix and the type and mix of houses that should be built in East Herts.

In 2008 East Herts Council had joined with Brentwood, Broxbourne, Epping Forest, Harlow and Uttlesford Councils, to form the London Commuter Belt East/M11 Sub Region partnership, and had appointed ORS to undertake a SHMA for the sub-region. The final SHMA report had been published in January 2010 and agreed by the Council in February 2010. As the original 2008 SHMA had covered the period 2007 - 2026, it was in need of updating to cover the plan periods of local authority partners, and changes in demographic and economic information and circumstances.

Various Members commented on the Council's affordable housing targets and the issue of viability for developers.

The Panel supported the recommendation as now detailed.

**RECOMMENDED** – that the Strategic Housing Market Assessment Update 2012 (March 2013): London Commuter Belt East Sub-Region, be supported as part of the evidence base to inform and support the preparation of the District Plan, and for housing strategy purposes.

## 12 **DISTRICT-WIDE GREEN BELT REVIEW PART 1 (2013)**

The Panel considered a report summarising the findings of the East Herts District-Wide Green Belt Review – Part 1 (September 2013), which sought endorsement to use the Review to inform the preparation of the East Herts District Plan. The purpose of the Review was:

- to address whether the District's objectively assessed need for development can be accommodated within the constraints created by



- the Green Belt; and
- to inform the strategy selection process of the District Plan.

Councillor G Jones questioned the traffic light assessment and whether some of the features cited as checking urban sprawl could be considered spurious, e.g. an administrative boundary. He also suggested that more vigour was needed in defining the difference between contribution and significant contribution. Officers undertook to take these comments on board in preparing Part 2 of the Review, which would be submitted to a later Panel meeting.

The Panel supported the recommendation as now detailed.

**RECOMMENDED** – that the East Herts District-Wide Green Belt Review – Part 1, September 2013, be supported as part of the evidence base to inform and support the East Herts District Plan.

### 13 **DISTRICT PLAN – UPDATE REPORT**

Consideration was given to a report setting out the progress towards finalisation of a development strategy for the District. The report provided an update to the Stepped Approach as set out in Essential Reference Paper 'B' of the report now submitted. The Panel also noted the updates in relation to Infrastructure, ATLAS and Planning Practice Guidance.

Kate Ma and Andrea Gilmour of Hertfordshire County Council (HCC) were in attendance to answer questions on HCC's response to demand for primary and secondary school places in the District.

Kate Ma reminded Members that, in respect of admissions, HCC's role was a commissioning one and could not direct admissions. She outlined the current position regarding schools provision in Bishop's

**Stortford and the significant work undertaken on the potential for expansion on existing sites as well as potential future sites. The Panel noted that all the secondary schools in Bishop's Stortford managed their own admissions. She commented that the task was challenging, especially given the lack of capital to fund new places.**

**Various Members commented on the unsatisfactory information coming forward in respect of schools provision in Bishop's Stortford. The uncertainty relating to the Bishop's Stortford North applications was also discussed. The Panel Chairman emphasised the need for any housing development that might come forward in any part of the District to be sustainable.**

**In respect of Essential Reference Paper 'C' of the report submitted, the Panel noted that the reference to "safeguarded" dwellings in the Buntingford section should be deleted. Councillor S Bull questioned the narrative in this section and commented that a robust Town Plan existed.**

**In response to Members' comments and questions on funding, Kate Ma referred to the Primary Expansion Programme and the importance of Section 106 funds. However, total funding was insufficient to achieve everything that was needed.**

**Whilst acknowledging HCC's difficulties, Members expressed concern that key infrastructure could not be delivered, thus impacting on the District Council's ability to progress its District Plan. The Panel Chairman summed up the District Council's view as looking to HCC urgently to provide a more robust position.**

**The Panel was requested to consider an amended recommendation (A) to reflect an urgent ongoing commitment to joint working with HCC.**

**The Panel supported the recommendations as now**

detailed.

**RECOMMENDED** – that (A) the latest evidence supplied by Hertfordshire County Council in relation to schools planning, be noted, and an ongoing commitment to urgent joint working be supported;

(B) the proposed approach to the preparation of an Infrastructure Topic Paper, followed by an Infrastructure Delivery Plan based on a specially commissioned delivery study, be supported; and

(C) the latest national guidance, including that in relation to the importance of meeting housing needs within each housing market area, be noted.

#### 14 **DEVELOPER/LANDOWNER QUESTIONNAIRES AND ATLAS MEETINGS**

The Executive Member for Strategic Planning and Transport submitted a report setting out actions taken to date to obtain pertinent information from relevant landowners/ developers/ agents with an interest in land in the shortlisted Areas of Search to establish deliverability. It also sought approval for the information received forming part of the evidence base to inform and support the preparation of the District Plan.

Details of the questionnaire responses were set out at Essential Reference Paper 'B' of the report submitted. In respect of the meetings between ATLAS and representatives of land submissions at various locations detailed at paragraph 2.12 of the report submitted, Officers advised that in respect of part of Area of Search 61, Hatfield Estate (26/004), the seeking of additional information had previously been anticipated to be undertaken via a telephone conversation, but would now be subject to a meeting. The notes of the meeting would be added to the website in due course.

**The Panel supported the recommendation as now detailed.**

**RECOMMENDED – that the responses to the Developer Questionnaires (including subsequent information supplied), and the meeting notes between ATLAS and developers and/or their representatives, be supported as part of the evidence base to inform and support the preparation of the District Plan.**

15 CHAIRMAN'S ANNOUNCEMENTS

The Panel Chairman welcomed press, public and Members to the meeting and reminded everyone that the meeting was being webcast.

He reiterated the role of the Panel in the District Plan process and emphasised that only Council could agree the final District Plan. He referred to the ongoing progress of the informal Member working group and advised that Members would receive communication in the next week on individual topic headings, which would be considered at the next Panel meeting on 18 November 2013.

The Panel Chairman provided a further reminder of the all day workshop session on 24 October 2013 being facilitated by the Planning Advisory Service and urged those Members who had yet to do so, to advise Officers to confirm their attendance.

16 MINUTES

RESOLVED – that the Minutes of the Panel meeting held on 25 July 2013, be approved as a correct record and signed by the Chairman.

17 DECLARATIONS OF INTERESTS

The Panel Chairman asked Members to note that he was the Chairman of Hertford Regional College and a board member

of South Anglia Housing Association.

Councillor T Page asked the Panel to note that his wife was a member of Bishop's Stortford Golf Club.

18 DATE OF NEXT MEETINGS

RESOLVED – that the dates of meetings to be held on 18 November and 3 December 2013, be noted.

The meeting closed at 9.22 pm

Chairman	.....
Date	.....

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## EAST HERTS COUNCIL

### DISTRICT PLANNING EXECUTIVE PANEL – 18 NOVEMBER 2013

#### REPORT BY EXECUTIVE MEMBER FOR STRATEGIC PLANNING AND TRANSPORT

#### LONDON COMMUTER BELT (EAST) SUB-REGION: OLDER PEOPLE'S HOUSING REQUIREMENTS: OCTOBER 2013

WARD(S) AFFECTED: ALL

#### **Purpose/Summary of Report**

- This report sets out the key recommendations of the Older People's Housing Requirements technical study, for the London Commuter Belt (East) Sub-Region, prepared by Opinion Research Services (ORS);
- It also seeks approval to the study forming part of the evidence base to inform and support the preparation of the District Plan, and for housing and other corporate strategy purposes.

#### **RECOMMENDATIONS FOR DISTRICT PLANNING EXECUTIVE PANEL AND EXECUTIVE: That:**

<b>(A)</b>	<b>The London Commuter Belt (East) Sub-Region: Older People's Housing Requirements Study: October 2013, be supported as part of the evidence base to inform and support the preparation of the District Plan, and for housing and other corporate strategy purposes.</b>
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#### **RECOMMENDATIONS FOR COUNCIL: That:**

<b>(A)</b>	<b>The London Commuter Belt (East) Sub-Region: Older People's Housing Requirements Study: October 2013, be agreed as part of the evidence base to inform and support the preparation of the District Plan, and for housing and other corporate strategy purposes.</b>
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#### 1.0 Background

- 1.1 In 2012 East Herts Council joined with Epping Forest, Harlow and Uttlesford Councils to undertake a Strategic Housing Market Assessment (SHMA) Update, for the London Commuter Belt

(East) Sub-Region. This SHMA Update technical report was considered by the District Planning Panel on 3 October 2013. To provide further information and policy guidance on the issue of 'older people', a separate SHMA related study was also commissioned, by the same four authorities.

1.2 The National Planning Policy Framework (NPPF) 2012, paragraph 159 says '*the local planning authorities should have a clear understanding of housing needs in their area*' and that this need for '*all types of housing*' should include the needs of '*older people*'.

1.3 In 'Laying the Foundations - a Housing Strategy for England' 2011, local authorities are encouraged to make provision for a wide range of housing types across all tenures, including accessible and adaptable general-needs retirement housing, and specialised housing options including sheltered and Extra Care Housing.

## 2.0 Report

2.1 Chapter 1 - Introduction of the Study sets out the national planning and housing strategy context, together with sections on the Care Bill 2013, Definitions of Older People's Housing, and Joint Strategic Needs Assessments.

2.2 Chapter 2 - Modelling Older People's Housing Requirements has sections on:

- Current Requirements
- Modelling Future Requirements
- Older People Population Projections
- Age Cohort Projections
- Connecting Health and Social Care with Housing and Planning
- Planning Policy and Older People
- Example Policy Wording for Local Plans

2.3 Chapter 3 - Recommendations sets out recommendations for the local authority partnership. The key recommendations are:

- Work closely with colleagues in Health and Adult Social Care, and with new Health and Well Being Boards and Clinical Commissioning Groups locally, regarding new specialised accommodation for older people.
- Revisit the modelling of specialist housing requirements in the light of recent approaches and ratios and consider wider



older people demand issues, including the propensity to move.

- Consider the Planning Policy recommendations from 'Housing in later life: planning ahead for specialist housing for older people' 2012 and incorporate, where appropriate, planning policies to support the specialist housing provision.

2.4 As the full report is relatively short, it is contained at **Essential Reference Paper 'B'** to this report.

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	<p><b>People</b> This priority focuses on enhancing the quality of life, health and wellbeing, particularly for those who are vulnerable, and delivering strong services.</p> <p><b>Place</b> This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p><b>Prosperity</b> This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic opportunities and delivering cost effective services.</p>
Consultation:	None
Legal:	None Known
Financial:	None Known
Human Resource:	None other than existing staff resources.
Risk Management:	In order to be found sound at examination, it is essential that the District Plan should be based on a robust evidence base, of which the Older People's Housing Requirements Study: October 2013 forms an important part.

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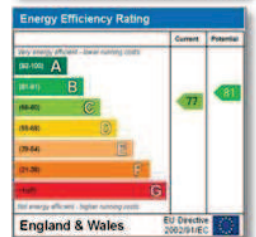


# London Commuter Belt (East) Sub Region

## Older People's Housing Requirements 2013

### Report of Findings

15<sup>th</sup> October 2013





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# 1. Introduction

- 1.1 The UK faces a significant challenge as people live longer and this is increasingly recognised. In 'Living Well At Home - 2011' (All Party Parliamentary Group on Housing and Care For Older People) identified the challenge posed by the UK's ageing population; the older population will grow from 10.1m to 16.7m by 2036 for the over 65s, and from 1.3m to 3.3m by 2033 for the over 85s. Already over half of NHS spending is on people over 65.
- 1.2 Both Health and Adult Social Care services are currently undergoing significant reform. The Health & Social Care Act 2012 initiated Health reforms which came into effect in April 2012 with the establishment of Adult Health and Well Being Boards and Clinical Commissioning Groups. A draft Care and Support Bill 2013, covering Adult Social Care, is currently progressing through Parliament. Reforms are underpinned by a principle of sustaining older people at home for as long as possible, thereby avoiding expensive hospital and care home services, while ensuring co-operation, fairness and high quality in those services which support older people at home.

## National Planning and Policy Framework 2012

- 1.3 The National Planning and Policy Framework Paragraph 159 says 'the Local planning authorities should have a clear understanding of housing needs in their area' and that this need for 'all types of housing' should include the needs of 'older people'.
- 1.4 In addition, the Framework contains a useful definition of older people in its glossary:

*'People over retirement age, including the active, newly-retired through to the very frail elderly, whose housing needs can encompass accessible, adaptable general needs housing for those looking to downsize from family housing and the full range of retirement and specialised housing for those with support or care needs'.*

## National Housing Strategy

- 1.5 In 'Laying the Foundations – A Housing Strategy for England' (2011), local authorities are encouraged to make provision for a wide range of housing types across all tenures, including accessible and adaptable general-needs retirement housing, and specialised housing options including sheltered and Extra Care Housing.



- 1.6 The advantages of providing specialist housing provision for older people are usually highlighted in terms of:
- » **Financial benefits of specialist accommodation for other services:** for example, research into the financial benefits of the Supporting People programme (Capgemini for CLG: 2009) showed that £258.7 million spent on housing-related support in sheltered housing for older people produced £1.1 billion of benefits, including savings in social care and health.
  - » **Specialist accommodation releasing general housing:** for example, HAPPI2 (Housing our Ageing Population; Plan for Implementation – 2012) identified how developing more retirement housing could reduce under-occupancy and make more family homes available for younger people. Further, more retirement housing could mitigate the impact of the government’s bedroom tax, by providing alternative homes for older households over-occupying their homes

## Care Bill 2013

- 1.7 The new Care Bill 2013 Part 1 s.6 includes a provision for local authorities ‘co-operating generally’ on the needs of adults with needs for care and support. This includes District and County Councils and Housing and Adult Social Care, including the authority’s functions relating to housing.

## Definitions of Older People’s Housing

- 1.8 For analysis purposes we have used the following definitions regarding specialist housing for older people:

**Figure 1: Definitions of Older People’s Housing (Source: Housing in Later Life Toolkit 2012, CORE, Elderly Accommodation Counsel (EAC, 2012a))**

<b>Sheltered Housing</b>	The most widely known form of specialised housing for older people. Traditionally, support was provided by a scheme manager often resident on site, but increasingly this support is being offered through floating services. The term has generally now been superseded by Retirement Housing, although it is still used in planning circles.
<b>Enhanced Sheltered Housing</b>	Sheltered housing that provides more facilities and services than traditional sheltered housing but does not offer the full range of provision that is found in an Extra Care Housing scheme.
<b>Extra Care Housing (also known as Flexicare)</b>	A complex of specialist housing for older people which provides care in a style that can respond flexibly to increasing need while helping the individual to retain their place within their existing community. Extra Care can provide a range of ‘lifestyle’ facilities for social, cultural, educational and recreational activities.

<b>Leasehold Scheme for the Elderly (LSE)</b>	Provides accommodation for the elderly for purchase on a leasehold basis. When the property becomes vacant the housing association purchases back the lease and sells the property on to another household wishing to purchase this type of accommodation. This scheme has been superseded by Shared Ownership for the Elderly, however associations continue to resell existing LSE.
<b>Supported Housing</b>	Schemes with some form of regular on-site 'warden' or scheme manager service, however limited.

## Joint Strategic Needs Assessments

- 1.9 In 2006, the Department of Health White Paper 'Our health, our care, our say' identified the need for Directors of Public Health to work with Directors of Adult Social Services and Children's Services to jointly undertake regular strategic needs assessments of the health and well-being status of their population.
- 1.10 The concept of a Joint Strategic Needs Assessment (JSNA) was further expanded in the 'Commissioning Framework for Health and Wellbeing', which was published in March 2007 and includes a requirement to consider the housing needs of older people.
- 1.11 The publication of the Local Government and Public Involvement in Health Act (2007) subsequently placed a statutory duty on upper-tier local authorities and PCTs to produce a JSNA, with effect from 1st April 2008. Guidance on producing a JSNA was contained in Guidance on Joint Strategic Needs Assessment (2007).

## Essex

- 1.12 In response to this requirement, Essex has produced two documents:
- » Essex, Southend-on-Sea and Thurrock Joint Strategic Needs Assessment 2008
  - » Essex County Council Adult Social Care Market Position Statement 2012
- 1.13 The Essex approach identifies a continuing need for specialist accommodation for older people. It aims to describe current and potential future demand and supply; the funding that the commissioning authority has available; potential demand from people funding their own services; and begins to describe how commissioners would like to work with the social care market going forward. Further updates regarding housing requirements are proposed to be carried out as individual pieces of work rather than a new JSNA.
- 1.14 In terms of older people's housing requirements, the Position Statement (2012) contains information relevant to the LCBE SHMA.

### ***Extract- Essex County Council Adult Social Care Market Position Statement 2012***

**Increase the use of extra care housing and other alternatives to registered care by working jointly with Housing Authorities and the housing market** – Research indicates that Extra Care housing can delay or prevent the need for more intensive forms of support. Essex currently has a deficit of Extra Care provision. Estimates suggest that there is a shortfall of 2,627 Extra Care places in Essex with Tendring, Basildon, Chelmsford and Castle Point having the largest undersupply of Extra Care places.

***Extract- Essex County Council Adult Social Care Market Position Statement 2012***

**Reducing the contracted use of residential care for physically frail older people whilst ensuring that good quality registered care is available for those people who need it** – The numbers of older people supported by Essex in registered care has remained fairly static since 2006 despite increased demographic pressures. This is mirrored nationally with little change in the number of care home places since 2004. However this masks the changes in the needs of people entering registered care, with people being admitted later in life and staying for shorter periods. As a result we do not believe that we need more residential care, but we may need to consider the models of registered care that are provided, and the distribution of residential care across the county. Whilst responsibility for planning sits with the District and Borough Councils, we are consulted on planning applications for new registered care homes. We are unlikely to support planning applications for registered care homes in areas where we believe there is an already an oversupply unless the application is to remodel existing provision to make it more fit for purpose, or the proposed development will better meet specific unmet needs within the area. More detail about current supply can be found in the next section. As part of our on-going engagement with the market we would welcome discussions with providers about their ideas for potential developments so we can give an early indication about whether we are likely to support an application and hence avoid unnecessary costs to providers at a later stage. We would also welcome conversations about developing alternatives to registered care.

### *Hertfordshire*

<sup>1.15</sup> In response to the JSNA requirement, Hertfordshire has produced four documents:

- » Hertfordshire Joint Strategic Needs Assessment 2012
- » Hertfordshire County Council Adult Care Services Commissioning Strategy for Older People 2008 -2012
- » Accommodation Services for Older People 2009, with a separate update in 2010
- » Accommodation for frail older people - Increasing capacity and choice - Programme Document 2007

<sup>1.16</sup> The JSNA focuses largely on health issues, although containing much useful data on demographics and accommodation type and tenure. “Accommodation for frail older people - 2009” sets out the approach to be taken by Hertfordshire.

***Extract - Accommodation for frail older people - Increasing capacity and choice - Programme Document - 2007***

**Objectives**

- » Help older people to remain living in their own homes for as long as possible with good health and quality of life
- » Secure sufficient care capacity to meet the needs of frail older people meeting Adult Care Services eligibility criteria and increase choice for these people
- » Ensure the right amount of housing related support is available for vulnerable older people (including those not eligible for care services)
- » Make best use of resources across partner agencies including revenue funding, capital and land

<sup>1.17</sup> This was followed in 2009 by “Accommodation Services for Older People” which detailed the way in which Hertfordshire would work with housing providers to provide a new model of housing for older people.

***Extract – Accommodation Services for Older People - 2009***

With the number of over 65s expected to rise dramatically in the coming years, Hertfordshire has embarked on an ambitious programme to accommodate a growing population of older people through an innovative and flexible approach to maintaining independent living. The programme is increasing capacity and the range of accommodation for older people by approximately 600 places by 2010/11 in order to keep pace with the growing number of older people and their care needs. The vision is not only about catering for increasing demand, but about giving people real choice about how and where they live. The programme is being driven forward by an innovative partnership between Hertfordshire County Council, the ten district councils, two Primary Care Trusts (PCTs) and local partners, supported by the Institute of Public Care (IPC). The emphasis is on a shift away from residential care towards providing more flexicare housing, which is Hertfordshire’s model of extra care housing. The approach reflects an important change in attitudes towards the care of older people – helping them remain in their own homes as long as possible, preserving their independence while ensuring that they have all the support they need, when they need it.

<sup>1.18</sup> The 2010 update of the Accommodation Services for Older People document outlines activity in each of Hertfordshire’s districts. A single Local Area Programme Board has been set up across East Herts and Broxbourne to take forward the detailed work. The Board comprises local representatives from Broxbourne Borough Council, East Herts District Council, Adult Care Services, RPs including Broxbourne Housing Association, Circle Anglia Housing Association and Riversmead Housing Association, and the NHS.

***Extract – Accommodation Services for Older People - 2010 update***

**Broxbourne**

Adult Care Services has estimated that 88 additional care home places will be required in the period up to 2010/11. An additional 45 flexicare housing places will be needed. Revenue funding for these places has been agreed. In addition to the 2010/11 projection, **Adult Care Services estimates that by 2020/21 Broxbourne will require a further 139 social-funded flexicare housing places and a further 13 care home places.**

#### **East Herts**

Adult Care Services has estimated that 80 additional care home places will be required in the period up to 2010/11. This provision will be met through re-configuration of existing services and by commissioning additional places. A further 330 additional flexicare housing places are required. Revenue funding for these places has been agreed. In addition to the 2010/11 projection **Adult Care Services estimates that by 2020/21 East Herts will require a further 117 social-funded flexicare housing places and a further 294 care home places.**

## 2. Modelling Older People's Housing Requirements

- <sup>2.1</sup> For LCB East, a major policy issue is how the current projected growth in the population of older people translates into a requirement for new provision of specialist accommodation.
- <sup>2.2</sup> The housing requirements of older people differ from other household groups. Older people are not a homogenous group, and have changing needs as they pass through the various stages of ageing. Older people are mostly already housed, and the issue for them is more the suitability of their present accommodation, rather than moving home. Older people tend to choose to move either as part of a retirement plan (e.g. out-migration to a seaside area) or when ill health makes it unavoidable. For policy makers, a key focus is on those who are frail or suffer long term limiting illness.
- <sup>2.3</sup> The modelling of older people's housing requirements has developed over time. However, most models adopt a methodology which effectively forecasts the population of older people to a future date and then models requirements on the basis of ratios of housing requirements per 1,000 population. These tend to be in toolkit form to help local authorities plan for housing their ageing population. They also highlight the benefits of specialist housing and encourage planners to join up housing, planning and social care policies.
- <sup>2.4</sup> The two key good practice examples for Housing are:
- » *More Choice, Greater Voice (CLG, Housing LIN, Care Services Improvement Partnership - 2008)*
  - » *Housing in later life: planning ahead for specialist housing for older people (National Housing Federation, McCarthy and Stone, Housing LIN, Contact Consulting and Tetlow King Planning; 2012)*
- <sup>2.5</sup> Figure 2 below highlights how the ratio approach has matured over time and how the ratios themselves have changed.

**Figure 2: Benchmark Figures for Specialist Accommodation**

	'More Choice, Greater Voice' 2008		Section A Strategic Housing for Older People Resource Pack (Housing LIN, ADASS, IPC) 2012	
	Places per 1,000 population aged 75+	Tenure split	Estimate Of Demand Per Thousand of the Relevant 75+ Population	Tenure split
<b>Extra care</b>	25		45	30 sale 15 rent
<b>Supported housing</b>	125	50 rent 75 sale	-	-
<b>Enhanced Sheltered</b>	20		20	10 sale 10 rent
<b>Dementia</b>	10		6	
<b>Leasehold Scheme for the Elderly</b>	-		120	

## Current Requirements

- <sup>2.6</sup> The latest Essex position is contained within the Essex County Council Adult Social Care Market Position Statement 2012 for Brentwood, Epping Forest, Harlow and Uttlesford. This uses the ratios in 'More Choice, Greater Voice' which have been superseded by the Housing LIN ratios. The 2012 figures reflect the current deficit established by Essex County Council, net of existing and projected supply.

**Figure 3: Specialist Housing Requirements Essex 2012 (Source: Essex County Council)**

	Brentwood	Epping Forest	Harlow	Uttlesford
<b>Specialist Housing for Older People</b>	<b>256</b>	<b>773</b>	<b>854</b>	<b>186</b>
<b>Extra Care</b>	<b>149</b>	<b>233</b>	<b>155</b>	<b>150</b>

- <sup>2.7</sup> The most recent information for Hertfordshire requirements projects the following requirement.

Figure 4: Specialist Housing Requirements Hertfordshire 2009 (Source: Herts County Council)

	Broxbourne			East Herts		
	Baseline 2005	Growth needed by 2010/11	Projected further growth needed by 2020/21	Baseline 2005	Growth needed by 2010/11	Projected further growth needed by 2020/21
<i>Privately funded</i>						
Extra care	54	149	103	29	76	406
Residential care	71	14	42	202	42	158
Nursing care	12	2	6	127	26	98
<i>Social funded</i>						
Flexicare housing	60	45	139	24	330	117
Residential care	55	24	-39	246	-40	15
Nursing care	10	48	4	76	52	23
<b>Total number of care home units</b>	<b>148</b>	<b>88</b>	<b>13</b>	<b>651</b>	<b>80</b>	<b>294</b>
<b>Overall total of units with care provided</b>	<b>262</b>	<b>282</b>	<b>255</b>	<b>704</b>	<b>486</b>	<b>817</b>

## Modelling Future Requirements – LCB East

- <sup>2.8</sup> The specialist housing requirements for LCB East have been modelled using the Housing LIN ratios. These were developed in 2012 by a partnership which included Suffolk and Essex County Councils, Elderly Accommodation Council (EAC), and the Housing Learning and Information Network (Housing LIN). It is a secondary data based model which uses data from various sources including EAC, POPPI and Census.
- <sup>2.9</sup> Modelled requirements are a key output from applying the Housing LIN ratios to the forecast future population.
- <sup>2.10</sup> However, a key task is how the future population is modelled. The Housing LIN approach takes population forecasts and applies certain factors and assumptions about how any gross population projections may be constrained by various factors:



- » Older people who may wish to downsize to smaller accommodation.
- » Life expectancy of older people.
- » The need for alternative accommodation such as registered Care or Nursing Homes.

<sup>2.11</sup> There are other factors which Housing LIN does not incorporate but which can also have an impact on modelling assumptions. These should be noted when considering the outputs from using the Housing LIN model:

- » Drivers of the growth in older population: the increase in the projected population of older people is often driven by health and environmental factors (e.g. better diet, improvements in medicine, smoking cessation etc) to extend life expectancy. Therefore, the relative health of older people in 2001 or 2011 is unlikely to be representative of people of the same age by 2031.
- » Impact of 'at home' adult care and support services in reducing the requirement for specialist accommodation: the move to support people in their own homes for as long as possible may reduce the need for specialist accommodation over time.
- » Propensity of older people to move into specialist accommodation: older people with a physical dependency may need to move, or express a desire to move, to specialist accommodation, but many will actually refuse to do so when opportunities are presented to them
- » Population forecasts may overstate the number requiring specialist accommodation as many households will contain more than one older person: effectively, the population numbers will be higher than household numbers
- » Only rented and owner occupation tenures are considered in the Housing LIN model, not intermediate tenures.
- » Non-aspirational moves, which occur when people have to move (e.g. in a 'crisis' situation), are not included.

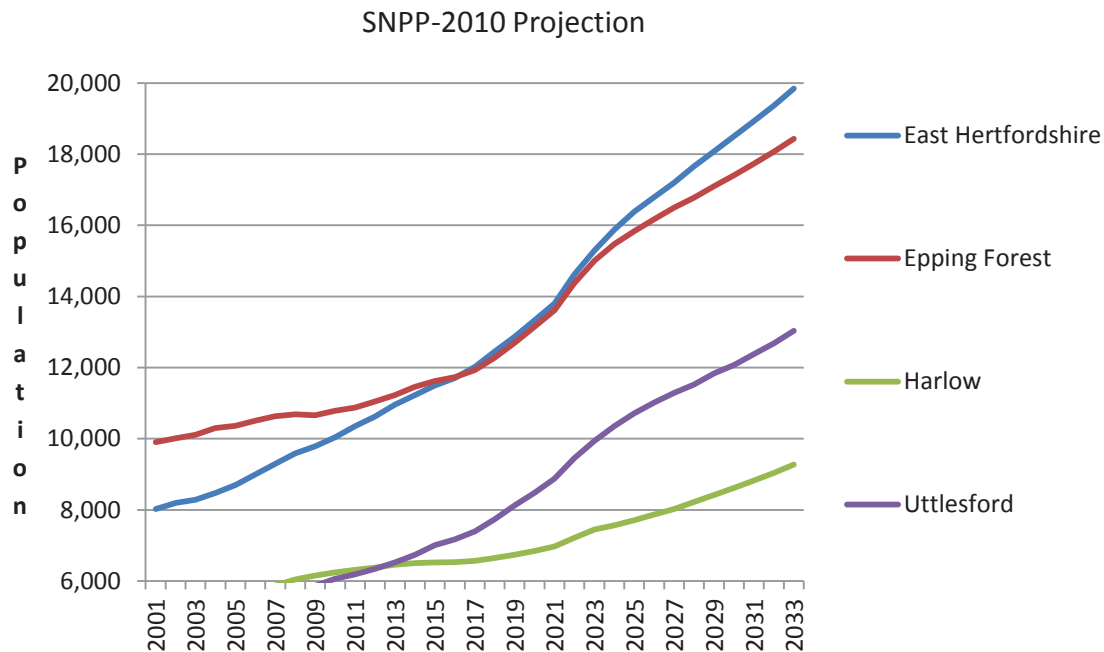
<sup>2.12</sup> Nevertheless, the Housing LIN Model ratios offer a useful starting point to begin the modelling of housing requirements for older people.

<sup>2.13</sup> ORS has undertaken a study for the Home Builders Federation Retirement Housing Group (Modelling the Housing Requirements for Older People; 2010) which considered specialist requirements using the 'More Choice, Greater Voice' ratios as a starting point, but then applying a more detailed demographic modelling which incorporated further issues such as those outlined above. The study concluded that many requirements for extra care and residential care are likely to be overstated if wider factors are not built into modelling assumptions.

## Older People Population Projections London Commuter Belt East

- 2.14 Population projections show that the population in the LCBE area is likely to become older in the period up to 2031. In particular, the number of people aged 75 years and above is expected to grow considerably.
- 2.15 Figure 5 shows the forecast Older People aged 75+ population for LCBE based on the SNPP 2010.

Figure 5: LCB East Older People aged 75+ Population Growth Projections 2001-2033 (Source: ONS)



## Age cohort projections - LCB East

- 2.16 Essentially, LCB East has considerable forecast growth in their population aged 75+; the highest forecast growth is in East Herts (147%) and Uttlesford (162%).

Figure 6: Older People aged 75+ Population Growth Projections 2001-2033 (Source: ONS)

2001-2033	East Hertfordshire	Epping Forest	Harlow	Uttlesford
<b>2001 population</b>	8,026 6.2%	9,901 8.2%	4,869 6.2%	4,971 7.2%
<b>2033 SNPP-2010 projection</b>				
<b>Population</b>	19,847 11.8%	18,430 11.9%	9,273 9.6%	13,029 12.8%
<b>Net change</b>	+11,821 +5.6%	+8,529 +3.7%	+4,404 +3.4%	+8,058 +5.6%
<b>% growth in population</b>	147.3%	86.1%	90.4%	162.1%
<b>% growth in percentage of population</b>	89.9%	44.9%	55.1%	77.4%

<sup>2.17</sup> Based on the growth in population aged 75+ identified across the population projection scenarios, Figure 7 identifies the potential requirement for specialist housing using the ratios set out in the Older People Resource Pack 2012. These figures are a Gross position and do not include recent supply (2001-12) – the impact of this will need to be factored into the final requirement.

Figure 7: Implications of Older People Resource Pack Ratios based on Population Projection Scenarios (Note: figures may not sum due to rounding)

Area	Extra care	Enhanced Sheltered	Dementia	LSE	All Types
<b>GROSS REQUIREMENT TO 2033</b>					
East Hertfordshire	900	400	100	2,400	3,800
Epping Forest	800	400	100	2,200	3,500
Harlow	400	200	100	1,100	1,800
Uttlesford	600	300	100	1,600	2,500
<b>TOTAL</b>	<b>2,700</b>	<b>1,200</b>	<b>400</b>	<b>7,300</b>	<b>11,600</b>
<b>NET REQUIREMENT EACH FIVE YEARS TO 2033</b>					
East Hertfordshire	80	40	10	220	350
Epping Forest	60	30	10	160	250
Harlow	30	10	0	80	130
Uttlesford	60	30	10	150	240
<b>TOTAL</b>	<b>230</b>	<b>100</b>	<b>30</b>	<b>620</b>	<b>980</b>

- 2.18 Although the modelling of housing requirements has matured, one area of risk concerns actual (as opposed to modelled) demand for specialist schemes in future years. These modelled requirements should be seen, therefore, as the basis for discussion with Adult Social Care and Health colleagues rather than a definitive requirement.

## Connecting Health and Social Care with Housing and Planning

- 2.19 Housing and Planning will need to respond to national reforms and good practice developments by forging closer relationships with Health and Adult Social Care colleagues. In particular, there is a need to connect health and social care strategies with housing and planning regarding new specialist accommodation, as there may be new opportunities to bid for funding.

### **Example: New funding opportunities following Health and Adult Social Care Reform**

- Care and Support Specialised Housing Fund: £160m of NHS funding for specialised housing to run for 5 years from 2013/14. Programme managed by the HCA. (Bidding closed in January 2013).

- 2.20 The SHMA should also link with the Joint Strategic Needs Assessment (JSNA) and Joint Health and Well-being Strategy (JHWS) to ensure that the requirements for new housing, and support needs to older people in existing stock, are met.

## Planning Policy and Older People

- 2.21 *'Housing in later life: planning ahead for specialist housing for older people' (2012) contains detailed advice in Chapter 6 regarding 'tools to help officers plan for this form of housing in their local policies and strategies'* and headlines are given below:
- » Incorporate specialist housing for older people into local plans
    - **Planners:** Seek to include policies that encourage the delivery of specialist housing for older people, where the need is identified, in their local plans.
    - **Adult social care officers:** Look to work with officers compiling local plans to join up thinking about remodelling existing specialist housing for older people across local and neighbourhood plans.
  - » Local strategies for older people
    - **Planners:** Engage with providers and older people at an early stage to produce Supplementary Planning Documents that reflect the needs illustrated in the Local Authority's housing and accommodation strategy for older people.
  - » Connect health and social care strategies with housing and planning

- Help to ensure that the JSNA and the Health and Well-being Boards link with the objectives of planning and housing.
- Seek cross-departmental agreement and support between housing, health and planning on procurement, asset management and any land disposals to meet the strategic needs of the Local Authority.

## Example policy wording for Local Plans

'Housing in later life: planning ahead for specialist housing for older people' (2012) also contains suggested Policy wording for Local Plans:

### Excerpt Chapter 6: Housing in Later Life

'No one planning approach will be appropriate for all areas, but the following provides an example policy wording that could be included in a local plan where a need for specialist housing has been identified:

*"The Council will encourage the provision of specialist housing for older people across all tenures in sustainable locations.*

*"The Council aims to ensure that older people are able to secure and sustain their independence in a home appropriate to their circumstances and to actively encourage developers to build new homes to the 'Lifetime Homes' standard so that they can be readily adapted to meet the needs of those with disabilities and the elderly as well as assisting independent living at home.*

*"The Council will, through the identification of sites, allowing for windfall developments, and/or granting of planning consents in sustainable locations, provide for the development of retirement accommodation, residential care homes, close care, Extra Care and assisted care housing*

## 3. Recommendations

- 3.1 The future specialist housing requirements of Older People are set within a complex Policy and Administrative framework.
- 3.2 In Policy terms, new Law has been introduced to reshape how Older People services are organised and delivered, reflecting a Policy focus on maintaining Older People at home for as long as possible. At the Administrative level, there are complex relationships between Health, Adult Social Care, Housing and Planning that make delivery of both service and accommodation solutions complex.
- 3.3 The projected Older People population forecast growth identified in this report, and the implications of these for specialist housing requirements, will need careful consideration alongside the Policy and Administrative landscape to ensure any new supply is effectively planned for and delivered.
- 3.4 In taking forward the implications of the ageing population in LCB East, therefore, the partnership should:
- » Work closely with colleagues in Health and Adult Social Care, and with the new Health and Well Being Board and Clinical Commissioning Group(s) locally, regarding new specialised accommodation for older people
  - » Revisit the modelling of specialist housing requirements in the light of recent approaches and ratios and consider wider older people demand issues, including the propensity to move
  - » Consider the Planning Policy recommendations from '*Housing in later life: planning ahead for specialist housing for older people*' (2012) and incorporate, where appropriate, Planning policies to support the specialist housing provision.

## EAST HERTS COUNCIL

### DISTRICT PLANNING EXECUTIVE PANEL – 18 NOVEMBER 2013

#### REPORT BY EXECUTIVE MEMBER FOR STRATEGIC PLANNING AND TRANSPORT

#### DISTRICT PLAN - UPDATE REPORT

WARD(S) AFFECTED: ALL

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#### **Purpose/Summary of Report**

- This report presents a schedule of meetings for the production of the draft District Plan prior to public consultation, together with summary notes from a recent event for Members;
- The programme of meetings has been put together to assist Members in careful scrutiny of the draft Plan, and to provide them with Officer support.

<b><u>RECOMMENDATIONS FOR DISTRICT PLANNING EXECUTIVE PANEL, EXECUTIVE AND COUNCIL: That:</u></b>	
<b>(A)</b>	<b>the summary report on the Member Event on 24 October 2013 at Essential Reference 'B', and the schedule of meetings contained at Essential Reference Paper 'C', be noted.</b>

#### 1.0 Background

1.1 As reported in the District Plan Update Report to the previous Panel meeting on 3<sup>rd</sup> October 2013, the production of the draft Plan is nearing completion.

1.2 A lot of work has been undertaken on the Plan (see Background Papers) and this report puts forward an approach to the final stages of Member engagement with the plan to ensure that all Members are aware of the opportunities for input.

## 2.0 Report

- 2.1 A private event for all District Members was held on 24<sup>th</sup> October 2013 to discuss the draft District Plan. The event was attended by 27 out of the 50 District Councillors. Members returned feedback forms which were largely very positive, despite the challenging nature of the content of the day's event. A summary of the event is presented at **Essential Reference Paper 'B'**.
- 2.2 At the session it was explained that given the large amount of work to consider, and the need for Members to have an opportunity to properly scrutinise the draft development strategy and settlement policies, the agenda items proposed for the District Planning Executive Panel on 3<sup>rd</sup> December would be split across two panel meetings, with a further panel meeting scheduled for 16<sup>th</sup> January 2014. In addition, a further two private meetings for District Members have been scheduled.
- 2.3 The full schedule of meetings, together with a list of the anticipated agenda items for each meeting is contained at **Essential Reference Paper 'C'**.

## 3.0 Implications/Consultations

- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

District Planning Executive Panel reports:

- District Plan Update Report (3<sup>rd</sup> October 2013)
- District Plan Update Report (25<sup>th</sup> July 2013)
- District Plan Part 1 – Update Report (21<sup>st</sup> February 2013)
- District Plan Part 1 – Strategy Supporting Document – Update Report (28<sup>th</sup> November 2012)
- District Plan Part 1 – Strategy Supporting Document – Update Report (26<sup>th</sup> July 2012)
- District Plan Part 1 – Strategy Supporting Document – Chapter 4: Places, and Next Steps (26<sup>th</sup> July 2012)
- Local Development Framework Core Strategy: Approach, Technical Work, and Next Steps.

<http://online.eastherts.gov.uk/moderngov/mgCommitteeDetails.aspx?ID=151>



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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	<p><b>People</b> This priority focuses on enhancing the quality of life, health and wellbeing, particularly for those who are vulnerable, and delivering strong services</p> <p><b>Place</b> This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p><b>Prosperity</b> This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic opportunities and delivering cost effective services.</p>
Consultation:	None  It is anticipated that consultation on the draft District Plan will commence in February 2014
Legal:	N/A
Financial:	N/A
Human Resource:	None other than existing staff resources
Risk Management:	The programme of meetings has been put together to assist Members in careful scrutiny of the draft Plan, and to provide them with Officer support

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**Report on Draft District Plan Member Event, 24<sup>th</sup> October 2013**

**Summary of the proceedings**

1. The event was held in the Council Chamber between 10am and 4 pm on Thursday 24<sup>th</sup> October. 27 out of the total 50 District Members attended the event, which is considered to be a very good turnout for an event of this kind. At the end of the session it was explained that there will be two further private sessions for Members.
2. The day was structured around two main parts. The morning consisted of presentations and context-setting, and the afternoon consisted of discussion of the emerging draft strategy and the way forward.
3. The morning session started with an introduction from Cllr Mike Carver, Executive Member for Strategic Planning and Transport. Cllr Carver outlined the importance of the work for the future of the District, and the challenges ahead.
4. Dr Steven Smith of the Planning Advisory Service (PAS) delivered a presentation entitled "Why Plan?" which set out the importance of getting a plan in place. The main reasons for getting a plan in place highlighted by Dr Smith are as follows:
  - planning for community needs including jobs, housing (including affordable housing);
  - providing greater certainty for communities and businesses as to where development will go;
  - providing a robust starting-point for negotiating with developers;
  - allows infrastructure providers to plan and delivery capacity enhancements;
  - using the plan to lobby for infrastructure funding ;
  - attracting investment to the district; and
  - avoiding 'planning by appeal', involving a loss of local control, with planning decisions, including those of major strategic importance, effectively being taken by the Planning Inspectorate.

5. Mr Rob Smith of the Advisory Team for Large Applications (ATLAS) gave a presentation entitled "Dealing with Strategic Matters: The End-to-End Process". Mr Smith explained that the District Plan was the first in a number of stages of local controls, with increasing detail addressed through successive stages, ranging from site-specific plan, outlined planning applications, design codes, and finally reserved matters. Mr Smith gave a number of examples of how large-scale development was being addressed and delivered positively by Local Planning Authorities elsewhere in the country, leading to better outcomes for local communities.
6. Officers then set out the background in relation to how national policy requirements shaped local decision-making. The main points were as follows:
  - The overall housing requirement based on the latest DCLG projections;
  - the requirement for the first five years of the plan;
  - backlog and historic under-supply;
  - the importance of meeting needs within each housing market area, and having a strategy for addressing any unmet needs;
  - the Duty to Co-Operate on strategic cross-boundary matters in particular;
  - the importance of an integrated approach to consideration of evidence, national policy requirements, and engagement with stakeholders including the public
7. In the afternoon Members discussed the challenges and alternative options and policy approaches. It was explained that Officers would provide help and support to Members within the resources available.
8. It was explained that given the large amount of work to consider, and the need for Members to have an opportunity to properly scrutinise the draft development strategy and settlement policies, the agenda items proposed for the District Planning Executive Panel on 3<sup>rd</sup> December would be split across two panel meetings, with a further panel meeting scheduled for 16<sup>th</sup> January 2014.

## Essential Reference Paper 'B'

9. There was discussion around the responsibilities of the District Council and the role of District Members. Cllr Carver explained that Members would need to understand the process and requirements in order to be able to explain the draft Plan to their local communities. It was acknowledged that Members would inevitably come under local pressure, but that as District Councillors it was very important to understand the District-wide significance of getting a sound plan in place with endorsement from the Planning Inspectorate.
10. Cllr Carver concluded the session by requesting that Members keep the contents of the day confidential until they could be presented through the proper channels in the near future. There would be plenty of opportunity for public discussion and scrutiny through the forthcoming series of meetings of the District Planning Executive Panel, Executive, and Full Council prior to public consultation.
11. Early leaks of material through other channels would introduce a high risk that third parties would misunderstand or misinterpret the emerging plan without the full supporting context and benefit of the presentations. It would also put significant pressure on Officers at a very busy time.
12. Members thanked the guest speakers from PAS and ATLAS and Officers organising the event.

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**Draft District Plan – Meeting Schedule**

All meeting and events are evening sessions. Invitations to the private events will be sent all Members.

<b>Date</b>	<b>Meeting</b>	<b>Meeting Type</b>	<b>Content</b>
Monday 18 <sup>th</sup> November 2013	District Planning Executive Panel	Public	Update Report Older People's Study Draft District Plan – Topic-Based Policies
Monday 9 <sup>th</sup> December 2013	Executive	Public	As above
Wednesday 11 <sup>th</sup> December 2013	Full Council	Public	As above
Thursday 28 <sup>th</sup> November 2013	Member Event	Private	Presentation of the draft development strategy and settlement policies
Tuesday 3 <sup>rd</sup> December 2013	District Planning Executive Panel	Public	Duty to Co-Operate Update Report Transport Update Green Belt Review Chapter 6 – Supporting Document Local Development Scheme
Monday 9 <sup>th</sup> December 2013	Executive	Public	As above

## Essential Reference Paper 'C'

<b>Date</b>	<b>Meeting</b>	<b>Meeting Type</b>	<b>Content</b>
Wednesday 11 <sup>th</sup> December 2013	Full Council	Public	As above
Thursday 9 <sup>th</sup> January 2013	Member Briefing	Private	Final preparation for Panel on 16 <sup>th</sup> January 2013
Thursday 16 <sup>th</sup> January 2014	District Planning Executive Panel	Public	Infrastructure Topic Paper Sustainability Appraisal Draft District Plan – Development Strategy and Settlement Policies
Tuesday 21 <sup>st</sup> January 2014	Special Executive	Public	As above
Wednesday 29 <sup>th</sup> January 2014	Full Council	Public	As above

Public consultation (12 weeks) to run mid-February - mid-May 2014

EAST HERTS COUNCIL

DISTRICT PLANNING EXECUTIVE PANEL – 18 NOVEMBER 2013

REPORT BY EXECUTIVE MEMBER FOR STRATEGIC PLANNING AND TRANSPORT

DISTRICT PLAN TOPIC-BASED POLICIES REPORT (OCTOBER 2013)

WARD(S) AFFECTED: ALL

**Purpose/Summary of Report**

- This report presents 12 chapters of the Draft District Plan, which contain a series of policies with supporting text organised by topic, such as housing, natural environment and heritage. These topic-based policy chapters effectively make up the second half of the District Plan, and are those most commonly used by Development Management in the determination of planning applications. This report seeks endorsement of these policies for their inclusion within the Draft East Herts District Plan for Consultation purposes.

**RECOMMENDATIONS FOR DISTRICT PLANNING EXECUTIVE PANEL AND EXECUTIVE: that:**

<b>(A)</b>	<b>the topic-based policies be supported for inclusion in the Draft East Herts District Plan for consultation purposes; and</b>
<b>(B)</b>	<b>the Head of Planning and Building Control, in consultation with the Executive Member for Strategic Planning and Transport, be authorised to make non-material, and typographical corrections to the topic based policies, prior to inclusion in the District Plan for consultation purposes.</b>

**RECOMMENDATIONS FOR COUNCIL: that:**

<b>(A)</b>	<b>the topic-based policies be agreed for inclusion in the Draft East Herts District Plan for consultation purposes; and</b>
<b>(B)</b>	<b>the Head of Planning and Building Control, in consultation with the Executive Member for Strategic Planning and Transport, be authorised to make non-material, and typographical corrections to the topic based policies, prior to inclusion in the District Plan for consultation purposes.</b>

## 1.0 Background

1.1 The emerging Draft East Herts District Plan will contain details on the preferred development strategy for the district (and settlement-specific policies for each town or location of potential development). In order to ensure the strategy for the District is achieved, specific policies are required which contain more detail and guidance on the proposed approaches to key issues. For example, the development strategy policies will set out an overall number of dwellings that will be required throughout the Plan period; while the housing topic policies will describe what proportion of those new dwellings should be affordable homes, or those designed to meet specific needs such as for older people and vulnerable groups for example. These matters of detail are necessary for applicants to understand the approach the Council will take before they prepare proposals; it provides more certainty on some matters, and details where there may be more flexibility on others.

## 2.0 Report

2.1 The policies presented in Essential Reference Paper B are based upon a series of topics that have been developed through the on-going sieving process as presented to the Panel over the last few years. These topics reflect the issues raised in previous public consultation exercises. They also reflect the framework of topics established in the Sustainability Appraisal Scoping Report (2010). The Topic chapters are as follows:

- Housing
- Economy
- Retail and Town Centres
- Design
- Transport
- Community Facilities, Sport and Recreation
- Natural Environment
- Landscape
- Heritage
- Climate Change
- Water
- Environmental Quality

2.2 The Planning Policy Team has been working with colleagues in the Development Management department and other

departments within the Council to prepare policies to guide development and to use in the determination of planning applications. It is intended that these policies form the second half of the Draft District Plan.

- 2.3 Where appropriate, officers have worked with external partners such the Environment Agency, Natural England, Sport England and other more local experts such the Herts and Middlesex Wildlife Trust to ensure the draft policies are fit for purpose and reflect changing national guidance and best practice approaches where available.
- 2.4 As part of the drafting process, officers have been meeting with a Member Working Group of 15 Members to discuss the draft policies and make amendments where necessary. This process has been very helpful for Members to understand the technical details and evidence behind each policy, and for officers to understand local concerns. Matters of consistency or clarification have been discussed in great detail to ensure that the supporting text and the policies themselves are easy to read and easy to understand.
- 2.5 At each stage, Members were given the opportunity to provide feedback, which has been documented throughout the process. All Members were emailed copies of the draft topic-based policies on 8<sup>th</sup> October 2013, with a deadline for comments being Monday 21<sup>st</sup> October. Two Members responded and their comments have been worked into the drafts presented in **Essential Reference Paper 'B'**.
- 2.6 There has been a further process of checking internally to ensure that cross-references are correct, or to make additional signposts to other policy topic areas where necessary to aid navigation around the document. In the process of drafting the development strategy and settlement-specific policies, further amendments have been made to the draft policies to ensure they are user-friendly, comprehensive and fit-for-purpose. The chapters presented in **Essential Reference Paper 'B'** are 'clean' versions.
- 2.7 As part of the Sustainability Appraisal (SA) process, the policies are assessed against the District Plan objectives and the SA Framework (as presented in the SA Scoping Report of 2010). This is an important process as the policies are the mechanism by which the development strategy and the strategic objectives of the District Plan are achieved. The SA of the Plan as a whole will be presented alongside the Draft District Plan early next year.

- 2.8 Subject to their endorsement by the Panel, Executive and Council, officers would like to undertake a further period of testing of the policies through their application to real applications in parallel to the existing Local Plan 2007 policies. This would enable both Policy and Development Management officers to trial their use and to make amendments where necessary before their inclusion in the submission of the District Plan.
- 2.9 It should be noted that policies will continue to evolve as a result of further technical work, such as on Gypsies, Travellers and Travelling Showpeople, and an updated Open Space for Sport and Recreation Assessment, for example. There are also instances where references will need to be added which cross-reference to the first half of the Plan. In addition to the policies included in ERP'B', there will be new policies on 'Delivery' along with the Development Strategy and settlement-specific policies presented to Members at the Panel on 16 January 2014.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

#### Background Papers

None

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	<p><b>People</b> This priority focuses on enhancing the quality of life, health and wellbeing, particularly for those who are vulnerable, and delivering strong services</p> <p><b>Place</b> This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p><b>Prosperity</b> This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic opportunities and delivering cost effective services.</p>
Consultation:	A series of internal Member workshops, collaboration with Development Management and some external partners.
Legal:	Policies need to be robust in order to be used in the determination of planning applications. Policies that are not robust could lead to the Council being challenged and the Plan being undermined through the appeal process.
Financial:	Policies need to be robust in order to be used in the determination of planning applications. Policies that are not robust could lead to the Council being challenged and at risk of costs being awarded to appellants through the appeal process.
Human Resource:	None other than existing staff resources.
Risk Management:	In order to be found sound at examination, it is essential that the District Plan contains policies which are robust and supported by evidence. The policies have been drafted in collaboration with stakeholders to ensure they do not conflict with National policy or best practice.

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## Part 2 - Topic Policies

11  
Housing

## 11 Housing

### 11.1 Introduction

- 11.1.1** A key objective of the District Plan seeks to ensure that new housing is accessible to, and meets the needs and aspirations of, the district's communities. The Council also recognises that everyone should be given the opportunity to access a decent home, which they can afford and is in a community where they want to live. The Plan can contribute to achieving these objectives by planning for a sufficient quantity, quality and type of housing in the right locations, taking account of need and demand and seeking to improve choice.
- 11.1.2** This chapter sets out the Council's approach to addressing the need for different types of housing within the district up to 2031. It includes policies relating to the type, mix and density of new housing, affordable housing, and Gypsies, Travellers and Travelling Showpeople housing requirements.

### 11.2 Type and Mix of Housing

- 11.2.1** A key aspect of creating sustainable mixed communities is maintaining a variety of housing, particularly in terms of tenure and price, and a mixture of different households such as families with children, single person households and older people.
- 11.2.2** Developers are encouraged to discuss with the Council the appropriate mix of house size, type and tenure within any new housing development at an early stage in the pre-application process. Requirements will be informed by the following, along with any additional up-to-date evidence:
- The Strategic Housing Market Assessment (SHMA) and Older People's Housing Requirements Technical Study;
  - The latest East Herts Housing Strategy;
  - Local demographic context and trends;
  - Local housing need and demand;
  - Site issues and design considerations.
- 11.2.3** The SHMA Update (March 2013) identifies dwelling requirements by tenure and size mix. Based on Figure 41 in the SHMA the following tenure/size mix proportions are identified for the District Plan period.

**Table 11.1 Tenure/Size Mix Proportions (%) 2011-2031**

Housing Type	1 bedroom	2 bedroom	3 bedroom	4 bedroom	5+ bedroom
All	17%	27%	40%	13%	3%
Market	5%	11%	55%	24%	5%

Housing Type	1 bedroom	2 bedroom	3 bedroom	4 bedroom	5+ bedroom
All Affordable	29%	44%	25%	2%	0%
Intermediate Affordable Housing/Shared Ownership	22%	51%	25%	2%	0%
Social Rented/Affordable Rented	41%	31%	25%	3%	0%

The Strategic Housing Market Assessment can be viewed and downloaded from the Council's Website at: [www.eastherts.gov.uk/shma](http://www.eastherts.gov.uk/shma)

The London Commuter Belt (East) Sub-Region: Older People's Housing Requirements Study: October 2013, can be viewed and downloaded from the Council's Website at: [www.eastherts.gov.uk/olderpeoplestudy](http://www.eastherts.gov.uk/olderpeoplestudy)

The Council's Housing Strategy can be viewed and downloaded from the Council's Website at: [www.eastherts.gov.uk/housing](http://www.eastherts.gov.uk/housing)

**11.2.4** Another key issue for East Herts is its ageing population. This is expected to grow dramatically over the next twenty years. Our ageing society therefore poses a significant challenge. Proposals which include an element of 'Lifetime Homes' will help to ensure enough appropriate housing is available in the future. The Lifetime Homes Standard has been developed to support the construction of flexible, adaptable and accessible homes that can respond to the changing needs of individuals and families at different stages of life at minimal cost. Providing a range of house types including bungalows and accessible apartments will enable greater choice for those who need single floor accommodation.

### HOU1 Type and Mix of Housing

I. On new housing developments of 5 or more gross additional dwellings, an appropriate mix of housing tenures, types and sizes will be expected in order to create mixed and balanced communities appropriate to local character and in accordance with the latest Strategic Housing Market Assessment.

II. Affordable Housing should be provided in accordance with Policy HOU3 (Affordable Housing).



III. In order to encourage new homes that are readily adaptable to meet the changing needs of occupants, and to support independent living, at least 15% of all new dwellings are expected to be constructed to 'Lifetime Homes' standards.

IV. Provision of specialist housing will be encouraged for older people and vulnerable groups across all tenures on suitable sites in appropriate and sustainable locations in accordance with Policy HOU6 (Housing for Older and Vulnerable People).

V. Provision of specialist accommodation will be expected for Gypsies and Travellers and Travelling Showpeople, in appropriate and sustainable locations in accordance with Policy HOU7 (Gypsies and Travellers and Travelling Showpeople).

### 11.3 Housing Density

- 11.3.1** Housing density is a measure of the amount of land used for development and is usually expressed as dwellings per hectare (dph). Higher densities allow land to be used more efficiently (i.e. less land is required for development) and are considered to be more sustainable. However, since higher density development is usually associated with flats and taller buildings, the impact of increasing densities on character must be considered.
- 11.3.2** The NPPF allows local planning authorities to set their own approach to housing density. The density of housing varies across the district, and between different sites. Factors affecting density include on-site constraints, the type of development proposed and the level of transport accessibility. Higher densities may be appropriate in and around town centre locations where services are supported, public transport is likely to be better and urban form is dense. Lower densities may be appropriate in established suburban areas, in villages, in areas with an open character or on the edge of settlements.
- 11.3.3** The Council will expect all housing schemes to propose densities which are sensitive to the character of the local area, and take account of on-site constraints and the level of local transport accessibility and parking. At the same time, applicants should also have regard to making efficient use of land, as this can help to reduce the amount of building on greenfield sites. Major schemes should include a range of housing density areas, to ensure varied character and appearance.
- 11.3.4** The density standards used in Policy HOU2 refer to average net density. This is a normal way of expressing residential density and includes those areas which will be developed for housing and directly associated uses such as access roads within the site, private garden space, car parking, incidental open space and landscaping, and children's play areas.

## HOU2 Housing Density

I. Housing development should make efficient use of land. Proposals are required to demonstrate how the density of new development has been informed by the character of the local area and contributes to:

- (a) The design objectives set out in Policy DES1 (Local Character and Amenity);
- (b) Improving the mix of house types in accordance with Policy HOU1 (Type and Mix of Housing);
- (c) Providing adequate levels of public open space in accordance with Policy CFLR2 (Open Space Standards); and
- (d) Retaining existing site features, including mature trees, shrubs, hedgerows and amenity areas, and make provision for new green infrastructure in accordance with Policy NE3 (Green Infrastructure).

II. Subject to the above, densities will vary according to the relative accessibility and character of locations. Higher average net densities (30+ dph) will be favourably considered on central sites in or near town centres.

III. Medium average net densities (30 dph) will normally be appropriate for sites that are in more peripheral locations within and on the edge of these settlements.

IV. In villages and for some other locations lower average net densities (less than 30 dph) may be more appropriate to respond to local character and context.

## 11.4 Affordability and the Housing Market

**11.4.1** The location of East Herts on the periphery of London means that the affordability of housing is a key issue.

**11.4.2** The NPPF defines affordable housing as 'social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market'.

**11.4.3** There is a significant need for additional affordable housing within East Herts as set out in the latest Strategic Housing Market Assessment (SHMA). Using the 'Trend Based Projections' the SHMA Update (March 2013) at Figure 39, has identified for the District Plan period, a housing requirement tenure mix of:

- Market Housing: 51%
- Intermediate Affordable Housing/Shared Ownership: 32%
- Social Rented/Affordable Rented: 17%

- 11.4.4** The SHMA has, therefore, identified a total affordable housing requirement of 49% of all housing provision. In terms of the affordable housing element, it shows a tenure mix of 66% intermediate/shared ownership and 34% social/affordable rented. This finding, which is projected over the plan period, is different to that which the Council currently seeks of 75% social/affordable rented and 25% intermediate/shared ownership.
- 11.4.5** Since the SHMA was updated, a number of the affordable housing products have either been refined or are not being developed by Registered Providers (housing associations) in East Herts. The intermediate affordable products being developed by Registered Providers, have been reduced down to one, which is shared ownership and is offered to any resident that qualifies and can afford to purchase. The previous intermediate rent product, that was set at 80% of market rent and offered on an assured short hold tenancy, is no longer being developed and has become part of the affordable rent products, let through the Council's Housing Register, on either lifetime or fixed term tenancies and is, therefore, comparable to social rent. There are currently no new properties being developed that are specifically for key workers or offered on an intermediate rent outside the Council's Housing Register.
- 11.4.6** The District Council secures the majority of affordable housing that is built in the district by requiring developers to provide affordable dwellings as part of open market housing developments (through Section 106 Agreements). Affordable housing is also delivered by Registered Providers (i.e. housing associations) on sites owned and/or developed by them, and on 'exception sites' as set out in Policy HOU4 below.
- 11.4.7** The Council recognises that the level of affordable housing provision set out in Policy HOU3 is less than the 49% indicated in the SHMA, and that as a consequence is insufficient to meet local need. Policy HOU3 sets out the percentage of affordable housing that the Council will expect to secure. This has been informed by development viability assessments. The aim is to maximise affordable housing provision and the viability assessments demonstrate that the targets of 30% and 40% as required in Policy HOU3, are viable for most developments in most locations across the district, and can realistically be achieved without constraining overall delivery of housing.

The East Herts Viability Assessment (2012) can be viewed and downloaded from the Council's Website at: [www.eastherts.gov.uk/viabilitystudy](http://www.eastherts.gov.uk/viabilitystudy)

- 11.4.8** Due to the continuing demonstrable pressing need for social and affordable rented housing, priority will be given to this tenure over intermediate/shared ownership. In this way those in most need of affordable housing continue to be given priority. There is also a case that in order to continue creating mixed and balanced communities, affordable housing tenures on larger sites should reflect a more balanced mix.
- 11.4.9** Policy HOU3, therefore, sets out that on:

- small to medium sized sites, proposing between 5 and 199 dwellings, the affordable housing will be expected to be provided with a tenure mix of 75% social/affordable rented and 25% intermediate/shared ownership.
- large sites proposing 200 and more dwellings, the affordable housing will be expected to be provided with a tenure mix of 60% social/affordable rented and 40% intermediate/shared ownership.

**11.4.10** The requirement for affordable housing extends to all types of residential development, including specialist accommodation, such as sheltered or ‘extra care’ housing for older people. Where such schemes provide accommodation that is self contained and fall within the Use Class C3 (Dwelling Houses), affordable housing will be expected in accordance with Policy HOU3. Proposals which fall within the Use Class C2 (Residential Institutions), such as residential care and nursing homes, and do not provide self contained accommodation or support independent living, will not be expected to contribute to the provision of affordable housing.

**11.4.11** The Council recognises that in some cases there may be abnormal development costs which need to be considered. Applicants seeking to justify a lower proportion of affordable housing will be required to demonstrate why it is not economically viable to provide such housing in accordance with Policy HOU3.

**11.4.12** Policy HOU3 states that the Council will seek affordable housing on developments of 5 or more dwellings, or the related site size. It is considered that this is a realistic threshold, which enables the delivery of affordable housing and does not prevent the delivery of smaller housing sites within the district.

**11.4.13** Where the affordable housing policy would result in the requirement relating to part of a dwelling, the calculation will be rounded upwards for 0.5+ and downwards for less than 0.5. Where development involves the demolition of existing properties the amount of affordable housing will be calculated on the gross number of new dwellings to be provided.

**11.4.14** In general affordable housing should be provided on the application site. Wherever possible, the affordable houses should be integrated within the scheme through ‘pepper-potting’ rather than concentrated in a particular area unless site specific considerations dictate otherwise. This does not necessarily mean that every second or third property should be affordable; rather the affordable housing should be distributed evenly across the entire site, as this ensures the best prospect of securing mixed, inclusive communities. The design and appearance of affordable housing should be indistinguishable from market units. Further guidance on ‘pepper-potting’ and the Council’s approach to affordable housing is set out in the Council’s ‘Affordable Housing and Lifetime Homes’ (2008) Supplementary Planning Document (or as amended).

The Affordable Housing and Lifetime Homes' (2008) Supplementary Planning Document can be viewed and downloaded at [www.eastherts.gov.uk/affordablehousing](http://www.eastherts.gov.uk/affordablehousing)

- 11.4.15** Off-site provision or financial contributions in lieu will only be accepted in exceptional circumstances where agreed with the District Council. Applicants proposing off-site provision or financial contributions in lieu will be expected to provide justification as part of a planning application.

### HOU3 Affordable Housing

I. Affordable housing provision will be expected with all Class C3 (Dwelling House) developments as follows:

- (a) up to 30% on sites proposing 5 to 14 gross additional dwellings, or between 0.17 and 0.49 hectares in size;
- (b) up to 40% on sites proposing 15 or more gross additional dwellings, or 0.5 hectares or more in size.

II. In order to continue creating mixed and balanced communities, affordable housing will be expected to be provided on the following tenure mix basis on sites proposing:

- (a) 5 to 199 gross additional dwellings: 75% social/affordable rented and 25% intermediate/shared ownership;
- (b) 200 or more gross additional dwellings: 60% social/affordable rented and 40% intermediate/shared ownership.

III. Lower provision may be permitted if it is demonstrated that the 30% and 40%, as appropriate referred to in I (a) and (b) above, cannot be achieved due to viability reasons or where it would prejudice the need to secure other infrastructure priorities.

IV. Applicants seeking to justify a lower percentage level of affordable housing and/or different tenure mix, to that referred to in I (a) and (b) and II (a) and (b) above, will be required to provide a financial viability assessment as part of the planning application. Where agreement is not reached, external independent consultants, agreed by both the Council and applicant, will be appointed by the developer, to undertake further independent viability assessment. The applicant will be required to meet the costs of this independent assessment.

V. Affordable housing should normally be provided on site, apart from in exceptional circumstances when agreed with the District Council. Applicants will be required to provide justification as part of the planning application setting out the need for off-site provision or financial contributions in lieu to be made.

VI. The affordable housing units should be integrated into the open market housing development using appropriate design methods, i.e. tenure blind.

VII. To secure the benefits of affordable housing for first and subsequent occupiers, such affordable housing will be retained as affordable by means of an appropriate legal agreement with the Council, or the subsidy will be recycled for alternative affordable housing provision.

## 11.5 Special Residential Uses

**11.5.1** Applications for planning permission are sometimes received by the Council for a number of special residential uses, such as caravans, mobile homes, houseboats, and other residential institutions. All of these uses will be considered as though they were for a normal residential building and the policies relating to residential development will apply.

## 11.6 Rural Exception Sites

**11.6.1** An exception site is one that would not usually secure planning permission for housing, for example agricultural land next to but not within, a local settlement area.

**11.6.2** It is important that rural exception affordable housing schemes are needs led, the starting point being that a need for affordable housing exists in the parish, rather than the availability of a particular site. Proposed developments must be based on sound evidence of affordable housing need and must fulfil the criteria as stated in the policy below.

**11.6.3** The ability of the proposed scheme to meet identified local affordable housing needs must be clearly demonstrated to the satisfaction of the District Council. This will be assessed using the Council's Housing Register and other available up-to-date housing needs assessments. It should also be demonstrated that the proposal is financially viable and deliverable.

**11.6.4** Given that housing permitted through this policy is an exception to normal countryside policies, it is important that it remains 'affordable' in perpetuity. Only tenures which can be guaranteed to remain affordable in the long term will be permitted in such schemes.

**11.6.5** Localism will have an increasingly important influence on the shape of smaller rural settlements and the balance of rural housing stock. Parish Councils will be encouraged to identify sites in Neighbourhood Plans suitable for community-led affordable housing, including rural exception affordable housing sites which meet the criteria set out in the policy below.



### HOU4 Rural Exception Affordable Housing Sites

I. Proposals for rural exception affordable housing schemes, on sites that would not normally be acceptable for general housing development, may be permitted, subject to the following criteria:

- (a) The exception site is adjacent to an existing built-up area boundary, or is well related to existing residential development and amenities located in, or adjacent to, a clearly identifiable village or settlement;
- (b) The proposed development will contribute towards meeting an identified need for affordable housing within the parish; and
- (c) The proposed development would be appropriate to the settlement and area in which it is proposed to be located in terms of scale, form and character.

II. The District Council will base its assessment of identified housing need on the Housing Register and other available up-to-date housing needs assessments.

III. Where permission is granted this will be subject to planning obligations and will include safeguards that the scheme provides for the identified local affordable housing need and will continue to do so in perpetuity.

## 11.7 Dwellings for Rural Workers

- 11.7.1** The accommodation needs of rural workers employed full-time in agriculture, forestry and other rural business can usually be met in existing properties either on the site or in nearby settlements. Occasionally it is essential for a worker to be in close proximity to the business and there is no suitable accommodation available nearby, for example, where animal or agricultural processes require essential care at short notice. These special circumstances may justify the construction of new dwellings in the countryside to meet these needs providing the financial and functional criteria in Policy HOU5 below are satisfied. Genuine essential need, rather than business convenience, must be justified.
- 11.7.2** Applications will be assessed taking account of the history of the enterprise, in order to establish whether existing dwellings within the site/holding or nearby could fulfil the need, or whether any dwellings or buildings suitable for conversion have been sold on the open housing market. Such a sale is likely to constitute lack of evidence of essential need.
- 11.7.3** New permanent dwellings can only be justified if the enterprise to which they relate is economically viable. For this reason, details of the financial situation of the business will be required.

- 11.7.4** Where planning permission is granted for a new dwelling on this basis, suitable occupancy conditions will be imposed. Proposals to remove an occupancy condition will only be considered on the basis of whether the need remains for the accommodation for other rural workers. This will involve marketing the property for a period of at least 12 months at a realistic price to reflect the occupancy condition. As part of this approach applicants will also need to demonstrate that the building cannot contribute to meeting local affordable housing needs in the area.

## **HOU5 Dwellings for Rural Workers**

I. The District Council will only permit permanent dwellings for agriculture, forestry and other rural businesses where:

- (a) It can be demonstrated that the dwelling is essential to the needs of the business (i.e. there is a need for one or more workers to be available at most times);
- (b) It can be demonstrated that the enterprise has been established for at least three years and is, and should remain financially viable;
- (c) There is no other accommodation within the site/holding or in the locality which is currently suitable and available, or could be made available.

II. The proposed dwelling must be sensitively designed and in keeping with its rural surroundings.

III. Where a new dwelling is permitted, the occupancy will be restricted by condition to ensure that it is occupied by a person or persons currently employed in agriculture, forestry or other rural business.

IV. Applications for the removal of an occupancy condition related to rural workers will only be permitted in exceptional circumstances where it can be demonstrated that:

- (a) There is no longer a need for the accommodation on the holding/business and in the local area;
- (b) The dwelling has been marketed for a reasonable period (at least 12 months) and at a price which reflects the existence of the occupancy condition;
- (c) The dwelling cannot make a contribution towards meeting local affordable housing needs in the area.

## **11.8 Housing for Older and Vulnerable People**

- 11.8.1** National policy requires local authorities to meet the specific accommodation needs of older and vulnerable people. It is important that the Council, working with partners such as the County Council, Registered Providers, health care agencies, and



developers, seeks to plan for increasing housing choices in terms of specialist accommodation, and appropriate dwellings that are in locations close to sustainable transport options and other key local services. In addition, offering attractive alternative housing choices for older people and vulnerable groups will assist in freeing-up family sized homes that are currently under-occupied.

- 11.8.2** There is, therefore, a need in the district to provide suitable accommodation for various groups of people, including the elderly, people with disabilities and vulnerable people.
- 11.8.3** Accommodation for the elderly is moving towards more flexible forms of living and support which seek to maintain their independence. There are several options where residents can enjoy their own self contained home within a site offering extra facilities. These include retirement homes, and ‘extra care’ housing, where varying levels of care and support are provided within the home. Other forms of accommodation include residential care or nursing homes.
- 11.8.4** Residential care accommodation should normally be located within settlements where there is easy access to a range of services e.g. shops, healthcare and social facilities.

### **HOU6 Housing for Older and Vulnerable People**

I. Proposals for new housing for older and vulnerable people will be expected to:

- (a) Offer a flexible approach, incorporating ‘Lifetime Homes’ standards and be capable of being readily adapted to meet the needs of those with disabilities and the elderly. A percentage of new specialist accommodation will be expected to be fully wheelchair accessible;
- (b) Provide a range of accommodation size, tenure and type with the opportunity to attain additional or specialist care as needed within the one development.

II. Such proposals will be expected to be:

- (a) In a suitable location where access to a choice of sustainable travel options is available;
- (b) Within walking distance, on a safe and level route or within easy reach by passenger transport, to town centre shops and services;
- (c) Well integrated with existing communities through the sharing of space and public access to services;
- (d) Of a non-institutional, safe and stimulating design, which meets not only the needs of its future residents but also the staff who work there and the visitors who may use it as a community resource.

## 11.9 Gypsies and Travellers and Travelling Showpeople

- 11.9.1** In addition to meeting the needs of the settled population, national policy requires that local planning authorities make provision for Gypsies and Travellers and Travelling Showpeople, within their local plans by setting respective pitch and plot targets to meet likely permanent and transit site accommodation needs in their area. Guidance is clear that Plans are likely to be found unsound if proper provision, which should be based on robust evidence of local need, is not made.

The national approach to planning for the needs of Gypsies and Travellers and Travelling Showpeople is set out in 'Planning policy for traveller sites' DCLG, March 2012. This can be viewed and downloaded from the Government's publications Website at: [www.gov.uk/government/publications/planning-policy-for-traveller-sites](http://www.gov.uk/government/publications/planning-policy-for-traveller-sites).

A definition of Gypsies and Travellers and Travelling Showpeople is contained in Annex 1 of this document.

- 11.9.2** Criteria based policies are also required to both guide land supply allocations and provide a basis for determining planning applications.
- 11.9.3** There are currently three authorised private Gypsy and Traveller sites in East Herts:
- Nine Acres, High Cross: 2 pitches (with planning permission for an additional 6 pitches);
  - Field Farm, Levens Green: 4 pitches (with planning permission for an additional 1 pitch); and
  - The Stables, Bayfordbury: 6 pitches.
- 11.9.4** There is currently one authorised private Travelling Showpeople's site (yard) in East Herts:
- Rye House.
- 11.9.5** The Gypsies and Travellers and Travelling Showpeople Accommodation Needs Assessment, 201x, identified that xx permanent pitches and xx transit pitches for Gypsies and Travellers and xx plots for Travelling Showpeople should be provided in the district for the period up to 201x with a further xx permanent pitches and xx transit pitches for Gypsies and Travellers and xx plots for Travelling Showpeople for the period from 201x up to 20xx.
- 11.9.6** The Gypsies and Travellers Identification of Potential Sites Study, 201x, made recommendations on locations within which the need identified in the Gypsies and Travellers and Travelling Showpeople's Accommodation Needs Assessment could be met.

### HOU7 Gypsies and Travellers and Travelling Showpeople

I. To meet the identified need, xx pitches for Gypsies and Travellers and xx plots for Travelling Showpeople will be provided within the district at the following locations:

*Dependent on outcome of two shortly to be commissioned studies: Gypsies and Travellers and Travelling Showpeople Accommodation Needs Assessment, and Gypsies and Travellers and Travelling Showpeople Identification of Potential Sites Study.*

*To be shown in form of table with phasing.*

II. In order to identify exact locations within the areas allocated to meet the accommodation needs of Gypsies and Travellers and Travelling Showpeople listed above, and to assess suitability where planning applications are submitted for non-allocated sites, the following criteria should be satisfied:

- (a) the site is in a sustainable location in terms of accessibility to existing local services;
- (b) the site is suitable in terms of vehicular access to the highway, parking, turning, road safety and servicing arrangements and has access to essential services such as water supply, sewerage, drainage, and waste disposal;
- (c) proposals make adequate provision for on site facilities for storage, play, residential amenity and sufficient on-site utility services for the number of pitches proposed;
- (d) the proposal is well related to the size and location of the site and respects the scale of the nearest settled community;
- (e) the site can be integrated into the local area to allow for successful co-existence between the site and the settled community;
- (f) proposals provide for satisfactory residential amenity both within the site and with neighbouring occupiers and thereby do not detrimentally affect the amenity of local residents by reason of on site business activities, noise, disturbance, or loss of privacy;
- (g) proposals ensure that the occupation and use of the site would not cause undue harm to the visual amenity and character of the area and should be capable of being assimilated into the surrounding landscape without significant adverse effect;
- (h) the site is not affected by environmental hazards that may affect the residents' health or welfare or be located in an area of high risk of flooding, including functional floodplains;
- (i) within nationally recognised designations, proposals would not compromise the objectives of the designation.

III. Proposals for sites accommodating Travelling Showpeople should allow for a mixed use yard with areas for residential provision and the storage and maintenance of equipment. All other proposals for mixed residential and business activities will be assessed on a site specific basis, taking the above criteria into account.

IV. New traveller sites (whether temporary or permanent) in the Green Belt are inappropriate development and will not be approved except in very special circumstances.

V. Any development granted under this policy will be subject to a condition limiting occupation to Gypsies and Travellers or Travelling Showpeople, as appropriate.

VI. Existing authorised sites for Gypsies and Travellers and Travelling Showpeople will be safeguarded from development which would preclude their continued occupation by these groups, unless acceptable replacement accommodation can be provided or the site is no longer required to meet an identified need.

## 11.10 Replacement Buildings in the Green Belt and the Rural Area Beyond the Green Belt

**11.10.1** The replacement of buildings on a one-to one basis can be a means of securing more functional buildings to meet present and future needs. The Council is anxious that the character of the district is maintained. Proposals for a replacement building should be in the same use and not be materially larger than the one it replaces.

**11.10.2** The Council may control the further extension of replacement buildings by the removal of permitted development rights.

### **HOU8 Replacement Dwellings in the Green Belt and Rural Area Beyond the Green Belt**

Replacement buildings on a one-for one basis, in the Green Belt and Rural Area Beyond the Green Belt, may be permitted provided the new building:

(a) is in the same use;

(b) is not more visually intrusive or harmful to the openness of the site and its surroundings than the one it replaces;

(c) is designed in accordance with Policy DES1 (Local Character and Amenity) and does not conflict with other policies in this Plan.

## 11.11 Extensions and Alterations to Dwellings and Residential Outbuildings

- 11.11.1** A large number of the planning applications received by the District Council relate to extensions to dwellings. In an area as large and diverse as East Hertfordshire, it is not possible to provide precise standards relevant to every case, but the policies below set out the principles and criteria by which proposals will be judged.
- 11.11.2** The Council will expect all proposals for extensions and alterations to dwellings and residential outbuildings to be of a high standard of design that is appropriate to the character and appearance of the dwelling and the surrounding area. All householder development proposals should be sensitively designed to ensure that they would not have an unacceptable impact upon the amenities of the occupiers of the existing dwelling and any neighbouring dwellings. In particular the Council will assess proposals having regard to any loss of light, privacy and outlook and overbearing impacts that the development could have upon existing and future occupiers of the host dwelling and adjoining dwellings. In addition to the policies below, applications for extensions will also be considered against Policy DES1 (Local Character and Amenity) where appropriate.
- 11.11.3** Within the Green Belt and Rural Area Beyond the Green Belt, the Council is concerned about the specific effect extensions and outbuildings may have on the character and appearance of an existing dwelling, the site and surrounding area. Whilst extensions to dwellings or the erection of outbuildings are not in principle inappropriate development, they should not result in disproportionate additions over and above the size of the original dwelling; the Council is also concerned with the cumulative impact of development in the countryside.

### HOU9 Extensions to Dwellings

I. Planning permission will be granted for extensions to existing dwellings, provided that the character and appearance of the dwelling and surrounding area, and the amenities of the current and future occupiers of the dwelling and any adjoining dwellings would not be significantly affected to their detriment.

II. Within the Green Belt and Rural Area Beyond the Green Belt in addition to the above, planning permission will be granted for extensions to existing dwellings provided that they do not result in disproportionate additions over and above the size of the original dwelling (including existing outbuildings) nor intrude into the openness of the site and the surrounding area.

III. All proposals will be considered against the criteria set out in Policy HOU10 (Extensions and Alterations to Dwellings and their Curtilage).

## **HOU10 Extensions and Alterations to Dwellings and their Curtilage**

Proposals for extensions and alterations to dwellings and works within their curtilage will be considered in accordance with Policy HOU9 (Extensions to Dwellings) and against the following criteria:

(a) proposed extensions or alterations to dwellings should be of a size, scale, mass, form, siting, design and materials of construction that are appropriate to the character, appearance and setting of the existing dwelling and/or the surrounding area, and extensions should generally appear as a subservient addition to the dwelling;

(b) side extensions at first floor level or above should ensure appropriate space is left between the flank wall of the extension and the common curtilage with a neighbouring property (as a general rule a space of 1 metre will be the minimum acceptable), to safeguard the character and appearance of the street scene and prevent a visually damaging 'terracing' effect;

(c) flat roofed extensions, except those on the ground floor, will be refused as visually undesirable other than in those exceptional circumstances where the character of the original dwelling allows a flat-roofed design to be appropriately incorporated;

(d) roof dormers may be acceptable if appropriate to the design and character of the original dwelling and its surroundings. Dormers should generally be of limited extent and modest proportions, so as not to dominate the existing roof form.

## **HOU11 Residential Outbuildings**

Proposals for residential outbuildings or extensions to existing outbuildings will be considered against the following criteria:

(a) Where located within the Green Belt and Rural Area Beyond the Green Belt, proposals for residential outbuildings should not result in disproportionate additions over and above the size of the original dwelling (including existing outbuildings) nor intrude into the openness of the site and the surrounding area;

(b) Be of an appropriate size, scale, mass, form, siting, design and materials of construction such that the character and appearance of the site and its surroundings, and the amenities of the current and future occupiers of the dwelling and any adjoining dwellings would not be significantly affected to their detriment.

## 11.12 Change of Use of Land to Residential Garden and Enclosure of Amenity Land

- 11.12.1** The Council seeks to ensure that changes of use of land to residential garden do not result in harmful incursions into the countryside that would have an adverse effect on the character and appearance of rural landscapes. The residential use of rural land can have adverse effects on the character of the countryside from, for example, the erection of fences, garden sheds and other domestic paraphernalia.
- 11.12.2** In urban areas, the extension of private gardens involving the enclosure of amenity land/open space/landscaped areas around housing development might have a detrimental affect on the appearance of an area. Consideration will need to be given to whether proposals to enclose such land would be harmful to the character, appearance, design and layout of the development.

### HOU12 Change of Use of Land to Residential Garden and Enclosure of Amenity Land

I. The change of use of land to residential garden may be permitted if the proposal:

- (a) Is not likely to result in an adverse effect on the character and appearance of the surrounding area and landscape;
- (b) Is well related to other residential land and does not involve a harmful incursion into the countryside;
- (c) Includes the provision of appropriate landscaping and boundary treatment.

II. The District Council will seek to ensure the retention of amenity land/open space/landscaped areas around housing developments and planning permission for the enclosure of such land into gardens will not usually be given.

## 11.13 Residential Annexes

- 11.13.1** A significant number of planning applications are received seeking permission to extend properties or for outbuildings to be used as a self-contained annexe to accommodate elderly relatives, older children or staff. Annexes for elderly relatives particularly, can help to meet social needs whilst reducing pressure on other types of accommodation. However, they can have implications for car parking provision, amenity space, and impact on neighbouring properties, occupiers and the locality.
- 11.13.2** The Council considers that annexes should be designed as an integral part of the existing dwelling or as a separate outbuilding, which is close to and related to the main dwelling. Applications will need to justify the level of accommodation proposed and demonstrate how it is compatible with the requirements of the annexe.



- 11.13.3** Within the Green Belt and Rural Area Beyond the Green Belt, permission would be unlikely to be granted for later sub-division to two separate residential units, unless the proposal meets the planning criteria which would be applied to new proposals for a separate dwelling. In an urban setting there would be no in-principle objection to a new dwelling, subject to design and amenity issues.

## **HOU13 Residential Annexes**

### **I. Residential annexes will be permitted where:**

- (a) The accommodation forms an extension to the main dwelling and is capable of being used as an integral part of the dwelling or forms a separate outbuilding which is close to and well related to the main dwelling;
- (b) The scale of the annexe does not dominate the existing dwelling and is the minimum level of accommodation required to support the needs of the occupant;
- (c) Sufficient space to park vehicles for both parts of the dwelling, in accordance with adopted standards, is available and appropriately located in design terms within the curtilage;
- (d) The development accords with Policies HOU9 (Extensions to Dwellings) and HOU10 (Extensions and Alterations to Dwellings and their Curtilage).

**II. Where planning permission is granted for a residential annexe, planning conditions may be imposed to ensure that the occupation of the annexe remains tied to the main dwelling.**



12  
Economy

## 12 Economy

### 12.1 Introduction

- 12.1.1** East Herts is a district of fairly small towns and an extensive rural area. It lies between the A1(M) and the M11, with only the A10 running north-south and the A414 running east-west through the south of the district. East Herts is surrounded by the larger centres of Hatfield, Welwyn Garden City, Stevenage, Letchworth and Baldock, located along the A1(M) corridor. To the south and east there are the urban areas of Hoddesdon, Cheshunt and Harlow. Stansted Airport, a major centre of employment, lies just outside the district boundary to the north east of Bishop's Stortford.
- 12.1.2** This geography has a significant bearing on patterns of economic development. East Herts is not a self contained economy and in economic terms it plays a supporting role in relation to the adjacent urban centres and Stansted Airport. It is home to many of the people who work in these adjacent towns (and the airport). As such, East Herts is part of a wider integrated labour and property market area covering much of Hertfordshire and part of Essex and north London. East Herts is an important part of this economic sub-region, but the district's business base is made up predominantly of small and medium sized firms, many of which will have links to companies in the sub-region, to London or with Stansted Airport.
- 12.1.3** It is necessary to acknowledge the role East Herts plays and to balance the desire to remain competitive and to provide new employment opportunities for the residents of the district within the limitations created by the physical constraints of each town and the wider economic geography.
- 12.1.4** East Herts is a prosperous district with higher than average earnings and relatively low unemployment, though the statistics disguise pockets of relative deprivation within the district. Educational attainment is generally very high, but there is a disparity between the wages of those who live and work within the district and those who live in East Herts but are employed outside the district in locations such as London and Cambridge. There is therefore a need to ensure there is a balance of employment opportunities available to residents and to ensure that the skills of the workforce (both school leavers and adults alike) are appropriate for the businesses within and beyond the district, and to provide support for entrepreneurialism, new and growing businesses.
- 12.1.5** Whilst it is acknowledged that nationally there is a drive to reinvigorate economic growth and reduce housing demand through allowing changes of use from B1 (business) uses to C3 (residential) uses, the legislation guiding these changes apply only to conversions begun by 30 May 2016. It is vital that the District Plan provides for all of East Herts' needs both now and in the future. Businesses have performed well in East Herts despite the economic recession and the Council therefore maintains that commercial and business units should be retained in appropriate locations in order to provide suitable accommodation for existing and emerging

businesses. It is necessary to ensure that where office space is converted into residential units this does not result in isolated and unsustainable residential developments or prejudice the prospects of remaining neighbouring businesses.

- 12.1.6** The NPPF requires local authorities to do all they can to support sustainable economic growth and to plan proactively to meet the development needs of businesses. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances. Authorities should identify priority areas for economic regeneration, infrastructure provision and environmental enhancement, and facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.

## 12.2 Employment

- 12.2.1** The NPPF is clear that policies should avoid the long term protection of employment land where there is no reasonable prospect of a site being used for that purpose. The Council has produced a series of reports which identify the need to retain all designated Employment Areas for current and future requirements. Nevertheless, the policy approach is sufficiently flexible to respond to individual business needs within the remit of protecting and retaining land for employment purposes.

The Council's technical studies relating to employment and economic development can be viewed and downloaded from the Council's Website at: [www.eastherts.gov.uk/technicalstudies](http://www.eastherts.gov.uk/technicalstudies).

- 12.2.2** While a large proportion of the district's employment generating uses and B-Class businesses are located in designated Employment Areas, there are many businesses located across the district either in small clusters or isolated units. Evidence also shows that a significant proportion of employment generating uses are actually in the retail and service industries and would not necessarily locate in employment areas. In addition, there is a growing trend towards self-employment and more flexible working patterns including working from home. To facilitate this flexible approach to working it is important that adequate access to broadband and IT connectivity and the ability to access office space where necessary is available. A vital part of the district's business offer should be the provision of a business-hub facility which provides meeting rooms, office equipment and function room services for hire and for drop-in purposes. Such a facility should be in an accessible location and have sufficient parking.
- 12.2.3** The following policies relate to the district as a whole and set out the approach to designated and non-designated employment land and employment generating uses, which may include uses not within the traditional employment Use Classes B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution). Policies on

retail and commercial uses are contained in Chapter 13 (Retail and Town Centres). Policies related to employment, retail or commercial uses relevant to specific settlements are included in the appropriate settlement chapter.

## ED1 Employment

I. Within designated Employment Areas (as defined on the Policies Map), land is reserved for industry, comprising Use Classes B1 (Business), B2 (General Industrial) and where well related to the primary road network, B8 (Storage and Distribution).

II. The provision of new employment uses will be supported in principle, where they are in a suitable location where access can be achieved by a choice of sustainable transport and do not conflict with other policies within this Plan. New employment floorspace should be of a flexible design, able to respond to the changing needs of small and growing enterprises, be energy efficient in construction and operation (in accordance with the Council's Design and Climate Change policies in Chapters 14 and 20) and have fully integrated communications technology.

III. Development which would cause the loss of an existing designated Employment Area, or a site/premises that was last in employment use, will only be permitted where all the following criteria are met:

- (a) The retention of the site or premises for Use Classes B1, B2 and B8 has been fully explored without success, and that there is no reasonable prospect of the site/premises being suitable and viable for any alternative employment generating use. Evidence of a period of marketing of at least 12 months must be provided;
- (b) The proposal consists of a redevelopment or change of use to an appropriate alternative employment generating use which provides at least the equivalent number of job opportunities and does not conflict with other policies in the Plan; and
- (c) The proposal does not prejudice the continued viability of existing Employment Areas and neighbouring uses.

## 12.3 Rural Economy

**12.3.1** East Herts has the most significant rural economic profile in the county, with more than 400 agricultural holdings occupying more than 34,000 hectares. Many of these businesses have diversified and have a second income stream. Some diversification schemes, such as those that create visitor attractions, result in the intensification of the rural area but can also act as a means of connecting visitors to the countryside, thereby supporting rural jobs and skills.

- 12.3.2** Employment areas within the rural area have a key role to play in providing accessible and affordable employment and business opportunities. It is important to balance the need to retain these vital rural employment locations with the need to protect the amenity of the locality.
- 12.3.3** Agricultural buildings within the rural area are often of historic merit and the conversion of such buildings should be undertaken with care in order to protect the historic and visual quality of the building and its setting. In most cases, agricultural buildings would be considered in relation to the farm house, most of which, if they are of historic merit would already be designated in some way. Where there is no designation, an assessment will be made in relation to the Heritage policies in Chapter 19 and other policies in this Plan. The Council will expect such proposals to consider the English Heritage guide '*The Conversion of Traditional Farm Buildings: A guide to good practice*'.

The English Heritage guide '*The conversion of Traditional Farm Buildings: A guide to good practice*' can be viewed and downloaded at <http://www.english-heritage.org.uk/publications/conversion-of-traditional-farm-buildings/>.

## ED2 Rural Economy

I. Proposals for new agricultural buildings, which require planning permission, will be permitted where the building:

- (a) Is required to support the viability of the agricultural holding;
- (b) Is of a design which is appropriate for its intended use;
- (c) Is sympathetic to its surroundings in terms of design and includes a landscaping scheme;
- (d) Is designed to minimise the impact of the building on the character and appearance of the countryside;
- (e) is located within or adjacent to an existing group of buildings unless it can be demonstrated that a more isolated location is essential to meet the needs of the holding.

II. In order to support sustainable economic growth in rural areas and to prevent the loss of vital sources of rural employment, proposals that create new employment generating uses or expand existing businesses in the rural area will be supported in principle where they are appropriately and sustainably located and do not conflict with Part I of this policy or other policies within this Plan.

III. Proposals that consist of a change of use of agricultural or employment generating uses will need to provide evidence that the use is no longer needed nor viable, and that the change of use will provide at least the equivalent number of job opportunities.

IV. Where the change of use of an agricultural building is proposed, evidence will be required to demonstrate that:

- (a) the building was originally erected to serve a genuine agricultural need;
- (b) the retention of the building is unable to be facilitated by conversion to a fully or part employment generating use; and
- (c) the building is permanent and soundly constructed, not requiring complete or substantial reconstruction before adaptation to a new use.
- (d) Such proposals should not conflict with Part I of this policy or other policies within this Plan.

V. Proposals for the diversification of farms will be supported in principle where:

- (a) they secure the viability of the agricultural practice of the farm;
- (b) the diversification remains a subsidiary of the overall agricultural holding; and
- (c) any resultant retail or commercial use does not have an adverse impact on the viability of existing nearby rural or village shops or community facilities.

## 12.4 Communications Infrastructure

**12.4.1** With the development of new information technology such as broadband internet, smart phones and Wi-Fi connectivity, working behaviour is changing with individuals and businesses working in more flexible ways. Recent trends indicate a growing popularity of and propensity for flexible working patterns and working from home. It is important that new residential properties are designed in a way that enables households to work from home either occasionally or on a full-time basis. It is vital that communications infrastructure is provided as a fully integrated part of new residential and commercial premises, particularly in more rural locations.

### ED3 Communications Infrastructure

The provision or expansion of electronic communications networks, including high-speed broadband is supported in principle subject to the following:

- (a) Where providing new infrastructure, such equipment is fully integrated into the design and is available from the start of occupation;

(b) That masts and visible structures are kept to the minimum required for the efficient operation of the network. Providers should justify the need for new structures, having fully explored the multiple-use of existing structures;

(c) Where new structures are required, equipment should be sympathetically and appropriately located, designed and camouflaged where possible, in order to respect the character and amenity of existing developments and occupiers. Providers will be expected to undertake appropriate consultations prior to seeking permission or prior approval;

(d) Providers should present evidence that the infrastructure will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest;

(e) Providers should consider the possibility of new buildings or other structures interfering with broadcast and telecommunications services; and

(f) Proposals should meet the International Commission guidelines (or as amended) for public exposure and operations.

## 12.5 Tourism

**12.5.1** The tourism industry and visitors to the district play a vital role in the East Herts economy, creating jobs and contributing to the maintenance of facilities. Tourism in East Herts is a by-product of the high quality environment of its countryside and historic market towns, along with its locational advantages and proximity to Stansted Airport, rather than something that can be effectively planned for. It is therefore important that the provision of facilities which cater for the needs of visitors do not detract or harm the very environment that attracts them.

### ED4 Tourism

I. New tourism enterprises will be supported in principle where the facility meets identified needs which are not met by existing facilities, are appropriately located and do not conflict with other policies within this Plan.

II. Water-based facilities and developments within environmentally sensitive locations will be required to provide evidence that no harm will occur to the quality of the environment and the health of the wildlife in line with the provisions of Policy CFLR (Water Based Recreation), Policy NE1 (International, National and Locally Designated Nature Conservation Sites) Policy NE2 (Species and Habitats) and NE3 (Green Infrastructure).

## 12.6 Lifelong Learning

**12.6.1** It is vital that the educational needs of the district are met both at primary and secondary level, but also within higher education and adult learning opportunities, including apprenticeships. East Herts does not have a university, but the University of Hertfordshire lies within the nearby town of Hatfield. Harlow College offers vocational courses and the Hertford Regional College has campuses both within Ware and the neighbouring town of Turnford in Broxbourne Borough, specialising in vocational courses. There is also an active adult learning partnership between several Bishop’s Stortford secondary schools and The Leventhorpe School in Sawbridgeworth. It is vital that through the Council’s Economic Development Strategy, links with these educational facilities are maximised and the development of further education opportunities are supported.

The Council's Economic Development Strategy can be viewed and downloaded at [www.eastherts.gov.uk/economicdevelopmentstrategy](http://www.eastherts.gov.uk/economicdevelopmentstrategy).

**12.6.2** In order to provide opportunities for those leaving education, and to support the creation of new businesses and entrepreneurialism in general, the Council will support in principle the creation of incubation units; small, flexible units designed for start up and growing businesses as part of new employment space across the district.

**ED5 Lifelong Learning**

The provision of new educational establishments which support a range of learning and community needs such as further education and opportunities for lifelong learning will be supported in principle in line with Policy CFLR9 (Education).



13

## Retail and Town Centres

## 13 Retail and Town Centres

### 13.1 Introduction

- 13.1.1** East Herts' town centres play a vital role in providing for the every day needs of residents, providing not only a varied retail offer, but also for banking and administrative needs, leisure and social opportunities. The market towns of East Herts have a rich heritage which has influenced their current form, character and architectural interest. However, this historic character can also act as a constraint, prohibiting larger retailers from investing and limiting road networks.
- 13.1.2** In recent years there have been many financial pressures on town centres, with competition from larger centres including from out of town shopping centres, rising proportions of internet shopping, rising business rates and rents, restricted bank lending and a challenging economic climate. Despite this, East Herts' towns have been reasonably resilient suffering comparatively few closures.
- 13.1.3** The Town and Country (General Permitted Development) (Amendment) (England) Order 2013 came into force on 30 May 2013. The new rules allow high street premises to be used for new types of businesses without planning permission. Certain new retail businesses and other services will be able to open for up to two years in buildings classified as A1, A2, A3, A4, A5, B1, D1 or D2 (shops, financial services, restaurants, pubs, hot food takeaways, business, non-residential institutions, leisure and assembly). Whilst acknowledging these changes, the District Plan must plan for the whole plan period and consider the longer term needs of the district's high streets.

### 13.2 Retail Development

- 13.2.1** In order to secure the vitality and viability of the district's retail centres, it is important for planning policy to seek to retain a high proportion of units for retail uses, but to also acknowledge the changing role town centres have in providing social and cultural experiences, both now and in the future. A mixture of uses in the right locations can encourage activity throughout the day and into the evening, providing for social as well as retail needs, thus enhancing the role of town centres. Therefore, where planning permission is required, the Council will seek to retain a high proportion of shop uses in the town centre.
- 13.2.2** The following hierarchy of town centres will apply:
- Principal Town Centre: Bishop's Stortford
  - Secondary Town Centre: Hertford
  - Minor Town Centres: Buntingford, Sawbridgeworth and Ware
  - District Centre: The Thorley Centre, Bishop's Stortford

- 13.2.3** The NPPF states that where a proposal is over a proportionate, locally set floorspace threshold, local planning authorities should require an impact assessment to be submitted. It is not considered appropriate to apply the default threshold of 2,500

sq.m gross across the district as this scale of development would represent a significant proportion of the overall retail projections for East Herts through the Plan period. Given the high proportion of small retail units and businesses in the district's town centres, developments over 500 sq.m gross will be of a greater significance and therefore should be subject to some form of impact assessment.

- 13.2.4** The Council supports the use of upper floors in town centre locations for residential purposes where there is potential to provide a reasonable standard of accommodation, has its own access, has arrangements for car parking and/or access to, and availability of passenger transport, and has suitable refuse storage facilities. The conversion of dwellings into commercial uses outside town centre locations will be resisted.

### RTC1 Retail Development

I. Within the town centre boundaries as defined on the Policies Map, the following uses will be supported in principle, where they contribute to maintaining the role and function, viability and vitality of the market town:

- A1 (shops)
- A2 (financial and professional services)
- A3 (restaurants and cafes)
- A4 (drinking establishments)
- A5 (hot food takeaways)
- B1a (offices)
- C1 (hotels)
- D1 (non-residential institutions)
- D2 (assembly and leisure)

II. Proposals will be assessed in line with the sequential approach. The main town centre uses as listed should be located in the town centre, then in edge of centre locations and only if suitable sites are not available should out of centre locations be considered. When considering edge of centre and out of centre proposals, preference will be given to accessible sites that are well connected to the town centre. The Council and the applicant will demonstrate flexibility on issues such as format and scale.

III. Proposals for retail, leisure and office developments are required to provide an impact assessment indicating the impact of the proposal on existing, committed and planned public and private investment in the town centre and in the catchment area of the proposal.

The assessment should also consider the impact of the proposal on vitality and viability, including local consumer choice and trade in the town centre and the wider area, for up to ten years from the application. The following thresholds will be applied:

- Over 1,500 sq.m gross in Bishop’s Stortford
- Over 1,000 sq.m gross in Hertford
- Over 500 sq.m gross elsewhere

IV. Where a proposal fails to satisfy the sequential approach or is likely to have an adverse impact it will be refused.

### 13.3 Primary Shopping Area

**13.3.1** Primary Shopping Areas are where retail activity is concentrated, often underpinned by larger anchor stores and popular chains. Primary Shopping Areas contain both primary and secondary frontages. Primary Shopping Frontages are normally the retail 'core' of a centre where the majority of footfall and activity occurs. They are likely to include a high proportion of retail uses which may include food, drinks, clothing and household goods. Secondary Shopping Frontages provide a greater diversity of uses such as restaurants, commercial services and leisure facilities, which provide a supporting role for the centre as a whole.

**13.3.2** In order to maintain the viability of the Primary Shopping Area and to locate retail uses where there are good passenger transport networks, it is important to prevent the dilution of the Primary Shopping Frontage within the Primary Shopping Area. Given the size, diversity and function of the town centres of Bishop's Stortford, Hertford and Ware, it is necessary to designate a Primary Shopping Area within the town centres, which contain both Primary and Secondary Shopping Frontages.

#### RTC2 Primary Shopping Area

I. Within the Town Centre boundaries as defined on the Policies Map, Primary Shopping Areas are designated for the Town Centres of Bishop's Stortford, Hertford and Ware, within which retail and other town centre uses, as listed in Policy RTC1 (Retail Development), should be located.

II. The Primary Shopping Areas will contain both Primary and Secondary Shopping Frontages. Proposals for development within Primary Shopping Frontages will be considered in accordance with Policy RTC3 (Primary Shopping Frontages). Proposals for development within Secondary Shopping Frontages will be considered in accordance with Policy RTC4 (Secondary Shopping Frontages).

### 13.4 Primary Shopping Frontages

- 13.4.1** Recognising temporary changes in permitted development, it is not appropriate to take a *laissez faire* approach to development within East Herts' town centres, nor is it appropriate to ban changes of use from A1 (Shop) uses to other uses, as to do so could prevent diversity and stifle investment, resulting in vacant uses. However, it is appropriate to seek to maintain a high proportion of A1 (Shop) uses in order to ensure the vitality and viability of the town centres, so that they are able to perform their function as retail and leisure destinations.

#### RTC3 Primary Shopping Frontages

In order to protect the vitality and viability of the Primary Shopping Areas, within the Primary Shopping Frontages in Bishop's Stortford, Hertford and Ware, as defined on the Policies Map, proposals for the loss of A1 (Shop) uses will be resisted where this would result in more than 30% of units in a continuous frontage in Non-A1 Use.

### 13.5 Secondary Shopping Frontages

- 13.5.1** Within the Primary Shopping Areas of Bishop's Stortford, Hertford and Ware, Secondary Shopping Frontages provide an opportunity for the types of uses that support a town centre's function as a destination for leisure as well as for retail purposes, such as restaurants, coffee shops, financial and commercial services.
- 13.5.2** The Town Centres of Buntingford and Sawbridgeworth are minor town centres with a high number of independent stores and a low number of national retailers. Given their role as service centres for their immediate population and rural hinterland, the town centre boundary is tightly drawn around the existing high street and there is no primary shopping area designated. There are no obvious areas within these town centres where there is a predominance of Class A1 (Shop) uses. It is therefore appropriate to define the frontages within the two towns as Secondary Shopping Frontages, where a flexible approach to changes of use will be applied where this does not lead to a disproportionate and potentially detrimental number of non-retail uses.

#### RTC4 Secondary Shopping Frontages

Within the Secondary Shopping Frontages in Bishop's Stortford, Buntingford, Hertford Sawbridgeworth and Ware, as defined on the Policies Map, proposals for development or changes of use to those listed in Policy RTC1 (Retail Development) will be supported in principle, where this does not lead to more than 50% of units in Non-A1 Use in a continuous frontage, and does not prejudice the viability of existing A1 Uses.

## 13.6 District Centres, Neighbourhood Centres, Local Parades and Individual Shops

**13.6.1** District centres, neighbourhood centres and local parades support day-to-day needs of communities, providing opportunities for top-up shopping and access to services and social interactions. Quite often they are essential for those less able to travel to town centres or larger retail centres. It is therefore important that these local centres provide the type and range of retail and commercial uses necessary to serve and support the local community.

**13.6.2** District centres generally comprise a group of shops, separate from the town centre, with at least one supermarket or superstore, together with a range of non-retail services and public facilities. In order to reflect the importance role played by the Thorley Centre in Bishop's Stortford in terms of the local provision of food shopping and services, the centre is identified as a District Centre:

- Bishop's Stortford: The Thorley Centre - District Centre

**13.6.3** The Bishop's Park Centre in Bishop's Stortford is similar to the Thorley Centre, in terms of the local provision of food shopping and services. However, as the supermarket is smaller, there is only one other retail unit and a community centre on the site, its role is more limited. As such, the Bishop's Park Centre is identified as a Neighbourhood Centre:

- Bishop's Stortford: Bishop's Park - Neighbourhood Centre

**13.6.4** Local parades provide a range of small shops of a local nature for a small catchment. These include parades of shops and services both in urban areas and in village locations. The following are categorised as Local Parades:

- Bishop's Stortford:
  - Hockerill
  - Havers Parade
  - Snowley Parade
- Hertford:
  - Fleming Crescent, Sele Farm
  - The Avenue, Bengo
- Ware:
  - The Green, Kingshill
  - Cromwell Road
  - King George Road

- Puckeridge
- Stanstead Abbots and St Margarets
- Watton-at-Stone

**13.6.5** Individual shops are distributed throughout the towns and villages in the district and provide valuable facilities for local people in addition to the town centre offer.

### **RTC3 District Centres, Neighbourhood Centres, Local Parades and Individual Shops**

I. Within District Centres, Neighbourhood Centres and Local Parades, development or change of use to the use classes listed in Policy RTC1 (Retail Development) above will be supported in principle, where they maintain an appropriate mix to secure the vitality and viability of the district centre or local parade and do not conflict with other policies within this Plan.

II. Within urban and rural centres, proposals that result in the loss of shops will be considered in accordance with Policy CFLR7 (Community Facilities).





14  
Design

## 14 Design

### 14.1 Introduction

- 14.1.1** The importance of good design in securing high quality development is widely recognised. Design is not just about visual appearance and function: it is about a whole range of social, economic and environmental considerations, which together are a major contributor to quality of life.
- 14.1.2** One of the objectives of this Plan is to raise the standards and quality of the layout and design of new development. The District Council is strongly committed to promoting good design in new developments and to improving the quality of public spaces. Good design is a key aspect of sustainable development and can contribute positively to making places better for people. The way in which places and the buildings within them are designed is fundamental not only to creating environments that communities value, but also to ensuring that the use of resources and the environmental impact of new development is reduced.
- 14.1.3** Good design can encourage healthy lifestyles by encouraging movement on foot and by bicycle. It can also enhance local distinctiveness, promote the vitality of the local economy, facilitate community cohesion by enabling social interaction in secure public spaces and incorporate multi-functional Green Infrastructure networks. In summary, good design can contribute towards creating attractive and safe places where people want to live, work, and visit.

### 14.2 Design Objectives

- 14.2.1** To achieve high quality design, there are several intrinsic sustainable development objectives that should be understood by applicants to inform the design of new development. These are to:
- Respect, improve and enhance the existing surrounding environment;
  - Respond to existing patterns of development and the local context;
  - Be attractive in appearance but receptive to original design and innovation in construction techniques, design and technologies;
  - Be usable, in terms of accessibility, legibility and be well-connected;
  - Be adaptable and flexible to the needs of the occupiers now and in the future;
  - Be socially inclusive, catering for the current and changing needs of the district's population;
  - Discourage crime and anti-social behaviour;
  - Encourage health and well-being;
  - Incorporate measures to mitigate and adapt against the effects of climate change; and
  - Incorporate planting and landscaping into the overall design, including through the creation of adequate private amenity space.

## 14.3 Sustainable Design

**14.3.1** There are many industry examples, toolkits, guidance documents and best practice available that provide sources of information on how to design developments in the most sustainable way.

**14.3.2** **Building Futures** is a Hertfordshire guide to promoting sustainability in development. It includes an interactive Sustainable Design Toolkit, which contains design guidance for six different types of development ranging from householder extensions through to large and mixed-use development:

1. Household extension
2. New dwellings
3. Multi-residential (e.g. care homes)
4. Education & Health
5. Commercial & Industrial
6. Large & Mixed-use

**14.3.3** The Toolkit has been created to help those who prepare and assess development proposals in Hertfordshire to better understand the principles of sustainable design and consider how best they can be applied to a specific scheme and site. Using a virtual townscape, the Toolkit aims to provoke thought and inform decisions on the design and build of new development schemes in Hertfordshire. It does this by providing a simple framework of questions, best practice guidance and further information on sustainable design. The questions, guidance and information have been tailored to the six broad types of development to ensure the Toolkit is proportionate and reflects the issues and opportunities typically faced by different types of development.

**14.3.4** Users of the Toolkit can choose one of the six development types to navigate a wealth of sustainable design guidance on issues such as climate change, water, materials and safety. It should be noted that some of these measures exceed those required by Building Regulations. As Building Regulations also change over time as standards and technology improves, applicants should therefore seek to employ the best available approach to sustainable design and technology.

Building Futures is an interactive Website which can be viewed at [www.hertslink.org/buildingfutures](http://www.hertslink.org/buildingfutures).

**14.3.5** **Building for Life 12** is a nationally recognised scheme for appraising the overall design of development. The appraisal consists of 12 questions. A well designed scheme will perform well against all 12 of the questions and the performance will be determined using a traffic light system of green, amber and red. The questions are available for use by anyone who has an interest in new homes and

neighbourhoods; from developers to community groups to local authorities. Developers achieving 12 green lights within the appraisal can apply for 'Built for Life' accreditation which can be used to market the site.

- 14.3.6** Appraisals should ideally be undertaken throughout all stages of the development process, guiding design related discussions with the local community, local authority and other stakeholders. Through this process, all parties should understand what needs to be done in local circumstances to achieve as many 'green' lights as possible, minimise 'ambers' and avoid 'reds'. Any 'ambers' and 'reds' should be identified early so that a suitable design solution can be found where possible.

Building for Life guidance can be viewed at [www.designcouncil.org.uk](http://www.designcouncil.org.uk).

## 14.4 Planning Applications

- 14.4.1** The District Council expects a high standard of design in new development. To achieve this, applicants should ensure:
- A comprehensive design process has been carried out including: a site and context appraisal and assessment of relevant policies; involvement with the local community; and the design of the development scheme based on assessment, involvement, and evaluation of information collected;
  - That in the design of the scheme there should be clear evidence that design principles based on the sustainable development objectives set out above have been followed, understood and integrated within the constraints of the development proposal. It is essential that skilled architects are involved in the early stages of any development proposal, to ensure that the potential of any site can be maximised;
  - That where necessary, a Design and Access Statement has been completed and accompanies the application. Applicants will be encouraged to use the Building Futures Sustainable Design Toolkit and Building for Life 12 questions within their Design and Access Statements.

## 14.5 Design Codes

- 14.5.1** A Design Code is a set of specific rules or requirements to guide the physical development of a site or place. The aim of design coding is to provide clarity as to what constitutes acceptable design quality and thereby a level of certainty for developers and the local community alike that can help to accelerate the delivery of good quality new development.

- 14.5.2** The District Council will consider using Design Codes where they will help to deliver high quality outcomes on particular sites/areas.

## 14.6 Design Reviews

- 14.6.1** The publication of the NPPF has re-iterated and reinforced the role of Design Reviews. Where appropriate the District Council will ensure that local design review arrangements are in place to provide assessment and support to ensure high standards of design.
- 14.6.2** The new Hertfordshire Design Review Panel, funded by Hertfordshire County Council, has been set up to help planners, developers and designers realise the full potential of development schemes. It is a new addition to the Building Futures initiative and provides a resource to support the delivery of high quality, sustainable design for those bringing forward development proposals.
- 14.6.3** The majority of schemes brought forward for review would be at the pre-application stage, i.e. at the early design stage. They would normally be major schemes as defined by their scale and nature, or which have a significant impact on the character of Hertfordshire's landscape, settlements and built form. Schemes submitted for review may include proposals for new housing, commercial development, infrastructure or community facilities (e.g. schools) as well as public realm and open space enhancement schemes.

## 14.7 Local Character and Amenity

- 14.7.1** Many features contribute to East Hertfordshire's character, including its historic environment, the landscape and the pattern of towns and villages, rivers and open spaces. This context makes the district a very attractive and desirable place to live.
- 14.7.2** Buildings and landscapes that demonstrate a distinct character and are aesthetically pleasing, contribute greatly to the success of a place. Many modern development schemes (especially schemes involving a number of dwellings) can be bland and generic. However, if a development scheme is based on a sensitive understanding of site and context, it can exhibit a distinct character and identity while also belonging to the wider locality. Therefore successful development should respond to locally distinctive patterns of development, building methods and detailing, landscape and history.
- 14.7.3** If development is to be successfully integrated within the existing environment then scale is an important design element. When designing to the local character of building forms, patterns of development and the natural environment, the scale of new development should:
- Avoid obscuring important views, vistas and skylines;
  - Ensure the height and massing does not interrupt the rhythm of an existing building/roof line and overall streetscape, or detract from the local and wider area's character;

- Respect the existing scale in the detailing and composition of elements such as windows, doors etc; and
- Have regard for the principal users of development schemes so that buildings and infrastructure are scaled for their maximum benefit and enhance their experience of the space.

**14.7.4** Taller buildings are often more suited to key locations such as on corners, along principal routes, the end of vistas or around parks.

**14.7.5** The layout, form, building details and massing of a development will have a great impact on a locality, and the opportunity to enhance, add variety and local distinctiveness. Layouts should observe good urban design principles, with a clear sense of public and private frontages and buildings, positively addressing public routes within and around a site. The layout and alignment of built form, plots and blocks should respect and be well integrated within the grain of the wider townscape.

### ***Major Developments***

**14.7.6** Proposals for major development should include attractive gateway features, focal points, landmarks and vistas; should include a variation in density to reflect different parts of the site, with higher densities along major internal routes, at gateways, and around local centres, and lower densities elsewhere, as appropriate; and should incorporate distinct character areas linked by well-defined points of transition to encourage movement through the site.

**14.7.7** Such large scale proposals should be designed using a comprehensive master planning approach to the whole site within its immediate and wider context, rather than following landownership parcels.

**14.7.8** It is also important that layouts are configured in such a way that they are easy to understand, are well-connected, inclusive, feel safe, and have clearly defined public and private spaces.

### ***Public Realm and Inclusive Design***

**14.7.9** Public realm refers to all publicly accessible open spaces and public and civic building facilities, publicly owned streets, pathways, rights of way and parks. For places to work and foster sustainable communities it is important that the public realm is of a high quality, feels safe, is inclusive to all social groups, and is adaptable to the changing needs of the community. This is achievable through:

- Careful design that prioritises and promotes walking;
- The quality and materials of the hard landscaping (paving, kerbs, walls etc);
- Uncluttered and simplified street furniture;

- Planting (trees, grassed areas, flowers);
- Green space for being retained, enhanced and integrated into the design of a development scheme. It will reinforce the quality and character of a place, increase biodiversity and deliver a wide range of environmental and health and wellbeing benefits;
- Lighting being integral to the design and not added at the end;
- Incorporating inclusive design features that benefit everyone in the community e.g. play areas, Wi-Fi technology; and
- Public amenity space which is of a high standard and an adequate size for the development and needs of the community. Private and public space should be considered in the process of designing buildings and places. This prevents non-specific, unused and anti-social spaces being created.

**14.7.10** The built environment should promote independent lifestyles particularly for those with restricted mobility, such as the elderly and the disabled, and also for those with young children. ‘Lifetime Neighbourhoods’ is an established concept to build inclusive communities, ensuring that age or disability does not prevent people from accessing basic amenities, green and open spaces, cultural facilities, places to meet and relax, and local shops and services. The layout and function of the public realm, including the provision of facilities such as toilets for public use and seating should be consciously planned into proposals at the outset.

**14.7.11** ‘Lifetime Homes’ are ordinary homes designed to add to the comfort and convenience of the home and supports the changing needs of individuals and families at different stages of life. Lifetime Homes are all about flexibility and adaptability; they are thoughtfully designed to create and encourage better living environments for everyone, enabling occupants to adapt their property according to their needs such as from raising small children to coping with illness or dealing with reduced mobility in later life. This enables occupants to stay within their home for longer and to maintain an independent lifestyle. Residential development should be built to achieve Lifetime Homes standards in accordance with Policy HOU1 (Type and Mix of Housing) and Policy HOU6 (Housing for Older and Vulnerable People). Decent room sizes will be expected in all residential developments, ensuring that the intended functions of each room can be satisfactorily achieved.

### ***Innovation***

**14.7.12** Innovation can be incorporated into development schemes via building construction methods, building materials, and the use of new technologies (e.g. solar panels and passive ventilation). Innovation can be an important design element if it raises the standard of a development scheme by enhancing its performance, quality and aesthetics, resulting in its desirability, longevity and status. Innovation does not



have to be limited to one-off developments or modern districts. If sensitive and intelligent design is utilised, new and old can co-exist without disguising one as the other.

**14.7.13** The Council wishes to encourage good design without stifling innovation, originality or initiative. Permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

### ***Small-scale Developments***

**14.7.14** Many developments that occur are of a small scale, often extensions to existing properties or the replacement of single dwellings. It is important that the character of the locality and the potential amenity impacts of these smaller developments respect the local character and do not significantly detract from the amenities of any neighbouring property by shadowing, loss of privacy, or similar.

#### **DES1 Local Character and Amenity**

I. All development proposals, including extensions to existing buildings, must be of a high standard of design and layout to reflect and promote local distinctiveness. Proposals will be expected to:

- (a) Make the best possible use of the available land by respecting or improving upon the character of the site and the surrounding area, in terms of its scale, height, massing (volume, shape), orientation, siting, layout, density, building materials (colour, texture), landscaping, environmental assets, and design features, having due regard to the design opportunities and constraints of a site;
- (b) Incorporate homes, buildings and neighbourhoods that are flexible to future adaptation, including the changing needs of occupants and users, and changes in wider employment and social trends;
- (c) Avoid significant detrimental impacts on the amenities of neighbouring properties and land;
- (d) Embrace high quality innovative design, new technologies and construction techniques, including zero or low carbon energy and water efficient, design and sustainable construction methods;
- (e) Make provision for the storage of bins and ancillary household equipment. Garages and driveways should be capable of accommodating family sized vehicles;
- (f) Ensure all internal rooms are of an appropriate size and dimension so that the intended function of each room can be satisfactorily achieved. All dwellings shall be identified by their square metrage.

II. Proposals must not prejudice the development opportunities of surrounding sites.



III. Development proposals which create new or have a significant impact on the public realm should:

- (a) Maximise legibility of the public realm through the layout of buildings, landmarks, landscaping, paving, high quality public art, street furniture and infrastructure including signposting, in a way that maintains uncluttered spaces and enables easy navigation and movement through the space;
- (b) Maximise opportunities for urban greening, for example through planting of trees and other soft landscaping wherever possible;
- (c) Avoid creating 'left-over' spaces with no clear purpose or function;
- (d) Ensure that long-term maintenance and management arrangements are in place for the public realm as appropriate.

## 14.8 Crime and Security

**14.8.1** To ensure cohesive and sustainable places it is important that a sense of personal and community safety is present within the built environment. Various measures can be designed into development schemes, which can assist in discouraging crime and anti-social behaviour. Such measures include:

- Places with well defined interconnected routes and spaces;
- Public and private spaces that are clearly defined;
- Natural surveillance, by fronting buildings, parking and play areas onto the public realm;
- Strategically placed effective lighting; and
- Physical access control and security hardware such as CCTV.

**14.8.2** The District Council supports the 'Secured by Design' initiative and will expect proposals for new residential or commercial development to incorporate crime prevention measures. Applicants are also advised to consult the Hertfordshire Constabulary Architectural Liaison Officer for advice on measures to facilitate crime prevention prior to the preparation of a detailed layout. Such advice is always subject to other planning criteria and policies as well as the requirements of the Building and Fire Regulations.

**14.8.3** Security features should be designed in a sensitive manner which respects the overall character of the area. On shop fronts and commercial premises the use of architectural solutions combined with the use of an internal open lattice grille is preferred.

## DES2 Crime and Security

I. Developments should be designed to reduce the opportunity for crime by encouraging the natural surveillance of streets, footpaths, parking and communal areas, and the creation of areas of defensible space. Such measures should not significantly compromise the provision of high quality design and landscape schemes nor be prejudicial to the existing character of the area and public amenity.

II. Security features should be designed in a sensitive manner which respects the overall character of the frontage and location, whilst maintaining an attractive street scene.

## 14.9 Advertisements and Signs

**14.9.1** The display of advertisements and signs is subject to complex and detailed regulations. In many cases it is necessary to obtain express consent from the local planning authority.

**14.9.2** Advertisements and signs vary greatly in their purpose. Many are essential, even mandatory. Others are provided for the purpose of direction or information, or simply to announce a particular product, service or premises. Signs are most usually displayed on the land or premises to which they relate, but are sometimes positioned some distance away.

**14.9.3** The impact of signs varies greatly. Individually, they may cause little offence, except where they are excessively large, or are insensitively located. However, it is often the cumulative effect of signs and notices that is likely to cause the greatest visual impact and detrimental effect.

**14.9.4** In the rural area, many signs or advertisements could appear incongruous. It is acknowledged that commercial concerns in rural areas experience difficulty in announcing their premises, but a proliferation of signs would be detrimental to the landscape, and any unnecessary sign is likely to be resisted.

## DES3 Advertisements and Signs

I. Consent will not be given for advertisements that are harmful to amenity or public safety.

II. The number, size, position, siting, illumination, design, colour and materials of advertisements, displayed on or close to a building, must respect the character and appearance of the environment, and the design, scale, features, function and setting of the building.

III. The display of advertisements of an inappropriate size, position, siting, illumination, colour and materials, will not be permitted.

15  
Transport

## 15 Transport

### 15.1 Introduction

- 15.1.1** National and local policies and guidance seek a reduction in the growth of car usage and the greater use of more sustainable modes of transport.
- 15.1.2** Locally, the over-arching transport policy document for the area is Hertfordshire's Local Transport Plan (HCC,2011) (LTP3), which sets the framework for achieving a better transport system in Hertfordshire for the plan period 2011-31. The LTP has a number of associated daughter documents containing their own initiatives including: the Rail Strategy, Bus Strategy, Intalink Strategy, Cycling Strategy, Walking Strategy, Rural Strategy, Road Safety Strategy, and Rights of Way Improvement Plan.

The Hertfordshire Local Transport Plan 2011 can be viewed and downloaded at [www.hertsdirect.org/services/transtreets/tranpan/ltp/](http://www.hertsdirect.org/services/transtreets/tranpan/ltp/)

- 15.1.3** Although the LTP identifies some specific schemes for implementation in the district, the majority of transport schemes are identified through a rolling programme of Urban Transport Plans (UTPs) which identify how and where the strategic objectives and targets detailed in the county-wide LTP can be delivered at a local level. There are two UTPs affecting East Herts; the Hertford and Ware Urban Transport Plan (HCC, November 2010), and the emerging Bishop's Stortford and Sawbridgeworth Urban Transport Plan.

The Hertford and Ware Urban Transport Plan can be viewed and downloaded at [www.hertsdirect.org/services/transtreets/tranpan/tcatp/handwutp.pdf](http://www.hertsdirect.org/services/transtreets/tranpan/tcatp/handwutp.pdf)

- 15.1.4** While the primary responsibility for the delivery of transport provision in the district lies with Hertfordshire County Council as Highway Authority, East Herts Council has involvement in some aspects, mainly via the planning system, community transport, and the management and enforcement of parking.
- 15.1.5** New development can aid the improvement of the transport offer in the district by making the best use of existing infrastructure (including passenger transport), providing new components where necessary, and also by contributing to the improvement of passenger transport provision, walking and cycling. In enabling access to new development, the provision of safe sustainable travel alternatives can make these sustainable modes more attractive to users than the car. If provided from the outset they can help instil green travel patterns (which are harder to establish later), and as a consequence assist in reducing the carbon footprint made by the transport sector. "Green streets", designed with a strong landscaped structure

(which may include, trees, shrubs, verges and sustainable drainage systems), can assist in urban greening and their high amenity value can encourage walking and cycling.

- 15.1.6** Priority should focus on locating new residential development in close proximity to employment, retail, educational and leisure facilities and services, where good passenger transport exists, or where infrastructure and service provision can be improved.
- 15.1.7** Green Travel Plans can also help assist in modal shift e.g. via lift sharing schemes. Nonetheless, within the rural parts of the district the dispersed settlement pattern with related lower levels of passenger transport provision and attendant high levels of car dependency make the provision of realistic alternatives to the private car more challenging. Therefore, while supporting and encouraging an overall reduction in car usage, it is necessary to recognise the importance of private motorised transport in enabling the population of more rural locations to access key facilities and services.

## 15.2 Sustainable Transport

- 15.2.1** The District Council, in recognising that the achievement of sustainable development underpins national planning policy, seeks to promote sustainable transport and improve accessibility as an important part of its District Plan policy approach. Key issues to be addressed include:
- Minimising the need to travel;
  - Increasing choice and availability of sustainable transport options;
  - Prioritising sustainable travel modes in new developments;
  - Increasing connectivity and integration of sustainable transport modes;
  - Encouraging healthy communities by supporting walking and cycling;
  - Reducing congestion and carbon-dioxide emissions.
- 15.2.2** Therefore, where possible, strong emphasis will be placed on seeking the provision of new bus, cycle and pedestrian transport routes and networks in addition to extending and strengthening existing provision.
- 15.2.3** It is, however, acknowledged by the Government that “different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas” (Paragraph 29, NPPF, CLG, 2012). Therefore, where new development is sited away from urban areas it is recognised that there may be reduced scope for passenger transport service and/or other sustainable transport provision in some locations. However, every effort should be made to ensure that the best possible sustainable transport outcomes can be achieved for all new developments, irrespective of remoteness of location, and developers will be expected to demonstrate where specific circumstances indicate otherwise.

## TRA1 Sustainable Transport

I. To achieve accessibility improvements and promotion of sustainable transport in the district, development proposals should:

- (a) Primarily be located in places which enable sustainable journeys to be made to key services and facilities to help aid carbon emission reduction;
- (b) Comply with the provisions of the Local Transport Plan;
- (c) Ensure that a range of alternative transport options are available to occupants or users, which may involve the improvement of pedestrian links, cycle paths, and passenger transport network (including bus and/or rail facilities). These improvements could include the creation of new routes, services and facilities or extensions to existing infrastructure and which could also incorporate off-site mitigation, as appropriate. In suitable cases the provision of footways and cycle paths alongside navigable waterways may be sought, along with new moorings where appropriate. The implementation of car sharing schemes should also be considered;
- (d) Prioritise the provision of modes of transport other than the car (particularly walking, cycling and, where appropriate, passenger transport) both within well connected site layouts and, where possible, providing easy and direct access to key services and facilities;
- (e) In the construction of major schemes, allow for the early implementation of sustainable travel infrastructure or initiatives that influence behaviour to enable green travel patterns to become established from the outset of occupation;
- (f) Protect existing rights of way, cycling and equestrian routes (including designated routes and, where there is evidence of regular public usage, informal provision) and, should diversion prove unavoidable, provide replacement alternative appealing routes to equal or enhanced standards; and
- (g) Ensure that provision for the long-term maintenance of any of the above measures (c) (d) and (f) that are implemented is assured.

II. Where appropriate, contributions may be required towards the facilitation of strategic transportation schemes identified in the Local Transport Plan and other related strategies.

III. In order to minimise the impact of travel on local air quality, where major developments involve the introduction of new bus routes or significant changes to existing routes, service providers will be required, in agreement with Hertfordshire County Council's Transport, Access and Safety Unit, to ensure that the vehicles serving these locations will either be of 'hybrid' type or meet the latest 'Euro' emissions regulations.

### 15.3 Highway Safety and Trip Generation

- 15.3.1** In designing new developments it is important that proposed access arrangements are both safe for users and suitable for the type of development and number of users proposed and trips predicted to be generated. Where additional trips are predicted from a site it is necessary to ensure that measures can commensurately mitigate the impact where possible and the NPPF is clear that “development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe” (Paragraph 32, NPPF, CLG, 2012).
- 15.3.2** However, it is important that proposed mitigation measures should not only achieve their transport objective but also respect the character of the area and not have a significant adverse effect on the wider environment and the amenity of local residents, e.g. through unacceptable trip generation levels, displacement parking, etc.

#### TRA2 Highway Safety and Trip Generation

Development proposals should ensure that safe and suitable access can be achieved for all people and not result in any severe residual cumulative impact. Site layouts, access proposals and any measures designed to mitigate trip generation produced by the development should:

- (a) Be acceptable in highway safety terms; and
- (b) Not have a significant detrimental effect on the character of the local environment.

### 15.4 Vehicle Parking Provision

- 15.4.1** The amount of parking provision associated with development can have a significant effect on the mode of transport used to access it. The restriction of provision at destination points can lead to greater use of sustainable transport from place of origin instead of car usage.
- 15.4.2** While the benefits of such restrictions are recognised in terms of reduced congestion, vehicle emissions etc, it is also important to ensure that they do not lead to displacement parking to other areas. Maintaining the vitality and viability of the district’s market towns and service centres is also of key importance. Therefore, a balance needs to be achieved between restricting parking provision in new developments and ensuring that sufficient provision is made, while also ensuring that suitable parking facilities for cycles and powered two-wheelers are provided to encourage modal shift to sustainable transport options.
- 15.4.3** The Council’s Supplementary Planning Document ‘Vehicle Parking Provision at New Development’ sets out the amount of parking spaces that should be provided in association with development and also offers guidance concerning the design and layout of such provision.



The Vehicle Parking Provision at New Development Supplementary Planning Document (2008, or as amended) can be viewed and downloaded at [www.eastherts.gov.uk/vehicleparking](http://www.eastherts.gov.uk/vehicleparking).

- 15.4.4** It is important that the most efficient use is made of land. Therefore, where a car park is proposed for non-domestic use, it is sensible to consider whether it would be appropriate to allow for shared public use of the facility, as this may help to ease pressure for additional provision, especially when located in proximity to town centres or at retail centres.

### **TRA3 Vehicle Parking Provision**

I. Vehicle parking provision associated with development proposals will be assessed on a site-specific basis in accordance with the provisions of the District Council's currently adopted Supplementary Planning Document 'Vehicle Parking Provision at New Development'.

II. Provision of sufficient secure, covered and waterproof cycle and, where appropriate, powered two-wheeler storage facilities should be made for users of developments for new residential, educational, health, leisure, retail, employment and business purposes (to be determined on a site-specific basis). These should be positioned in easily observed and accessible locations.

III. Car parking should be integrated as a key element of design in development layouts to ensure good quality, safe, secure and attractive environments.

IV. Where a private car park for non-domestic use is proposed, the Council will assess whether it should also be available for shared public use having particular regard to the needs of the primary user.

V. Where public car parks (including those for Park and Ride facilities) are proposed, or where car parks are to be provided associated with major development involving educational, health, leisure, retail, employment and business uses, provision should be made for charging points for low and zero carbon vehicles (to be determined on a site-specific basis).



# Community Facilities, Leisure and Recreation

## 16 Community Facilities, Leisure and Recreation

### 16.1 Introduction

- 16.1.1** In order for communities to be successful, it is vital that they are well served by a full range of services and infrastructure which are appropriate to people's needs and accessible to all.
- 16.1.2** Open space, sport and recreation facilities are important in enhancing people's quality of life. They also perform wider roles in helping to build inclusive communities, promoting healthy lifestyles and protecting green spaces. Similarly, community facilities play a significant role in developing the social wellbeing of individuals and communities by allowing activities and interests to grow outside of the home and the workplace. They also bring people together and help to establish new communities. Access to education is another key contributor to a sense of community and wellbeing.
- 16.1.3** The loss of open space, sport, recreation and community facilities which provide valuable public services could prove detrimental to community identity and sustainability. Safeguarding such facilities will help realise the full potential of existing buildings for community use and encourage re-use of appropriate buildings when they become available.
- 16.1.4** With an ageing population local access to healthcare facilities is an important part of everyday life, and the provision of such facilities within a community, accessible by a choice of sustainable travel options is vital. Facilities which assist in individuals maintaining a healthy and active old age will become more important in East Herts.

### 16.2 Open Space, Sport and Recreation

- 16.2.1** Regular physical exercise contributes to good levels of health and wellbeing. Aside from its benefits to the individual, increased participation in sport can also have wider benefits in tackling social exclusion and reducing anti-social behaviour. It is therefore important that people in all areas have access to good quality open spaces and the opportunity to participate in formal and informal recreation, including waterside and water based recreation. Open spaces often have multiple uses: those designated for outdoor recreation such as golf courses, public parks and allotments also form part of the wider green infrastructure network.
- 16.2.2** A high proportion of adults and children do not exercise regularly. Increasing participation rates in sport and recreation requires the co-ordinated efforts of many partner organisations. Open spaces and sports facilities are key community facilities which contribute towards health and wellbeing both directly and indirectly. Planning's role involves protecting existing assets, and promoting provision through the planning process by making sure that new development does not result in a shortfall in the provision of facilities. Planning also has a role in promoting the provision and enhancement of new and existing facilities through a positive policy approach

- 16.2.3** Sport England is the Government agency which seeks to encourage people and communities to participate in active sport and recreation. It aims to ensure positive planning for sport, enabling the right facilities to be provided in the right places, based on robust and up-to-date assessments of need for all levels of sport and all sectors of the community. Sport England, working with the provisions of the NPPF, encourage local planning authorities to make direct reference to sport in local planning policy to protect, enhance and provide sports facilities, as well as helping to realise the wider benefits that participation in sport can bring. As such, Sport England has a role in protecting sports provision and is consulted where planning applications impact on such facilities. All proposals for new facilities will be expected to be designed in accordance with Sport England's design guidance to help ensure that facilities are fit for purpose and of a high quality design.
- 16.2.4** The council has recently undertaken a number of technical studies that seek to inform the preparation of the District Plan, in accordance with the requirements of the NPPF. The Playing Pitch Strategy (2010), which was part of a wider Sports Facility Assessment (2011) identifies locations where there is a deficit of provision in particular sports and the need for new facilities. Applications will be expected to refer to these studies as appropriate. Given there are existing deficits in provision, the loss of facilities should only occur in tandem with their replacement by new and enhanced facilities, which will be required to be delivered prior to the commencement of development in order to ensure that replacement facilities are available to provide continuity for users.

The East Herts Playing Pitch Strategy can be viewed and downloaded from the Council's Website at: [www.eastherts.gov.uk/playingpitchstrategy](http://www.eastherts.gov.uk/playingpitchstrategy).

The East Herts Sports Facility Assessment can be viewed and downloaded from the Council's Website at: [www.eastherts.gov.uk/indoorsportsfacilityassessment](http://www.eastherts.gov.uk/indoorsportsfacilityassessment).

- 16.2.5** Community Use Agreements will be sought to secure community use of new facilities provided on sites which may not usually be available for wider community access (e.g. educational or private sites).

## **CFLR1 Open Space, Sport and Recreation**

I. Proposals that result in the loss or reduction of open space, indoor or outdoor sport and recreation facilities, including playing fields, (as defined on the Policies Map) will be refused unless:

- (a) An assessment has been undertaken which has clearly shown that the facility is no longer needed in its current form; or

(b) The loss resulting from the proposed development would be replaced by enhanced provision in terms of quantity and quality in a suitable location prior to the commencement of development; or

(c) The development is for an alternative open space, sport and recreation facility, the need for which clearly outweighs the loss.

II. Proposals that retain or enhance the provision, quality and accessibility of existing open space, or indoor or outdoor sport and recreation facilities will be supported in principle, where they do not conflict with other policies within this Plan.

III. Proposals for new open space, indoor and outdoor sport and recreation facilities which meet identified needs will be encouraged in suitable locations, served by a choice of sustainable travel options. The proposal and all ancillary facilities such as changing rooms and car parking should be fit for purpose and of an appropriate scale and design. Measures should be taken to integrate such facilities into the landscape providing net benefits to biodiversity.

IV. Proposals should aim to provide for the dual or multiple use of facilities for wider community activities. The use of Community Use Agreements will be expected where appropriate.

## 16.3 Open Space Standards

**16.3.1** New housing can place additional pressure on existing open space and other sport and recreation facilities unless increased provision of such facilities is an integral part of the development. New residential proposals will therefore be expected to provide on-site areas of open space/facilities where appropriate.

**16.3.2** It is recognised, however, that in certain circumstances on-site provision may not be the best planning solution to meet the community's requirements for additional open space/facilities. In these circumstances, developers will be expected to provide financial contributions towards off-site provision in lieu of providing open space/facilities on site.

**16.3.3** Individual requirements will be assessed on a site by site basis and will be informed by the Council's Sports Facility Assessment (2011), Playing Pitch Strategy (2010) and 'Open Space, Sport and Recreation' Supplementary Planning Document (2009) (or as amended). Sport England has also published a series of guidance notes on matters such as the design of sports facilities and planning activity into developments. Where these approaches supersede locally set standards, they will be used.

The East Herts Open Space, Sport and Recreation Supplementary Planning Document (2009, or as amended) can be viewed and downloaded at [www.eastherts.gov.uk/openspacespd](http://www.eastherts.gov.uk/openspacespd)

The Sport England guidance note on the Design of Sports Facilities can be viewed and downloaded from the Sport England Website at: [www.sportengland.org/facilities-planning/tools-guidance](http://www.sportengland.org/facilities-planning/tools-guidance)

The Sport England guidance note on Planning Activity into Developments can be viewed and downloaded from the Sport England Website at: [www.sportengland.org/facilities-planning/planning-for-sport/](http://www.sportengland.org/facilities-planning/planning-for-sport/)

## **CFLR2 Open Space Standards**

I. The provision of adequate and appropriately located open space, sport and recreation facilities in conjunction with new residential development will be sought in accordance with the standards set out in Appendix \$ of this Plan, or any subsequent SPD identifying priorities in local needs.

II. Developers will be expected to provide either on-site provision, or where appropriate, a financial contribution towards either off-site provision, or the enhancement of existing off-site facilities. Where provision is made on-site as part of a development, applicants should detail how it will be maintained in the long term.

## **16.4 Local Green Space**

**16.4.1** The NPPF has introduced a new policy allowing local communities to identify green areas of particular importance to them for special protection. By designating land as 'Local Green Space' local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with sustainable development and complement investment in sufficient homes, jobs and other essential services. 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. Recognising the amenity, wildlife and leisure value of the 'green fingers' in Hertford and Bishop's Stortford, the Council has designated these areas as Local Green Spaces. Local communities, through Neighbourhood Plans, can also identify green areas of particular importance to them for special protection.

## **CFLR3 Local Green Space**

Development will not be allowed within Local Green Spaces, as defined on the Policies Map, other than in very special circumstances.

## 16.5 Water Based Recreation

- 16.5.1** The district's many rivers, canals, lakes and other enclosed water areas such as former quarries and gravel pits offer many opportunities for recreation such as angling and boating as well as walking and cycling. Contributing to the character of the towns through which they flow, notably Bishop's Stortford, Hertford, Ware and Sawbridgeworth, these waterways are also primary habitats for vulnerable species of flora and fauna and as such it is necessary to ensure that recreational activities do not harm the very habitats that make them attractive to visitors.

### CFLR4 Water Based Recreation

Proposals for water-based recreation will be supported in principle, where:

- (a) The proposal does not have a significant adverse impact on the nature conservation interest, the character, or appearance of the environment;
- (b) The proposal does not conflict with the relevant River Catchment Management Plan; and
- (c) The proposal does not have an adverse impact on any flood alleviation works and does not impede the Environment Agency's access requirements to waterworks.

## 16.6 The Lee Valley Regional Park

- 16.6.1** The Lee Valley Regional Park is an important component of the district's green infrastructure defined by its openness, attractive and heritage rich landscapes, sites of nationally significant biodiversity and varied visitor attractions. The Park also has an important role to play in mitigating the impacts of climate change, managing increased flood risk, conserving and enhancing scarce resources (in particular water resources), offsetting urban heat island effects and meeting the open space needs of a growing population.
- 16.6.2** The Regional Park is statutorily designated for leisure, recreation, sport and nature conservation. It covers an area of 4,000 hectares and stretches for 26 miles along the River Lea from the River Thames in East London to Ware in Hertfordshire. Established by Parliament in 1967 the Regional Park was created to meet the recreation, leisure and nature conservation needs of London, Hertfordshire and Essex.
- 16.6.3** Approximately 440 hectares of the Park lie within East Herts, with 98.69% of it designated as Green Belt. This is an area of predominantly high quality landscape with a rural and unspoilt character and features of heritage significance. Gravel extraction has created a number of water areas, providing opportunities for angling, sailing and the creation of important wetland habitats which contribute to the intimate

and semi-enclosed landscape character of the area. The landscape both within and beyond the Park boundaries provides a setting for every event and activity within the Park making a key contribution to the quality of the visitor experience.

**16.6.4** Key sites of nature conservation interest within the Park include two Sites of Special Scientific Interest (SSSIs) at Amwell and Rye Meads Local Nature Reserves which form part of the Lee Valley Special Protection Area (SPA) and Ramsar site. Existing and new connections with adjoining green infrastructure networks (e.g. to the west with Wormley/Hoddesdonpark Woods, to the north with Kings Meads and to the east along the Stort Valley) are to be enhanced, protected and promoted. Further information on the Council's approach to nature conservation and green infrastructure can be found in Chapter 17: Natural Environment.

**16.6.5** The Regional Park Authority Plan guides development and the use of the waterways within the Regional Park. The current Lee Valley Regional Park Development Framework was adopted in July 2010, with Thematic Proposals adopted in January 2011, and consists of two parts:

- Part one: outlines the policies and objectives for the regional park, providing the strategic policy framework for its future use and development.
- Part two: consists of particular proposals for the future use and development of individual sites and areas that collectively form the totality of the regional park.

**16.6.6** Current proposals in the Park Development Framework which relate to East Herts include:

- Improvements to the range of visitor facilities available within the Park in East Herts, including new waterside picnic areas, an enhanced path network, café, cycle hire, water bus service and boat hire;
- Improvements to public realm, signage and routes at existing gateways into the Park and from Rye House, St Margarets and Ware stations;
- Protection of Amwell and Rye Meads SSSI's as internationally important wetland habitats and support for measures that enhance opportunities to enjoy, study and get close to nature;
- Options, to be explored with the Herts & Middlesex Wildlife Trust and the Canals & Rivers Trust, to incorporate and open up the Tumbling Bay area as part of the Amwell Nature Reserve;
- Enhancement of existing sailing and angling facilities;



- Increased recreational use of the waterways, including provision of additional recreational moorings;
- Protection and continued enhancement of the positive landscape character and its heritage value.

Full details of the Park Development Framework and Area Proposals can be found at [www.leevalleypark.org.uk/parkframework/home/](http://www.leevalleypark.org.uk/parkframework/home/)

- 16.6.7** The District Council will support and work with the Regional Park Authority and other stakeholders to deliver the Park Plan 2000 and the Park Development Framework Area Proposals where these improve leisure and sporting opportunities for local communities, enhance access to open space and nature, and help expand educational, volunteering and health related activities.

### **CFLR5 The Lee Valley Regional Park**

I. The District Council supports the Lee Valley Regional Park Development Framework, which will be treated as a material consideration in the determination of planning applications in this area.

II. Proposals for leisure related developments within the Lee Valley Regional Park will be supported in principle provided that intensive land-use leisure activities and associated buildings are located as unobtrusively as possible near existing settlements and do not conflict with other policies within this Plan.

## **16.7 Equine Development**

- 16.7.1** Equestrian related activities are popular forms of recreation and economic development in the countryside. These uses, including riding schools and stables, can fit in well with agricultural activities and help to diversify the rural economy. The Council will support equine development that maintains environmental quality and the character of the countryside.
- 16.7.2** While equestrian development can be appropriate in the open countryside, the cumulative impact of horse related activities and associated buildings can have an adverse impact on the character and appearance of rural areas. Existing buildings should, wherever possible, be re-used. New buildings for horse related activities, including stables, field shelters and tack rooms should be no larger than is essential. In most cases isolated development is unlikely to be acceptable.



- 16.7.3** All equestrian development, whether domestic or commercial, should be of an appropriate scale and design and careful attention should be given to siting, materials and landscaping to avoid an adverse impact on the countryside. Particular care will be needed where floodlighting is proposed in order to avoid an unacceptable impact on residential amenity. In assessing any application, regard will be had to the British Horse Society standards for grazing. Where commercial development is proposed in the Green Belt, the requirement to demonstrate ‘very special circumstances’ in accordance with Policy \$ will apply.

## **CFLR6 Equine Development**

I. Proposals for small-scale equine development (up to 10 stables), whether domestic or commercial, will be permitted when the following criteria are met:

- (a) The proposal is not sited in a prominent location;
- (b) Where new buildings are proposed, applicants must demonstrate that existing structures cannot be re-used;
- (c) The siting, scale and design of the proposal is in keeping with the character of the area, with adequate pasture to support horses. Particular regard will be had to the cumulative effect of proposals;
- (d) The amenity of nearby residential properties is not adversely affected, for example, in relation to floodlighting, noise and disturbance;
- (e) The proposal would not (by itself or cumulatively) have a significant adverse impact in terms of traffic generation.

II. Where commercial development is proposed in the Green Belt, the requirement to demonstrate ‘very special circumstances’ in accordance with Policy \$ will apply.

## **16.8 Community Facilities**

- 16.8.1** Community facilities include, but are not limited to: art galleries; cinemas; community centres; crèches/nurseries; healthcare facilities; museums and libraries; music and concert halls; places of worship; schools; post offices; public houses; village halls; local/village shops. Such facilities act as the focus of community activity and contribute towards community cohesion. Community facilities are provided by a wide variety of agencies including local authorities, other public service providers, churches and the voluntary and business sectors.

- 16.8.2** Urban and rural communities require access to core community facilities. The requirement for facilities is evolving in response to changes in the needs of the local population. As the proportion of people over 65 increases, so demand for facilities catering for older people will rise. New facilities and services may be needed, particularly where a significant amount of new housing is proposed.
- 16.8.3** Planning can help co-ordinate the provision of new facilities and new housing development, and obtain appropriate developer contributions. It can also resist the loss of existing facilities. The District Council will require that proposals for change of use are supported by evidence that the particular facility is no longer viable and explain the options that have been investigated to maintain the service. As new developments require good access to facilities and create additional demand for existing facilities, so any shortfall in provision must be addressed as part of the development.
- 16.8.4** Within villages and the rural area, community facilities are vital to residents, often providing a lifeline for those unable to get into town on a regular basis. The loss of local village shops, post-offices and pubs can be a substantial loss to the local community.
- 16.8.5** Under the Localism Act, voluntary and community organisations can nominate an asset to be included on a list of 'assets of community value'. This list is managed by the Council. If a landowner wants to sell a registered property, they must tell the Council. If a group wants to buy the asset, they can trigger a six month moratorium to give them a chance to raise the money but the landowner can still sell at the going market rate. This period gives community groups some time to develop a proposal and raise the required capital to bid for the property when it comes onto the open market at the end of the moratorium period, thus retaining a valued facility for community use.

More information on Assets of Community Value can be found at:  
[www.eastherts.gov.uk/communityassets](http://www.eastherts.gov.uk/communityassets)

- 16.8.6** Village halls also play a valuable role within rural communities, accommodating a variety of uses such as crèches, youth clubs, doctor's surgeries, as well as providing a venue for social events. New facilities can be designed to accommodate both indoor and outdoor sporting activities, and even small scale business hubs, further boosting the viability of the facility to all age groups and users.
- 16.8.7** Facilities used for the practice of faith or culture are important buildings within communities and offer the opportunity to bring people together through the sharing of space and facilities.
- 16.8.8** In circumstances where minor extensions or alterations to existing premises are essential to the continued viability of the business and the vitality of the village then these may be permitted in accordance with Policy CFLR7 below.

## CFLR7 Community Facilities

I. Proposals that result in the loss of uses, buildings or land for public or community use will be refused unless:

- (a) An assessment has been undertaken which has clearly shown that the facility is no longer needed in its current form; or
- (b) The loss resulting from the proposed development would be replaced by enhanced provision in terms of quantity and quality in a suitable location; or
- (c) The development is for an alternative community facility, the need for which clearly outweighs the loss.

II. Proposals that retain or enhance the provision, quality and accessibility of existing uses, buildings or land for public or community use will be supported in principle, where they do not conflict with other policies within this Plan.

III. Proposals for new uses, buildings or land for public or community use:

- (a) Should be in suitable locations, served by a choice of sustainable travel options;
- (b) Should be of an appropriate scale and flexible design to enable multiple uses throughout the day;
- (c) Should take measures to integrate such facilities into the landscape providing net benefits to biodiversity; and
- (d) Should be constructed in tandem with the development to ensure they are available for the new and existing community from the start of occupation.

IV. Proposals should aim to provide for the dual or multiple use of facilities for wider community activities. The use of Community Use Agreements will be sought where appropriate.

V. Limited extensions/alterations to existing community facilities in the Green Belt and Rural Area Beyond the Green Belt may be supported in principle, where they do not conflict with other policies within this Plan.

## 16.9 Health and Wellbeing

**16.9.1** The NPPF requires planners to consider health in a range of different ways. The framework's presumption in favour of sustainable development highlights the importance of achieving social, economic and environmental objectives (health encompasses all three). Recent changes to the way healthcare is managed in the UK and in Hertfordshire are creating new opportunities to create closer links between

healthcare and planning systems. The Joint Strategic Needs Assessment (2008) undertaken by the Hertfordshire Health and Wellbeing Board and the Clinical Care Commissioning Groups (CCG) provided useful baseline information from which to plan for the future of healthcare provision in the district. This has been updated by Health Summaries (2013) produced by Clinical Care Commissioning Groups; East Herts is joined with North Herts under the NHS East and North Hertfordshire Clinical Commissioning Group. Public Health England also records a wealth of data on health and wellbeing in the form of Local Health Profiles. East Herts Council has produced a Draft Health and Wellbeing Strategy (currently at consultation stage).

The Health Summary for the East and North Hertfordshire Clinical Commissioning Group area can be viewed and downloaded from the NHS East and North Hertfordshire CCG Website at: [www.enhertsccg.nhs.uk/](http://www.enhertsccg.nhs.uk/)

Local Health Profiles can be viewed on the Public Health England Website at: [www.apho.org.uk/](http://www.apho.org.uk/)

The East Herts Draft Health and Wellbeing Strategy can be viewed and downloaded from the Council's Website at: [www.eastherts.gov.uk](http://www.eastherts.gov.uk)

- 16.9.2** The planning system can play an important role in creating healthy, inclusive communities. This could include, for example, measures aimed at reducing health inequalities, encouraging physical activity, improving mental health and wellbeing, and improving air quality to reduce the incidence of respiratory disease. Sport England provides advice on designing developments to encourage physical activity.

The Sport England guidance note on Planning Activity into Developments can be viewed and downloaded at [www.sportengland.org/facilities-planning/planning-for-sport/](http://www.sportengland.org/facilities-planning/planning-for-sport/)

## **CFLR8 Health and Wellbeing**

I. All development shall be designed to maximise the impact it can make to promoting healthy communities and reducing health inequalities. In particular, regard shall be had to providing the necessary infrastructure to encourage physical exercise and health, including accessible open space, vegetation and landscaping, sport and recreation facilities and safe, well promoted, walking and cycling routes.

II. Where new health facilities are planned, these should be located where there is a choice of sustainable travel options and should be accessible to all members of the community.

III Contributions towards new or enhanced health facilities will be sought where new housing results in a shortfall or worsening of provision.

IV. Where new facilities for community use, including for the practice of faith, are planned, these should be of a flexible design to enable multiple uses throughout the day and should be located where there is a choice of sustainable travel options.

## 16.10 Education

- 16.10.1** Access to education is a key contributor to a sense of community and wellbeing. Often schools are the focus of a community, particularly where early years education, extra-curricular activities or public access to facilities are offered. Educational attainment is the keystone of any economy and it is important that access to such facilities is available to the very young through to adult learning opportunities. Ensuring that sufficient school places are available to support development is an integral part of delivering sustainable communities.
- 16.10.2** The Government is committed to ensuring that there is sufficient provision to meet growing demand for school places, through increasing choice and opportunity in state funded education. This commitment is reflected in the NPPF. Local authorities are required to give full and thorough consideration to the importance of enabling development of state-funded schools in their planning decisions.
- 16.10.3** Hertfordshire has experienced a significant rise in the demand for school places across the County in recent years in line with the picture nationally. Hertfordshire County Council (HCC) has a statutory duty to ensure sufficient school places within its area. However, HCC does not control the admissions or management of many schools across the County. As the district's population grows demand for school places will continue to increase, placing pressure on existing facilities. It is therefore vital that investment is made across each education tier to ensure there are enough places to serve the district's pupils within their community.

### CFLR9 Education

I. Development that creates a potential increase in demand for education will be required to make appropriate provision for facilities either on-site or by making a suitable contribution towards the improvement or expansion of nearby existing facilities. Applicants will be expected to work in partnership with Hertfordshire County Council to ensure appropriate facilities are provided.

II. Proposals which fail to make appropriate provision for the education of its future residents will be refused.

III. Proposals for the creation of new or extended education facilities for all ages should:

- (a) Be suitably located, served by a choice of sustainable travel options;

(b) Be of the highest quality of design which offers flexible use of facilities, in order to ensure the various needs of the community can be met (see also Policy ED5 (Lifelong Learning));

(c) Provide or retain a suitable provision of outdoor recreation space and playing fields, in accordance with Policy CFLR1 (Open Space, Sport and Recreation); and

(d) Be designed to facilitate the community use of facilities, in accordance with Policy CFLR7 (Community Facilities).

17  
Natural Environment

## 17 Natural Environment

### 17.1 Introduction

**17.1.1** The natural environment is one of the district’s greatest resources. Environmental quality is however under threat from many directions. The District Council is therefore committed to conserving and enhancing those important landscape and townscape elements which form a key part of the district’s character and the quality of life of its residents.

### 17.2 Nature Conservation

**17.2.1** Nature conservation is an integral part of the planning system and as such needs to be taken into consideration in any development. Ensuring that future generations can enjoy the district’s rich geological and biological inheritance as well as the wider experience that a healthy, functioning natural environment can provide means that we must continue to improve the protection and management of what we have today.

**17.2.2** To assist with this the most important areas in the district are identified on the Policies Map. These include sites of international, national and local importance. The sites are correct at the time of publication of the District Plan but may be subject to change through future reviews. The Council will refer to the most up-to-date position.

**Table 17.1 Designated Environmental Assets**

Type of designation	Purpose of designation
<b>International</b> Special Areas of Conservation (SAC)	Classification under the European Union’s Habitats Directive of areas of value for species, plants and habitats. Together with SPAs, SACs form part of the Natura 2000 system.
<b>International</b> Special Protection Areas (SPA)	Classification under the Birds Directive to protect internationally valuable populations of eligible bird species.
<b>International</b> Ramsar Sites	Designation under the Ramsar Convention for wetlands of international importance.
<b>National</b> Sites of Special Scientific Interest (SSSI)	Protection of the most significant sites for the conservation of wildlife (species & habitats) and/or geology.



Type of designation	Purpose of designation
<b>National</b> National Nature Reserves (NNR)	Areas managed for either (or both) the preservation of flora, fauna, geological and physiological features of special interest or to provide opportunities to study fauna, flora and their physical conditions.
<b>Local</b> Local Nature Reserves (LNR)	Places of special local wildlife or geological interest or significance identified by local authorities.
<b>Local</b> Local Wildlife Sites (WS)	Sites of importance for their scientific, educational and historical value as well as their visual qualities.

**17.2.3** Sites of international importance currently designated within the district include:

- Wormley-Hoddesdonpark Woods – Special Area of Conservation (SAC)
- Rye Meads and Amwell Quarry – components of the Lee Valley Special Protection Area (SPA)
- Rye Meads and Amwell Quarry – components of the Lee Valley Ramsar Site

**17.2.4** All international sites in the district are also designated as SSSI's. SSSI's protect England's finest wildlife and geological sites. Natural England, under the Wildlife and Countryside Act 1981 (as amended), is responsible for designating and assessing these sites working closely with landowners and site managers to ensure that targets to maintain and improve their condition are met. The 2012 Government Strategy 'Biodiversity 2020' set out commitments to bring 50% of the total area of SSSI's into 'favourable condition' by 2020. There are 16 SSSI's in the district.

**17.2.5** The only National Nature Reserve (NNR) in Hertfordshire is located in the south of the district at Broxbourne Woods.

**17.2.6** Advice should be sought from Natural England for any proposals that may potentially affect an international or national site.

**17.2.7** Local Wildlife Sites in the district are identified by the Hertfordshire Wildlife Sites Partnership which is a partnership approach to the identification, selection, assessment and protection of Local Wildlife Sites in the County, led and coordinated by the Herts and Middlesex Wildlife Trust. Local Wildlife Sites (WS) are considered to be of significance for wildlife in at least a district context. There are currently 573 Wildlife Sites in the district covering 3,462 hectares. There are also currently 14 Local Nature Reserves (LNR) (as protected by the National Parks and Access to the Countryside Act, 1949) in the district, including 4 Flagship Reserves:

- Amwell
- Balls Wood
- Kings Meads
- Rye Meads

**17.2.8** Distinctions will be made between the hierarchy of international, national and locally designated sites so that protection is commensurate with their status and appropriate weight will be given to their importance and the contribution they make to wider ecological networks.

## **NE1 International, National and Locally Designated Nature Conservation Sites**

I. Development proposals, land use or activity (either individually or in combination with other developments) which are likely to have a detrimental impact which adversely affects the integrity of a site, will not be permitted unless it can be demonstrated that there are reasons which clearly outweigh the need to safeguard the nature conservation value of the site, and any broader impacts on the international, national, or local network of nature conservation assets.

II. Where a priority species or habitat on the site is adversely affected by the proposals the District Council will need to be satisfied that:

- (a) There are imperative reasons of overriding public interest, which could be of a social or economic nature, sufficient to override the harm to the site;
- (b) There are imperative reasons of overriding public interest relating to human health, public safety or benefits of primary importance to the environment.

III. In exceptional circumstances where proposals are allowed which would damage the nature conservation value of the International, National or Local Site, any adverse impact to designated sites should only occur as a last resort, and should be compensated by replacement with a feature of comparable or higher ecological value. The District Council will consider the use of conditions and/or planning obligations to provide appropriate mitigation/compensation.

## **17.3 Species and Habitats**

**17.3.1** The planning system has a central role to play through resisting development proposals that may irreversibly damage important species or habitats, by enhancing biodiversity through incorporating mitigation and enhancements and by securing long-term favourable management of biodiversity rich sites.

- 17.3.2** Biodiversity describes the number and variety of species of plants and animals within a habitat and also the diversity of habitats within an ecosystem. Biodiversity has economic importance, adds to our quality of life and contributes to local distinctiveness.
- 17.3.3** Whilst protecting priority species is important, if biodiversity is to be genuinely enhanced, the conservation of all wildlife and habitats needs to be at the centre of development and planning decision making.
- 17.3.4** While there are no longer national habitat or species targets, the Hertfordshire Biodiversity Action Plan (2006) identifies those habitats and species which are a priority for conservation and is a valuable source of information on the county's natural assets.

The Hertfordshire Biodiversity Action Plan (2006) can be viewed and downloaded from the Hertfordshire Environmental Forum at: [www.hef.org.uk/nature/biodiversity\\_vision/](http://www.hef.org.uk/nature/biodiversity_vision/)

- 17.3.5** Development should be planned to avoid habitat loss and fragmentation, and opportunities should be sought to improve ecological connectivity, including through the creation, restoration and enhancement of linking habitats and 'stepping stones' through the landscape. Any development should minimise impacts on biodiversity and provide net gains for nature where possible. This involves safeguarding and enhancing biodiversity already present, providing new areas of habitat appropriate to the ecology of the area and integrating biodiversity within new development. Encouragement will be given to proposals which improve the biodiversity value of sites and to the establishment of local nature reserves where the nature conservation and landscape interest of the site will be protected and enhanced.
- 17.3.6** Where there is evidence of European Protected Species (EPS) such as bats, great crested newts, dormice or otters, the Council will apply the following three derogation tests:
- The activity must be for imperative reasons of overriding public interest or for public health and safety;
  - There must be no satisfactory alternative; and
  - Favourable conservation status of the species must be maintained.
- 17.3.7** Where damage to a species or habitat is unavoidable, development should be designed to conserve as much of the original habitat as possible and retain and protect wildlife corridors. It should seek to avoid damage to, or adverse effects upon, existing biodiversity (species and habitats) through appropriate site design. Where there may be no significant harm to species or habitats there may be potential opportunities to provide new benefits for wildlife, for example by habitat creation or enhancement.
- 17.3.8** Examples of how enhancements could be achieved include:

- Planting native trees and shrubs of local provenance
- Connecting existing habitats and enhancing migratory routes with additional planting and species rich hedgerows
- Creation of ponds
- Provision of roosting opportunities for bats
- River or stream restoration
- Sustainable Urban Drainage Systems

**17.3.9** Planning obligations and conditions may be used to secure agreed measures such as mitigation or compensation. Mitigation measures could involve some of the following:

- Timing the development of sites to avoid the breeding seasons or hibernation periods for species present
- Creating buffer zones between sensitive areas and development areas to reduce disturbance to habitats
- Ensuring that development is designed to enable the movement of wildlife to continue

**17.3.10** Compensation which in most cases should be a last resort, involves creating new replacement habitats either on-site or off-site. However, compensation for a lost habitat will not make an unacceptable development acceptable.

## NE2 Species and Habitats

I. Development proposals which may have an impact on Species and Habitats of Principle Importance included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006 (or as subsequently amended) will only be permitted where harm to the species and habitats can be avoided.

II. Locally important biodiversity sites and other notable ecological features of conservation value will also be protected and enhanced.

III. Development which would result in the loss or significant damage to trees, hedgerows or ancient woodland sites will not be permitted. The Council will seek their reinforcement by additional planting of native species where appropriate.

IV. Developments should demonstrate how the proposal improves the biodiversity value of sites and enhances their nature conservation interest and landscape quality, such as through the establishment of local nature reserves. If providing such features as part of a development, applicants should detail how it will be maintained in the long term.

V. Where in exceptional circumstances damage to a species or habitat is unavoidable, any adverse impact should only occur as a last resort. The District Council will impose conditions / planning obligations which seek to:

- (a) Facilitate the survival of existing populations as well as encouraging the provision of new populations;
- (b) Reduce disturbance to a minimum;
- (c) Provide adequate alternative habitats to sustain at least the current levels of populations.

The England Biodiversity List can be viewed and downloaded from the Habitats and Species of Importance pages of the Natural England Website at: [www.naturalengland.org.uk/](http://www.naturalengland.org.uk/)

## 17.4 Green Infrastructure

- 17.4.1** The NPPF describes Green Infrastructure as “a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities” (Annex 2: Glossary, NPPF, CLG, 2012).
- 17.4.2** The Council’s Green Infrastructure Plan (part of a county-wide suite of Green Infrastructure Plans) provides an overview of existing green infrastructure assets within the district, considers opportunities for the enhancement and creation of new assets, outlines a series of potential projects and provides advice on delivering green infrastructure proposals.

The Council's Green Infrastructure Plan can be viewed and downloaded at: [www.eastherts.gov.uk/gip](http://www.eastherts.gov.uk/gip)

- 17.4.3** East Herts has a rich green infrastructure resource centred on the principal river valleys of the Lee, Beane, Quin, Rib, Ash and Stort in addition to a varied mosaic of landscape and habitat types, such as grassland, ancient and plantation woodland and farmland of importance to wildlife. However, through time and changing pressures on the use of land, these habitats have become fragmented and

disconnected. While these sites still contribute towards the district's green infrastructure, improvements are necessary in order to strengthen their quality, connectedness and resilience to changing climates and the impact of human activity, and to provide opportunities for other green infrastructure functions.

- 17.4.4** Street trees, gardens, waterways, public parks and open spaces all contribute to urban green infrastructure. Quite often such urban green infrastructure is the only 'natural environment' we connect with on a day-to-day basis. Yet these features contribute significantly in cleaning and cooling the air, preventing flooding, providing 'stepping stones' for wildlife and for recreational activity and enjoyment. It is therefore important that changes to the district's urban environments contribute to the wider green infrastructure network. Development should be planned to avoid habitat loss and fragmentation, and opportunities should be sought to improve ecological connectivity, including through the creation, restoration and enhancement of linking habitats and 'stepping stones' through the landscape.
- 17.4.5** The Council welcomes the use of green infrastructure as an alternative solution to 'grey' infrastructure (such as water management and waste). Such schemes can provide opportunities for flood attenuation and public open spaces and can often be cheaper to construct and maintain.
- 17.4.6** Applicants will be expected to seek the advice of the Herts and Middlesex Wildlife Trust, the Hertfordshire Biological Records Centre, Countryside Management Service and Natural England, and other relevant local nature partnerships where appropriate, where proposals affect or have the potential to enhance green infrastructure and nature conservation assets.

## NE3 Green Infrastructure

I. A diverse network of accessible, multi-functional green infrastructure across the district will be protected and enhanced for its biodiversity, recreational, accessibility, health and landscape value and for the contribution it makes towards combating climate change.

II. Development proposals should:

- (a) Avoid the loss, fragmentation or functionality of the green infrastructure network, including within the built environment, such as access to urban waterways;
- (b) Maximise opportunities for improvement to the green infrastructure network in accordance with the Council's Green Infrastructure Plan, its Parks and Open Spaces Strategy, the Hertfordshire Biodiversity Action Plan, Living Landscape Schemes, locally identified Nature Improvement Areas and any future relevant plans and programmes as appropriate;
- (c) Maximise opportunities for urban greening such as through appropriate landscaping schemes and the planting of street trees;

(d) Consider the integration of green infrastructure into proposals as an alternative or to compliment 'grey' infrastructure.

III. Contributions towards local green infrastructure projects will be sought where appropriate. If providing green infrastructure as part of a development, applicants should detail how it will be maintained in the long term.

IV. Proposals which affect the district's river environments, including built development and recreation and leisure proposals, should take into account and contribute towards achieving, the aims of any statutory or non-statutory plans, such as the Lee Valley Regional Park Authority Park Development Framework, the River Stort Waterspace Strategy, relevant River Catchment Management Plans and the Water Framework Directive, and any future relevant plans and programmes.

The Draft East Herts Parks and Open Spaces Strategy (2013-2018) can be viewed and downloaded at: [www.eastherts.gov.uk/parksstrategy](http://www.eastherts.gov.uk/parksstrategy)

For more information on Living Landscape Schemes, see the Herts and Middlesex Wildlife Trust Website at: [www.hertswildlifetrust.org.uk](http://www.hertswildlifetrust.org.uk)

For more information on the River Stort Waterspace Strategy go to [www.....](http://www.stortwaterspace.org.uk)

For more information on the River Stort Catchment Management Plan go to: [www.stortriverpartnership.org.uk](http://www.stortriverpartnership.org.uk)

For more information on the River Beane and Mimram River Catchment Management Plan go to [www.beaneandmimrampartnership.org.uk](http://www.beaneandmimrampartnership.org.uk)

For more information on the Water Framework Directive go to <http://ec.europa.eu/environment/water/>





18

Landscape

## 18 Landscape

### 18.1 Introduction

**18.1.1** Landscape is formed by many factors, including the underlying soils, climate, habitats and human influence, both past and present. Planning policy provides an important framework within which to protect and manage change within landscape.

### 18.2 Landscape Character

**18.2.1** There is a diverse landscape character and settlement pattern in the district which is described in Council's Landscape Character Assessment Supplementary Planning Document (September 2007). The document provides a structured evaluation of these landscapes, a landscape strategy and guidelines for conserving and enhancing the character of each area. The document also provides a framework for assessing planning applications. Landscape and Visual Impact Assessments should be submitted with planning applications detailing how the proposal takes into account the Landscape Character Assessment SPD; preserving valuable landscapes through appropriate mitigation and enhancement.

The Landscape Character Assessment Supplementary Planning Document (2007) can be viewed and downloaded at: [www.eastherts.gov.uk/landscapespd](http://www.eastherts.gov.uk/landscapespd)

#### **LAN1 Landscape Character**

I. Development proposals must demonstrate how they conserve, enhance or strengthen the character and distinctive features of the district's landscape. A Landscape and Visual Impact Assessment should be provided to ensure that impacts, mitigation and enhancement opportunities are appropriately addressed.

II. In exceptional circumstances, where damage to landscape character is unavoidable and justified by other material considerations, appropriate mitigation measures will be sought.

III. Where an area is identified in the Council's Landscape Character Assessment this will be used to inform consideration of development proposals.

### 18.3 Landscaping

- 18.3.1** Landscape issues must be regarded as an integral part of the development process. Careful and early consideration of design issues and the provision of adequate landscape information can help to avoid delays at a later stage. In assessing the landscape implications of planning applications the site context, proposed layout, future uses and maintenance all need to be taken into account.
- 18.3.2** The Council will not permit schemes that result in the net loss of landscape features of visual and biodiversity value, and all opportunities for new planting and habitat creation should be fully explored. In exceptional circumstances, where development would result in the loss of landscape features, appropriate compensatory planting or habitat creation will be sought. Certain plants will be more suited to the physical conditions of the site and to the local landscape character than others. As a general rule locally native species are preferable.
- 18.3.3** Trees and hedgerows form an important part of our environment and, in the delivery of sustainable development, the retention and planting of new trees and hedgerows is crucial. Trees contribute to the amenity of the landscape and townscape, add maturity to new developments, make places more attractive and help soften the built environment. They also contribute to storm-water management, provide shading and improve air quality.
- 18.3.4** Advice on existing trees and hedgerows, and new planting can be provided by relevant Council officers.
- 18.3.5** Some types of development would benefit from a Design Statement, while a detailed landscape and visual assessment may be needed for particularly prominent development proposals. Major proposals may be subject to formal Environmental Impact Assessment (EIA) procedures. Planning Officers can advise on when these are needed and at what stage.
- 18.3.6** The Council welcomes landscape design which incorporates principles of sustainability such as use of local materials, low energy consumption for construction and maintenance, local recycling of water through surfaces which increase the permeability of the ground, and good pedestrian/cycle links and facilities to reduce car use.

#### LAN2 Landscaping

I. Development proposals must demonstrate how they will retain, protect and enhance existing landscape features which are of amenity and/or biodiversity value.

II. In exceptional circumstances, where losses are unavoidable and justified by other material considerations, compensatory planting or habitat creation will be sought either within or outside the development site.



19

## Heritage Assets

## 19 Heritage Assets

### 19.1 Introduction

**19.1.1** The district is fortunate in having a rich and varied historical built environment, which includes landscape, sites, structures and buried remains of significant historic and architectural interest.

### 19.2 Heritage Assets

**19.2.1** Heritage assets make a valuable contribution to the areas economic and social wellbeing. Heritage assets include a building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions. Heritage assets are the valued components of the historic environment. They include designated heritage assets and non designated assets identified by the local planning authority.

**19.2.2** The District Council recognises that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance and usage. Heritage assets in East Herts include:

- Over 30 Scheduled Monuments
- Nearly 3,100 Listed Buildings
- 42 Conservation Areas
- 450 Areas of Archaeological Significance
- 15 Registered Parks and Gardens of Special Historic Interest
- 59 Locally Listed Historic Parks and Gardens

**19.2.3** Many historic assets are designated under other heritage-related policies rather than through the planning system itself. Nonetheless, planning has a role to ensure that new development does not adversely affect these assets. The long-term management of historic assets can be costly and as such there is a risk of these assets suffering from neglect and falling into disrepair. The Council works alongside English Heritage to monitor the condition of heritage assets and produces a Buildings at Risk Register. Regular monitoring is necessary in order to prevent the decline in condition of the district's historic assets.

#### HA1 Heritage Assets

I. Development proposals should protect and enhance the historic environment of East Herts.

II. Development proposals that would adversely affect a designated heritage asset will not be permitted unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

III. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset will not be taken into account in any decision.

**19.2.4** In addition to those historic assets that are statutorily protected, non-designated assets can be identified by the local planning authority if they are considered to be of significance. Significance refers to the value of a historic asset to this and future generations because of its historic interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from the heritage asset's physical presence, but also its setting. Significance will be measured in terms of how the asset meets the following five criteria:

- Rarity
- Representativeness
- Aesthetic appeal
- Integrity
- Association

Further information and good practice on the identification of non-designated heritage assets is available on the English Heritage website at [www.english-heritage.org.uk](http://www.english-heritage.org.uk).

**19.2.5** The following policy therefore seeks to ensure that the value and significance of the district's non-designated heritage assets are protected so that they continue to contribute to the richness of the district's historic environment and inform future development.

### HA2 Non-Designated Heritage Assets

Where a proposal would adversely affect a non-designated historic asset, regard will be had to the scale of any harm or loss and the significance of the heritage asset.

## 19.3 Archaeology

**19.3.1** Archaeological remains are a fragile and finite resource. Appropriate management of archaeological remains is essential to ensure they survive in good condition and are not needlessly or thoughtlessly destroyed.

**19.3.2** Where a site has the potential to include an archaeological interest (whether scheduled or unscheduled) a desk based assessment will be required. This should be based on the collation of existing written and graphic information, in order to identify the likely character, extent and relative quality of the actual or potential

archaeological resource. If features are present then a field evaluation may also be necessary to define their character, extent and relative quality so that their worth may be assessed in local, regional and national contexts.

- 19.3.3** The case for preservation will be assessed on the merits of the individual application. In cases where preservation in situ would not be required, developers may be asked to enter into a Section 106 Agreement before planning permission is given. This allows secure excavation and the recording and publication of remains prior to development starting. Where planning permission is given, conditions may be attached to the grant of permission to ensure that excavation and recording is carried out before development work starts, and to ensure that a 'watching brief' is maintained while work progresses.
- 19.3.4** Areas of Archaeological Significance, including potential areas, are identified on the Policies Map. The sites are correct at the time of publication of the District Plan but may be subject to change through future reviews. The Council will refer to the most up-to-date position.

### HA3 Archaeology

- I. Where a site has the potential to include heritage assets with archaeological interest (whether scheduled or unscheduled), applicants should submit an appropriate desk based assessment and, where necessary, a field evaluation prior to the submission of an application.
- II. Where development is permitted on sites containing archaeological remains, planning permission will be subject to conditions and/or formal agreements requiring appropriate excavation and recording in advance of development.

## 19.4 Conservation Areas

- 19.4.1** Since 1968 local authorities have been able to designate Conservation Areas. Conservation Areas can be designated if they are of special historic or architectural interest, the character and appearance of which it is desirable to preserve or enhance.
- 19.4.2** There is no standard specification for Conservation Areas. The special interest of an area can derive from a combination of characteristics, such as the historic street pattern and traditional or notable building styles. Important to all Conservation Areas is the visual 'quality of place' they possess. This aspect principally results from the way in which the buildings and spaces relate to each other, together with the inherent quality of the buildings and other structures.
- 19.4.3** The District Council has commenced a programme of Conservation Area appraisal work to identify and document what factors are considered to make up the special character of these areas.



- 19.4.4** In order to protect their special environment, stricter controls over demolition, works to trees and new development apply within Conservation Areas. These controls are not intended as a hindrance to change, but as a positive management tool to safeguard the character of the area as a whole.
- 19.4.5** The district's Conservation Areas are identified on the Policies Map. Within the plan period consideration will be given to further areas which may merit designation as Conservations Areas and to the review of existing Conservation Area boundaries.

#### HA4 Conservation Areas

I. New development, extensions and alterations to existing buildings in Conservation Areas will be permitted provided that they preserve or enhance the established character or appearance of the area. Development proposals outside a Conservation Area which affect its character and setting will be considered likewise. Proposals will be expected to:

- (a) Respect established building lines, layouts and patterns;
- (b) Use materials and adopt design details which are traditional to the area;
- (c) Be sympathetic in scale, proportion, form, height and overall character to the surrounding area;
- (d) In the case of alterations and extensions, be complementary and sympathetic to the parent building; and
- (e) Conform to any 'Conservation Area Appraisals' prepared by the District Council.

II. Consent for demolition will only be granted if the building or structure makes no positive contribution to the character of the Conservation Area.

- 19.4.6** In the district's town centres, frontages to shops and commercial premises play a key role in defining the character and quality of the Conservation Areas. The Council is therefore keen to ensure that a high quality environment is maintained, consistent with commercial and economic considerations. The introduction of unsympathetic advertisements can compromise the quality of the environment. Signage and lighting must therefore be sensitive to the character of these areas. For example, poster boarding are seldom appropriate in Conservation Areas.

#### HA5 Shopfronts in Conservation Areas

I. Proposals for new shop front or commercial premise frontage or alterations to existing ones will be permitted where the proposed design is sympathetic to the scale, proportions, character and materials of the structure, adjoining buildings and the street scene in general.

II. Shop fronts of architectural or historic interest shall be retained and repaired as necessary.

III. Security features should be designed in a sensitive manner which respects the overall character of the frontage and location, facilitates natural surveillance and maintains an attractive street scene. The use of architectural solutions combined with the use of an internal open lattice grille is preferred. Alarm boxes should be of a discreet colour and size, located carefully in relation to the elevation of the building, whilst being obvious enough to deter an intruder.

## HA6 Advertisements in Conservation Areas

Where express consent is required within Conservation Areas the District Council will only accept advertisements where they:

- (a) Are either painted or individually lettered in a suitable material of an appropriate size and design in relation to the building or fascia upon which they are to be displayed;
- (b) Are preferably non-illuminated. Where illumination is proposed as necessary it should be discreet in size and of a minimum level;
- (c) Are of a traditional fascia or hanging type; and
- (d) Are of an appropriate size necessary to convey their message.

## 19.5 Listed Buildings

**19.5.1** Under the Planning (Listed Buildings and Conservation Areas) Act 1990 there is a statutory duty to compile Lists of Buildings of Special Architectural or Historic Interest for the whole country.

**19.5.2** The List is a register. It identifies those buildings which are of special interest and gives the Council extra powers to protect them, as well as imposing extra responsibilities on their owners.

English Heritage maintains the list of properties and structures (including their descriptions and location maps) which can be accessed from their website at [www.english-heritage.org.uk/](http://www.english-heritage.org.uk/).

**19.5.3** Listed buildings of special architectural or historic interest must be sensitively repaired and improved, using traditional materials and techniques. Appropriate new uses should be found for them in order to guarantee their future survival. Demolition will

not normally be allowed. Alterations/additions to listed buildings require the greatest skill and care, in order to avoid damage to the intrinsic character of the buildings themselves, including interiors and fixtures, and to their setting. Similarly, new development affecting a listed building must be sympathetically designed, so as not to harm the listed building's historic integrity and identity. The use of legal powers will be considered where listed buildings are at risk from wilful neglect, long-term dereliction or abandonment.

- 19.5.4** 'Listed building consent' is required from the District Council for any works that affect a building's special character. The listing of a building implies that it will be preserved as far as possible. However, alterations and improvements are not ruled out, but the listing will ensure the special architectural or historic interest of the building is fully recognised and the changes carefully scrutinised when a planning application is made. To support applicants the Council has produced a series of guidance notes on the preservation and repair of historic materials and buildings.

The East Herts guidance notes on the preservation and repair of historic materials and buildings can be viewed and downloaded from the Council's Website at: [www.eastherts.gov.uk/conservationandheritage](http://www.eastherts.gov.uk/conservationandheritage)

### HA7 Listed Buildings

I. Proposals involving the alteration, extension, or change of use of a Listed Building will only be permitted where:

(a) The proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting; and

(b) The proposal respects the scale, design, materials and finishes of the existing building(s), and preserves its historic fabric.

II. Proposals that affect the setting of a Listed Building will only be permitted where the setting of the building is enhanced.

## 19.6 Historic Parks and Gardens

- 19.6.1** Historic parks and gardens are a fragile and finite resource: they can easily be damaged beyond repair or lost forever. They are an important part of the heritage and environment of the district. They comprise of a variety of features: the open space; views in and out; the planting; water features; built features and archaeological remains. There is a need to protect such sites and their settings from new development which would destroy or harm the historic interest.

- 19.6.2** The English Heritage 'Register of Historic Parks and Gardens of special historic interest in England' was established in 1983 and currently identifies over 1,600 sites assessed to be of national importance. Fifteen of these are in the district and are identified on the Policies Map.

The 'Register of Historic Parks and Gardens of special historic interest in England' can be viewed and downloaded at: [www.english-heritage.org.uk](http://www.english-heritage.org.uk)

- 19.6.3** The main purpose of this Register is to celebrate designed landscapes of note, and encourage appropriate protection. It is hoped that, by drawing attention to sites in this way, English Heritage will increase awareness of their value and encourage those who own them, or who otherwise have a role in their protection and their future, to treat these special places with due care.
- 19.6.4** Registration is a 'material consideration' in the planning process, meaning that planning authorities must consider the impact of any proposed development on the landscape's special character.
- 19.6.5** In addition to those parks and gardens on the Register, the Hertfordshire Gardens Trust has also compiled a list of other locally important sites in the district. These are considered by the District Council to be of sufficient quality to warrant appropriate preservation and protection when considering development proposals under the following policy.
- 19.6.6** Further information, including a list of locally important parks and gardens, can be found in the Council's 'Historic Parks & Gardens' Supplementary Planning Document (September 2007).

The 'Historic Parks & Gardens' Supplementary Planning Document (September 2007) can be viewed and downloaded at: [www.eastherts.gov.uk/historicparksandgardensspd](http://www.eastherts.gov.uk/historicparksandgardensspd)

## HA8 Historic Parks and Gardens

I. Development proposals that significantly harm the special historic character, appearance or setting of those sites listed on the English Heritage 'Register of Historic Parks and Gardens' will not be permitted. The same level of protection will be afforded to other locally important sites.

II. Where appropriate, the District Council will encourage proposals for the repair, restoration and management of historic parks and gardens.

## 19.7 Enabling Development

- 19.7.1** Enabling development is the means of securing the long-term future of a significant place when conservation through development in compliance with policy cannot do so.
- 19.7.2** The vast majority of significant places survive because they are capable of beneficial use. Their maintenance is justified by their usefulness to, and appreciation by, their owners, not just value in the property market, either in their own right or as part of a larger entity. An historic garden, for example, normally adds to the amenities and value of a house. The problem that enabling development typically seeks to address occurs when the cost of maintenance, major repair or conversion to the optimum viable use of a building is greater than its resulting value to its owner or in the property market. This means that a subsidy to cover the difference – the ‘conservation deficit’ – is necessary to secure its future.
- 19.7.3** The scale and range of enabling development can vary greatly. Whilst often associated with residential development to support the repair of a country house, it can include, for example, an extension acceptable in historic building terms, but exceeding the maximum size permitted under plan policies for the rural area.

Detailed guidance on how an applicant might make an enabling development application is set out in English Heritage’s guidance on ‘Enabling Development and the Conservation of Significant Places’, which can be viewed and downloaded at: [www.english-heritage.org.uk](http://www.english-heritage.org.uk)

### HA9 Enabling Development

I. Proposals for enabling development will be assessed in accordance with the English Heritage’s latest guide on ‘Enabling Development and the Conservation of Significant Places’.

II. Enabling development which would secure the future of a significant place, but would be contrary to other planning policy objectives, should be unacceptable unless:

- (a) The benefits of a proposal for enabling development, which would secure the future conservation of a significant place, outweigh any public harm or loss consequent upon conflicts with and the departure from other District Plan policies;
- (b) The proposal does not materially detract from the archaeological, architectural, historic, landscape or nature conservation of the site or its setting;
- (c) The proposal avoids detrimental fragmentation of management of the place;

(d) The proposal is necessary to resolve problems arising from the inherent needs of the place;

(e) Sufficient subsidy is not available from any other source; and

(f) It is clearly demonstrated that the proposal is the minimum necessary to ensure the future of the site.

20

## Climate Change

## 20 Climate Change

### 20.1 Introduction

- 20.1.1** Climate change is caused in part by greenhouse gases that are primarily produced through the burning of fossil fuels. Problems commonly associated with climate change include flooding and extreme weather patterns. Climate change is both a global and local issue.
- 20.1.2** Building Futures is a Hertfordshire guide to promoting sustainability in development, including modules on Climate Change Adaptation and also on Energy and Climate Change. Both modules include practical advice in relation to measures which can help to address climate change, and which should be considered alongside the policy requirements of the District Plan.

Building Futures is available at [www.hertslink.org/buildingfutures](http://www.hertslink.org/buildingfutures).

### 20.2 Adaptation

- 20.2.1** Climate change is expected to result in hazards such as heatwaves, flooding, and drought. Adaptation means improving our resilience to such impacts. This section addresses the issue of overheating. Measures related directly to water and climate change adaptation, including flood risk, water efficiency, and sustainable urban drainage, are contained within Chapter 21: Water.
- 20.2.2** Measures to address overheating may be undertaken at building level, neighbourhood scale, and town or urban extension scale. Examples of measures include:
- using site landform and landscape to benefit from shelter, to minimise heat losses in winter, provide adequate shade in summer, and to catch breezes
  - using deciduous trees to maximise shade in summer and allow light in during the winter, or structural or functional design to achieve a similar effect
  - minimising energy demand, for example using cross-ventilation, to avoid a vicious circle whereby increased demand for air conditioning generates further climate-changing emissions



- using materials that prevent the penetration of heat to a building, which can include green roofs or walls, light coloured materials in exposed surfaces, and for large car parks; road energy systems which store heat and release it during the winter months
- providing green infrastructure including woodlands, street trees and green landscaping, parks, sports grounds, allotments, and green roofs.

**20.2.3** Such measures may have a number of wider benefits, including reduced energy bills and improving the quality of the built environment. The Building Futures Climate Change Adaptation module contains further guidance on adaptation solutions.

### CC1 Climate Change Adaptation

All new development should:

- (a) Demonstrate how the design, materials, construction and operation of the development would minimise overheating in summer and reduce the need for heating in winter; and
- (b) Integrate green infrastructure from the beginning of the design process to contribute to urban greening, including the public realm. Elements that can contribute to this include appropriate tree planting, green roofs and walls, and soft landscaping.

## 20.3 Mitigation

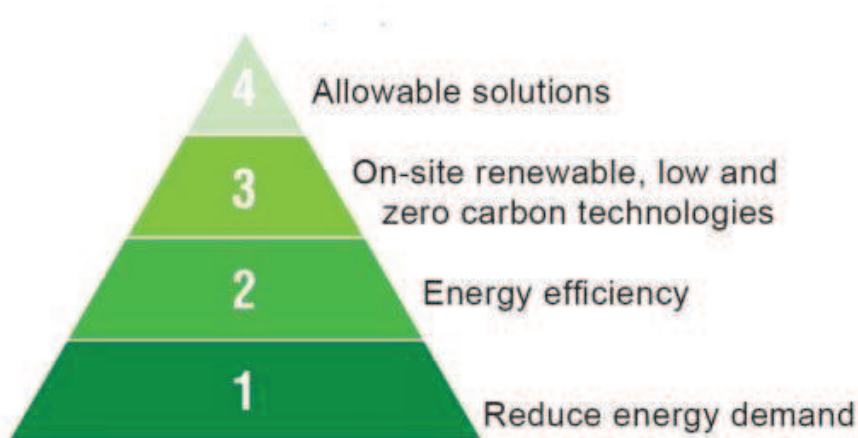
**20.3.1** Carbon emissions originate from a wide range of sources, including transport, construction, and all forms of energy use including heating and appliances. The Climate Change Act (2008) sets out a legally binding target for reducing the UK's carbon dioxide emissions, in order to mitigate or reduce the impacts of climate change. Planning plays a role in terms of locating development so as to minimise the need to travel, which is addressed in the transport policies and also in the development strategy for the district.

**20.3.2** There are four main types of approach to reduction of carbon emissions from development. These are as follows:

1. Reduce energy demand by providing natural ventilation and illumination, good insulation, and shading as described in relation to climate change adaptation
2. Increase energy efficiency through the use of efficient services and appliances, and low-energy lighting

3. Generate heat and/or power through on-site low and zero carbon technologies such as Combined Heat and Power (CHP), solar panels, biomass boilers, or heat pumps
4. Offsetting on-site carbon emissions through off-site means, for example retrofitting existing buildings elsewhere, investment in energy schemes such as district heating, payment into a community investment fund, or use of Green Energy Tariffs. These are known as ‘allowable solutions’.

**Figure 20.1 Energy Hierarchy**



**20.3.3** These four approaches are usually represented as an energy hierarchy as illustrated in Figure 20.1 above, in which the most effective ways of reducing carbon dioxide are shown at the base and must be fully explored first.

**20.3.4** Wherever possible, developers should use reliable technologies and approaches with a proven track record.

**20.3.5** The government is currently undertaking a review of local standards which will include planning and building regulations. The review is likely to address zero carbon standards, carbon and renewable energy targets, and allowable solutions. It is anticipated that this will include the role of planning policy, and therefore the approach outlined here may be subject to change.

### CC2 Climate Change Mitigation

I. All new developments should demonstrate how carbon dioxide emissions will be minimised across the development site, taking account of all levels of the energy hierarchy achieving above and beyond the requirements of Building Regulations.

II. Carbon reduction should be met on-site unless it can be demonstrated that this is not feasible or viable. In such cases effective offsetting measures to reduce on-site carbon emissions will be accepted as allowable solutions.

III. The energy embodied in construction materials should be reduced through re-use and recycling of existing materials and the use of sustainable materials and local sourcing.

## 20.4 Renewable and Low Carbon Energy

- 20.4.1** There are a variety of opportunities for generating clean energy. The Hertfordshire Renewable and Low Carbon Energy Technical Study (July 2010) includes energy opportunity maps for East Hertfordshire, which may assist in the selection of appropriate carbon saving methods depending on the location of development proposals.

The Hertfordshire Renewable and Low Carbon Energy Technical Study (July 2010) can be viewed and downloaded from the Hertfordshire County Council Website at: [www.hertsdirect.org/services/envplan/plan/renewableenergy/](http://www.hertsdirect.org/services/envplan/plan/renewableenergy/).

- 20.4.2** The East of England Plan (2008) required 10% of energy to come from decentralised, renewable or low carbon technologies for new development of more than 10 dwellings of 1000m<sup>2</sup> of non-residential floorspace. Despite the revocation of the Plan in January 2013, the District Council, in line with its commitment to mitigate the impacts of climate change, will take forward this policy requirement.
- 20.4.3** Some renewable forms of energy used for heating may, cumulatively or in isolation, result in a rise in particulates which can be harmful to human health. For this reason such technologies will not be permitted within or near the urban areas of settlements, as explained in Policy EQ4 (Air Quality) (see Chapter 22: Environmental Quality).

### CC3 Renewable and Low Carbon Energy

I. All new development of more than 10 dwellings or 1,000m<sup>2</sup> of non-residential floorspace must produce at least 10% of the total predicted energy requirements from on-site renewable technologies or decentralised renewable sources unless it can be demonstrated that this is not feasible or viable.

II. The Council will permit new development of sources of renewable energy generation subject to assessment of the impacts upon:

- (a) environmental and historic assets;
- (b) visual amenity and landscape character;

- (c) local transport networks;
- (d) the amenity of neighbouring residents and sensitive uses; and
- (e) air quality and human health.

21  
Water

## 21 Water

### 21.1 Introduction

- 21.1.1** Flood risk, water quality, human consumption, waste water, and the environment are all linked through the natural process of water circulation through the air, on the surface of the earth, and in the ground, known as the water cycle. Development and the built environment have significant impacts on the operation of the water cycle, and the availability and quality of water for use.
- 21.1.2** Building Futures is a Hertfordshire guide to promoting sustainability in development. It includes a 'Water' module which sets out an approach to integrated water management (IWM) which takes account of the water cycle. IWM aims to ensure that the built environment is planned and designed to function in partnership with the natural water environment, so that they can both be sustainable. IWM has a number of sub-management processes, including minimising water consumption, using and reusing alternative sources of water, managing surface water drainage, and improving water quality.

Building Futures is an interactive website which can be accessed at [www.hertslink.org/buildingfutures](http://www.hertslink.org/buildingfutures)

### 21.2 Flood Risk

- 21.2.1** Water is an essential resource, but it can also be a hazard. The susceptibility of land to flooding is a material planning consideration. The Council will resist any development which has the potential to contribute to flood risk and has adverse impacts on river channel stability or damage to wildlife habitats. The following policies encourage an integrated water management approach to new development.
- 21.2.2** East Herts Council's Strategic Flood Risk Assessment (SFRA) contains maps showing flood risks from various sources, including river and surface water flood risk areas, and these represent a snapshot of flood risk at a given moment. The Environment Agency publishes regular mapping updates, and the latest evidence should be a material consideration in determination of planning applications.

The East Herts Strategic Flood Risk Assessment can be viewed on the Council's website at [www.eastherts.gov.uk/sfra](http://www.eastherts.gov.uk/sfra).

- 21.2.3** For development proposals of 1 hectare or greater, or on any site within Flood Zones 2, 3a or 3b, a Flood Risk Assessment (FRA) should be submitted with the planning application. The Environment Agency's Standing Advice for applicants and their agents provides further explanation.

For more information on the Environment Agency's Standing Advice go to [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

### **WAT1 Flood Risk Management**

I. The functional floodplain will be protected from development and where possible developed flood plain should be returned to Greenfield status with an enhanced level of biodiversity.

II. Development proposals should neither increase the likelihood of, intensity of, nor increase the risk to people, property, crops or livestock from flooding.

III. In exceptional circumstances, if developments are proposed which are required to pass the NPPF Exceptions Test, they will need to address flood resilient design and emergency planning by demonstrating that:

- (a) The development will remain safe and operational under flood conditions;
- (b) A strategy of either safe evacuation and/or safely remaining in the building is followed under flood conditions;
- (c) Key services will continue to be provided under flood conditions; and
- (d) Buildings are designed for quick recovery following a flood.

## **21.3 Water Quality and the Water Environment**

**21.3.1** The abstraction and discharge of water used in the built environment can have a detrimental impact on the quality of the local waters, which in turn can impact biodiversity and the ecological habitats of wildlife.

**21.3.2** Few of the rivers within East Herts are currently at 'Good' ecological status/potential as set out in the Thames River Basin Management Plan, which covers the Upper Lea catchment including all the rivers in East Herts. East Herts Council will work with the Environment Agency and other partners to address the objectives of the Water Framework Directive through the relevant actions identified in the River Basin Management Plan and River Catchment Management Plans for individual watercourses. Wherever possible, an undeveloped buffer strip, with no new structures, roads or pathways, should be left alongside all watercourses, to maximise the ecological benefits of waterways.

For more information and for the latest updates on the status of rivers in East Herts, see the Environment Agency's website at: [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

**21.3.3** To help prevent surface water contamination following heavy rainfall, effective drainage strategies will be required as part of an integrated water management strategy. Such strategies will encompass a range of measures addressed in policies in the District Plan, covering drainage, water infrastructure and water quality.

**21.3.4** Source Protection Zones (SPZs) exist around abstraction points for potable (drinking) water. In Source Protection Zones (SPZs), development proposals for any of the following uses will be required to submit an assessment of potential impacts and any mitigation measures required:

- incinerators
- waste transfer stations
- vehicle dismantlers
- metal recycling
- waste treatment facilities and all other non landfill waste management activities
- cemeteries
- discharge of foul sewage to ground
- cess pools
- waste sites and underground storage of hazardous substances (i.e. petrol stations)
- new trade effluent discharges or stores
- storage of manure, slurry, sewage sludge and other farm waste.

A map of Source Protection Zones is available on East Herts Council's website at [www.eastherts.gov.uk/sourceprotectionzones](http://www.eastherts.gov.uk/sourceprotectionzones).

**21.3.5** As well as providing essential water resources, the water environment, in particular the district's waterways, provide opportunities for recreation and transport, and are important wildlife habitats. The waterways provide green corridors which contribute to the physical character of the district.



### WAT2 Water Quality and the Water Environment

I. Development proposals will be required to preserve and enhance the water environment, ensuring improvements in surface water quality and the ecological value of watercourses and their margins.

II. An undeveloped buffer strip at least 8 metres wide should be maintained alongside all main rivers, and an appropriate buffer strip should be maintained at ordinary watercourses.

III. Opportunities for removal of culverts, river restoration and naturalisation should be considered as part of any development adjacent to a watercourse. Additional culverting and development of river corridors will be resisted.

## 21.4 Efficient Use of Water Resources

- 21.4.1** East Hertfordshire lies within one of the most water-stressed areas of the East of England, which is itself one of the most water-stressed regions of the country. Abstraction for human consumption can impact on the water environment, for example contributing to low river levels. Installation of water efficient fixtures and fittings is a cost-effective way to reduce water consumption at new development. Dual-flush toilets and water butts for garden use are two examples, although there are many other simple and low-cost measures which are potentially available to developers.
- 21.4.2** Between 2007 and 2012 the average resident of East Herts consumed 160 litres/day. This compares with the national average of 150 litres/day over the same period. Projections for population growth in East Herts and the wider south-east will mean that over the plan period, new strategic water resources will be required.
- 21.4.3** East Hertfordshire forms part of the water supply grid encompassing Hertfordshire, Bedfordshire, and parts of Essex, managed by a number of water supply companies. Water supply is the subject of a national policy debate about the configuration of the water industry and consumer pricing, water metering, leakage reduction and many other issues in this nationally regulated industry. Water supply companies are required to demonstrate how they will meet these national standards in their Water Resources Management Plans, which are published every five years.
- 21.4.4** East Herts will continue to explore the role that local policy can play in contributing to the ultimate goal of water neutrality. Cost-effective measures such as the requirement for water efficient fixtures and fittings at new development can make a significant contribution over the next twenty years. The Council will continue to work with partners to encourage the sustainable and responsible abstraction of water. These measures can have significant environmental benefits for the district's

rivers. Assessments of residential water consumption should be submitted using the Building Research Establishment (BRE) Code for Sustainable Homes Water Calculator or other appropriate method by prior agreement with the Council.

For more information on the Code for Sustainable Homes Water Calculator go to the Building Research Establishment's Website at: [www.breeam.org](http://www.breeam.org)

### WAT3 Efficient Use of Water Resources

Development must minimise the use of mains water by:

- (a) Incorporating water saving measures and equipment;
- (b) Incorporating the recycling of grey water and utilising natural filtration measures where possible;
- (c) Designing residential development so that mains water consumption would meet a target of 105 litres or less per head per day.

## 21.5 Sustainable Drainage

**21.5.1** Sustainable Urban Drainage systems (SUDS) mimic natural drainage from a site and enable rainwater to run back into natural systems, rather than the stormwater drainage network. SUDS also treat run-off water to remove pollutants. This can have multiple benefits:

- increased recharge of groundwater and aquifers
- reduced runoff into the sewer system (resulting in reduced energy and chemical costs of treatment)
- improved groundwater quality via natural infiltration
- reduced degradation of chalk stream habitats

**21.5.2** Depending on the type of drainage techniques used, there can be flood reduction benefits, pollution control benefits, and landscape and wildlife benefits. When selecting appropriate drainage techniques, it is important to try to maximise the number of benefits, and to prioritise the most sustainable approaches. These can be set out in the form of a hierarchy. The SUDS hierarchy contained within the Council's SFRA is shown below:

Table 21.1 Sustainable Urban Drainage Hierarchy

	SUDs Technique	Flood Reduction	Pollution Reduction	Landscape and Wildlife Benefit
Most Sustainable				
	Living Roofs	√	√	√
	Basins and Ponds <ul style="list-style-type: none"> <li>● Constructed wetlands</li> <li>● Balancing ponds</li> <li>● Detention basins</li> <li>● Retention ponds</li> </ul>	√	√	√
	Filter Strips and Swales	√	√	√
	Infiltration Devices <ul style="list-style-type: none"> <li>● Soakaways</li> <li>● Infiltration trenches and basins</li> </ul>	√	√	√
	Permeable Surfaces and Filter Drains <ul style="list-style-type: none"> <li>● Gravelled surfaces</li> <li>● Solid paving blocks</li> <li>● Porous paviers</li> </ul>	√	√	
	Tanked Systems <ul style="list-style-type: none"> <li>● Over-sized pipes/tanks</li> <li>● Storm cells</li> </ul>	√		
Least Sustainable				

**21.5.3** The sustainable drainage hierarchy is intended to ensure that all practical and reasonable measures are taken to manage surface water higher up in the hierarchy and that the amount of surface water managed at the bottom of the hierarchy is minimised. The hierarchy is also relevant to paving of front gardens, where the cumulative impact of impermeable paving on run-off rates may be considerable.

**21.5.4** There are many practical issues of design, installation and maintenance in the implementation of effective SUDS. The Flood and Water Management Act 2010 requires upper tier authorities to set up a Sustainable Urban Drainage System (SUDS) Approving Body or 'SAB' to:

- Evaluate and approve SUDS proposals for new development or redevelopment where construction work would have drainage implications, and
- Adopt and maintain SUDS on schemes that meet the evaluation criteria set out in the National SUDS Standards.

- 21.5.5** It is expected that the drainage aspects of policy will become the responsibility of the County Council, as such, the focus of the East Herts policy will shift from drainage management to the environmental and amenity aspects of drainage schemes. Hertfordshire County Council has produced an Interim SUDS Policy Statement (November 2012) which sets out proposed requirements. It is possible that some developments (especially smaller sites) could be offered to East Herts District Council for adoption.

For more information on Hertfordshire County Council's approach as SUDs Approval Body go to [www.hertsdirect.org](http://www.hertsdirect.org)

#### **WAT4 Sustainable Drainage**

I. Development must utilise the most sustainable forms of drainage systems in accordance with the SUDS hierarchy, unless there are practical engineering reasons for not doing so.

II. Development should aim to achieve Greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

III. Drainage should be designed and implemented in ways that deliver other policy objectives of this Plan, including water use efficiency and quality, biodiversity, amenity and recreation. The provision of balancing ponds as part of an area of public open space for recreation or wildlife should be designed to ensure the safety of other users of the space. Where SUDs are provided as part of a development, applicants should detail how it will be maintained in the long term.

IV. Where practicable, SUDS should be designed to ensure the sustainable drainage networks have the additional capacity required to cope with infrequent adverse weather conditions and therefore reduce flood risk.

## **21.6 Wastewater Infrastructure**

- 21.6.1** Effective wastewater infrastructure is fundamental to sustainable urban life and therefore investment and expansion are required. There are a number of Sewage Treatment Works (STWs) in the district, notably at Bishop's Stortford, Buntingford, and at Rye Meads in the far south of the district. Bishop's Stortford and Rye Meads STWs serve not only East Herts but also settlements within the catchment but outside the district.

- 21.6.2** Like water supply, waste water treatment is a nationally regulated industry and water quality standards for treatment discharge are balanced with other regulatory issues including consumer water pricing through the water companies' Asset Management Plans, which are updated every five years.
- 21.6.3** Rye Meads STW lies within a highly sensitive ecological environment, adjacent to a Site of Special Scientific Interest, Ramsar Site and Special Area of Conservation. East Herts Council will work with the waste water treatment company and other Local Planning Authorities in the Rye Meads catchment area, in accordance with the Duty to Co-operate, to ensure that adequate capacity can be found at Rye Meads, or that alternative waste water treatment options can be identified.
- 21.6.4** Additional waste water treatment infrastructure and upgrades to existing facilities will be required in the district over the plan period, and this will be monitored through the Infrastructure Delivery Plan process. Developers of major sites, including allocated sites and sites identified in the Strategic Housing Land Availability Assessment (SLAA), should work with the waste water treatment company to ensure that adequate capacity in wastewater infrastructure is available. This is likely to require understanding of demands on infrastructure from other development sites in the catchment. Unless special circumstances apply, this requirement is unlikely to apply to minor and householder development.
- 21.6.5** East Herts Council will work with Stansted Airport, the waste water treatment company, and the Environment Agency to ensure that any fuel discharges from the airport are safely treated and do not compromise the quality of the District's water courses or groundwater.

#### **WAT5 Wastewater Infrastructure**

I. Development proposals must ensure that adequate wastewater infrastructure capacity is available in tandem with development.

II. Upgrade and expansion of existing, or provision of new, waste water treatment infrastructure will be supported provided that it utilises best available techniques, and provided that a strategy to meet relevant national and European environmental standards can be demonstrated.



22

## Environmental Quality

## 22 Environmental Quality

### 22.1 Introduction

- 22.1.1** The control of pollution is critical to achieving the District Plan's strategic objectives by promoting healthy lifestyles and an enhanced quality of life for residents and visitors to the district. Pollution control through development also plays a significant role in planning for climate change and working in harmony with the environment to conserve natural resources and increase biodiversity.
- 22.1.2** Proposals for all types of development must therefore take into account nearby land uses to ensure that the right development is located in the right place across the district, in order to safeguard the quality of the environment. Policies relating to water quality and water pollution are contained within Chapter 21: Water.

### 22.2 Contaminated Land and Land Instability

- 22.2.1** Land may be contaminated and/or unstable for a number of reasons, such as previous commercial use or use as a landfill site. Such land can be re-used for new purposes but special remedial measures may be needed to reduce hazards arising from the previous use, and new buildings may need to be specially designed. Developers are responsible for ensuring that unacceptable risks from contamination and land instability are not present on site. If necessary, any risks will be successfully addressed through the remediation of contaminated land without undue environmental impact during and following the development.
- 22.2.2** When considering proposals for development regard will be given to the Council's most recent Contaminated Land Strategy.

For more information on the Council's Contaminated Land Strategy go to: [www.eastherts.gov.uk/envhealth](http://www.eastherts.gov.uk/envhealth)

#### EQ1 Contaminated Land and Land Instability

- I. The District Council will encourage the remediation of contaminated land to ensure that land is brought back into use, subject to the requirements of this policy.
- II. The Council will require evidence, as part of any application, to show that unacceptable risks from contamination and land instability will be successfully addressed through remediation without undue environmental impact during and following the development. In particular, the developer shall carry out an adequate investigation to inform a risk assessment.



III. Where necessary, appropriate monitoring procedures to be undertaken prior, during and post remediation will be agreed with the developer/applicant. This should be set out in a verification report.

### 22.3 Noise Pollution

- 22.3.1** The impact of noise on the environment can be detrimental to health and quality of life. There is therefore a need to control the introduction of noise sources into the environment, as well as ensuring that new noise sensitive development is located away from existing sources of significant noise.
- 22.3.2** One of the most common causes of noise pollution is from traffic noise. In East Herts the proximity of both Luton and Stansted Airports to the district has a specific impact which needs to be taken into account when development proposals are considered.
- 22.3.3** Noise can also affect the tranquillity of an area. Tranquillity is a key characteristic of the natural environment. Tranquil spaces, often located within the more rural parts of the district, play a multi functional role as part of the district's green infrastructure network. They attract visitors, improve health and wellbeing by offering a place to relax and exercise, provide a haven for wildlife and improve biodiversity and enhance the character and identity of a place. These areas will be protected from noise pollution to ensure that areas defined by their tranquillity are protected from development that generates noise.
- 22.3.4** Where new noise generating development such as industrial and commercial and outdoor sport and recreation uses are proposed, it is expected that they will be located at an appropriate distance away from noise sensitive development i.e. residential areas, schools and hospitals.

#### EQ2 Noise Pollution

I. Development should be designed and operated in a way that minimises the direct and cumulative impact of noise on the surrounding environment. Particular consideration should be given to the proximity of noise sensitive uses.

II. Noise sensitive development should be located away from existing noise generating sources or programmed developments where possible to prevent prejudicing the continued existing operations. The use of design, layout, landscaping tools and construction methods should be employed to reduce the impact of surrounding noise sources.

### 22.4 Light Pollution

- 22.4.1** Light pollution can cause sleep disturbance and annoyance and is caused by the brightening of the night sky over inhabited areas and excessive brightness from light causing high levels of glare. Dark night skies are important for health and wellbeing, and for the conservation of natural habitats and the behaviour of nocturnal animals and birds.
- 22.4.2** In addition to impacting upon human health and natural habitats, light pollution is a sign of wasted energy from excessive lighting. Lighting at night in commercial areas is often used for security and to increase visual prominence. Lighting schemes must therefore be designed carefully as part of the overall development proposal to prevent light spillage and glare and to represent the minimum necessary for commercial and security purposes. Schemes will be considered against the latest national guidance and lighting standards.

#### EQ3 Light Pollution

I. External lighting schemes must:

- (a) Not have an unacceptable adverse impact on neighbouring uses or the wider landscape;
- (b) Be the minimum required for security and operational purposes;
- (c) Minimise the potential glare and spillage;
- (d) Minimise harm to the amenity of residents and road users and prevent impacts on the local ecology.

II. Where appropriate, the District Council will seek to control the times of illumination.

### 22.5 Air Quality

- 22.5.1** Clean air is critical to health and wellbeing and quality of life and is also crucial to support habitats and biodiversity. The nature of the district, with its dispersed towns, villages and hamlets with poor inter-connectivity by passenger transport, relative affluence and mobility, high car-ownership and close proximity to London and larger towns and cities, all contribute to higher levels of greenhouse gas emissions per person than neighbouring districts.
- 22.5.2** The historic nature and organic growth of the district's principle towns of Bishop's Stortford, Hertford and Ware have in themselves led to inefficient road and transport networks and where these issues coincide with limited connections to major roads, congestion is inevitable. Such congestion can result in high levels of localised pollutants which can cause problems for those with respiratory conditions.

- 22.5.3** Bishop's Stortford in particular suffers from this issue; the combination of the historic road network combined with its proximity to Stansted Airport means that the town centre frequently suffers from congestion and the resultant poor air quality. As such an Air Quality Management Area (AQMA) has been established in the town centre (at Hockerill Lights) to monitor levels of pollutants. There is also an AQMA in Hertford (at the Mill Road/A414 roundabout), and in London Road, Sawbridgeworth. These monitoring sites are supported by action plans to improve air quality in these locations. The Council also produces regular update and screening assessments and progress reports for the whole district and regular assessments on each AQMA.

More information on Air Quality Management Areas can be found on the Council's Website at [www.eastherts.gov.uk/envhealth](http://www.eastherts.gov.uk/envhealth).

- 22.5.4** Some renewable forms of energy used for heating may also, cumulatively or in isolation, result in a rise in particulates which can be harmful to human health. For this reason such technologies will not be permitted within or near the urban areas of settlements.

#### EQ4 Air Quality

I. Development and land uses should minimise potential impacts on local air quality both during construction and operation including the operation of heating, cooling and extraction units.

II. Development within designated Air Quality Management Areas (AQMAs), or development which may have an impact on these areas, must have regard to the Council's latest strategy and action plan for the reduction of pollutants in the defined catchment, maintaining acceptable levels of air quality. Evidence of mitigation measures will be required.

