

Part 1: Issues Raised Through the Preferred Options Consultation

Issue Number	Paragraph /Policy	Issue	Officer Response	Proposed Amendment				
14.1 Introduction								
14.1	14.1.2	Objection to the suggested number of jobs needed in the district. The evidence indicates that the East of England Economic Forecasting Model overestimates employment growth in the district.	Economic work undertaken by Hardisty Jones Associates to support the Strategic Housing Market Area (SHMA) confirms that the Council should be planning for between 435 and 505 jobs per year. This is in line with the East of England Forecasting Model figures. While there is no direct amendment to the Plan in response to this issue, the Development Strategy Chapter will be updated to address the latest evidence, and the Economic Development Chapter will continue to set out the policy approach to such forms of development.	No amendment in response to this issue				
14.2	14.1.2	Essex County Council Environment, Sustainability and Highways state that this chapter should provide details of the accessibility and connections between places of work, education and leisure.	Agreed. More could be done to highlight the connections between such uses and to highlight opportunities to link these uses better through various means. It should also be highlighted that all these types of uses are indeed opportunities for employment. A new paragraph could be added to the introduction to acknowledge these links and opportunities which refers to other policies within the Plan as appropriate. The chapter needs to acknowledge that there are many non- B Class uses that contribute to providing opportunities for employment, such as schools and healthcare for example.	Amendment to text (new para 14.1.5) <u>14.1.5 Retail and leisure facilities, along with education and healthcare also services provide valuable sources of employment. Businesses located in or with good connections to a town centre for example can help to support these uses and can benefit from shared resources and good public transport connectivity. It is therefore important to encourage the retention of employment uses within towns and villages.</u>				
14.3	14.1.2	There is no clear vision or strategy for employment growth and a lack of proactive policies that meet the needs of businesses and encourage the economy to develop and expand. The Hertford Civic Society suggest a number of approaches to make the chapter more proactive.	The Council has approved an Economic Development Strategy Vision and Action Plan, which the District Plan can help to deliver. A summary of the Vision and Action Plan should be included in this chapter, which should also refer to other relevant County/Sub-Regional or National strategies. The Council’s commitment to working alongside other partners to deliver the Economic Development Strategy priorities should also be mentioned. New sites have been proposed within the District Plan for residential-led mixed-use development as well as for employment use only. These sites are detailed in	Amendment to text (new para 14.1.11) <u>14.1.11 This Chapter endorses and seeks to facilitate the Council’s Economic Development Strategy, which goes beyond the policies of the District Plan. The Economic Development Strategy Vision contains six priorities summarised in Table 14.1 below:</u> <u>Table 14.1: Economic Development Strategy Vision</u> <table border="1" data-bbox="2062 1837 2834 1915"> <thead> <tr> <th data-bbox="2062 1837 2318 1881">Priority</th> <th data-bbox="2329 1837 2834 1881">Objective</th> </tr> </thead> <tbody> <tr> <td data-bbox="2062 1881 2318 1915">A business</td> <td data-bbox="2329 1881 2834 1915">We will ensure we are</td> </tr> </tbody> </table>	Priority	Objective	A business	We will ensure we are
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			the Development Strategy Chapter.	<u>friendly council</u>	<u>supporting businesses as 'customers' of council services as well as listening to the needs of the business community</u>
				<u>Enabling entrepreneurs and business start ups</u>	<u>We will encourage wealth creation in the district and ensure businesses can access a wide range of locally sourced services</u>
				<u>Supporting the rural economy</u>	<u>We will maximise investment into the rural economy and ensure it remains competitive</u>
				<u>Vibrant Town Centres</u>	<u>We will ensure our town centres meet the needs and wants of our residents and visitors</u>
				<u>Supporting the visitor economy</u>	<u>We want to raise the profile of local attractions and support businesses in their supply chain</u>
				<u>Lobbying for the right infrastructure</u>	<u>We will work with key partners to ensure East Herts can support growth in the right places at the right times</u>
				<p>Amendment to text (new Para. 14.1.12)</p> <p><u>14.1.12 The Council will also continue to work alongside the Hertfordshire Local Enterprise Partnership and other national and local initiatives that seek to support and enhance the economy of East Herts.</u></p>	
14.4	14.1.2	Stansted airport welcome the Plan's acknowledgement of the benefits the Airport plays to the economy of the District. They suggest that the number of East Herts residents who work at the airport (estimated to be 2,500 people) will increase.	Support noted and welcomed. The SHMA economic evidence also indicates an increase in airport related jobs, the majority of which will be in the form of ground staff and service related employment. The importance of Stansted Airport as a major employer is acknowledged in the Plan.	No amendment in response to this issue	

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14.5	14.1.6 (now 14.1.10)	The Council should encourage small businesses in town centre and similarly accessible locations. However, other responses suggest that town centre locations are too congested and are unattractive to businesses and that all such sites in places like Hertford and Ware should have their employment land designation removed.	This is an example of a situation where consensus cannot be reached. The advice provided in the Council's technical evidence indicates that there is a demand for smaller and even poorer quality sites as they provide more affordable start-up opportunities in well-connected central locations. There is also a demand for flexible policies which allow changes of use subject to certain criteria. This approach builds in the ability to assess market signals taking in to account latest evidence.	No amendment in response to this issue
14.2 Employment				
14.6	14.2.2	There is doubt over the accuracy of employment forecasts and the resultant need for new jobs and amount of new employment land proposed.	Economic work undertaken by Hardisty Jones Associates to support the Strategic Housing Market Area (SHMA) confirms that the Council should be planning for between 435 and 505 jobs per year. This is in line with the East of England Forecasting Model figures. While there is no direct amendment to the Plan in response to this issue, the Development Strategy Chapter will be updated to address the latest evidence, and the Economic Development Chapter will continue to set out the policy approach to such forms of development.	No amendment in response to this issue
14.7	14.2.3	The Council has not undertaken an assessment as to which sectors will see a major increase in employment in service and education jobs for example and as such it is not clear how much of the anticipated growth in employment will require space in B1, B2 or B8 or how the locational requirements have been considered in these proposed allocations.	The 2008 and 2012 employment studies carried out this assessment and estimated that approximately 40% of anticipated employment growth would occur in non B Uses. This was factored into calculations on the amount of B Class floorspace that would be required. The locational requirements have been taken into account through the sieving process of site selection. All this information has been detailed comprehensively in the Supporting Document. The SHMA is supported by economic evidence which will inform the District Plan.	No amendment in response to this issue
14.8	Policy ED1	The policy is contrary to the supporting text which refers to the increasing number of people working from home rather than in centrally located offices. This leads to a declining demand for office accommodation.	The supporting text actually states that there is a growing trend towards self-employment and more flexible working patterns including working from home. To facilitate this flexible approach to working it is important that adequate access to broadband and IT connectivity and the ability to access office space	No amendment in response to this issue

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			<p>where necessary is available. Self-employment and working from home represents around 17% of total employment (DTZ report). There is debate about whether this represents people who would rather be in employment but are operating on this basis to earn some income while seeking paid employment, or whether this represents a move of choice where people are choosing self-employment over other options. Even if it is a mixture of both, this is likely to increase as the economy improves. The boundary between home workers and mobile workers, full-time home workers and part-time homeworkers is also becoming increasingly blurred.</p> <p>Home workers are usually employed by a business who would still have an office presence and even those who are self-employed occasionally need access to a facility which provides office-type functions such as reprographics equipment, storage or meeting space. The supporting text does not imply that this means there is no need to provide office space, but that it is necessary to ensure that there is a flexible approach to economic development which can deal with changing needs.</p>	
14.9	Policy ED1	The policy is weak on encouraging the provision of new (standalone) employment land through proactive policies.	<p>Evidence indicates that speculative employment development is rarely financially viable or a realistic option. Such new employment land would only be supported through the development of a mixed-use scheme. East Herts is not the sort of location where standalone employment land development is likely to be economically viable. The Plan is designed to be read as a whole and the majority of proposed allocations do require employment opportunities to be created as part of a mixed-use scheme.</p> <p>The matter of new employment land is included in Chapter 3 as part of the Development Strategy. See also issue 14.3 above.</p>	No amendment in response to this issue.
14.10	Policy ED1	Policy ED1 should allow for changes of use to residential development and is too limiting in the types of uses that can take place on employment land.	In many cases it is not appropriate to allow changes of use of employment land to residential uses. This can lead to a poor relationship between uses which then prejudice the ongoing commercial and business	No amendment in response to this issue

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			interests. One example of this is Widbury Hill, where the small remaining employment land at the end of a new residential estate is now considered un-neighbourly and inaccessible and therefore not attractive to business uses and has since gained approval for residential development. There is a demand for both employment land and for residential uses. The Plan identifies suitable sites for new residential development and is also required to identify sites for employment development.	
14.11	Policy ED1	The policy approach is not in conformity with the NPPF, particularly paragraphs 14, 48 and 51.	<p>Paragraph 14 refers to the presumption in favour of sustainable development. Paragraph 48 refers to windfall, which often arises from changes of use of employment land. Paragraph 51 states that authorities should normally approve applications for changes from commercial (B uses) to residential uses where there is an identified need for housing provided there are not strong economic reasons why such development would be inappropriate.</p> <p>The policy is considered to be proactive and flexible where appropriate and builds in the opportunity to respond to market signals through evidence on a case-by-case basis rather than removing all control across the board. The policies within the whole Plan provide an appropriate response to the competing economic, social and environmental needs. The policy is considered to be in conformity with the provisions of the NPPF which should be read as a whole.</p>	No amendment in response to this issue
14.12	Policy ED1	<p>The Council should consider this policy from the perspective of property owners who will need to pay vacant rates for their commercial property, but may have no prospect of gaining permission for alternative uses without considerable costs and uncertainty of an appeal.</p> <p>The policy fails to make allowance for an assessment of whether such alternative employment generating</p>	<p>If employment land lies vacant and it has been shown that no alternative employment generating or suitable uses are viable on the site then the policy allows for changes of use. There is no implication in this policy that all applications will lead to an appeal situation and the cost of making or appealing a planning application is a very small percentage of the total costs involved in redeveloping a site for any use.</p> <p>The policy as it stands does not require the provision of new or replacement employment land where such losses occur. The Policy requires a test to establish if</p>	<p>Amendment to text (Policy ED1, Part III.)</p> <p>III. Development which would cause the loss of an existing designated Employment Area, or a site/premises that was last in employment use <u>(Classes B1, B2, B8 or related Sui Generis)</u>, will only be permitted where all the following criteria are met:</p> <p>(a) The retention of the site or premises for Use Classes B1, B2 and B8 has been fully explored without success, and that there is no reasonable</p>

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		<p>uses would be appropriate.</p> <p>Part III of the policy is too passive and does not address the need for proactive support to replace or renew employment land.</p>	<p>other alternative suitable uses are possible/ viable. If alternative uses are not viable through this test then it would not be realistic or reasonable to require replacement employment uses on that site. However, it may be possible that improvements can be made to the site or premises that would make the marketing exercise more fruitful. If the cost of these improvements would be too costly and would not yield different results then at least this has been fully explored rather than simply marketing the site as it stands.</p> <p>If both tests are undertaken and there is no reasonable prospect of the site remaining in employment use then the Policy enables alternative redevelopment. The Council's Viability Study indicates that employment development is unviable where it is not in tandem with residential development. The Plan identifies where new employment areas are proposed.</p> <p>Clarification as to what last employment uses are should be added. Additional wording is required about the potential and suitability of alternative uses. The policy should be proactive, looking to retain sites for business uses first, then alternative forms of business uses before non-business uses. New text could be added which requires applicants to have discussions with officers as to suitable alternatives.</p>	<p>prospect of the site/premises being suitable and viable for any alternative employment generating use. <u>This should also consider whether improvements to the existing site/premises would make it more attractive to alternative B1, B2 or B8 uses. The applicant will be expected to undertake discussions with officers as to the potential for and suitability of alternative uses.</u> Evidence of a period of marketing of at least 12 months must be provided;</p> <p>(b) The proposal consists of a redevelopment or change of use to an appropriate alternative employment generating use which provides at least the equivalent number of job opportunities and does not conflict with other policies in the Plan; and</p> <p>-(b) The retention of the B1, B2 or B8 use is unable to be facilitated by the partial conversion to a non-employment generating use; and</p>
14.13	Policy ED1	<p>The requirement to provide marketing evidence is contradictory to the objectives of site-specific allocations. Proposed amendments to Part III. c) and to add a new Part d) to the policy: "c) the proposal does not prejudice the continued viability of existing Employment Areas and existing operational employment sites and neighbouring uses, and d) the proposal is in line with a site specific development allocation within the Plan."</p>	<p>Agreed. For clarity, reference to existing operation employment sites has been added to the policy in Part III. (c).</p> <p>There are only two sites in the District Plan that are currently designated employment land which are being proposed for a strategic allocation for residential or mixed-use residential-led development. These include the Mill Site in Bishop's Stortford and the Mead Lane area of Hertford, which is subject to an Urban Design Framework. It is considered appropriate to insert a new part IV within the policy to deal with the site specific issues of the Mill Site.</p>	<p>Amendment to text (Policy ED1, Part III. c)</p> <p>(c) The proposal does not prejudice the continued viability of existing Employment Areas and neighbouring uses <u>and existing operational employment sites and neighbouring uses; and</u></p> <p>Amendment to text (Policy ED1, new Part IV.)</p> <p><u>IV. The Mill Site in Bishop's Stortford will remain as a designated Employment Area until such time that the land is presented as being available for redevelopment. The site will then be subject to the provisions of Policy BISH2 and</u></p>

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				<u>should be brought forward for redevelopment as part of a comprehensive masterplan.</u>
14.14	Policy ED1	The Council should consider this policy from the perspective of those who are in need of housing while brownfield land lies vacant.	If employment land lies vacant and it has been shown that no alternative employment generating or suitable uses are viable and achievable on the site then the policy allows for changes of use. The policy does not specify changes to residential uses only as there is a need for many types of development.	No amendment in response to this issue
14.15	Policy ED1	Agents representing the landowner at the Leaside Depot in Ware request that employment land designation is removed.	Although the representation refers to the Leaside Depot it actually relates to the Coachworks at Widbury Hill, the only element of employment land retained when the site was redeveloped recently for a residential estate. The employment area has since been granted permission for redevelopment to a care home. As such it is proposed to remove the Employment Land designation from the Widbury Hill employment area to the east of Tumbling Bay. The remaining area known as Start Street, to the west of Tumbling Bay still performs well as an employment area and the latest Hertford and Ware Employment Land Assessment recommends retaining the designation on this site.	Amendment to Policies Map Sheet F Remove the Employment Area designation from the relevant area of land known as the Coachworks, Widbury Hill, Ware.
14.16	Policy ED1	Query over the proposed designation of land at Pegs Lane, Hertford as a new Employment Area. This land has not been suggested in previous studies.	This area of land has never been designated as an employment area in the past but it is considered worthy of the allocation due to the established presence of the County and District Councils, the Hertfordshire Constabulary and other linked services. The DTZ report highlights a trend towards the service business industries and the need to facilitate this provision in the Hertford and Ware area. The Pegs Lane site is well connected to the town centre and despite seeing some non-B uses developed the allocation recognises the importance of these local government uses and the high number of staff they employ and therefore their significant contribution to the local economy. The emerging Hertford and Ware Employment Study identifies a need for office space in the area and indicates that the proposed Pegs Lane Employment Area is ideally suited to the creation of office workspace with a focus on providing a business centre for a range of smaller businesses requiring office space, business start-ups and move-on accommodation.	No amendment in response to this issue

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14.17	Policy ED1	Agents representing the Haslemere Industrial Estate in Bishop's Stortford request that employment land designation is removed.	The Employment Land Review Update 2013 indicates that this site is performing well, despite issues of quality and location. The Update recommends retaining the employment land designation.	No amendment in response to this issue
14.18	Policy ED1	Agents representing Park Farm Industrial Estate in Buntingford (BUNT4) request that employment land designation is removed from.	The Employment Land Review Update 2013 indicates that this site is performing well. The Buntingford Employment Study 2014 recommends retaining the employment land designation to enable the expansion of the Industrial Estate as the Study identifies a need for more employment space to serve the growing town.	No amendment in response to this issue
14.19	Policy ED1 Part I	The policy approach is not in conformity with the evidence underpinning the preferred strategy. Suggest instead that only the best (green rated) sites are retained for employment use and there should not be a 'blanket protection' approach.	The evidence provided (DTZ, Halcrow and Halcrow Update) indicates that there is a need for new employment land as well as the retention of existing allocated and non-allocated sites in order to provide for churn and for alterations/loss of existing sites. Where sites have been classified as red within the 2008 study the recommendations were made on the basis that suitable alternative provision was made. There are sufficient opportunities presented within these policies that enable changes of use or loss of employment land subject to a test that proves they are unsuitable for various reasons and that alternatives have been considered.	No amendment in response to this issue
14.20	Policy ED1 Part II	New employment land should not be located on edge of town sites, but in more central locations.	Part II of Policy ED1 already requires new employment to be in suitable locations subject to a number of criteria. This is considered to be an adequate response without being too prescriptive.	No amendment in response to this issue
14.21	Policy ED1 Part II	The term 'appropriate employment generating use' should be defined, perhaps in a list which should include C2 Uses (Care Home).	A pragmatic approach is required depending upon the specifics of each site. Although residential care homes and even educational establishments offer employment opportunities, they are uses vulnerable to noise generating development and are therefore not always suitable for locating on employment sites. If we seek to define a list in a policy this could set a precedent which may not be suitable for every situation. It is therefore considered appropriate to determine this on a case-by-case basis and include an example in the Glossary.	Amendment to Appendix E. Glossary <u>Employment Generating Use: Normally considered to consist of uses falling within Classes B1, B2 and B8 of the Use Classes Order. However, businesses that are considered as main town centre uses, residential institutions (such as care homes) and non-residential institutions (such as doctors, vets and schools for example) can also be considered as employment generating uses.</u>

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14.22	Policy ED1 Part II	Focusing employment land only in larger towns denies smaller settlements to grow and benefit from development.	There is nothing within the policies that seeks to prevent employment land in rural settlements. Indeed Policy ED2 takes a positive approach subject to a number of criteria. The combined approach of Policy ED1 and ED2 is considered appropriate in this respect.	No amendment in response to this issue
14.23	Policy ED1 Part III	The policy covers both designated and non-designated employment areas together. They should have a different approach and be dealt with using two different policies.	Many such locations occur around the district where there are small sites of one or two businesses in employment use such as MOT/Service garages which are not currently designated but perform a valuable role in the overall provision of local employment opportunities. If and when these are considered for alternative uses there should be a consideration of suitable alternatives which Policy ED1 seeks to achieve. It is not considered necessary to separate the policy as there would be a considerable repetition of the approach. Instead, new words can be added to make it clear that a proportionate approach should be taken when considering non-designated sites. This should be added to both the policy and the preamble.	<p>Amendment to text (para. 14.2.2)</p> <p>... Therefore the Council seeks, in general, to retain and encourage their continued use and if necessary, their replacement with alternative appropriate uses. <u>On designated Employment Areas, evidence of marketing for a minimum period of twelve months will be required. For non-designated sites, normally a minimum period of six months is requested, though each case will be determined on its merits in discussion with the Development Management Team.</u></p> <p>Amendment to text (Policy ED1, Part III. (a))</p> <p>...Evidence of a period of marketing of at least 12 months must be provided. <u>For a non-designated employment area, a proportionate approach should be taken;</u></p>
14.24	Policy ED1 Part III	Sites that can be demonstrated to be uneconomic, poorly located and inappropriate for current or future demand should be available for re-allocation.	This forms part of the above test. If sites can be demonstrated through evidence to be unsuitable for these reasons the policy makes allowance for this and seeks suitable alternative uses.	No amendment in response to this issue
14.25	Policy ED1 Part III	This policy could be construed as being relevant to retail uses as they are also employment uses.	This could be addressed by clarifying what is meant by 'employment uses'.	<p>Amendment to text (Policy ED1, Part III)</p> <p>III. Development which would cause the loss of an existing designated Employment Area, or a site/ premises that was last in employment use <u>(Classes B1, B2, B8 or related Sui Generis)</u>, will only be permitted where all the following criteria are met:</p>

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14.26	Policy ED1 Part III (a)	The requirement for a period of marketing goes against the provisions of the NPPF which states that “LPAs should normally approve applications for change to residential use from commercial buildings (currently in the B Use Class) where there is an identified need for additional housing in their area provided that there are not strong economic reasons why such development would be inappropriate”.	The requirement to prove that properties are no longer viable as commercial buildings is an appropriate and reasonable expectation given the test in the NPPF.	No amendment in response to this issue
14.27	Policy ED1 Part III (a)	The need to provide marketing and viability evidence to demonstrate that a site is no longer viable in its current use and support the change of use of an employment generating use is supported and considered appropriate to allow the flexibility in the use of sites for a more viable use.	Support noted and welcomed	No amendment in response to this issue
14.28	Policy ED1 Part III (b)	The requirement to provide at least the equivalent number of jobs is considered prohibitive.	Agreed. In all other changes of use the Council has no control over the number of jobs gained or lost. This is also difficult to monitor. The requirement should be removed in order to make the policy less restrictive.	Amendment to text (Policy ED1, Part III (b)) III...the change of use will provide the equivalent number of job opportunities.
14.3 Rural Economy				
14.29	Policy ED2 Part II	Part II of this policy is rendered undeliverable by VILL1 which prevents development outside the village development limits as the production of a Neighbourhood Plan is optional and out of the control of the authority.	The Plan is not dependent upon the delivery of employment land in rural areas. Policy ED2 -as re-written is supportive in principle to the creation of rural employment opportunities. The District Plan embraces the production of Neighbourhood Plans but it should be noted that development opportunities arise and will continue to arise regardless of whether a Neighbourhood Plan is in place or not. Policy EDE2 contains sufficient criteria to manage where such uses are proposed to cover both eventualities.	No amendment in response to this issue
14.30	Policy ED2 Part IV	The policy should be more proactive about creating and retaining opportunities for employment in rural locations.	Policy ED2 as re-written places the creation of new rural employment opportunities at the forefront of the policy. However, it should be noted that national policy has introduced a series of changes to Permitted	Amendment to text (Policy ED2) <u>I. In order to support sustainable economic growth in rural areas and to prevent the loss of</u>

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			Development rights which allow the redevelopment of commercial uses to residential properties. The problem arises when employment land is lost because the use/operation is no longer viable. The Policy as re-written requires a test to establish if other alternative employment generating uses are possible/ viable on the site before accepting that the site must be lost.	<p><u>vital sources of rural employment, proposals that create new employment generating uses or support the sustainable growth and expansion of existing businesses in the rural area will be supported in principle where they are appropriately and sustainably located and do not conflict with other policies within this Plan.</u></p> <p><u>II. Proposals that consist of a change of use of agricultural or employment generating use in the rural area to other employment generating uses will be supported in principle subject to other policies within this Plan.</u></p> <p><u>III. Where the proposal results in the loss of an agricultural or employment use in a rural area or a change of use to a non-employment generating use, evidence will be required to demonstrate that:</u></p> <p><u>(a) the current agricultural or employment use is no longer needed or viable;</u></p> <p><u>(b) that improvements to the site/premises would not make alternative employment generating uses viable;</u></p> <p><u>(c) the retention of the employment generating use is unable to be facilitated by the partial conversion to a non-employment generating use;</u></p>
14.31	Policy ED2	The more restrictive elements of this policy are more appropriate in the areas closest to the urban fringes rather than more rural areas.	The policy is designed to fit a range of scenarios and is considered flexible enough to be applicable across the District's rural area as a whole.	No amendment in response to this issue
14.32	Policy ED2	The protection of agricultural land for local food production should be paramount and planning policy should support an increase in such activity.	It is considered that the policy is proactive in terms of facilitating the construction of new agricultural buildings where these support the continued activity at the agricultural holding. Where the loss of agricultural buildings are proposed there are a number of tests	No amendment in response to this issue

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			<p>within this Policy that applicants would need to overcome first.</p> <p>Unfortunately, the recent amendments to Permitted Development Rights facilitate changes to agricultural buildings which now have a greater hope value in terms of their conversion to residential properties. In some cases this could prejudice the ability of the farm holding to maintain in agricultural use. A range of policy mechanisms are in place to seek to manage this change.</p>	
14.33	Policy ED2 Parts III, IV and V	Parts III, IV and V are overly restrictive and place additional burdens not in accordance with the NPPF. Much of this wording was taken from PPS7 which was cancelled. These restrictions will act to constrain employment development.	The NPPF requires that policies promote the sustainable growth and expansion of businesses and enterprise in rural areas through conversion of existing buildings and well-designed new buildings. The first test therefore has to be whether the building is for a business or enterprise in the rural area. i.e. an agricultural holding. The second test has to be whether the existing building is capable of being converted. This is more sustainable in material terms than the construction of a new building and helps to retain the rural character and appearance of the holding and wider locality. New requirements to test alternative uses are now included.	<p>Amendment to text (Policy ED2, Part III.)</p> <p><u>III. Where the proposal results in the loss of an agricultural or employment use in a rural area or a change of use to a non-employment generating use, evidence will be required to demonstrate that:</u></p> <p><u>(a) the current agricultural or employment use is no longer needed or viable;</u></p> <p><u>(b) that improvements to the site/premises would not make alternative employment generating uses viable;</u></p> <p><u>(c) the retention of the employment generating use is unable to be facilitated by the partial conversion to a non-employment generating use;</u></p> <p><u>(d) the building is permanent and soundly constructed, not requiring complete or substantial reconstruction before adaptation to a new use; and</u></p> <p><u>(e) such proposals should not conflict with other policies within this Plan.</u></p>
14.34	Policy ED2 Parts III, IV and V	The NPPF only requires that the buildings be redundant or disused, with no requirement to prove viability. The requirement to demonstrate that the building cannot be used for an employment generating use conflicts with the NPPF.	The NPPF requirement referred to actually states that “local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as...where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting”. This requirement is being cited out of context. The NPPF requires that we consider the need for sustainable	<p>Amendment to Policy ED2</p> <p><u>See amended Policy ED2 above</u></p>

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			<p>development and that we support sustainable growth and expansion of all types of business and enterprise in the rural area. Losing jobs from rural areas goes against these principles, resulting in longer commutes and the environmental impact of such travel. It is reasonable to expect that there has been some attempt to re-use the building for employment generating uses as the policy relates to buildings that were last in agricultural use. The issue of reusing buildings for residential purposes is dealt with within other policies in the Plan. To avoid confusion the scope of this part of the Policy is to be refined.</p>	
14.35	Policy ED2 Parts III, IV and V	Need to reflect recent changes (and impending changes) to Permitted Development rights. There is nothing in legislation that restricts the changes of use within rural areas to only uses that are 'employment generating'.	<p>It is impossible to predict changes to the General Permitted Development Order. Sometimes changes are for a temporary period only and therefore need to be backed up by a robust local policy approach for the longer term. A new paragraph should be added which refers to changing legislation and the need to ensure there is a long term policy approach which is in the interests of the District's economy. The NPPF does require authorities to "support economic growth in rural areas". One way of doing so is to ensure that where a business use stops that alternative businesses are given the opportunity to locate there before alternative non- business uses are allowed. There is a need for cheaper business premises in the district and there is therefore a "strong economic reason" for this approach before the immediate conversion to residential. The economic and residential needs should be balanced in the particular circumstances of the case.</p> <p>A new 'orange box' is required to refer to the Permitted Development legislation after 14.1.8.</p> <p>Para 14.3.2 should also refer to the updated Permitted Development Legislation.</p>	<p>Amendment to text (new para's 14.1.6 to 14.1.8 and para 14.1.5 renumbered 14.1.9)</p> <p><u>14.1.6 The economic landscape is, however, changing with the latest permitted development rights set out in The Town and Country Planning (General Permitted Development) (England) Order 2015. The Order is intended to increase housing supply by allowing change of use from some business uses to residential.</u></p> <p><u>14.1.7 Not all changes of use will be permitted development. Some will be subject to a prior approval process which means that a developer has to seek approval from the local planning authority that specified elements of the development are acceptable before work can proceed. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant parts in Schedule 2 to the Order.</u></p> <p><u>14.1.8 There are also a range of exclusions which apply to permitted development rights. For instance, there are protected areas which include, for example, Conservation Areas. Some permitted development rights are also in place for a limited period of time; again, these are set out in full in the relevant sections in</u></p>

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				<p><u>Schedule 2 to the Order.</u></p> <p><u>Permitted development rights are set out in The Town and Country Planning (General Permitted Development) (England) Order 2015 at www.legislation.gov.uk</u></p> <p>14.1.59 Whilst it is acknowledged that nationally there is a drive to reinvigorate economic growth and reduce housing demand through allowing changes of use from B1 (business) uses to C3 (residential) uses, the legislation guiding these changes apply only to conversions begun by 30 May 2016. It is vital that the District Plan provides for all of East Herts' needs both now and in the future. Whilst acknowledging permitted development rights, the District Plan must also consider the longer term needs of the district's economy. Businesses have performed well in East Herts despite the economic recession and the Council therefore maintains that commercial and business units should be retained in appropriate locations in order to provide suitable accommodation for existing and emerging businesses and to facilitate sharing of services and supply chains. It is necessary to ensure that where office space is converted into residential units this does not result in isolated and unsustainable residential developments or prejudice the prospects of remaining neighbouring businesses.</p> <p>Amendment to text (Para. 14.3.2)</p> <p>14.3.2 Employment areas within the rural area have a key role to play in providing accessible and affordable employment and business opportunities. It is important to balance</p>

Issue Number	Paragraph /Policy	Issue	Officer Response	Proposed Amendment
				the need to retain these vital rural employment locations with the need to protect the amenity of the locality. <u>Changes to Permitted Development legislation affecting buildings in the rural area have the potential to significantly affect rural districts like East Herts. However, some Permitted Development changes are temporary and are subject to change. It is therefore vital that the Council takes a long term approach and seeks a high standard of development that is appropriate to its setting.</u>
14.36	Policy ED2 Parts III, IV and V	Datchworth Parish Council would like to see additional criteria added to control traffic generation which is inappropriate for the highway network and rural setting.	There are sufficient policies within other chapters of the Plan which cover issues such as transport and highway safety.	No amendment in response to this issue
14.37	Policy ED2 Part V	The County Council raise concern that diversification can lead to intensification of a form that detracts from the primary attraction of the countryside. More should be done to improve people's connection with food production and living landscapes.	HCC recommend adding words to Part V to the effect that farm diversification would be supported where it contributes to maintenance of biodiversity or landscape interests – which is a positive approach to securing viable farming enterprises. They state it could also support a positive approach to the development of food-related enterprises, engaging land management and local produce and local markets.	Amendment to text (Policy ED2) <u>See amended Policy ED2</u> <u>IV. Proposals for the diversification of farms will be supported in principle where:</u> <u>(a) they secure the viability of the agricultural practice of the farm;</u> <u>(b) they contribute to the maintenance of biodiversity or landscape interests;</u> <u>(c) they support the engagement of communities with land management, food production and rural crafts and the development of local produce markets;</u> <u>(d) the diversification remains a subsidiary of the overall agricultural activity of the holding;</u> <u>(e) any resultant retail or commercial use does not have an adverse impact on the viability of existing nearby rural or village shops or community facilities; and</u> <u>(f) such proposals do not conflict with other policies within this Plan.</u>
14.38	Policy ED2	Great Munden Parish Council support Policy ED2 where it relates to their area.	Support noted and welcomed.	No amendment in response to this issue

Issue Number	Paragraph /Policy	Issue	Officer Response	Proposed Amendment
14.39	Policy ED2	Development should not be restricted in the rural area and villages in general. New housing in rural areas can assist with the retention of local services and therefore employment opportunities. To rely on improving broadband services to these locations is not enough and therefore does not embody the proactive approach of the NPPF.	The Plan provides an opportunity for rural areas to have a more proactive involvement in determining the location and design of development through the preparation of Neighbourhood Plans. Policy ED2 as re-written is considered an adequate response to this issue, providing support in principle to rural employment opportunities. In terms of broadband services, the Connected Counties programme is an established programme which works with BT to improve broadband connectivity across rural areas in Hertfordshire. The indicative timetable for rollout can be viewed at http://www.connectedcounties.org/news/2015/may/superfast-extension-programme-confirmed-in-herts . Other policies within the Plan require developments to be supported by broadband infrastructure. This will in time assist with creating greater coverage of this utility.	No amendment in response to this issue
14.40	Policy ED2	Hayter in Spellbrook indicate their desire to expand at their current site but this would involve the selling of part of their land for residential purposes to fund the redevelopment of the business. They indicate that the inability to expand may result in the relocation of the business out of the District losing approximately 170 jobs and affecting the 20 local suppliers of the company.	The current landowner has submitted the land to the Call for Sites for residential development. This will be assessed through the SLAA process. It is however, the view of Officers that residential development in this location would be inappropriate.	No amendment in response to this issue
14.41	Policy ED2	The Canal and River Trust support Policy ED2 as they believe it will allow recognition of the non-footloose nature of waterways, i.e. that the waterway is a fixed constraint, but they also have potential benefits in terms of waterway related businesses. There are also links to tourism, leisure and recreation and rural diversification.	Support noted. Policy ED2 is considered to be flexible enough to be relevant to such forms of development without being too specific. Policy ED5 is considered to be more relevant to this type of activity.	No amendment in response to this issue
14.4 Communications Infrastructure				
14.42	14.4	The introduction of broadband communications reduces the need to travel to work or for retail purposes.	It is acknowledged that improvements to such technology will change employment and retail activity over time.	No amendment in response to this issue

Issue Number	Paragraph /Policy	Issue	Officer Response	Proposed Amendment
14.43	14.4	There is support for the provision and enhancement of provision of broadband, particularly to rural areas.	Support noted and welcomed. There is a national ambition which seeks to expand connectivity to remote areas of the country.	No amendment in response to this issue
14.44	Policy ED3	The policy is too negative and does not encourage better coverage of communications technology, including broadband and mobile services.	Policy ED3 supports the provision of new infrastructure so that it is available from the start of occupation. The Connected Counties programme is an established programme which works with BT to improve broadband connectivity across rural areas in Hertfordshire. The indicative timetable for rollout can be viewed at http://www.connectedcounties.org/news/2015/may/sup-erfast-extension-programme-confirmed-in-herts .	No amendment in response to this issue
14.4 Flexible Working Practices				
14.45	Policy ED4	Mostly linked to ED3 in terms of ensuring there is sufficient coverage of broadband connectivity to enable this to become more of an option, particularly in the rural areas.	The Connected Counties programme is an established programme which works with BT to improve broadband connectivity across rural areas in Hertfordshire. The indicative timetable for rollout can be viewed at http://www.connectedcounties.org/news/2015/may/sup-erfast-extension-programme-confirmed-in-herts .	No amendment in response to this issue
14.5 Tourism				
14.46	Policy ED5	The Canal and River Trust support this policy and its recognition of the importance of water-based recreation and tourism, and raise additional benefits to industry and businesses that waterways can bring.	Support noted and welcomed	No amendment in response to this issue
14.6 Lifelong Learning				
14.47	14.6.1	The University of Hertfordshire wish for this paragraph to refer to their Bayfordbury Campus which is an important educational facility for science, life science and astronomical research. The University wish to see more importance given to higher education and in particular to this campus within the Plan for its role as an	The paragraph should be amended to refer to this important educational resource.	Amendment to text (para 14.6.1) It is vital that the educational needs of the district are met at both primary and secondary level, but also within higher education and adult learning opportunities, including apprenticeships. East Herts does not have a university, but the University of Hertfordshire lies within the nearby town of Hatfield. <u>The University of Hertfordshire's main campus is</u>

Issue Number	Paragraph /Policy	Issue	Officer Response	Proposed Amendment
		educational facility with international importance and a contributor to the local economy.		<p><u>located in the nearby town of Hatfield. The University also has a campus based at Bayfordbury, near Hertford, which specialises in ecological and astronomical research. It is home to the Bayfordbury Observatory and hosts an extensive outreach programme for the general public and local schools, hosting regular public open evenings. The campus participates in internationally important research and is a significant contributor to the local economy.</u></p> <p>Latter half of para. 14.6.1 moved to a new paragraph 14.6.2 Harlow College offers vocational courses....</p>
14.48	Policy ED6 Lifelong Learning	This policy is not proactive enough. It does not mention distance learning opportunities such as WEA and U3A (Workers Educational Association and University of the 3 rd Age). These sorts of groups are essential for mature students/older generations in terms of re-training, accessing work and keeping up with modern technology.	This policy is primarily concerned with the construction of new educational buildings and those activities that will require a dedicated building. It does not distinguish the different types of users of such buildings. It is just setting into policy the support for such establishments. The policy is broad enough to cover a range of scenarios provided the building is used to support learning and community needs.	No amendment in response to this issue

Part 2: Further Proposed Amendments

Policy/ Paragraph	Issue	Proposed Amendment
General		
	The Chapter title should be amended from 'Economy' to 'Economic Development' to better reflect its content and purpose.	Chapter title amended to 'Economic Development'
14.2 Employment		
14.2.2	The importance of small businesses needs to be highlighted.	Amendment to text (Para. 14.2.2) 14.2.2 While a large proportion of the district's employment generating uses and B-Class businesses are located in designated Employment Areas, there are many small, independent traders and businesses located across the district either in small clusters or isolated units. These businesses are well located for the service they deliver whilst providing valuable sources of local employment in a variety of businesses. Therefore the Council seeks, in general, to retain and encourage their continued use and if necessary, their replacement with alternative appropriate uses.
14.2.3	Reference to IT connectivity removed as this is an ambiguous phrase. Reference to the vehicle parking standards SPD would also be a useful addition.	Amendment to text (Para. 14.2.3) <u>14.2.3</u> Evidence also shows that a significant proportion of employment generating uses are actually in the retail and service industries and would not necessarily locate in employment areas. In addition, there is a growing trend towards self-employment and more flexible working patterns including working from home. To facilitate this flexible approach to working, it is important that adequate access to high-speed broadband technology and IT connectivity is available along with and the ability to access office space where necessary is available. A vital part Part of the district's business offer should could be through the provision of a business-hub facilities, which provides meeting rooms, office equipment and function room services for hire and for drop-in purposes. Such a facility should be in an accessible location and have sufficient parking provision in line with the Council's Vehicle Parking Provision at New Development SPD.

Policy/ Paragraph	Issue	Proposed Amendment
Policy ED1	<p>Cross reference to Policy ED3 Communications Infrastructure should be added for clarity.</p> <p>Reference to the Design Chapter needs to be updated to Design and Landscape.</p> <p>The Climate Change Chapter is now Chapter 21.</p>	<p>Amendment to text (Policy ED1, Part II.)</p> <p>New employment floorspace should be of a flexible design, able to respond to the changing needs of small and growing enterprises, be energy efficient in construction and operation (in accordance with the Council's Design <u>and Landscape</u>, and Climate Change policies in Chapters 16 and 212) and have fully integrated communications technology, <u>in line with Policy ED3 Communications Infrastructure</u>.</p>
14.3 Rural Economy		
14.3.3	<p>Local food production is growing in importance and it is considered helpful for the Council to set out how it will approach developments that perform this role. In particular, glasshouses are a vital part of local food production, particularly in the Lea Valley. Whilst they have agricultural building status, they can also have a visually detrimental impact. It is therefore necessary to ensure that whilst development proposals for food production are supported in principle, they should be developed in line with other policies in the Plan.</p>	<p>Amendment to text (Para. 14.3.3)</p> <p><u>14.3.3 Hertfordshire has a rich tradition of providing food for London and food production is a key element of the rural economy. Local food production not only reduces food miles (distance between place of production and consumption), but it also provides food security and local employment. New technology increases productivity, efficiency and diversity of produce, including those used in the pharmaceutical and bio-science industry. The Lea Valley has the highest concentration of glasshouses in the country providing produce for local, national and international consumption. It is therefore important that this area of agricultural heritage is protected and enhanced where appropriate. The Council is supportive of initiatives which support food production industries where they are in line with other District Plan policies.</u></p>
Policy ED2	<p>There is a potential conflict between what Policy ED2 Part III and IV is trying to achieve. It attempts to be applicable to all agricultural and rural building changes instead of focusing on retaining rural employment opportunities. The policy needs to be refined to just deal with agricultural and rural businesses and a new policy can be added to the Green Belt and Rural Area Beyond the Green Belt policies and within the Housing chapter to deal with other development in the rural area.</p>	<p>Amendment to text (Policy ED2)</p> <p>Policy ED2 Rural Economy</p> <p>1. Proposals for new agricultural buildings, which require planning permission, will be permitted where the building:</p> <p>(a) Is required to support the viability of the agricultural holding;</p> <p>(b) Is of a design which is appropriate for its intended use;</p> <p>(c) Is sympathetic to its surroundings in terms of design and includes a landscaping scheme;</p> <p>(d) Is designed to minimise the impact of the building on the character and appearance of the countryside;</p> <p>(e) is located within or adjacent to an existing group of buildings unless it can be demonstrated that a more isolated location is essential to meet the needs of the holding.</p>

Policy/ Paragraph	Issue	Proposed Amendment
	<p>It is considered that this policy should be more pro-active, seeking the provision of new and enhanced provision first before dealing with the loss of provision.</p> <p>The policy also needs to be less prescriptive, particularly in the light of changes to Permitted Development. Where the Council can seek to manage development, it should encourage the use of buildings for alternative employment generating uses, and require the applicant to demonstrate that they have considered other uses or interventions.</p> <p>The policy should also be more proactive about the diversification of agricultural premises.</p> <p>This amendment brings together the various suggested changes to Policy ED2 together.</p>	<p>II. In order to support sustainable economic growth in rural areas and to prevent the loss of vital sources of rural employment, proposals that create new employment generating uses or expand existing businesses in the rural area will be supported in principle where they are appropriately and sustainably located and do not conflict with Part I of this policy or other policies within this Plan.</p> <p>III. Proposals that consist of a change of use of agricultural or employment generating uses will need to provide evidence that the use is no longer needed nor viable, and that the change of use will provide at least the equivalent number of job opportunities.</p> <p>IV. Where the change of use of an agricultural building is proposed, evidence will be required to demonstrate that:</p> <p>(a) the building was originally erected to serve a genuine agricultural need;</p> <p>(b) the retention of the building is unable to be facilitated by conversion to a fully or part employment generating use; and</p> <p>(c) the building is permanent and soundly constructed, not requiring complete or substantial reconstruction before adaptation to a new use.</p> <p>(d) Such proposals should not conflict with Part I of this policy or other policies within this Plan.</p> <p>V. Proposals for the diversification of farms will be supported in principle where:</p> <p>(a) they secure the viability of the agricultural practice of the farm;</p> <p>(b) the diversification remains a subsidiary of the overall agricultural holding; and</p> <p>(c) any resultant retail or commercial use does not have an adverse impact on the viability of existing nearby rural or village shops or community facilities.</p> <p><u>I. In order to support sustainable economic growth in rural areas and to prevent the loss of vital sources of rural employment, proposals that create new employment generating uses or support the sustainable growth and expansion of existing businesses in the rural area will be supported in principle where they are appropriately and sustainably located and do not conflict with other policies within this Plan.</u></p> <p><u>II. Proposals that consist of a change of use of agricultural or employment generating use in the rural area to other employment generating uses will be supported in principle subject to other policies within this Plan.</u></p> <p><u>III. Where the proposal results in the loss of an agricultural or employment use in a rural area or a change of use to a non-employment generating use, evidence will be required to demonstrate that:</u></p> <p><u>(a) the current agricultural or employment use is no longer needed or viable;</u></p> <p><u>(b) that improvements to the site/premises would not make alternative employment generating uses viable;</u></p> <p><u>(c) the retention of the employment generating use is unable to be facilitated by the partial conversion to a non-employment generating use;</u></p> <p><u>(d) the building is permanent and soundly constructed, not requiring complete or substantial reconstruction before adaptation to a new use; and</u></p>

Policy/ Paragraph	Issue	Proposed Amendment
		<p><u>(e) such proposals should not conflict with other policies within this Plan.</u></p> <p><u>IV. Proposals for the diversification of farms will be supported in principle where:</u></p> <p><u>(a) they secure the viability of the agricultural practice of the farm;</u></p> <p><u>(b) they contribute to the maintenance of biodiversity or landscape interests;</u></p> <p><u>(c) they support the engagement of communities with land management, food production and rural crafts and the development of local produce markets;</u></p> <p><u>(d) the diversification remains a subsidiary of the overall agricultural activity of the holding;</u></p> <p><u>(e) any resultant retail or commercial use does not have an adverse impact on the viability of existing nearby rural or village shops or community facilities; and</u></p> <p><u>(f) such proposals do not conflict with other policies within this Plan.</u></p>
14.4 Communications Infrastructure and Flexible Working Practices		
Policy ED4, Part I.	As parking provision can sometimes be an issue for such changes, this should be a consideration in the policy.	<p>Amendment to text (Policy ED4, Part I.)</p> <p>I. Proposals for the use of part of a dwelling for small-scale business purposes will be <u>supported in principle provided:</u></p> <p><u>(a) that the premises has sufficient parking for all uses in line with the Council's Vehicle Parking in New Developments SPD; and</u></p> <p><u>(b) expected to ensure that the amenity of neighbouring properties is not adversely affected.</u></p>
Policy ED4, Part II.	Section should include the caveat of such developments being located in sustainable locations.	<p>Amendment to text (Policy ED4, Part II.)</p> <p>II. Proposals for live/work units will be supported in principle <u>in sustainable locations</u> subject to the following:...</p>
Policy ED4, Part III.(c)	The occupancy condition part of the policy is too restrictive.	<p>Amendment to text (Policy ED4, Part III.)</p> <p>III. Where permission for live/work units is granted, <u>the residential occupancy will be restricted by condition to ensure that it is occupied by a person or persons employed in the business carried out in the premises.</u></p> <p><u>The following conditions shall also be applied:</u></p> <p>(c) The residential floorspace of the live/work unit shall not be occupied other than by a person solely or mainly employed, or last employed in the business occupying the business floorspace of that unit, a widow or widower of such a person, or any resident dependants.</p>
14.5 Tourism		
Policy ED5	This policy should also cover extensions to existing tourism enterprises.	<p>Amendment to text (Policy ED5, Part I.)</p> <p>I. New tourism enterprises <u>or extensions to existing tourism enterprises</u> will be supported in principle where the facility meets identified needs which are not met by existing facilities, are appropriately located and do not conflict with other policies within this Plan.</p>
14.6 Lifelong Learning		

Policy/ Paragraph	Issue	Proposed Amendment
14.6.1	<p>The paragraph should be more broad, rather than focussing just on the Bishop's Stortford and Leventhorpe partnership.</p> <p>Reference to the Council's Economic Development Strategy needs updating.</p>	<p>Amendment to text (Para. 14.6.2)</p> <p>14.6.2 Harlow College offers vocational courses and the Hertford Regional College has campuses both within Ware and the neighbouring town of Turnford in Broxbourne Borough, specialising in vocational courses. There <u>are</u> is also an active adult learning partnerships between several Bishop's Stortford secondary schools <u>which offer school-leaver and adult learning opportunities.</u> and The Leventhorpe School in Sawbridgeworth. It is vital that through the Council's Economic Development Strategy, links with these educational facilities are maximised and the development of further education opportunities are supported. <u>A key priority of the Council's Economic Development Strategy is to maximise links with these educational facilities, to support the development of further education opportunities and to foster entrepreneurialism and the development and growth of new businesses within the district.</u></p>