

LOCAL PLAN SUB COMMITTEE - 9 NOVEMBER 2022

PART – NOT DELEGATED

1. LOCAL PLAN: ADDITIONAL SITES FOR POTENTIAL ALLOCATION (DCES)

1 Summary

1.1 This report sets out:

1.2 A presentation will be given on the following:

- The additional sites submitted as a result of the Regulation 18 Potential Sites for Allocation consultation in 2021;
- Officers' recommendations on which sites should be proposed for potential allocation in the Regulation 18 Additional Sites for Potential Allocation consultation to help meet the Council's housing target; and
- the criteria that Members have to consider in reaching a decision to comply with national policy and legislation.

1.3 The first part of the Sub-Committee meeting will be spent going through the criteria that Members are to consider when weighing up the sustainability of sites against the level of Green Belt harm. This will ensure a consistent approach is taken to the sites considered for last year's Regulation 18 consultation.

1.4 The second part of the meeting will be spent considering which sites to take forward to the Regulation 18 Additional Sites for Potential Allocation consultation.

2 Background

2.1 The Local Plan Regulation 18 document was approved for consultation by Full Council on 25 May 2021. The consultation ran from 11 June – 20 August 2021. The document was in two parts:

- Part One set out the preferred development strategy and preferred policy options for Three Rivers over the next 10-15 years; and
- Part Two included potential sites that could be allocated for residential, employment or other uses in the Local Plan.

2.2 The sites in the consultation document were the sites identified as having potential for allocation for the following land uses: housing, gypsy and traveller and travelling showpeople accommodation, employment (including Warner Bros Studios), town centre and retail development, open space and education. Also included in the document were the proposed sites for allocation at Langleybury and The Grove and Maple Lodge Wastewater Treatment Works, both of which are existing allocations in the current Site Allocations LDD (adopted 2014). The proposed inseting of Bedmond was also included in the document.

- 2.3 The potential site allocations for housing and employment were subject to a technical assessment in the Strategic Housing and Employment Land Availability Assessment (SHELAA) and are the sites which have been assessed as suitable, available and achievable to meet the identified housing and employment needs and took account of the relevant national policy and officers consideration of harm to the Green Belt. It should be noted that the acceptable level of harm to the Green Belt is a matter of planning judgement and for the Council to decide.
- 2.4 The housing target as calculated by the Government's standard method over the Regulation 18 plan period of 2018 – 2038 is 12,624 net dwellings. Once completions, commitments (unimplemented planning permissions) and a windfall allowance was taken into consideration the residual housing target is 10,678 dwellings. The Regulation 18 Potential Sites for Allocation document identified sites to deliver 8,973 dwellings. This was 1,705 dwellings short of the residual housing target. Officers recommend that that the residual housing target be met in full so the draft Plan is in line with national policy and legislation.
- 2.5 As a result of the Regulation 18 consultation a further 18 additional sites were submitted for consideration by the Council. These additional sites have been through the same technical assessment process, the SHELAA process, as the Regulation 18 sites.
- 2.6 At Full Council on 25 May 2021 two strategic sites were removed from the Regulation 18 consultation on the basis of harm to existing communities. Updated masterplans have been submitted for these two sites and Members will be asked to consider these updated proposals alongside the additional 18 newly submitted sites.
- 2.7 A further site was resubmitted that had been found unsuitable for development through the SHELAA process due to access being considered unachievable. The promoters have proposed a solution to the access issues and as such the site has been reassessed.

3 Details

- 3.1 The presentation accompanying this report (Appendix 1) sets out the 18 additional sites submitted to the Council for Members' consideration alongside the two strategic sites removed from the original Regulation 18 consultation at Full Council on 25 May 2021. It includes Officers' recommendations on which sites to take forward for potential allocation to meet the Government's housing target, as well as the sites not recommended for allocation.
- 3.2 There are five sites recommended by officers for potential allocation. Two are newly submitted sites and three are sites that have been resubmitted for consultation. The remaining 16 sites are not recommended for allocation. These are listed in the two tables below. Further details on the sites will be available in the presentation and appendices to this report.

Sites recommended for potential allocation

Site Ref.	Site Name
NSS2	56 High Street, Bedmond
NSS14	Margaret House, Abbots Langley

CFS26a	The Kings Langley Estate South, Abbots Langley
CFS21	Land at Rousebarn Lane, Little Green Lane
CFS8d	Notley Farm, Abbots Langley

Sites not recommended for potential allocation

Site Ref.	Site Name
NSS1	1 Denham Way, Maple Cross
NSS3	Land between Bell Lane and Millhouse Lane (west)
NSS4	Cedars Village, Chorleywood
NSS5	Clancy Group, Harefield
NSS6	East Lane, Bedmond
NSS7	Fir Trees, Dawes Lane, Sarratt
NSS8	Hilltop Farm, rear of Toms Lane
NSS9	Land adjacent 235 Toms Lane
NSS10	Land at Mill Place
NSS11a	Land at Sarratt – Parcel 1 (east)
NSS11b	Land at Sarratt – Parcel 2 (south)
NSS12	Land between Bell Lane and Millhouse Lane (east)
NSS13	Land to the rear of The Shires, High Elms Lane, Abbots Langley
NSS15	Newlands Park, Bedmond
NSS16	Sunnyhill Road, Maple Cross
NSS17	The Puffing Field, Windmill Hill, Chipperfield

- 3.3 In considering sites, the cumulative effect of their potential allocation needs to be taken into consideration against the sites that were included in the Regulation 18 Potential Sites for Allocation document (<https://www.threerivers.gov.uk/egcl-page/new-local-plan>). This is especially the case when it comes to sites located in Bedmond as it is a village in the settlement hierarchy and as such the cumulative impact of sites on the character of the village needs to be considered. In the case of Bedmond, it is recommended by Officers that any sites Members feel should be progressed need to replace existing Bedmond sites currently included in the Regulation 18 Potential Sites for Allocation document so as to avoid the overdevelopment of the village.

- 3.4 To assist with Members' decisions regarding the additional sites the presentation will also set out the criteria that Members have to consider in reaching a decision to comply with national policy. This includes taking into consideration the technical assessment of the sites through the SHELAA, the sustainability of the site, it's access to services, the spatial strategy, and the level of harm to the Green Belt caused by removing each site from the Green Belt.
- 3.5 In advance of the presentation it should be noted that the sites recommended for inclusion in the Regulation 18 Additional Sites for Potential Allocation have been determined to be suitable for development through the site assessment process of the Strategic Housing and Employment Land Availability Assessment (SHELAA) which has been informed by the Evidence Based studies. This means that policy and physical constraints (such as flood risk, Local Wildlife sites, TPOs, potential effects on landscape, historic environment etc.) have already been considered and it has been determined that the sites are deliverable and developable.
- 3.6 In order to assist Members, the presentation will contain a summary of each site's SHELAA assessment and the full SHELAA assessment forms are in the appendices to this report.

Green Belt Harm

- 3.7 As previously reported to the Local Plan Sub Committee the Green Belt Review does not in itself draw conclusions as to where land should be released to accommodate development, but identifies the relative variations in the harm to the Green Belt and that planning judgement is required to establish whether the sustainability benefits of Green Belt release and the associated development outweigh the harm to the Green Belt.
- 3.8 The level of harm that Officers used in recommending sites within the Regulation 18 document is summarised below:



- 3.9 In order to assist Members, the level of Green Belt harm of removing land from the Green Belt for development, as defined by the Green Belt reviews, has been included for the sites in the presentation.
- 3.10 Whilst the Council can demonstrate the exceptional circumstances for the removal of sites from the Green Belt on the basis of overall housing need, the Council also needs to be able to justify the removal of specific individual sites.
- 3.11 This justification should be based on a comparative assessment of all the suitable and deliverable sites considered to be available in the Green Belt, as to their contribution to Green Belt purposes (i.e. the 'harm' to the Green Belt as determined through the Green Belt Reviews) and their relative sustainability in the context of the spatial strategy. The Spatial Strategy is to prioritise urban sites, previously developed land and edge of settlement sites.
- 3.12 With all things being equal land that is less harmful to the Green Belt should be selected. However, in most instances the comparative sustainability considerations will not be the same and in some instances these considerations will weigh in favour of selecting sites that are more harmful to the GB than others that are not selected. The overall process that leads to the selection of sites to be removed from the GB should nevertheless be objective and transparent.
- 3.13 It should be noted that through the site selection process for the Regulation 18 Potential Sites for Allocation some sites that were located in areas of 'Very High' Green Belt harm were recommended for allocation by Members of the Local Plan Sub-Committee and approved by the Policy and Resources Committee as they were considered to be highly sustainable sites.

Sustainability Appraisal

- 3.14 The environmental, economic and social credentials of the development options and policies in the emerging Local Plan have been subject to a Sustainability Appraisal (SA) and is a process undertaken at various stages of the Local Plan process. The SA plays an important role in demonstrating that the Local Plan reflects sustainability objectives and has considered all reasonable alternatives. It incorporates the requirements of the Strategic Environmental Assessment (SEA) Directive.
- 3.15 As previously reported to the Local Plan Sub Committee there is a legal requirement for the Council to consider the Sustainability Appraisal when making decisions on both policies and sites to be allocated for development.
- 3.16 In order to assist Members, the presentation will include a table that summarises the assessment of each site against the SA objectives. The detail of the assessment is in the Sustainability Appraisal Working Note (November 2022).

Significance Assessment	Description
✓✓	The option is likely to have a significant positive effect
✓	The option is likely to have a positive effect which is not significant
?	Uncertain – It is uncertain how or if the option impacts on the SA/SEA objective
-	Neutral – The option is unlikely to impact on the SA/SEA objective

x	The option is likely to have a negative effect which is not significant
x.x	The option is likely to have a significant negative effect
✓/x	The option is likely to have some positive and some negative effects, none of which are significant

SA Objective	SA1 Biodiversity	SA2 Water	SA3 Flood risk	SA4 Climate change	SA5 Air quality	SA6 Soils	SA7 Resources	SA8 Historic envt.	SA9 Landscape	SA10 Health	SA11 Sust. locations	SA12 Communities	SA13 Housing	SA14 Economy	SA15 Employment
Site Location	SA1 Biodiversity	SA2 Water	SA3 Flood risk	SA4 Climate change	SA5 Air quality	SA6 Soils	SA7 Resources	SA8 Historic envt.	SA9 Landscape	SA10 Health	SA11 Sust. locations	SA12 Communities	SA13 Housing	SA14 Economy	SA15 Employment
Site XXX	x	?	?	✓	-	x	-	-	x	✓	✓	✓	✓	-	-

Access to Services

- 3.17 Each site under consideration for allocation in the new Local Plan has been individually assessed in terms of its accessibility to services. This has been achieved through an approximate distance measurement between potential housing sites and the location of the service. The distance measurement is taken from the centre point of the site, assumes a flat terrain and direct route as a result of the difficulty in mapping these aspects.
- 3.18 In order to determine levels of access to services, the following distance thresholds¹ have been used between housing and services, under which the service may be considered accessible.
- 3.19 Table: Accessibility ideal standards:²

Service	Distance Threshold
Stations	800m – 1600m
Primary Schools	400m-800m
Secondary Schools	1600m - 3200m

¹ As was the case for the 2021 Regulation 18 consultation, the distance thresholds are based on Three Rivers Access to Services Study 2007, Barton, H. et al (1995), Sustainable Settlements: a guide for planners, designers and developers, UWE, Bristol and DETR (2001) PPG13: Transport, HMSO, London

² Important facilities to which people can usually be expected to walk to should be a maximum of 400m away. Local facilities which are ideally accessible by foot should be a maximum of 800m away. Local facilities to which it is not reasonable to expect all people to walk to, but which could be walked to by those who choose should be a maximum of 1600m away. Facilities which are less local but should be within cycling distance should preferably be within 5000m, and no more than 8000m away.

GP Surgeries	800m – 1600m
Convenience shops	800m - 1600m
Open Spaces	400m – 800m

3.20 Details of the distances and/or thresholds to existing services, along with details of bus stops and frequencies of services, have been provided for the sites in the presentation.

3.21 In the consideration of sites, Members should take account of the infrastructure and services that are proposed to be provided on site as well as the accessibility to existing services.³

3.22 The SHELAA assessments and SA working note for the additional sites is contained in the appendices to this report. The Green Belt Reviews, SELAA methodology and other evidence base studies were published alongside last year's Regulation 18 consultation and are available to view on the Council's website at: <https://www.threerivers.gov.uk/egcl-page/new-local-plan-evidence-base>.

3.23 The sites agreed by Members of the Local Plan Sub-Committee to be recommended to the Policy & Resources Committee for inclusion in the Additional Sites for Potential Allocation document will be reported to the 5 December Policy & Resources Committee as the whole consultation document.

4 Options and Reasons for Recommendations

4.1 Priority should be given to brownfield sites within the urban area. For sites within the Green Belt planning judgement is required to establish whether the sustainability benefits of Green Belt release and the associated development outweigh the harm to the Green Belt. The selection of sites to be included in the Regulation 18 Additional Sites for Potential Allocation consultation are to be based on a comparative assessment of all of the newly submitted sites.

5 Policy/Budget Reference and Implications

5.1 The recommendations in this report are within the Council's agreed policy and budgets. The relevant policy is entitled Local Plan.

6 Financial, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website

6.1 None specific.

7 Legal Implications

7.1 The Green Belt sites to be included in the Regulation 18 consultation are to be based on a comparative assessment of all of the suitable/deliverable/available sites in the

³ A site that is outside the accessibility thresholds of an existing service/facility may be capable of providing that service/facility on site.

Green Belt and subject to a Sustainability Appraisal for the Local Plan to be found legally compliant at the examination.

8 Risk and Health & Safety Implications

- 8.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.
- 8.2 The subject of this report is covered by the Economic and Sustainable Development service plan(s). Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s).

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(tolerate, treat, terminate, transfer)</i>	Risk Rating <i>(combination of likelihood and impact)</i>
Failure/Delay in delivering Local Plan	Increase in speculative planning applications	Local Development Scheme	tolerate	6
Local Plan found 'unsound' a examination	Main modifications may be required which will result in an extended examination and costs and/or the Plan may have to be withdrawn.	Ensure that the Local Plan is evidenced based and justified	tolerate	6

- 8.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

Very Likely Remote ----- Likelihood	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12
	Low 2	Low 4	Medium 6	High 8

Planning Practice Guidance

Three Rivers District Council & Watford Borough Council Green Belt Review (Stage 1) (2017)

Stage 2 Green Belt Assessment for Three Rivers and Watford Borough (2019)

Strategic Housing and Employment Land Availability Assessment (2020)

Gypsy and Traveller Accommodation Assessment (2017)

South West Hertfordshire Level 1 Strategic Flood Risk Assessment (2019)

Interim Sustainability Appraisal Report (2021)

APPENDICES / ATTACHMENTS

Appendix 1: Sites Presentation

Appendix 2: Sustainability Appraisal Working Note (November 2022)

Appendix 3A: SHELAA Assessments – Reconsidered Reg18 Sites

Appendix 3B: SHELAA Assessments – Recommended New Sites

Appendix 3C: SHELAA Assessments – Not Recommended New Sites

Appendix 4: SHELAA Site Summaries Table

Appendix 5: Access to Services

Appendix 6: Area Maps