

LOCAL PLAN SUB-COMMITTEE – 18 AUGUST 2022

PART I – NOT DELEGATED

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

1 Summary

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

2 Details

- 2.1 The Regulation 18 Part 1 Preferred Policy Options was approved for consultation by Full Council on 25 May 2021. The consultation ran from 11 June – 20 August 2021.
- 2.2 The policy changes in this report are proposed in response to changes to national planning policy, changes to Building Regulations and representations received to the Regulation 18 consultation.
- 2.3 Any proposed changes to the wording of the policies in the appendices are in red text. Any text proposed to be removed is struck through. The remaining wording remains the same as approved by the Council prior to the Regulation 18 Part 1 Preferred Policy Options Document going out to consultation.
- 2.4 In March 2022, the key policy changes proposed in response to changes to national planning policy, the Environmental Act (November 2021) and representations received to the Regulation 18 consultation were reported to the Local Plan Sub Committee. A further two policies were considered at the Local Plan Sub Committee in July.
- 2.5 This report proposes updates to a further 5 policies:
- Adapting to Climate Change
 - Carbon Dioxide Emissions
 - Heritage and the Historic Environment
 - Landscape Character
 - Local Distinctiveness and Place Shaping

- 2.6 Changes to other policies will be subject of reports to future meetings of the Local Plan Sub Committee.

Adapting to Climate Change

- 2.7 This policy has been updated in line with the comments provided through the Regulation 18 representations which broadly support the policy approach but seek more details to be added. The policy is an overarching policy and cuts across several themes, and should be strengthened. Hertfordshire County Council in particular have

suggested revised wording for the policy that seeks to add 'an adaptation strategy' as a new requirement to be submitted alongside the 'sustainability statement'.

- 2.8 The policy update therefore adds more details into the policy in terms of the information needed to be submitted as part of a planning application. This is intended to provide more clarity to developers. Overall the policy update aligns with government effort to strengthen climate change considerations in local plans through changes in the National Planning Policy Framework's (NPPF's) "presumption in favour of sustainable development" for plan-making. This sets out the key objectives that development strategies must meet to be found sound. The longer, revised paragraph 11a states that plans should "promote a sustainable pattern of development" as well as aim to "improve the environment" and "mitigate climate change and adapt to its effects".
- 2.9 The revised Adapting to Climate Change Policy is in Appendix 1 and representations received relating to the proposed policy are in Appendix 2 to this report.

Carbon Dioxide Emissions

- 2.10 Changes to Part L (Conservation of fuel and power) of Building Regulations came into force on 15 June, 2022 in the form of two new Approved Documents - Volume 1: Dwellings and Volume 2: Buildings other than dwellings. There are now higher performance targets – CO2 emissions are to be reduced by 31% for dwellings and 27% for other buildings – and a new emphasis on low carbon heating systems.
- 2.11 The preferred policy option has been updated to explain how the new requirement should be applied now that these regulations have taken effect. Part L 2021 is a stepping-stone towards the Future Homes Standard and Future Buildings Standard which the Government is expected to consult on in 2023 and introduce in 2025. The policy approach will be updated further once these standards are agreed.
- 2.12 The revised Carbon Dioxide Emissions Policy is in Appendix 3 and representations received relating to the proposed policy are in Appendix 4 to this report.

Heritage and the Historic Environment

- 2.13 Changes to the policy were recommended by statutory consultees, notably Historic England and Hertfordshire County Council. Additional criteria were suggested in reference to the NPPF in order to strengthen the policy. In conjunction with the additional criteria, the layout of the policy has been amended to be more clear and concise, particularly with regard to differentiating designated and non-designated Heritage Assets. Some wording has been added from the existing policy on Conservation Areas with regard to proposals for demolition, at the suggestion of consultees including Croxley Green and Chorleywood Parish Councils. The Grand Union Canal is now also directly referenced as being important to the heritage of Three Rivers.
- 2.14 The revised Heritage and the Historic Environment Policy is in Appendix 5 and representations received relating to the proposed policy are in Appendix 6 to this report.

Landscape Character

- 2.15 Additional paragraphs have been added to set the intension of the policy and make clear proposals that fail to conserve and enhance the landscapes and scenic beauty within the AONB, their cultural significance and wildlife habitats will be refused.

Taking account of comments from Chilterns Conservation Board and Natural England and Hertfordshire County Council comments seeking clarity and updated to reflect HCC landscape character Assessment.

- 2.16 The revised Landscape Character Policy is in Appendix 7 and representations received relating to the proposed policy are in Appendix 8 to this report.

Local Distinctiveness and Place Shaping

- 2.17 Minor changes to the wording of the policy were recommended by statutory consultees including, Hertfordshire County Council Growth and Infrastructure Unit, Historic England and Chilterns Conservation Board. An additional criterion has been added to require proposals to plan for landscaping and its management and maintenance for the future, during the aftercare period of any given development. The changes ensure landscape schemes are prioritised alongside development, as requested by Hertfordshire County Council Growth and Infrastructure Unit.
- 2.18 In conjunction with this, Hertfordshire County Council have also recommended the Building Futures sustainable development initiative providing the Hertfordshire Design Review Service be referenced. Although the service is currently undergoing an extensive review in response to proposed planning reforms, the initiative aims to widen the range of services it can provide councils in support of the planning process.
- 2.19 The revised Local Distinctiveness and Place Shaping Policy is in Appendix 9 and representations received relating to the proposed policy are in Appendix 10 to this report.

3 Policy/Budget Reference and Implications

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

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

- 4.1 None specific.

5 Recommendation

- 5.1 That the Local Plan Sub Committee note the contents of this report, and recommend to the Policy & Resources Committee the following policy updates:
- Adapting to Climate Change (Appendix 1)
 - Carbon Dioxide Emissions (Appendix 3)
 - Heritage and the Historic Environment (Appendix 5)
 - Landscape Character (Appendix 7)
 - Local Distinctiveness and Place Shaping (Appendix 9)

Background Papers

National Planning Policy Framework (2021)

Planning Practice Guidance (2022)

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

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

Regulation 18 Part 1: Preferred Policy

Options <https://www.threerivers.gov.uk/download?id=50024>

APPENDICES

Appendix 1 Adapting to Climate Change Policy

Appendix 2 Representations received on Climate Change Policy

Appendix 3 Carbon Dioxide Emissions Policy

Appendix 4 Representations received on Carbon Dioxide Emissions Policy

Appendix 5 Heritage and the Historic Environment Policy

Appendix 6 Representations received on Heritage and the Historic Environment Policy

Appendix 7 Landscape Character Policy

Appendix 8 Representations received on Landscape Character Policy

Appendix 9 Local Distinctiveness and Place Shaping Policy

Appendix 10 Representations received on Local Distinctiveness and Place Shaping Policy