



**MEETING** : DISTRICT PLANNING EXECUTIVE PANEL  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : THURSDAY 19 MARCH 2015  
**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.)

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### **Audio/Visual Recording of meetings**

Everyone is welcome to record meetings of the Council and its Committees using whatever, non-disruptive, methods you think are suitable, which may include social media of any kind, such as tweeting, blogging or Facebook. However, oral reporting or commentary is prohibited. If you have any questions about this please contact Democratic Services (members of the press should contact the Press Office). Please note that the Chairman of the meeting has the discretion to halt any recording for a number of reasons, including disruption caused by the filming or the nature of the business being conducted. Anyone filming a meeting should focus only on those actively participating and be sensitive to the rights of minors, vulnerable adults and those members of the public who have not consented to being filmed.

## **AGENDA**

### 1. Apologies

*To receive apologies for absence.*

### 2. Chairman's Announcements

### 3. Minutes (Pages 5 - 12)

*To approve the Minutes of the meeting of the Panel held on 8 December 2014.*

### 4. Declarations of Interests

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

### 5. Delivery Study Update Report (Pages 13 - 26)

### 6. Draft Appendix to the District Plan Concerning Vehicle Parking Standards (Pages 27 - 50)

### 7. Draft District Plan Chapters 15 and 16: Response to Issues Raised During Preferred Options Consultation and Draft Revised Chapters (Pages 51 - 98)

### 8. 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.*

### 9. Date of Next Meeting

*To note that the next meeting is provisionally set for 2 July 2015, at 7.00 pm.*

MINUTES OF A MEETING OF THE  
DISTRICT PLANNING EXECUTIVE PANEL  
HELD IN THE COUNCIL CHAMBER,  
WALLFIELDS, HERTFORD ON MONDAY 8  
DECEMBER 2014, AT 7.00 PM

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

ALSO PRESENT:

Councillors D Andrews, S Bull, G Jones,  
P Moore, T Page, J Ranger, P Ruffles,  
N Symonds and K Warnell.

OFFICERS IN ATTENDANCE:

Chris Butcher	- Senior Planning Officer
Ripple Gupta	- Planning Officer
Isabelle Haddow	- Planning Officer
Martin Ibrahim	- Democratic Services Team Leader
Lorraine Kirk	- Senior Communications Officer
Martin Paine	- Senior Planning Officer
Laura Pattison	- Assistant Planning Officer
George Pavey	- Assistant Planning/Technical Officer
Jenny Pierce	- Senior Planning Officer
Kay Mead	- Senior Planning Officer
Claire Sime	- Planning Policy Team Leader
Kevin Steptoe	- Head of Planning

**21 THE BISHOP'S STORTFORD GOODS YARD UPDATE  
REPORT**

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The Panel considered a report that provided an update on progress with a planning framework for the Bishop's Stortford Goods Yard, including a suggested way forward towards a planning application, which the site promoters had stated was anticipated in September 2015. The report also explained that there were likely to be difficult trade-offs between the various aspirations for the site, given the need to ensure deliverability of development, and that these should be addressed through the Neighbourhood Plan group. Finally, the report recommended that current Local Plan policy be struck through and replaced with a new policy context provided by the emerging District Plan and Neighbourhood Plan.

Various Members questioned the need to delete policy now and expressed concern that the process appeared to be led by the developers referring to their views on the proposed link road and the need for further consultation. The role of the neighbourhood planning team was raised and whilst appreciation was expressed for the Council's level of engagement with them, some concern was expressed at whether their aspirations matched those of the general public.

The Panel Chairman reiterated that planning policy was agreed by the Council and not developers. He commented that the current policy was restrictive and did not provide a suitable framework for a deliverable development. He referred to the change in circumstances that had now unlocked the site and the Council need to demonstrate an evidence base for a balanced development that was deliverable, of which the transport interchange was a critical part.

Officers explained the role of the neighbourhood planning process and the need for developers to give weight to the process. The current policy was hampering the process and favoured car traffic. Officers referred to the advice of Peter Brett Associates (PBA) on sustainable transport aspirations that encouraged bus, cycle and pedestrian use and the need to ensure that car journeys had the town centre as their destination.

In respect of the role of developers, Officers explained the need to engage with them at an early stage to ensure that the question of viability was addressed. Ultimately, what was deliverable, sustainable and viable on this site would be determined by the planning process. Nevertheless, in recognition of Members' concerns, the Panel agreed to delete recommendation (A) and to amend recommendation (C) by replacing the word "new" with the word "updated".

The Panel supported the amended recommendations as now detailed.

**RECOMMENDED** – that (A) to inform emerging policy for the Goods Yard site, the District Council should work in partnership with the Neighbourhood Plan team to agree a set of priorities for the site, and working in conjunction with the site promoters to agree cost/value inputs to inform development choices based around an agreed priority list; and

(B) the updated policy context for the planning application be provided by a revised District Plan Policy on the Goods Yard, subject to further public consultation, and closely aligned with any emerging Neighbourhood Plan policy for the site.

22 **DRAFT DISTRICT PLAN – RETAIL AND TOWN CENTRES  
POLICY CRITICAL FRIEND APPRAISAL (NOVEMBER  
2014)**

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The Panel gave consideration to a report summarising the findings of the Critical Friend Appraisal of the Draft District Plan policies on retail and town centres contained within Chapter 15, which sought agreement to use the Appraisal to inform the preparation of the East Herts District Plan.

The Panel supported the recommendation now detailed.

**RECOMMENDED** – that the Retail and Town Centres Policy Critical Friend Appraisal (November 2014), be agreed as part of the evidence base to inform and support the East Herts District Plan.

23 **AUTHORITY MONITORING REPORT 2013/14**

Consideration was given to a report seeking approval for the publication of the Authority Monitoring Report. The Panel noted that Local Planning Authorities were no longer required to prepare an Annual Monitoring Report (AMR) for submission to the Secretary of State before the end of each year. In addition, the enactment of the Localism Act in 2011 had led to the withdrawal of the national core output indicators, giving local authorities the freedom to choose to report on indicators that were considered relevant to their local area and plan-making process.

This AMR, now called the ‘Authority Monitoring Report’, reported on the period 1 April 2013 to 31 March 2014. The Council was in the process of developing an updated monitoring framework alongside the emerging District Plan and it was likely that the format of the AMR would continue to evolve as part of this process.

In respect of the projected shortfall in housing completions and the different methods of addressing this,



the Panel Chairman referred to the unrealistic requirements of the National Planning Policy Framework (NPPF) in favouring the Sedgefield method and the need to continue lobbying for a more common sense approach.

In view of the shortfall in demonstrating a five year housing land supply, some Members commented on the pressures brought to bear on Development Management Committee in having to consider inappropriate planning applications.

The Panel supported the recommendation as now detailed.

**RECOMMENDED** – that the Authority Monitoring Report 2013/2014 contained as Essential Reference Paper ‘B’ and Essential Reference Paper ‘C’ to the report now submitted, be agreed for publication.

## 24 **DELIVERY STUDY UPDATE REPORT**

The Panel considered an update on progress with the Delivery Study, which included the latest set of recommendations from Peter Brett Associates (PBA) relating to the approach to financial viability, and the wide-ranging implications of this in terms of many aspects of the emerging District Plan. The report also set out delays with critical pieces of evidence and the implications of this for the overall timeline for the District Plan.

The Panel Chairman advised that he had asked Officers to set up a joint meeting with Members to consider the issue of viability.

In response to a Member’s question, Officers advised that the outstanding transport modelling data had yet to be received, but that they were in continuing discussions to obtain them as soon as possible.

The Panel supported the recommendation as now

detailed.

**RECOMMENDED** – that the District Plan Delivery Study Update Note from PBA, together with the presentation on Financial Viability, and the Progress Update, contained at Essential Reference Papers ‘B’, ‘C’, and ‘D’ respectively, including the implications of those for many aspects of the District Plan work, including the timeline, be noted.

25 **DUTY TO CO-OPERATE UPDATE REPORT**

The Panel received the notes of the latest round of Member-level meetings with adjoining Local Planning Authorities. Consideration was also given to the progress made in setting up the ‘Co-Operation for Sustainable Development Group’, involving Authorities in eastern Hertfordshire, western Essex, and north London.

The Panel supported the recommendations as now detailed.

**RECOMMENDED** – that (A) the notes of the Member-level meeting held with Harlow Council be agreed; and

(B) the Terms of Reference for the Member Board of the ‘Co-Operation for Sustainable Development Group’ of authorities be noted.

26 **DRAFT DISTRICT PLAN CHAPTERS 17-19: RESPONSE TO ISSUES RAISED DURING PREFERRED OPTIONS CONSULTATION AND DRAFT REVISED CHAPTERS**

The Panel considered a report highlighting the issues raised through the recent consultation in connection with Chapters 17 – 19 of the Draft District Plan Preferred Options, together with Officer responses to those issues. The report also presented draft revised chapters showing proposed amendments, for subsequent incorporation into a revised Draft District Plan.

The proposed amendments were presented as working Draft Revised Chapters only at this stage, as they might change before final agreement of a revised Draft District Plan. Therefore, these Revised Chapters would only be presented for approval until such time that the complete suite of amendments were collated and presented as one comprehensive Revised Draft District Plan.

In response to a Member's comment relating to Buntingford and the railways, Officers confirmed that this was a comment made in the consultation.

The Panel supported the recommendations as now detailed.

**RECOMMENDED** – that (A) the issues raised in respect of Chapters 17-19 of the Draft District Plan Preferred Options, as detailed at Essential Reference Papers B, C, and D to this report, be received and considered;

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Papers B, C and D to the report submitted, be noted; and

(C) the draft revised chapters, as detailed in Essential Reference Papers B, C and D to the report submitted, be noted, with decision on their final content being deferred to allow consideration of further technical work and other issues.

## 27 APOLOGIES

An apology for lateness was submitted on behalf of Councillor L Haysey who was representing the Authority at another meeting.

## 28 CHAIRMAN'S ANNOUNCEMENTS

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

He advised that a further meeting with parish and town council representatives had been arranged for 15 January 2015. Future Panel meetings were being finalised and would be announced in due course.

Finally, the Chairman referred to the difficulties encountered by Uttlesford District Council with their Local Plan Examination, which demonstrated the need for East Herts Council to develop a robust Plan that would stand up to examination.

## 29 MINUTES

RESOLVED – that the Minutes of the Panel meeting held on 22 October 2014, be approved as correct record and signed by the Chairman.

The meeting closed at 8.25 pm

Chairman .....

Date .....

## EAST HERTS COUNCIL

### DISTRICT PLANNING EXECUTIVE PANEL –19 MARCH 2015

### EXECUTIVE – 2 JUNE 2015

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

### DELIVERY STUDY UPDATE REPORT

WARD(S) AFFECTED: ALL

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

- This report provides an update on progress with the Delivery Study;
- It also sets out delays with critical pieces of evidence, and the implications of this for the overall timeline for the District Plan;
- It explains that the delays with the District Plan are part of a wider picture of plan-making across England.

<b><u>RECOMMENDATIONS FOR DISTRICT PLANNING EXECUTIVE PANEL AND EXECUTIVE: That:</u></b>	
(A)	The Update Report, including the slow progress with Local Plans across England, and the risks of proceeding without sufficient evidence to meet the requirements of the National Planning Policy Framework and Planning Practice Guidance, be noted.
<b><u>RECOMMENDATIONS FOR COUNCIL: That:</u></b>	
(A)	The Update Report, including the slow progress with Local Plans across England, and the risks of proceeding without sufficient evidence to meet the requirements of the National Planning Policy Framework and Planning Practice Guidance, be noted.

## 1.0 Background

- 1.1 The District Plan Delivery Study is critical to determining whether or not the development strategy set out in the Preferred Options District Plan can be delivered. The study could result in material changes to the Draft Plan. The specification for the study was published in summer 2014 (see Background Papers).
- 1.2 Peter Brett Associates (PBA) has been appointed to undertake the study on behalf of the Council. An initial Update from PBA, which included initial recommendations on transport and the calculation of Objectively Assessed Housing Needs, was previously reported to the Panel (see Background Papers).
- 1.3 Written outputs from the Delivery Study will be posted on the Council's website (see Background Papers).
- 1.4 The Council continues to work closely with ATLAS in relation to the strategic scale sites proposed in the District Plan, to ensure that the approach to testing of the preferred options meets the necessary levels of rigour and transparency.

## 2.0 Report

### **Progress Update**

- 2.1 Good progress has been made on key parts of the evidence base. PBA has collected a significant amount of evidence including costs for some of the necessary infrastructure, and this will form a central plank of the Infrastructure Delivery Plan. The promoters of a number of strategic sites have provided significant information, and the notes of a number of meetings with site promoters have been added to the Council's website. In addition, the situation regarding school provision in Bishop's Stortford appears to have been clarified in recent weeks.
- 2.2 However, there remain a number of critical pieces of evidence which still need to be obtained before a revised Plan can be formulated. These relate in particular to transport planning.
- 2.3 Hertfordshire County Council has been assessing the capacity of the A414 to accommodate additional traffic through improvements to the existing road and other measures. This work is yet to report and it will form a key part of the evidence.

- 2.4 Essex County Council has been preparing a business case for a new Junction 7a on the M11, and a major part of the evidence will be provided by a strategic transport model operated by Essex County Council which covers the whole area. Plans showing the VISUM road network and model zones are attached at **Essential Reference Paper 'B'**. The Local Planning Authorities in the model area (Epping Forest, Harlow, Uttlesford, and East Herts) are reliant on the model for testing their emerging Local Plans.
- 2.5 Essex County Council has informed the Local Planning Authorities that there have been difficulties with validation of the model (known as VISUM) and therefore it will not be available for testing until the end of March 2015. Essex County Council is aware of the urgency because its own planned consultation on Junction 7a has been postponed due to delays with the model.
- 2.6 PBA and ATLAS have advised against proceeding without the transport evidence, because this is likely to indicate a number of 'big ticket' costs which are central to the assessment of whole-plan viability and understanding of deliverability. Natural England has also advised that VISUM outputs will be necessary to understand the cumulative impacts of development on Epping Forest Special Area of Conservation (SAC). The experience of Uttlesford District Council (see below) indicates the risks of proceeding without adequate transport evidence.
- 2.7 East Herts Council is working with Hertfordshire County Council to agree indicative mitigation designs for testing in VISUM as soon as it is available. It may be that the initial tests suggest that further mitigation is necessary and a further round of testing may therefore be required. PBA will need to take account of the outcomes of these tests in reaching conclusions for the Delivery Study, and the Council will then need to make sure that the next iteration of the Plan is informed by PBA's findings.
- 2.8 Officers have been making progress in addressing the comments raised in relation to particular site options contained in the Preferred Options consultation in spring 2014. However, it is not possible to finalise this work until the evidence base is available.
- 2.9 Part of PBA's commission is to recommend an appropriate level of Community Infrastructure Levy (CIL). Government guidance is that CIL should be formulated in conjunction with plan-making in order to ensure that viability is not jeopardised by setting a CIL charge too high. Therefore it is not recommended that a

consultation on CIL should be undertaken in advance of the next iteration of the District Plan.

## Timeline

- 2.10 As reported to the Panel on 8 December 2014, delays in assembling the evidence base have implications for the overall timeline for the next iteration of the District Plan, because this evidence and the issues arising are critical to resolve satisfactorily prior to another public consultation, in order to ensure that the plan is found sound at Examination in Public.
- 2.11 The Council fully recognises the implications of any delay for the planned delivery of development across the District. Working together with PBA and ATLAS, the Council will investigate any reasonable means by which the overall process can be expedited in order to bring forward the District Plan as soon as possible without jeopardising the prospects for planned development accompanied by the necessary supporting infrastructure.

## The National Picture

- 2.12 The Planning Inspectorate maintains a national database of Local Plan progress, relating to all 337 Local Planning Authorities in England. The most recent data provided is for progress up to 31 January 2015. A summary is provided in the table below.

Year	Published	Submitted	Found Sound	Adopted
2015	6	2	2	2
2014	38	41	38	33
2013	34	45	20	22
2012	44	30	28	32
2011	31	44	48	50
2010	53	50	32	23
2009	32	19	18	18
2008	22	13	21	21
<b>TOTAL</b>	<b>260</b>	<b>244</b>	<b>207</b>	<b>201</b>

Source: The Planning Inspectorate (31 January 2015)

- 2.13 The table shows that only 90 Local Plans were adopted since 2012, when the National Planning Policy Framework (NPPF) was introduced. Planning Inspectorate figures also show that 11 of the plans adopted in 2012 were adopted before April of that year, meaning that only 79 plans have been adopted since the introduction of the NPPF. Taken as a percentage of the total, only 23% of Local Planning Authorities currently have a Local Plan



adopted since introduction of the NPPF. The remainder have plans which are out-of-date.

- 2.14 Not shown in the Planning Inspectorate's figures is the number of Local Plans found sound on condition of an immediate review. Also not shown is the number of successful appeals on the grounds that the adopted plan is not compliant with the latest changes in the Planning Practice Guidance (PPG), first published in March 2014. Taken together, the evidence suggests that the number of fully NPPF and PPG compliant plans is significantly lower than 1 in 5, and is probably nearer 1 in 10. For areas with complex geographies and multiple cross-boundary strategic issues the figures are likely to be even lower.
- 2.15 Many observers have speculated as to the reasons for the widespread slow progress by Local Planning Authorities in preparing development plans for their area. Despite the reduction in the number of pages of national policy and guidance, commentators have observed the increased demands of the NPPF in terms of the evidence base, and also the challenges of compliance with the Duty to Co-operate.
- 2.16 Observers have also commented on the lack of a clear definition in the PPG of many of the key terms in the NPPF, and the significant impact on timescales of a number of Ministerial Statements and changes to PPG issued at short notice and without consultation since March 2014. It is commonly observed that such changes often necessitate further technical work and sometimes further consultation, resulting in delays in plan-making.

### **Uttlesford Local Plan**

- 2.17 The recent examination of East Herts' neighbouring authority of Uttlesford provides an interesting recent case study. Planning Inspector Roy Foster's Summarised Conclusions are presented at **Essential Reference Paper 'C'**. This, together with Mr Foster's full report, is available on Uttlesford District Council's website.
- 2.18 The inspector's main concerns related to lack of a robustly evidenced figure for Objectively Assessed Need, lack of assessment of alternative options, and lack of transport evidence. He concluded that *"the scale of work which the Council would need to undertake to propose and consult upon changes to deal with these matters would be greater than could be completed within the normal maximum 6-month period of a suspended examination"*.

2.19 The main lesson from Uttlesford's Local Plan Examination is that Local Planning Authorities need to ensure that their evidence base meets the main requirements of the NPPF and PPG before a plan is submitted to the Planning Inspectorate.

### 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

- Submissions from the site promoters, including meeting notes are on the Council's website at:  
[www.eastherts.gov.uk/preferredoptions2014](http://www.eastherts.gov.uk/preferredoptions2014)
- Outputs from the Delivery Study to date are posted to the Council's website at: [www.eastherts.gov.uk/deliverystudy](http://www.eastherts.gov.uk/deliverystudy)
- Delivery Study Update Report 8 December 2014
- Delivery Study Update Report 17 July (contains the Specification)
- Delivery Study Update Report 22 October (contains the first Update Note from PBA).

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	<p><b>People – Fair and accessible services for those that use them and opportunities for everyone to contribute</b></p> <p>This priority focuses on delivering strong services and seeking to enhance the quality of life, health and wellbeing, particularly for those who are vulnerable.</p> <p><b>Place – Safe and Clean</b></p> <p>This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p><b>Prosperity – Improving the economic and social opportunities available to our communities</b></p> <p>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
Financial:	None
Human Resource:	None immediately beyond that already identified.
Risk Management:	Failure to satisfactorily address the issues outlined in the report could lead to the plan being found undeliverable and therefore unsound.
Health and wellbeing – issues and impacts:	The link between planning and health has been long established. The built and natural environments are major determinants of health and wellbeing.

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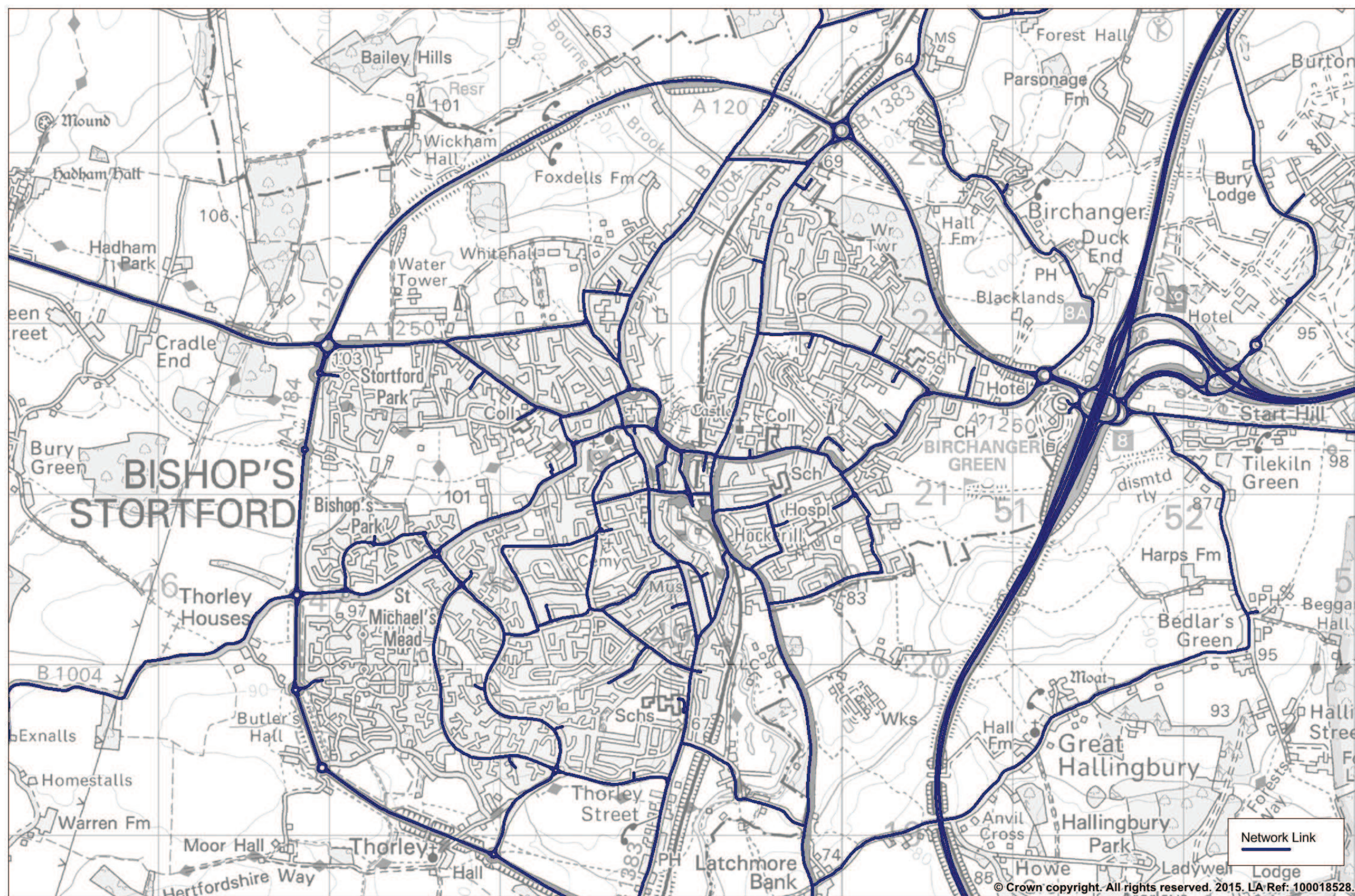


## Harlow Strategic Model Base Road Network (VISUM)





## Harlow Strategic Model Base Road Network (VISUM) - Bishop's Stortford





## **Examination of the Uttlesford Local Plan (ULP)**

### **Summarised conclusions of the Inspector after the hearing session on 3 December 2014**

This note briefly summarises the conclusions I have reached about the soundness of the plan. It also indicates what I consider likely to be the most positive way forward.

#### Objectively assessed need for housing (OAN)

Para 47 of the National Planning Policy Framework (NPPF) requires Local Plans to meet the full OAN for market and affordable housing in the Housing Market Area (HMA) as far as consistent with the policies in the NPPF..

The most recent (phase 6) demographic work by Edge Analytics (on the basis of the SNPP-2012 data) indicates an annual dwelling requirement of 508 using 2011-based household formation rates or 549 using 2008-based rates. The average of the two rates gives a requirement of 529pa. In my view this is an appropriate starting point, allowing for some return towards long-term pre-recession trends and avoiding embedding post-recessionary conditions judged to have been reflected in the 2011 Census. In itself this a small addition (6pa) to the plan's provision of 523pa would not be a major issue.

However, Planning Practice Guidance 2a-019 recognises that various factors may require some adjustment to be made to demographically-modelled household projections (e.g. affordable housing needs, employment issues and market signals). The brief for the forthcoming Strategic Housing Market Assessment (SHMA) currently being produced for Uttlesford and its 3 neighbouring authorities in the 'Harlow/M11 corridor' requires PPG compliance on these matters. It remains to be seen how these factors will be considered and weighed in the SHMA.

While evidence on some of these topics is patchy. Taking them in the round and without discussing them in detail here, I consider that an uplift of at least 10% would be a reasonable and proportionate increase in the circumstances of Uttlesford, say to about 580pa.

The submitted plan therefore does not provide for a full PPG-compliant OAN.

## Elsenham policy 1 – land north east of Elsenham

The Elsenham strategic allocation emerged as part of the favoured option about 8 years ago at the outset of what has become an extended plan-making process. It is not clear that transparent consideration of other 'new settlement' options took place before the very high level, broad brush comparative Sustainability Assessment (SA) of January 2010, acknowledged by the Council as 'not a full SA'. No further SA of other possible 'new settlement' options took place until June 2014 after the plan had been submitted despite the promoters of other options developing their schemes to varying extents of detail in the intervening period. Whether or not this retrospective exercise meets the requirements of the SEA Regulations as interpreted by subsequent case law, it is questionable whether the Council considered the claims of other candidate locations for growth ('new settlement' or otherwise) to the transparent extent required to constitute 'proportionate evidence' justifying Elsenham as such a major element of what is declared to be the 'most appropriate strategy'.

From all the material produced on this issue by the Council, by the promoters of the site, and by opponents of the allocation, I have severe concerns about the justification for this proposal and thus the soundness of the plan as a whole.

On the basis of its size and level of services the plan regards Elsenham as one of 7 'key villages', the function of which is 'to act as a major focus for development in the rural area, suitable for a scale of development that would reinforce its role as a provider of services to a wide rural area'.

There is no reason in principle why the plan should not propose a step change in the size and status of a key village if this is justified as a sustainable way to meet the district's needs. However, Elsenham is embedded within a rural road network and the areas of the existing and proposed new parts of Elsenham are substantially divided by the railway line, a situation which could become worse if the crossing is closed.

NPPF para 34 says that "Plans ..... should ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes will be maximised."

At Elsenham the opportunity to use trains is a definite benefit but this will only affect a small minority of journeys. The current infrequent bus services will be improved but will still only be modest. Designed opportunities for safe walking and cycling on site will be good, but beyond that effectively no better than they are at present. Most travel will be on rural roads heading



mainly west towards Stansted Mountfitchet through roads clearly unsuited for the purpose, or south through the Countryside Protection Zone via the longer route of Hall road to the airport and destinations along the A120.

It is unclear that any of these routes are fit for purpose to the extent that Elsenham would be able to overcome its overall connectivity disadvantages and be regarded as a sustainable location for growth on this scale.

Further concern about the allocation (in this case after the initial phase of 800 houses) arises from the uncertainty attached to the capacity of M11 (J8) as expressed in the representations about the submitted plan by the Highways Agency and the County Council. The Statement of Common Ground (SoCG) indicates that resources are likely to be available to fund improvements to the junction to cater for planned developments before the mid-2020s; however, further work is required to explore capacity after that date. Although more modelling is proposed to investigate this issue, the outcome of this work (and the availability of funding for any further improvements found necessary at the junction which, it is said, could be very substantial) are both currently unknown. In these circumstances it would be premature, and inconsistent with the PPG on transport evidence bases in plan-making, to recommend adoption of the plan.

### The Way Forward

Taken together, my concerns about the OAN and the justification for Elsenham mean that I cannot recommend adoption of the plan as submitted. Nor would I be able to recommend Major Modifications under section 20 of the act which could overcome these soundness defects.

My normal strong inclination would be to 'keep the Development Plan process on the road' wherever possible in order to keep the planning process moving along with as little disruption as possible. However, the scale of work which the Council would need to undertake to propose and consult upon changes to deal with these matters would be greater than could be completed within the normal maximum 6-month period of a suspended examination.

The new SHMA, currently being prepared for Uttlesford and its neighbours in the 'Harlow/M11 corridor' should provide a vehicle for up-to-date, PPG-compliant OAN assessments for these authorities both individually and jointly.

There appears to be widespread recognition that some form of new settlement(s) in an appropriate location may form the most appropriate

means for catering for the future long-term growth of the District on a scale bold enough to achieve maximum possible sustainable critical mass and a long term solution, especially as there may well be limits to how far relatively small towns with the characters of Saffron Walden and Great Dunmow grow sustainably, attractively, and in an integrated way through successive phases of peripheral expansion.

I make no comment on the claims of any of the many alternative sites, larger or smaller, that have been promoted in the process over the years , and note that some of those dubbed 'new settlements' may or may not fit that description. Armed with the new SHMA, providing a clearer picture of future needs for Uttlesford and its neighbours, I consider that a revised plan needs to be prepared as soon as possible, in co-operation to any extent necessary with the still-emerging plans of neighbouring authorities.

Roy Foster

3rd December, 2014

## EAST HERTS COUNCIL

### DISTRICT PLANNING EXECUTIVE PANEL –19 MARCH 2015

### EXECUTIVE – 2 JUNE 2015

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

### DRAFT APPENDIX TO THE DISTRICT PLAN CONCERNING VEHICLE PARKING STANDARDS

WARD(S) AFFECTED: ALL

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

- This report presents revised vehicle parking standards which will form an appendix to the District Plan.

<b><u>RECOMMENDATIONS FOR DISTRICT PLANNING EXECUTIVE PANEL AND EXECUTIVE: That:</u></b>	
<b>(A)</b>	<b>The draft District Plan Appendix concerning Vehicle Parking Standards be noted, with a decision on its final content being deferred and considered alongside the rest of the District Plan;</b>
<b>(B)</b>	<b>A replacement Supplementary Planning Document on Vehicle Parking be prepared alongside the District Plan which will include updated guidance on design issues.</b>

#### 1.0 Background

- 1.1 At present, the vehicle parking standards for East Herts are contained both within the Adopted Local Plan, 2007, at Appendix II, and within the 'Vehicle Parking Provision at New Development Supplementary Planning Document (SPD), 2008' which supplements the Adopted Local Plan and provides additional guidance on provision beyond the standards themselves. The existing 'maximum' standards reflect a local interpretation of the content of Hertfordshire County Council's 'Best Practice Guide: Parking Provision at New Development' (2003), which in turn was based on Supplementary Planning Guidance to the now

superseded Hertfordshire Structure Plan. The currently adopted standards are also based on the now deleted PPG 13, which only allowed for the provision of 'maximum' standards based on average provision of 1.5 spaces per dwelling across the district.

- 1.2 Recent decisions taken by Inspectors through Local Plan Examinations demonstrate a clear preference for including any policy requirements or standards within the Local Plan document itself. This report therefore presents a draft Appendix to the East Herts District Plan to enable new standards to be included which better reflect current circumstances and which, while partly based on the currently adopted parking standards, also reflect provisions contained within the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

## 2.0 Report

- 2.1 Current guidance at Paragraph 39 of the National Planning Policy Framework (NPPF) indicates that, in setting local parking standards, regard should be had to the following:

- i) The accessibility of the development;
- ii) The type, mix and use of development;
- iii) The availability of and opportunities for public transport;
- iv) Local car ownership levels; and
- v) An overall need to reduce the use of high emission vehicles.

- 2.2 Parking standards should therefore strike a balance between delivering sustainable development which encourages the use of alternative forms of transport to the car, while recognising that East Herts is a rural district with a dispersed settlement pattern and a high level of car ownership.

- 2.3 The proposed vehicle parking standards identified within **Essential Reference Paper B** are largely reflective of the current adopted standards. However for clarity the proposed changes to these standards are identified below:

- i) Car parking standards are no longer referred to as being 'maximum' standards, which will enable provision to reflect local circumstances on a site specific basis;
- ii) Car parking standards for residential dwellings with 1, 2 or 3 bedrooms (Use Class C3) have been amended to allow for a

small increase in parking provision in comparison to current adopted standards;

- iii) Accessibility zones, which are currently in place, are maintained, but would now apply to all forms of development as opposed to applying solely to C3 use as under the current adopted standards;
- iv) The revised zonal system introduces greater flexibility by allowing the full car parking standard to be applied in all zones, dependent on local circumstances;
- v) There is now an acknowledgement that 'car free' developments may occasionally be appropriate in certain instances.

2.4 Plans identifying the location of the accessibility zones are not currently contained within the draft Appendix in **Essential Reference Paper B**. It is not proposed that the zones themselves will change, but the plans will need to reflect the allocations contained within the District Plan. The draft Appendix, including revised accessibility zone plans, will therefore be presented to a future meeting of this Panel in due course alongside the rest of the District Plan.

2.5 It should be noted that, as well as identifying parking standards, the currently adopted Vehicle Parking Provision at New Development SPD contains a considerable amount of design guidance. It is intended that a replacement SPD will be prepared which will contain updated design guidance, and that this would be prepared, and eventually adopted, alongside the District Plan.

### 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

- Vehicle Parking Provision at New Development SPD (adopted June 2008)

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	<p><b>People – Fair and accessible services for those that use them and opportunities for everyone to contribute</b></p> <p>This priority focuses on delivering strong services and seeking to enhance the quality of life, health and wellbeing, particularly for those who are vulnerable.</p> <p><b>Place – Safe and Clean</b></p> <p>This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p><b>Prosperity – Improving the economic and social opportunities available to our communities</b></p> <p>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 although the draft vehicle parking standards will form part of the Pre-Submission District Plan which will be subject to public consultation.
Legal:	None
Financial:	None
Human Resource:	Preparation of the District Plan as a whole continues to require significant human resources.
Risk Management:	Failure to include vehicle parking standards within the District Plan would result in a risk that the required balance between adequate provision for car parking as part of new developments, and the need to encourage more sustainable forms of transport would not be achieved.
Health and wellbeing – issues and impacts:	The link between planning and health has been long established. The built and natural environments are major determinants of health and wellbeing.

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**District Plan Appendix – Vehicle Parking Standards**

**Introduction**

1. Paragraph 39 of the National Planning Policy Framework (NPPF) indicates that, in setting local parking standards, regard should be had to the following:
  - i) The accessibility of the development;
  - ii) The type, mix and use of development;
  - iii) The availability of and opportunities for public transport;
  - iv) Local car ownership levels; and
  - v) An overall need to reduce the use of high emission vehicles.
2. In formulating the parking standards, East Herts Council has sought to take into account the issues identified within the NPPF in order to identify a parking strategy that both reflects local circumstances and the need to encourage the use of sustainable forms of transport.
3. Data from the 2011 Census indicates that the number of households who do not have access to a car or van is roughly half the national average. A careful balance needs to be reached between this and the need to encourage a modal shift away from car use, while recognising the District's dispersed settlement pattern.

**Parking Standards**

4. The parking standards contained in Table 2 should be adhered to as part of proposals for new development in accordance with Policy TRA3 in Chapter 17 'Transport'. There will be an initial presumption for the required car parking standard to be applied. Developers proposing car parking above or below these levels should provide robust evidence to support their case.
5. Applications for extensions and alterations to existing developments should ensure that a suitable level of parking provision is made. The standards contained in this Appendix will be used as a guide, having regard to the size of the dwelling that is to be created, the impact upon highway safety and the level of provision that already exists on site.
6. Where mixed use, residential or commercial developments are proposed, the parking requirements for each element should be calculated individually using the relevant standards.

7. The use of a 'zonal system' is intended to reflect the fact that new development in certain areas is likely to be more accessible to key services or facilities and opportunities for public transport than other areas. Therefore in certain instances a reduced level of parking provision may be appropriate.

Table 1: Accessibility Zones.	
Zone <sup>1</sup>	Level of Car Parking Provision (excluding disabled parking)
2	25 – 100%
3	50 – 100%
4	75 – 100%

8. It should be noted that the zonal system **applies to all forms of development**. The following factors will be taken into account by the Council when considering a discount:
- The type, tenure, size and mix of housing;
  - On-street parking conditions in the surrounding area;
  - Access to existing public or private car parking facilities and the potential for shared parking;
  - Proximity to public transport and services; and
  - The level of cycle parking provided.
9. It should be noted that, outside of the main settlements, the remainder of the district falls within Zone 4.
10. In accessibility Zones 2 and 3 only, there may be a limited number of cases where car-free development can be accepted in principle. These may include, but not be limited to:
- The extension, alteration or re-use of an existing building with no access to parking;
  - The reversion of a previously converted property to its original residential use, including flats above shops;

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<sup>1</sup> The Zonal Approach was first established at a county level, within Hertfordshire County Council's 'Best Practice Guide: Parking Provision at New Development, 2003', which underpinned the East Herts Supplementary Planning Document 'Vehicle Parking Provision at New Development, June, 2008'. This recognised that no towns in East Herts fell within Zone 1 criteria, hence Table 1 provides solely for Zones 2-4.

- The provision of residential accommodation on a small (up to 5 units net) town centre site that may otherwise not come forward for development; and
- Where arrangements are made to share an existing car park within the vicinity of the site which can reasonably accommodate the parking demand generated by the development.

11. In all instances, developers will be required to demonstrate why car free development represents the best available option.

### **Key to Vehicle Parking Standards:**

#### **Car parking notes:**

- gfa = gross floor area
- rfa = retail floor area
- Standards refer to numbers of spaces to be provided and not to their method of provision. Advice on layout, dimensions and design of parking spaces, garages, etc can be found in the Council's Vehicle Parking Standards Supplementary Planning Document.

#### **Cycle Parking Notes:**

- space = space to park 1 bicycle
- l/t = long term
- s/t = short term
- f/t staff = full time staff equivalents
- Provision of showers and changing facilities is also important if staff cycling is to be encouraged.

Table 2: Car Parking Standards and Minimum Cycle Parking Standards

Use Class	Description	Car Parking Standards	Minimum Cycle Parking Standards
<b>A1 Retail foodstores</b>	a) Small food shops up to 500 m <sup>2</sup> gfa	1 space per 30 m <sup>2</sup> gfa	1 s/t space per 150m <sup>2</sup> gfa plus 1 l/t space per 10 maximum staff on site at any one time
	b) Food supermarkets between 500 m <sup>2</sup> gfa and 2,500 m <sup>2</sup> rfa	1 space per 18m <sup>2</sup> gfa	
	c) Food superstores/hypermarkets exceeding 2,500 m <sup>2</sup> rfa	1 space per 15 m <sup>2</sup> gfa	1 s/t space per 250 m <sup>2</sup> gfa plus 1 l/t space per 10 maximum staff on site at any one time
	d) Food retail parks	To be decided in each case on individual merits (shared parking and an overall reduction in provision, taking into account linked trips on site)	
<b>A1 Non-food retail</b>	a) Non-food retail warehouses with garden centres	1 space per 25 m <sup>2</sup> gfa	1 s/t space per 350 m <sup>2</sup> gfa plus 1 l/t space per 10 maximum staff on site at any one time
	b) Non-food retail warehouses without garden centres	1 space per 35m <sup>2</sup> gfa	

	c) Garden centres up to 4,000 m <sup>2</sup> gfa	1 space per 25 m <sup>2</sup> gfa	
	d) Garden centres up to 4,000 m <sup>2</sup> gfa	To be decided in each case on individual merits	
	e) Non-food retail parks where individual land use components are known	To be decided in each case on individual merits	
	f) Non-food retail parks where individual land use components are not known	1 space per 40m <sup>2</sup> gfa	
	g) Other shops not known	1 space per 30m <sup>2</sup> gfa	
<b>A2 Financial and professional services</b>	Banks, building societies, estate agencies	1 space per 30m <sup>2</sup> gfa	1 s/t space per 200 m <sup>2</sup> gfa plus 1 l/t space per 10 f/t staff.
<b>A3 Food and drink</b>	a) Restaurants/Cafes	1 space per 5m <sup>2</sup> of floorspace of dining area plus 3 spaces per 4 employees	1 s/t space per 100m <sup>2</sup> gfa plus 1 l/t space per 10 maximum staff on site at any one time
	b) Public houses/bars	1 space per 3m <sup>2</sup> of floor space of bar area plus 3 spaces per 4 employees	

	c) Hot food takeaway shops (excluding fast food drive through restaurants)	1 space per 3m <sup>2</sup> of floorspace of public area plus 3 spaces per 4 employees.	1 l/t space per 10 maximum staff on site at any one time
	d) Fast food drive through restaurants	1 space per 8m <sup>2</sup> gfa	
	e) Roadside restaurants	1 space per 4m <sup>2</sup> of floor space of dining area plus 3 spaces per 4 employees	
	f) Transport café	1 lorry space per 3.5m <sup>2</sup> gfa plus 3 spaces per 4 employees	
<b>B1 Business</b>	a) B1 (a) offices	1 space per 30m <sup>2</sup> gfa	1 s/t space per 500m <sup>2</sup> gfa plus 1 l/t space per 10 f/t staff.
	b) B1 (b) research and development, high tech/B1 (c) light industry	1 space per 35 m <sup>2</sup> gfa	
<b>B2 General Industry</b>	General industry	1 space per 50 m <sup>2</sup> gfa  1 lorry space per 200m <sup>2</sup> gfa to 1 lorry space per 1,000 m <sup>2</sup> gfa (to be determined on a case by case basis)	

<b>B8 Storage and distribution</b>	Wholesale distribution, builders merchants, storage	1 space per 75 m <sup>2</sup> gfa  1 lorry space per 200m <sup>2</sup> gfa (minimum 1 space) to 1 lorry space per 500 m <sup>2</sup> gfa (to be determined on a case by case basis)	1 s/t space per 10 f/t staff
<b>Business Parks</b>	Mixed B1/B2/B8 (unless heavily orientated to B8) for use where individual land-use components are not known.	1 space per 40m <sup>2</sup> gfa	1 s/t space per 500 m <sup>2</sup> gfa plus 1 l/t space per 10 f/t staff.
<b>C1 Hotels and hostels</b>	a) Hotels	1 space per bedroom, plus 1 space per manager, plus 2 spaces per 3 staff plus:  1 space per 5m <sup>2</sup> dining area, 1 space per 3m <sup>2</sup> bar area, 1 space per 5m <sup>2</sup> public area in conference facility, 1 space per 6m <sup>2</sup> of public area in exhibition hall, plus a minimum of 1 coach parking space per 100 bedrooms.	1 l/t space per 10 beds plus 1 l/t space per 10 maximum staff on site at any one time

	b) Hostels  i) Small (single parent or couple with no children)  ii) Family (2 adults and 2 children)	i) 3 spaces per 4 units  ii) 1 space per unit	1 l/t space per 3 units
<b>C2 Residential institutions</b>	a) Institutions/homes with care staff on premises at all times (excluding nursing homes, hospitals, residential schools, colleges or training centres)	1 space per 5 residents' bed spaces plus 1 space per 2 staff (non-resident)	1 s/t space per 20 beds plus  1 l/t space per 10 staff on duty at any one time
	b) Elderly persons residential and nursing homes (Category 3)	0.25 spaces per resident bed space	
	c) Hospitals	1 space per 0.5 beds or to be decided on individual merits (including a full transport assessment and proposals in a green transport plan); special hospitals must be considered individually	
	d) Education – halls of residence	1 space per 2 full time staff plus 1 space per 6 students	1 s/t space per 10 f/t staff plus 1 l/t space per 3 students



<p><b>C3 Residential</b></p> <p><b>Note:</b></p> <p>One off-street space is defined as space for parking one car e.g. a single garage, driveway or hardstand.</p> <p>Provision of a garage does not automatically mean that there will also be a driveway (hence 2 more spaces) as garages can be provided in blocks or may front onto the street where no front garden is provided.</p>	<p>a) General needs</p> <p>i) 1 bedroom dwellings/studios</p> <p>ii) 2 bedroom dwellings</p> <p>iii) 3 bedroom dwellings</p>	<p>Spaces per dwelling:</p> <p>1.50 (note that the number of spaces to be provided should be rounded up if necessary i.e. 3 dwellings should provide 5 car parking spaces)</p> <p>2.00</p> <p>2.50 (note that the number of spaces to be provided should be rounded up if necessary i.e. 3 dwellings should provide 8 car parking spaces)</p>	<p>1 l/t space per unit if no garage or shed is provided</p>
	<p>iv) 4 or more bedroom dwellings</p>	<p>3.00</p>	
	<p>b) Houses in multiple occupation (i.e. separate households sharing facilities)</p>	<p>0.5 spaces per tenancy unit (note that the number of spaces to be provided should be rounded up if necessary i.e. 3 dwellings should provide 2 car parking spaces)</p>	

	c) Sheltered housing for the elderly – warden control	0.5 to 1 space per unit	1 s/t space per 3 units; plus 1 l/t space per 5 units.
<b>D1 Non-residential institution</b>	a) Public halls/places of assembly (excluding D2)	1 space per 9m <sup>2</sup> gfa or 1 space per 3 fixed seats plus 3 spaces per 4 staff members	1 s/t space per 200 m <sup>2</sup> gfa plus 1 l/t space per 10 staff on duty at any one time
	b) Community/family centres	1 space per 9m <sup>2</sup> gfa plus 1 space per full time staff member of equivalent.	
	c) Day centres	1 space per 2 staff members plus 1 space per 3 persons attending or 1 space per 9m <sup>2</sup> gfa	
	d) Places of worship	1 space per 10 m <sup>2</sup> gfa	
	e) Surgeries and clinics	3 spaces per consulting room plus 1 space per employee other than consulting doctors/dentists/vets	1 s/t space per consulting room plus 1 l/t space per 10 staff on duty at any one time

	f) Libraries, miscellaneous cultural buildings	1 space per 30m <sup>2</sup> gfa of freestanding development (otherwise assessed on merits)	1 s/t space per 100m <sup>2</sup> gfa plus 1 l/t space per 10 f/t staff
	g) Miscellaneous cultural buildings	2 spaces plus 1 space per 30m <sup>2</sup> of public floor space	

	<p>h) Educational establishments (including residential)</p> <p>i) schools</p> <p>ii) further education</p> <p>iii) nursery school/playgroups</p> <p>Note: Overspill parking for community purposes (outside school day) should be catered for by use of dual purpose surfaces such as school play areas.</p>	<p>1 space per full time member of staff; plus 1 space per 100 students; plus 1 space per 8 students over 17 years old; plus 1 space per 20 students under 17 years old.</p> <p>1 space per full time member of staff plus 1 space per 5 full time students</p> <p>1 space per 4 students</p>	<p>1 l/t space per 10 f/t staff plus;</p> <p>Primary school: 1 l/t space per 15 students Secondary school: 1 l/t space per 5 students</p> <p>Further education: 1 l/t space per 5 students</p> <p>Nursery schools/playgroups: None additional</p>
<b>D2: Assembly and leisure</b>	a) Places of entertainment/leisure parks for use when individual land use components are known	To be decided in each case on individual merits	On merit depending on mix of uses

	b) Places of entertainment/leisure parks for use when individual land use components are known	1 space per 15m <sup>2</sup> gfa	
	c) Cinemas (including multiplexes)	1 space per 5 seats	<p>Cinemas up to 500 seats:</p> <p>1 s/t space per 20 seats plus 1 l/t space per 10 staff on duty at any one time.</p> <p>Cinemas over 500 seats:</p> <p>25 s/t spaces plus 1 l/t space per 100 seats in excess of 500; plus 1 l/t space per 10 staff on duty at any one time</p>
	d) Swimming pools	1 space per 15m <sup>2</sup> gfa	1 s/t space per 25 m <sup>2</sup> gfa; plus 1 l/t space per 10 f/t staff
	e) Tennis/badminton/squash courts	4 spaces per court	
	f) Ice rinks	1 space per 12 m <sup>2</sup> rink area	
	g) Fitness centres/sports clubs	1 space per 15m <sup>2</sup> gfa	
	h) Ten pin bowling	4 spaces per lane	1 s/t space per 3 lanes or rink;

	i) Indoor bowls	4 spaces per rink	plus 1 s/t space per 25 spectator seats; plus 1 l/t space per 10 full time staff members of staff
	j) Outdoor sports grounds		1 s/t space per 10 players/participants
	i) with football pitches	20 spaces per pitch	
	ii) without football pitches	50 spaces per hectare	
	k) Golf		
	i) 18 hole golf course	100 spaces	10 l/t spaces per 18 holes
	ii) 9 hole golf course	60 spaces	5 l/t spaces per 9 holes
	iii) driving range	1.5 spaces per tee	5 s/t spaces per 20 tees
<b>Motor trade related</b>	a) Showroom car sales	3 spaces per 4 employees; plus 1 space per 10 cars displayed	1 l/t space per 10 staff
	b) Vehicle storage	3 spaces per 4 employees; plus 2 spaces per showroom space or provision at rate of 10% annual turnover	

	c) Hire cars	3 spaces per 4 employees; plus  1 space per 2 hire cars based at site	
	d) Ancillary vehicle storage	3 spaces or 75% of total if more than 3 vehicles	
	e) Workshops	3 spaces per 4 employees; plus  3 spaces per bay (for waiting and finished vehicles) in addition to repair bays	
	f) Tyre and exhaust	3 spaces per 4 employees plus 2 spaces per bay	
	g) Parts stores/sales	3 spaces per 4 employees; plus  3 spaces for customers	
	h) Car wash/petrol filling station	3 spaces per 4 employees; plus  3 waiting spaces per bay or run in to row of bays (additional parking is required where a shop is provided)	1 l/t space per 10 staff; plus  5 s/t spaces if shop included

<b>Passenger transport facilities</b>	a) Rail stations	To be decided in each case on individual merits	To be decided in each case on individual merits
	b) Bus stations	To be decided in each case on individual merits	To be decided in each case on individual merits
<b>Parking for disabled motorists</b>  <b>Notes:</b>  1. The parking needs of disabled motorists shall be met in full irrespective of location i.e. where the zonal procedure results in on-site parking restraint, there shall be no corresponding reduction in disabled spaces.	a) Employment generating development  i) up to 200 space car park (demand based as calculated from above standards)  ii) more than 200 space car park (demand based as calculated from above standards)	Individual spaces for each disabled employee plus 2 spaces or 5% of total capacity, whichever is greater          6 spaces plus 2% of total capacity	N/A



<p>2. The number of disabled spaces specified is additional to the total capacity</p>	<p>b) Shops/premises to which the public have access/recreation</p> <p>i) up to 200 space car park (demand based as calculated from above standards)</p> <p>ii) more than 200 space car park (demand based as calculated from above standards)</p>	<p>3 spaces or 6% of total capacity, whichever is greater</p> <p>4 spaces plus 4% of total capacity</p>	
	<p>c) Residential</p> <p>i) General</p> <p>ii) Elderly persons dwellings up to 10 spaces (demand-based as calculated from above standards)</p> <p>More than 10 spaces (demand based as calculated from above standards)</p>	<p>1 space for every dwelling built to mobility standards</p> <p>3 spaces</p> <p>1 space per 4 spaces</p>	



## EAST HERTS COUNCIL

### DISTRICT PLANNING EXECUTIVE PANEL – 19 MARCH 2015 EXECUTIVE – 2 JUNE 2015

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

#### DRAFT DISTRICT PLAN CHAPTERS 15 and 16: RESPONSE TO ISSUES RAISED DURING PREFERRED OPTIONS CONSULTATION AND DRAFT REVISED CHAPTERS

WARD(S) AFFECTED:     ALL

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

The purpose of this report is:

- To bring to Members attention the issues raised through the recent consultation in connection with Chapters 15 and 16 of the Draft District Plan Preferred Options, together with Officer responses to those issues; and
- To place before Members for consideration draft revised chapters showing proposed amendments, for subsequent incorporation into a revised Draft District Plan.

<b><u>RECOMMENDATIONS FOR DISTRICT PLANNING EXECUTIVE PANEL AND EXECUTIVE: That:</u></b>	
<b>(A)</b>	<b>The issues raised in respect of Chapters 15 and 16 of the Draft District Plan Preferred Options, as detailed at Essential Reference Papers B and C to this report, be received and considered;</b>
<b>(B)</b>	<b>The Officer response to the issues referred to in (A) above, as detailed in Essential Reference Papers B and C to this report, be noted; and</b>
<b>(C)</b>	<b>The draft revised chapters, as detailed in Essential Reference Papers B and C to this report, be noted, with decision on their final content being deferred to allow consideration of further technical work and other issues.</b>

## 1.0 Background

- 1.1 The Council published its Draft District Plan Preferred Options for consultation for a period of twelve weeks between 27<sup>th</sup> February and 22<sup>nd</sup> May 2014. Several thousand comments were received through the consultation exercise from over a thousand stakeholders including statutory consultees and members of the public. In order to manage these comments, the Council's agreed approach, as set out in its Statement of Community Involvement (October 2013), is to summarise the issues raised through the consultation and record how these issues have been used to inform the next draft of the District Plan.
- 1.2 This report presents working drafts of two topic chapters: Chapter 15 Retail and Town Centres; and Chapter 16 Design. **Essential Reference Papers 'B' and 'C'** each contain an Issues Report and a Working Draft Revised Chapter for each topic, which should be read together.

## 2.0 Report

- 2.1 The Issue Reports record each issue raised through the consultation. These are grouped according to the section of the Draft Plan they relate to. The table presents the officer response to each issue and then sets out proposed amendments to the text or policies of the Draft Plan. These proposed amendments are shown in the form of a 'track change' so that readers can clearly see what amendments are proposed. These 'track changes' are then presented *in situ* in the Working Draft Revised Chapters.
- 2.2 The proposed amendments are presented as Working Draft Revised Chapters only at this stage. This is because they may change between now and final agreement of a revised Draft District Plan. The Council is undertaking further technical studies, which may in turn result in amendments to either the development strategy or proposed allocations. There are also changes expected in the form of new Building Standards. In addition, the Government are continually changing the Planning System and the General Permitted Development Order, which have implications on local policies and the wider approach to development.
- 2.3 It is therefore the intention that the attached and forthcoming Working Draft Revised Chapters will be presented only to the District Planning Executive Panel and the Executive until such

time that the complete suite of amendments are collated and presented as one comprehensive Revised Draft District Plan. This phased approach is considered appropriate given the high number of consultation comments and the completion of detailed technical evidence supporting proposed amendments.

### 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 (delete as appropriate):	<p><b>People – Fair and accessible services for those that use them and opportunities for everyone to contribute</b></p> <p>This priority focuses on delivering strong services and seeking to enhance the quality of life, health and wellbeing, particularly for those who are vulnerable.</p> <p><b>Place – Safe and Clean</b></p> <p>This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p><b>Prosperity – Improving the economic and social opportunities available to our communities</b></p> <p>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:	The Report refers to the Draft District Plan consultation carried out between 27 <sup>th</sup> February and 22 <sup>nd</sup> May 2014.
Legal:	None
Financial:	None
Human Resource:	None other than Planning Policy Team resource.
Risk Management:	None
Health and wellbeing – issues and impacts:	The Draft District Plan in general will have positive impacts on health and wellbeing through a range of policy approaches that seek to create sustainable communities.

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## **15 Retail and Town Centres**

### **15.1 Introduction**

- 15.1.1 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 and limiting road networks, character and architectural interest. However, this historic character can also act as a constraint, prohibiting larger retailers from investing .
- 15.1.2 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.
- 15.1.3 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.

<p>The East Herts Retail and Town Centres Study Update Report 2013 can be viewed and downloaded at: <a href="http://www.eastherts.gov.uk/retailstudy2013">www.eastherts.gov.uk/retailstudy2013</a></p>
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## **15.2 Retail Development**

15.2.1 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.

15.2.2 The following hierarchy of town centres will apply:

1. Principal Town Centre: Bishop's Stortford
2. Secondary Town Centre: Hertford
3. Minor Town Centres: Buntingford, Sawbridgeworth and Ware
4. District Centre: The Thorley Centre, Bishop's Stortford

15.2.3 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.

15.2.4 The Council supports the use of upper floors in town centre locations for residential and office 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.

### **Policy 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 within the settlement boundary of Bishop's Stortford
- Over 1,000 sq.m gross within the settlement boundary of 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.

### **15.3 Primary Shopping Area**

- 15.3.1 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.
- 15.3.2 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.

## **Policy 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).

## **15.4 Primary Shopping Frontages**

15.4.1 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.

## **Policy 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 Use Classes A1, A2, A3, A4 and A5 will be supported in principle provided they have an active frontage ~~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.~~

## **15.5 Secondary Shopping Frontages**

- 15.5.1 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.
- 15.5.2 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.

### **Policy 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.~~

## **15.6 District Centres, Local Parades and Individual Shops**

- 15.6.1 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.

- 15.6.2 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:

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

- 15.6.3 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:

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

- 15.6.4 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:

1. Bishop's Stortford:

- a. Hockerill
- b. Havers Parade
- c. Snowley Parade

2. Hertford:

- a. Fleming Crescent, Sele Farm
- b. The Avenue, Bengoe

3. Ware:

a. The Green, Kingshill

b. Cromwell Road

c. King George Road

4. Villages:

a. Puckeridge

b. Stanstead Abbots and St. Margarets

c. Watton-at-Stone

15.6.5 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.

**Policy RTC5 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 this does not lead to more than 50% of units in Non-A1 Use in a continuous frontage ~~they maintain an appropriate mix~~ to secure the vitality and viability of the district or neighbourhood centre or local parade and does not conflict with other policies within this Plan.

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



Issue Number	Policy/Paragraph Number	Issue	Officer Response	Proposed Amendment
<b>15.1 Introduction</b>				
15.1	15.1.2	Local out-of-town retail and online shopping represent serious long-term threats to the health of our town centres.	The impact of out of town shopping has been acknowledged in the draft Plan and within recent retail studies. The policy approaches taken within this chapter seek to provide a positive approach to new retail developments within designated centres.	<b>No amendment in response to this issue</b>
15.2	151.2	People shop in out-of-town centres because people can shop in a comfortable safe environment, our town centres need to adopt this approach by removing traffic and making them more attractive. People who travel to shops on foot, cycle, public transport spend just as much as people in cars. Therefore people who travel sustainably must be viewed to be positively beneficial to the local economy.	The policies within the Plan as a whole seek to encourage the provision of sustainable forms of transport. The town centre first style policy also seeks to ensure the retention of a retail core which is highly accessible. The retail policies also encourage the retention and provision of local centres close to residential areas.	<b>No amendment in response to this issue</b>
<b>15.2 Retail development</b>				
15.3	15.1	There is support for the importance the plan places on the role of town centres and how it aims to protect their role, particularly in the context of requiring sequential testing for out of town centre retail developments.	Support noted.	<b>No amendment in response to this issue</b>
15.4	15.2.1	The council need to be robust in its application of national 'Town Centre First' planning policies.	This is the approach advocated in the draft policies. However, complications occur when Government policies dilute the effectiveness of this approach.	<b>No amendment in response to this issue</b>
15.5	Policy RTC1 Retail Development	Part III of the policy should make it clear as to the location where application of the impact assessment thresholds will apply.	The Policy currently does not specify a location where impact assessments will be required as the impact of a proposal will be dependent upon the type, scale and location of the development. The policy could make it clearer that the thresholds	<b>Amendment to Policy RTC1, Part III.</b> ...over 1,500 sq,m gross <u>within the settlement boundary of</u> in

Issue Number	Policy/Paragraph Number	Issue	Officer Response	Proposed Amendment
			apply within the settlement boundary of Bishop's Stortford and Hertford. These thresholds may differ depending upon a new piece of work that assesses the average unit size of properties in each town.	Bishop's Stortford;  Over 1,000 sq.m gross <u>within the settlement boundary of</u> Hertford;...
15.6		The Bircherley Green area should be designated as a town centre opportunity site.	This approach has been taken in the Bishop's Stortford chapter where the Old River Lane site is outlined on the policies map and referred to in a specific policy BISH11. This approach is not necessary within Hertford as the Bircherley Green area is already designated as being part of the town centre, within which Policy RTC1 Retail Development applies. This policy provides suitable flexibility and a positive approach to suitable town centre development.	<b>No amendment in response to this issue</b>
15.7	15.2	Needs to be a reference in the chapter to meeting the retail needs of the proposed urban extensions and on the existing towns as a result of them. Despite being mentioned in various chapters it would be useful if there was a dedicated policy referring to what is expected from the urban extensions and which supports retail development to serve this growth.	This will depend upon the final expected scale of development at each site. There is a clear methodology that the Council can follow in preparing for this policy approach, which is set out in the PBA/PAS advice. This policy would then have a greater connection with Policy DPS1 which sets out the floorspace requirements for the Plan period.	<b>No amendment in response to this issue</b>
<b>15.3 Primary Shopping Area</b>				
15.8	15.3.1	Develop a policy that encourages use of empty premises by communities and 'pop-up' shops while permanent tenants are sought to keep centres vibrant.	There is nothing to prevent this happening through temporary changes and this is preferable to having empty units. These uses should still be within the uses specified within Policy RTC1.	<b>No amendment in response to this issue</b>

Issue Number	Policy/Paragraph Number	Issue	Officer Response	Proposed Amendment
<b>15.5 Secondary Shopping Frontages</b>				
15.9	15.5.1	Peripheral sites should be allowed to convert to residential and other uses and the policy should consider the contraction of town centres to focus on smaller yet more vibrant centres.	This approach is one that is considered in the latest retail advice, particularly for parts of Bishop's Stortford where peripheral sites have relatively high vacancy rates. However, this assessment has not yet been undertaken.	<b>Amendment to Policies Map required</b>
15.10	15.5.1	There ought to be initiatives to upgrade shabby areas like Maidenhead Street and provide more attractive market areas.	The Council is currently in the process of commissioning an Urban Design Strategy for Hertford to achieve just this. It is hoped that this will act as a catalyst for a similar exercise for other town centres in the district. The approach taken within the emerging policies is sufficiently flexible to facilitate such changes as they occur.	<b>No amendment in response to this issue</b>
<b>15.6 District Centres, Local Parades and Individual Shops</b>				
15.11	15.6.4	Does not recognise that Stanstead Abbots has some destination shops and services that attract from a wide catchment area.	There is an error in the policies map which includes the old secondary frontage designation as well as defining the parades within the district, neighbourhood centres and local parades. It should only fall within one of these categories. It is therefore proposed to remove the secondary frontage designations and retain the classification as a local parade. This is appropriate given that Stanstead Abbots St. Margarets is now classified as a village rather than a town.	<b>Amendment to Policies Map required</b>
<b>15.7 General</b>				
15.12		The promotion and protection of town centres should be included in the overall vision and objectives of the plan.	Parts 5 and 6 of the Vision address this particular issue. Part 6 of the Vision specifically addresses the vitality and viability of the main towns and villages. However, it should make it clear that the	<b>Amendment to text (Vision and Strategic Objectives)</b>  East Herts in 2031

Issue Number	Policy/Paragraph Number	Issue	Officer Response	Proposed Amendment
			vision refers to the vitality and viability of town centres. Parts 5 and 7 of the Strategic Objectives could be expanded upon to refer to retail businesses.	6. The vitality and viability of the main town <u>centres</u> of Bishop’s Stortford..... In <u>district and neighbourhood centres, and in</u> local and village <u>parades</u> , -centres shopping facilities that meet local needs will have been supported.  Strategic Objectives  5. To foster entrepreneurial endeavour through educational attainment and encourage small and medium enterprises through maximising existing employment <u>and retail</u> opportunities and clusters and supporting rural diversification.
15.13		Diageo and Wrenbridge advocate their site, Bircherley Green as a suitable location for redevelopment of this part of the town centre.	This site is located within the town centre boundary and would therefore not need a specific policy approach. It would be determined in relation to the retail policies proposed. The Council is currently in the process of commissioning an Urban Design Strategy for Hertford which would address this particular location amongst others around the town.	<b>No amendment in response to this issue</b>
15.14		St James Developments (UK) Ltd advocate the Van Hages site at Great Amwell as being suitable for the development of a supermarket.	The developers submitted an application for the food store and was due to be determined on the 10 December. However, the application was withdrawn at the last minute and the Council has therefore yet to take a view on this proposal. Officers recommended the application is refused for a number of reasons. In policy terms, the site is	<b>No amendment in response to this issue</b>

Issue Number	Policy/Paragraph Number	Issue	Officer Response	Proposed Amendment
			in an important Green Belt location and would have a negative impact on the town centres of both Hertford and Ware.	

Other Issues		
Location/Paragraph /Policy	Issue	Proposed Amendment
RTC1 Retail Development	In the recent report PBA/PAS suggest that the basis for the impact thresholds should be robust. The report recommends undertaking an assessment of the average size of units within Bishop’s Stortford and Hertford in particular and basing the unit size threshold on this.	<b>Future amendment to Policy RTC1</b>  Officers will be undertaking this additional assessment over the coming months so this element of the policy may change.
RTC2 Primary Shopping Area	It is recommended that the boundary definitions are retained and a more positive and flexible approach to retail frontage policies is taken in order to reflect changing market conditions and to attract a wide range of people at different times of the day.	<b>Amendment to Policy RTC3 <u>(see RTC3 below for an alternative approach)</u></b>
RTC2 Primary Shopping Area	Offices and residential uses should be encouraged above ground floors to help add footfall and vibrancy. The use of upper floors for residential uses is already advocated in paragraph 15.2.4. This paragraph could be amended to make it clear that office uses will also be acceptable.	<b>Amendment to text (Paragraph 15.2.4)</b>  The Council supports the use of upper floors in town centre locations for residential <u>and office</u> purposes where there is potential to provide a reasonable.....
RTC3 Primary Shopping Frontages and RTC4 Secondary Shopping Frontages	The report suggests that Policies RTC3 on Primary Shopping Frontages and RTC4 Secondary Shopping Frontages are too restrictive and could have the effect of stifling market demand, resulting in high vacancy rates. The report suggests that there are two alternative approaches that could be taken: a) to consider tightening the primary frontage boundaries of the key towns and restricting them solely to A1 and A2 uses in order to drive up the quality of the retail offer and to gain greater influence on which uses go where; or b) have a more flexible approach where the policy for primary frontages supports in principle all A use classes provided they have active frontages. The latter option is the one recommended.	<b>Amendment to Policy RTC3</b>  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 <u>Use Classes A1, A2, A3, A4 and A5 will be supported in principle provided they have an active frontage.</u> <del>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.</del>



Other Issues		
Location/Paragraph /Policy	Issue	Proposed Amendment
RTC4 Secondary Shopping Frontages	Coupled with the approach above is the reduction in the size of secondary frontages to allow for peripheral units to revert to alternative uses including residential. This approach is recommended for Bishop's Stortford in particular where the secondary shopping frontage vacancy rate is relatively high, and also in some smaller towns where this has already occurred. An assessment will be necessary to determine where this approach is suitable based on the location of vacant units and any other plans or strategies.	<b>Amendment to Policies Map required</b>
RTC4 Secondary Shopping Frontages	The report suggests that Policies RTC3 on Primary Shopping Frontages and RTC4 Secondary Shopping Frontages are too restrictive and could have the effect of stifling market demand, resulting in high vacancy rates. The report recommends that all town centre uses as defined in Policy RTC1 should be supported in principle in defined secondary frontages.	<b>Amendment to Policy RTC4</b>  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, <del>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.</del>
RTC5 District Centres, Neighbourhood Centres, Local Parades and Individual Shops	These centres perform a different role to town centres, supporting the day-to-day needs of communities. In order to protect this role it is recommended that the Council adopts a policy that provides protection to the retail uses within them. At ground floor level a minimum of 50% of the frontage should be retained for A1 retail uses.	<b>Amendment to Policy RTC5</b>  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 <u>this does not lead to more than 50% of units in Non-A1 Use in a continuous frontage</u> <del>they maintain an appropriate mix</del> to secure the vitality and viability of the district <u>or</u> <u>neighbourhood</u> centre or local parade and <u>does</u> not conflict with other policies within this Plan.
RTC5 District Centres, Neighbourhood Centres, Local Parades and Individual Shops	It is proposed to add the word individual to Part II of this policy in order to clarify that this part of the policy is seeking to prevent the closure of vital community facilities rather than the loss of shops in general.	<b>Amendment to Policy RTC5</b>  II. Within urban and rural centres, proposals that result in the loss of <u>individual</u> shops will be considered in

Other Issues		
Location/Paragraph /Policy	Issue	Proposed Amendment
		accordance with Policy CFLR7 (Community Facilities).
15.6.4	There is an error in the policies map which includes the old secondary frontage designation as well as defining the parades within the district, neighbourhood centres and local parades. It should only fall within one of these categories. It is therefore proposed to remove the secondary frontage designations and retain the classification as a local parade. This is appropriate given that Stanstead Abbots St. Margaret's is now classified as a village rather than a town.	<b>Amendment to Policies Map required</b>  Removal of secondary frontage designation and retention of RTC5 designation as a local parade.
General	The report recommends not to allocate more land for retail development within the towns but to focus on improving the existing town centre stock and public realm. Much of the quantified convenience and comparison floorspace requirements could be provided in the planned urban extensions. A calculation will need to be undertaken which assesses the potential scale of residential development within urban extensions in order to estimate how much retail floorspace should be provided. Policy RTC6 could then be expanded to state that a Neighbourhood Centre or Local Parade of approximately XX sq.m of convenience/comparison floorspace should be provided at XX location.	<b>Future amendment to Policy RTC5 required.</b>
General	The report further recommends that a strategy is developed to guide the regeneration of Hertford. The Council is currently in the process of commissioning an Urban Design Strategy for Hertford which would address this particular location amongst others around the town. This would be best integrated into the Hertford chapter itself rather than within the retail policy as it extends to other matters.	<b>No amendment in response to this issue</b>
General	The Council should consider creating a vision for each town centre to influence and secure long term aspirations. This could occur within the specific settlement chapter rather than within the retail chapter.	<b>No amendment in response to this issue</b>

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## **16 Design**

### **16.1 Introduction**

16.1.1 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.

16.1.2 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.

16.1.3 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.

### **16.2 Design Objectives**

16.2.1 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:

1. Respect, improve and enhance the existing surrounding environment;

2. Respond to existing patterns of development and the local context;
3. Be attractive in appearance but receptive to original design and innovation in construction techniques, design and technologies;
4. Be usable, in terms of accessibility, legibility and be well-connected;
5. Be adaptable and flexible to the needs of the occupiers now and in the future;
6. Be socially inclusive, catering for the current and changing needs of the district's population;
7. Discourage crime and anti-social behaviour;
8. Encourage health and well-being;
9. Incorporate measures to mitigate and adapt against the effects of climate change; and
10. Incorporate water, planting and landscaping into the overall design, including through the creation of adequate private amenity space.

### **16.3 Sustainable Design**

- 16.3.1 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.
- 16.3.2 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

16.3.3 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.

16.3.4 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)

16.3.5 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.

- 16.3.6 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: <a href="http://www.designcouncil.org.uk">www.designcouncil.org.uk</a>
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## **16.4 Planning Applications**

- 16.4.1 The District Council expects a high standard of design in new development. To achieve this, applicants should ensure:
1. 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;
  2. 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;

3. That where necessary, a Design and Access Statement has been completed and accompanies the application. The statement should make it clear how the proposal has integrated sustainable design principles into the scheme. Applicants will be encouraged to use the Building Futures Sustainable Design Toolkit and Building for Life 12 questions within their Design and Access Statements.

## **16.5 Design Codes**

- 16.5.1 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.
- 16.5.2 The District Council will consider using Design Codes where they will help to deliver high quality outcomes on particular sites/areas.

## **16.6 Design Reviews**

- 16.6.1 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.
- 16.6.2 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.
- 16.6.3 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.

## **16.7 Local Character and Amenity**

16.7.1 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.

16.7.2 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. For example, development in proximity to water spaces should respond to and incorporate the water space in the design to add to the character of development.—Therefore successful development should respond to locally distinctive patterns of development, building methods and detailing, landscape and history.

16.7.3 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:

1. Avoid obscuring important views, vistas and skylines;
2. 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;

3. Respect the existing scale in the detailing and composition of elements such as windows, doors etc; and
  4. 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.
- 16.7.4 Taller buildings are often more suited to key locations such as on corners, along principal routes, the end of vistas or around parks.
- 16.7.5 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**

- 16.7.6 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.
- 16.7.7 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.
- 16.7.8 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

16.7.9 Public realm refers to all publicly accessible open spaces and public and civic building facilities, publicly owned streets, pathways, water spaces, 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:

1. Careful design that prioritises and promotes walking
2. Design that encourages cycling, including through the provision of safe and secure cycle storage;
3. The quality and materials of the hard landscaping (paving, kerbs, walls etc);
4. Uncluttered and simplified street furniture, which includes the provision of clear and legible signage where necessary, EV charging points and recycling facilities;
5. Planting (trees, grassed areas, flowers);
6. Green space for being retained, enhanced and integrated into the design of a development scheme, including the creation of space for local food production or community gardens. This will reinforce the quality and character of a place, increase biodiversity and deliver a wide range of environmental and health and wellbeing benefits as well as foster a sense of community;
7. Lighting being integral to the design and not added at the end. Lighting schemes should be designed to prevent light pollution;
8. Incorporating inclusive design features that benefit everyone in the community e.g. play areas, Wi-Fi technology; and



**8.9.** 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.

16.7.10 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.

16.7.11 '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**

- 16.7.12 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.
- 16.7.13 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**

- 16.7.14 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.

#### **Policy 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 metreage.

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 and accessibility of the public realm through the layout of buildings, landmarks, use of colour, landscaping, paving, high quality public art, street furniture and infrastructure including clear and legible signposting, rest places and public toilets, 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.
- (e) Engage the Hertfordshire Design Review Panel as part of the Pre-application stage and throughout the Development Management process where appropriate.

## 16.8 Crime and Security

16.8.1 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:

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

16.8.2 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.

16.8.3 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.

### Policy 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 and minimising light pollution.

## **16.9 Advertisements and Signs**

- 16.9.1 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.
- 16.9.2 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.
- 16.9.3 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.
- 16.9.4 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.

### **Policy 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, design, colour and materials, will not be permitted.

Issue Number	Policy/ Paragraph	Issue	Officer Response	Proposed Amendment
<b>Introduction</b>				
16.1	16.1.2	Statement is supported	Support noted and welcomed.	<b>No amendment in response to this issue</b>
16. 2	16.1.3	Statement is supported  The Environment Agency supports this paragraph.	Support noted and welcomed.	<b>No amendment in response to this issue</b>
<b>Design Objectives</b>				
16. 3	16.2	Whilst the Plan does accommodate for disabled and elderly populations, this must be made clearer. In particular, there should be greater detail of design for elderly, wheelchair and disabled users in town centres, in particular Bishop's Stortford including dropped kerbs and level areas. Also, better facilities to reflect their needs, for example, wheelchair accessible toilets, electric scooters for hire, small buses for short journeys, RADAR keys.	The Council welcomes this comment and is keen to accommodate for the less mobile members of the community, particularly for the ageing population and those who may suffer from forms of dementia. This falls under the Design Objectives which state that any development proposal should be usable, in terms of accessibility and be socially inclusive. Any development proposal will be assessed against these criteria and efforts should be made at the time of the application to meet this objective.  Paragraph 16.7.10 adequately deals with how the built environment should promote independent lifestyles in particular for those with restricted mobility. However, new words could be added to Part III of DES 1 to strengthen this approach.	<b>Amendment to text (DES 1 Part III)</b>  (a) Maximise legibility <u>and accessibility</u> of the public realm through the layout of buildings, landmarks, <u>use of colour</u> , landscaping, paving, high quality public art, street furniture and infrastructure including <u>clear and legible</u> signposting, <u>rest places and public toilets</u> , in a way that maintains uncluttered spaces and enabled easy navigation and movement through the space
16.4	16.2.1	The Environment Agency support the design objectives.	Support noted and welcomed.	<b>No amendment in response to this issue</b>
16. 5	16.2.1 and 16.7.9	The Canal and River Trust support the design objectives. However, they request that water spaces should be recognised as public realm and integrated into the design rather than as a backdrop.	Any development that is in proximity to water spaces should have a positive, integrated design appropriate to its setting. Additional words should be added to the bullets in 16.2.1 and to paragraphs 16.7.2 and 16.7.9 to refer to waterscape as part of overall landscape considerations.	<b>Amendment to text:</b>  16.2.1 Incorporate <u>water</u> , planting and landscaping into the overall design...  16.7.2 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



Issue Number	Policy/ Paragraph	Issue	Officer Response	Proposed Amendment
				<p>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. <u>For example, development in proximity to water spaces should respond to and incorporate the water space in the design to add to the character of development.</u> Therefore successful development should respond to locally distinctive patterns of development,</p> <p>16.7.9 Public realm refers to all publicly accessible open spaces and public and civic building facilities, publicly owned streets, pathways, <u>water spaces</u>, rights of way and parks.</p>
<b>Sustainable Design</b>				
16.6	16.3	New houses should meet Passivhaus standards and include solar panels, and grey water systems.	The Council understands the importance of sustainable design however it is considered too onerous a requirement for all new development to meet each of these standards. 16.3 Sustainable Design is considered to adequately promote sustainable development through design by encouraging use of the Building Futures toolkit and Building for Life standards. DES1 states the expectations of using new technologies including zero or low carbon energy and water systems. It is considered that the current policy wording satisfies this.	<b>No amendment in response to this issue</b>
16.7	16.3.2/16.4	The reference to Building Futures online resource is welcomed. It is suggested that this could be strengthened by encouraging all proposals to submit a 'Sustainable Design Statement' and not just those required under	Paragraph 16.4.1 already directs applicants to provide clear evidence that design principles based on sustainable development objectives have been integrated into the proposal. Paragraph 16.4.1 third bullet could be expanded.	<b>Amendment to text (para 16.4.1)</b> <ul style="list-style-type: none"> <li>That where necessary, a Design and Access Statement has been completed and accompanies the application. <u>The Statement should</u></li> </ul>



Issue Number	Policy/ Paragraph	Issue	Officer Response	Proposed Amendment
		national criteria, to explain how the placemaking and sustainable principles set out in the Development Plan have been implemented in the proposal by using the <i>Building Futures Sustainable Design Toolkit</i> .		<u>make it clear how the proposal has integrated sustainable design principles into the scheme.</u> Applicants will be encouraged to use the Building Futures...
<b>Design Reviews</b>				
16.8	16.6	<p>Section is welcomed. EHDC are encouraged to promote the use of Hertfordshire Design Review Panel in assessing development proposals before they are submitted and to assist the development management process and during the preparation of site specific documents.</p> <p>This could be achieved by setting a policy requirement for identified sites to undertake a design review process at an early stage. This would create a level of certainty within the planning and development management process for EHDC, developers and other stakeholders.</p>	<p>The Council recognises the merits of the Design Review panel and at later development stages may utilise the panel when developing specific development strategies. Paragraph 16.6.3 outlines the types of proposals that are encouraged to use the Design Review.</p> <p>New text could be added to Part III of DES 1 as the Hertfordshire Design Review Panel is best placed to assess larger applications that will have an impact on the public realm.</p>	<p><b>Amendment to Policy DES1</b></p> <p>III. Development proposals which create new or have a significant impact on the public realm should:</p> <p>...(e) <u>engage the Hertfordshire Design Review Panel as part of the pre-application stage and throughout the Development Management process where appropriate.</u></p>
<b>Local Character and Amenity</b>				
16.9	16.7.2	Density and mix of housing should reflect the character of the area.	Noted. There are a number of policies that support this statement. DES1 identifies that development should promote local distinctiveness. DES1 I(a) also focuses on how any development should have regard to the character and the surrounding area.	<b>No amendment in response to this issue</b>
16.10	16.7.3	The Canal and River Trust support this paragraph	Support noted and welcomed.	<b>No amendment in response to this issue</b>
<b>Public Realm and Inclusive Design</b>				
16.11	16.7.9	Legibility within the public realm should be maximised (to decrease the chance of Bartholomew Road/Trinity Street and Tanners Wharf occurring again.)	Comments noted. The section Major Developments is considered to deal with legibility within the public realm. 16.7.8 identifies the importance of any layout to be understandable, well-connected and inclusive. Importantly, the policy can only promote this as each	<p><b>Amendment to text (para 16.7.9)</b></p> <ul style="list-style-type: none"> <li>Uncluttered and simplified street furniture, <u>which includes the provision of clear and legible</u></li> </ul>

Issue Number	Policy/ Paragraph	Issue	Officer Response	Proposed Amendment
			application will be dealt with individually. New words could be added to paragraph 16.7.9 to refer to legible signage.	<u>signage where necessary;</u>
16.12	16.7.9	There should be a priority on sustainable modes of transport and a focus of the public realm around connections between modes of transport. Footpaths should be a cohesive network with safe places to access other forms of transport such as buses. The Policy does not deal adequately with priorities for walking and cycling networks to achieve healthy lifestyles.	It is considered that Chapter 17 Transport deals adequately with these issues. Chapter 18 Community Facilities Leisure and Recreation also incorporates these issues with a new section on Rights of Way.	<b>No amendment in response to this issue</b>
16.13	16.7.9	Provision needs to be made for the movement of goods and materials.	It is considered that 16.7.5 identifies the urban design principles that adequately deal with the impact of any development upon its environment. It is not considered possible to create a specific policy for this due to the range of uses that the development may have. At the point of application, appropriate area for the movement of goods and materials may be identified.	<b>No amendment in response to this issue</b>
16.14	16.7.9	The Plan should require developments to provide infrastructure that assists with sustainable design objectives such as cycle storage, EV charging points and disposal units for recycled materials.	<p>Comments noted. New words could be added to paragraph 16.7.9 on the public realm. Policy DES I. e) outlines that all development proposals should make provision for the storage of bins and ancillary household equipment. Each development proposal at the point of application will consider the suitable siting of refuse.</p> <p>The Council supports and encourages sustainable modes of transport, it is therefore considered to be suitable for development to provide EV charging points or cycle storage where necessary.</p>	<b>Amendment to text (para 16.7.9)</b> <ul style="list-style-type: none"> <li>• <u>Careful design that prioritises and promotes walking;</u></li> <li>• <u>Design that encourages cycling, including through the provision of safe and secure cycle storage;</u></li> <li>• Uncluttered and simplified street furniture <u>which includes the provision of clear and legible signage where necessary, EV charging points and recycling facilities;</u></li> </ul>
16.15	16.7.9	Request a policy on minimising light pollution, which is becoming a greater issue.	There is already a policy within the Environmental Quality Chapter (Policy EQ3: Light Pollution). Words could be added to paragraph 16.7.9 to refer to	<b>Amendment to text (para 16.7.9)</b> <ul style="list-style-type: none"> <li>• Lighting being integral to the design and not added at the end. <u>Lighting</u></li> </ul>

Issue Number	Policy/ Paragraph	Issue	Officer Response	Proposed Amendment
			preventing light pollution.	<u>schemes should be designed to prevent light pollution.</u>
16.16	16.7.9	The landscaping and wildlife should benefit the community; should support planting native species.	Noted. The Council encourages the planting of trees, grassed areas and flowers to benefit the community. It is considered that 16.7.9 adequately supports this requirement.	<b>No amendment in response to this issue</b>
16.17	16.7.11	Commitment to the Lifetime Home Standard and Lifetime Neighbourhoods is welcomed. Recognising that the built environment needs to be fully accessible and houses should accommodate for all parts of society.	Support noted and welcomed.	<b>No amendment in response to this issue</b>
<b>Policy DES1</b>				
16.18	DES1	Reflecting and promoting local distinctiveness is supported in principle, but the policy should also support appropriate design innovation to allow for appropriately designed development of its time and to avoid pastiche development of one kind.	Policy DES1 I (a) requires that developments respect and improve upon the character of the site and the surrounding area subject to a range of considerations. The policy was deliberately worded to allow a flexible approach to design – respecting but not reflecting is the key point. I (d) refers specifically to embracing high quality innovative design.	<b>No amendment in response to this issue</b>
16.19	DES1	Wording should be stronger to ensure new development takes account of local architectural styles. Houses should be built to the best design achievable and reflect the intrinsic character of the area, not creating ‘rabbit hutch’ design and density.	This comment is noted. DES1 outlines that any development is required to promote local distinctiveness which is strengthened by DES1 I (a) and (f). The current policy wording is considered to reflect this.	<b>No amendment in response to this issue</b>
16.20	DES1	Driveways and garages should be of a suitable size and the Council should be more robust in its decision-making for such applications.	Comments noted. DES1 I (g) deals with this issue.	<b>No amendment in response to this issue</b>
16.21	DES1	DES1 criteria ‘d’ and ‘f’ need to be revisited following the Ministerial Statement concerning how standards for the sustainability and construction of new housing will be delivered via the Building Regulations rather than the planning system.	These are particular issues that are of considerable importance. If and when Building Regulations are amended the Policy can be amended to reflect these. The proposed changes will also make available optional enhanced standards for local authorities to adopt subject to local needs according to local	<b>No amendment in response to this issue</b>

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			circumstances or individual needs, and subject to viability testing. Until such matters are clarified it is appropriate to continue to raise these as particular issues of importance and be included in a policy. This will be kept under review.	
16.22	DES1	An objection to increased urbanisation. Some suggestions are proposed to enhance the rural character, such as: increased tree planting, designation of rural fringe areas for woodland to provide boundaries, better landscaping within town centres, policies to reduce street furniture to 'de-urbanise' the towns, the expansion of conservation areas to preserve the character of the towns and provide people more power to protect their local environment.	Comments noted. The Council supports differentiating between rural and urban areas. It is considered that the section <i>Public Realm and Inclusive Design</i> refers to these comments and the current policy DES1 wording supports the use of all of these.	<b>No amendment in response to this issue</b>
16.23	DES1	The NPPF suggests that in rural areas, development should make use of redundant buildings or sites, specific design policies should be used which guide on scale, density, massing, height, landscape, layout and materials.	It is considered that DES1 along with other policies in the Plan deal with this issue adequately. It is neither necessary nor appropriate for the Council to prescribe such matters as every case will be unique and therefore should be treated individually.	<b>No amendment in response to this issue</b>
16.24	DES1	In principle the design criteria are supported, it is recommended that certain specific requirements such as zero and low carbon energy are supported by an evidence base and up-to-date viability testing. Recommended that any policy should not be an onerous burden upon development.	The Council supports sustainable design and the current policy wording supports this. It is important that this is not an onerous burden upon development, however the Council maintains it should be an integral part of housing design. Studies have found that over time the cost of such technologies have reduced and will continue to do so and that through changes to Building Regulations they become standard costs and not an additional expense. Building such design into development is more cost-effective than retrofitting.	<b>No amendment in response to this issue</b>
16.25	DES1	Design should include rear access/storage for refuse.	It is considered that DES1 I (e) adequately deals with the storage of bins and ancillary household equipment. It is not always appropriate to create rear access where this can compromise security. Each case should be dealt with individually.	<b>No amendment in response to this issue</b>
16.26	DES1	There should be minimum car parking per	The Council's approach to vehicle parking provision is	<b>No amendment in response to this</b>



Issue Number	Policy/ Paragraph	Issue	Officer Response	Proposed Amendment
		household.	set out in Policy TRA3 Vehicle Parking Provision. The Council is currently updating its SPD to reflect up-to-date Government guidance on standards. It is anticipated that these updated standards will in due course be incorporated into the District Plan.	<b>issue</b>
16.27	DES1	Developers should be required to incorporate underground parking facilities in all construction projects and housing development. This would ensure that development is more aesthetically pleasing.	Policy TRA3 Vehicle Parking Provision requires car parking to be integrated as a key element of design in development layouts to ensure good quality, safe, secure and attractive environments. The Council cannot however create policy requirements that are financially unviable. At the time of an application, appropriate parking will be identified to suit the development scheme.	<b>No amendment in response to this issue</b>
16.28	DES1	Encouraging green spaces in towns should be encouraged. The Garden City heritage of Hertfordshire should be an inspiration. Green spaces are also good for mental health.	Agreed. The Council aims to enhance and encourage green spaces through DES III b) which aims to maximise opportunities for urban greening. The Council will work with the relevant partners to ensure that green spaces are included in new development and the public realm is improved by new development. The health and wellbeing benefits of open space, vegetation and landscaping are acknowledged in Policy CFLR8 (now CFLR10).	<b>No amendment in response to this issue</b>
16.29	DES1	Policy should support appropriate design innovation, with reference to Para 58 in the NPPF.	It is considered that the section <i>Innovation</i> adequately defines how design innovation can be integrated into new and existing housing. As well as promoting design that does not stifle innovation, originality or initiative. Therefore the current policy wording is considered to reflect this.	<b>No amendment in response to this issue</b>
16.30	DES1	There should be sufficient access space for Fire and Rescue vehicles and refuse collections vehicles taking into account street parking needs.	Noted. Sufficient vehicular access is considered at the time of an application and all partners are consulted to ensure there is appropriate vehicular access.	<b>No amendment in response to this issue</b>
16.31	DES1	Whilst this section prescribes certain design principles and solutions to work in combination with site specific policies, when read in combination these policies do not translate the full range of placemaking and sustainable	The Plan should be read as a whole but it would be of benefit to refer to the Design policies within each site allocation policy within Part 1 of the Plan and to the refine the approach taken within site allocation policies.	<b>Amendment to text (each site allocation in Part 1 of the Plan)</b>  <u>Developments will be expected to be in accordance with the sustainable design principles as set out in Policy</u>

Issue Number	Policy/ Paragraph	Issue	Officer Response	Proposed Amendment
		<p>design principles.</p> <p>It is recommended that the policy is revised to focus on a core set of design principles that all development would adhere to and that piecemeal reference to design principles and solutions within the site specific policies is removed. This would present a clearer and more robust policy approach for developers to follow, requiring full and proper consideration of placemaking and sustainable design. For identified sites, the thematic policies would then be translated into the local context in a comprehensive fashion via a development brief/masterplan/SPD.</p> <p>Suggest revised principle list:</p> <ul style="list-style-type: none"><li>- Character (reflect local distinctiveness whilst not stifling innovation and the creation of distinct identities)</li><li>- Continuity and enclosure of private and public spaces</li><li>- High quality public realm and open space</li><li>- Ease of movement (connectivity, accessibility and permeability of streets, routes, open space and blue/green infrastructure, in addition to policy TRA1)</li><li>- Legibility of places and spaces</li><li>- Adaptability and resilience of buildings and spaces to change and future environmental risks</li><li>- Diversity of uses and building types</li><li>- Efficient use of land</li><li>- Safe, healthy and inclusive buildings and spaces</li><li>- Attractive and welcoming buildings and places</li><li>- Protection of private and visual amenity</li><li>- Sustainable use and management of materials and resources</li></ul>	<p>The principles referred to are standard approaches contained within guidance such as 'By Design'. Rather than repeat these principles out of context the policy seeks to frame this guidance within the issues that are of particular importance to the communities of East Herts in a language that is easier to understand.</p>	<p><u>DES1.</u></p>

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16.32	DES1	Policy supported, in reference to Great Munden Parish.	Support noted and welcomed.	<b>No amendment in response to this issue</b>
16.33	DES1	<p>Stansted Airport Ltd comments that design policies should refer to the needs for Aerodrome Safeguarding which is subject to direction and procedure contained within Circular 01/2003. They consider that it is highly advantageous that in preparing a spatial plan, that a specific policy and supporting text references are made to address the need to safeguard the civil aerodrome.</p> <p>This can be done by a singular policy or can be woven into specific policies. STAL would be happy to discuss the details of such alterations with the Council; however at the very least, the following areas are in need of consideration:</p> <p>i. Buildings, structures, erections and works: any development that by virtue of its height would impact on the safe operation of the aerodrome and its navigational aids(relevant to section 16);</p> <p>ii. Birdstrike: developments which likely to attract birds, including significant areas of landscaping, significant areas of water, nature reserves, or bird sanctuaries in any part of the district (relevant to sections 18, 19 &amp; 20); and</p> <p>iii. Wind turbines and solar PV schemes: potential to cause potential impact on radar and safe operation of the aerodrome (particularly in relation to Policy CC3 Renewable and Low Carbon Energy).</p>	<p>It is highly unlikely that any such form of development that would affect the issues set out by the airport would occur within East Herts. Where proposals would be deemed to affect the safe operation of the airport the Council would engage the expertise of the relevant stakeholders. It is not considered necessary to prepare a policy to deal with these issues. However, additional text could be added to Chapter 22 Climate Change, Policy CC3.</p>	<p><b>Amendment to Policy CC3</b></p> <p>II. ...<u>(f) the safe operation of aerodromes.</u></p>

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<b>Crime and Security</b>				
16.34	DES2	Developers should act on recommendations from Police and Fire and Rescue Service and be unable to use 'Secured by Design' if recommendations not acted upon.	Noted. Police and Fire and Rescue recommendations will be considered as part of any development proposal. Paragraph <b>16.8.2</b> also advises applicants to consult the Hertfordshire Constabulary Architectural Liaison Officer in order to reduce crime through design.	<b>No amendment in response to this issue</b>
16.35	DES2	This policy should refer to minimising light pollution.	Part II of the policy could be expanded to cover the effective use of lighting.	<b>Amendment to Policy DES2</b>  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 <u>and minimising light pollution</u> .
<b>General</b>				
16.36		There are loopholes that allow minor amendments to be made to a scheme once approved which changes the overall scheme, including affordability and mix. These should be prevented.	This is an established process of Planning. The Council needs to have a robust approach to refusing such 'minor amendments' where they alter the scheme in this way. Unfortunately, the Government have now introduced a mechanism by which applicants can bypass the local planning authority to achieve these changes where issues of viability are concerned. The policy approach taken across the Plan is considered robust enough to guide the decision-taking of such applications.	<b>No amendment in response to this issue</b>
16.37		Roof pitches should be reduced in order to stop additional roof spaces being constructed, thus making houses bigger and unaffordable.	There is no control over the internal use of such spaces. Only where external alterations are necessary to facilitate this use can planning intervene. It is considered that this policy approach would not be suitable due to the considerations that are necessary for each planning application.	<b>No amendment in response to this issue</b>
16.38		Local food production should be included in local community.	The Council supports the use of land for local food production in local communities. This can be achieved in a number of ways; through the provision of private and public outdoor space and the innovative use of	<b>Amendment to text (para. 16.7.9)</b>  • Green space for being retained, enhanced and integrated into the



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			'left-over' spaces in development schemes. Additional text could be added to section 16.7.9 on public realm and inclusive design to raise the profile of local space for food production.	design of a development scheme, <u>including the creation of space for local food production or community gardens.</u> <u>This</u> It will reinforce the quality and character of a place, increase biodiversity and deliver a wide range of health and wellbeing benefits <u>as well as foster a sense of community</u> ;
16.39		If building in a floodplain could houses be built on stilts?	Policy WAT1 deals with flood risk management, including flood resilient design.	<b>No amendment in response to this issue</b>
16.40		Land should be available for self-builders.	Noted. The Council are unable to provide land for self-builders. The Council is monitoring the interest in self-build and will evaluate any next steps at a later stage in the development Plan.	<b>No amendment in response to this issue</b>

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