

Three Rivers District Council

Committee Report

23 January 2023

POLICY AND RESOURCES COMMITTEE - 23 JANUARY 2023

LOCAL PLAN: REGULATION 18 SITES FOR REMOVAL OR AMENDMENTS (DCES)

1 Summary

1.1 This report seeks Members' approval of:

- The sites recommended by Members of the Local Plan Sub-Committee for removal as a result of representations to the Regulation 18 Sites for Potential Allocation consultation in 2021;

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.

3 Details

3.1 As a result of the Regulation 18 consultation responses and following discussion at the Local Plan Sub-Committee 8 sites were agreed for removal by Members of the Sub-Committee. Three further sites now have planning permission or have already been built out so need to be removed so as to avoid double counting. These will now be included as commitments or completions when calculating the housing target.

3.2 Table 1 below sets out the sites that have been proposed for removal as a result of responses received to the Regulation 18 Part 2: Sites for Potential Allocation consultation undertaken in the summer of 2021. Table 2 sets out the sites that have planning permission or have already been built out.

Table 1: Sites recommended for removal

Site Ref.	Site Name	Dwelling Capacity
CFS19	Land Adjacent Sycamore Road, Croxley Green	17
CFS41	Rickmansworth Station	70
CFS77	Rickmansworth Library	7
PSCFS19	Land South West of Berry Lane, Chorleywood	15
CFS72	Land off Solesbridge Lane	19
ACFS13b	Land at Hampermill Lane	133
P7	Oakfield Garages, Mill End	6
CFS57	Pheasants Ridge Gap, Berry Lane	40
NW34a	Garages Rear of Dick Whittington Pub, South Oxhey	6
	Total dwellings removed:	313

Table 2: Sites with planning permission

Site Ref.	Site Name	Dwelling Capacity
CW24	Garages Green Street, Chorleywood	7
H10	Killingdown Farm	267
H21	Bridge Motors, Church Street	39
	Total dwellings removed:	313

- 3.3 The sites being removed and the or sites with planning permission or that have already been built out will result in a total reduction of 626 dwellings. It should be noted that the 313 dwellings lost due to planning permissions or sites that have already been built out will still contribute to the overall housing figures as commitments and completions. As such the total dwellings lost is the combination of the 313 dwellings from the sites removed from the plan in Table 1 together with sites that have had their dwelling capacities reduced resulting in an overall loss of 438 dwellings. Please note that further work on site dwelling capacities is ongoing so there may be some adjustments to this figure.

Sites recommended for removal

- 3.4 Site CFS19 Land adjacent to Sycamore Road was subject to a recent appeal 20/2737/FUL. The Inspector set out that there was an issue regarding the principle of development on the site due to its use as a community space. It is therefore unlikely that the allocation of the site would be found sound at examination.

- 3.5 Site CFS41 Rickmansworth Station has been withdrawn by TFL as they are currently focussing on larger sites.
- 3.6 Site CFS77 Rickmansworth Library is not considered deliverable as there is a long term lease on the library and there has been no agreement reached with Hertfordshire County Council. This would need to be resolved if the site is to be included at the Regulation 19 stage of the Local Plan.
- 3.7 Site PSCFS19 Land South West of Berry Lane, Chorleywood. Hertfordshire County Council have objected as the site is considered unsustainable. There are also existing badger sets on the site which could potentially reduce the developable area.
- 3.8 Site CFS72 Land off Solesbridge Lane received a strong objection from Hertfordshire County Council stating that the site presents no opportunities for sustainable development with constraints considered insurmountable to enable a site to align with policies that the Council would expect to see in the emerging plan.
- 3.9 Site ACFS13b Land at Hampermill Lane received an objection from Hertfordshire County Council stating that significant measures for sustainable travel would be required, including pedestrian and cycle access and as the site is on an A Road specific authorisation would be required and is considered unlikely that it would be given.
- 3.10 Site P7 Oakfield Garages, Mill End includes a garage that is in freehold ownership of a resident and as such the site is not available for development.
- 3.11 Site CFS57 Pheasants Ridge Gap, Berry Lane. Hertfordshire County Council have objected as the site is considered unsustainable. There are also existing badger sets on the site which could potentially reduce the developable area.
- 3.12 Site NW34a Garages rear of the Dick Whittington Pub, South Oxhey includes a garage that is in freehold ownership of a resident and as such the site is not available for development.
- 3.13 Site OSPF22 Batchworth Golf Course and site PSCFS23 Former Chicken Processing Plant, Woodlands Rd were recommended for removal by officers, however following consideration by Members of the Local Plan Sub-Committee these are now being recommended to be kept in the 'pot' of sites for further Regulation 18 consultation. Site OSPF22 had unresolved lease issues relating to the golf course however Members felt that this could be resolved at a future date so the site should not be removed at this stage. Members also agreed that there was sufficient provision of golf facilities in the area. Site PSCFS23 has unresolved access issues, however Members of the Local Plan Sub-Committee agreed that further work together with the Highways authority should be undertaken prior to removing this site.

Sites with planning permission or that have been built out

- 3.14 Site CW24 Garages Green Street, Chorleywood has already been built out as 6 flats, and as such will now be counted as completions.
- 3.15 Site H10 Killingdown Farm has planning permission for 160 dwellings and site H21 Bridge Motors, Church Street has planning permission for a 75 bed care home. These will now be counted as commitments.

4 Options and Reasons for Recommendations

4.1 Sites that are no longer considered suitable, available or deliverable need to be removed from the Local Plan potential site allocations.

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.

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

None specific.

6 Financial Implications

None specific. The costs associated with preparing, publishing and consulting on the Local Plan are included in existing budgets.

7 Legal Implications

7.1 The legal requirements for the preparation of Local Plans are set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). A failure to comply with the statutory requirements may result in the Local Plan being found unsound at the examination in public.

8 Equal Opportunities Implications

8.1 Relevance Test

Has a relevance test been completed for Equality Impact?	No
Did the relevance test conclude a full impact assessment was required?	No

8.2 Impact Assessment

Not required.

9 Staffing Implications

9.1 None specific

10 Environmental Implications

10.1 The Local Plan promotes the Council's priority to maintain a high quality local environment and reduce the carbon footprint of the District. The Local Plan must be tested by a sustainability appraisal process so that any environmental impacts of policies can be minimised. All the sites proposed for removal have been tested through this process. One of the key reasons for removing sites is when they are considered unsustainable.

11 Community Safety Implications

11.1 None specific

12 Public Health implications

12.1 None specific

13 Customer Services Centre Implications

13.1 The CSC will be briefed to respond to requests for information on the Local Plan.

14 Communications and Website Implications

14.1 None specific

15 Risk and Health & Safety Implications

15.1 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.

15.2 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

15.3 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 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
	Low 1	Low 2	Low 3	Low 4
	Impact Low -----> Unacceptable			

Impact Score

- 4 (Catastrophic)
- 3 (Critical)
- 2 (Significant)
- 1 (Marginal)

Likelihood Score

- 4 (Very Likely (≥80%))
- 3 (Likely (21-79%))
- 2 (Unlikely (6-20%))
- 1 (Remote (≤5%))

15.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

16 Recommendation

16.1 That the Policy and Resources Committee:

- Note the contents of the report
- Agree the sites to be removed from the Regulation 18 Sites for Potential Allocation
- Agree the revised dwelling capacities of the Regulation 18 Sites for Potential Allocation
- That only the sites proposed for removal be made public following this meeting of the Policy & Resources Committee.
- The remainder of the report not be made public until publication of the draft Local Plan.

Background Papers

- Regulation 18 Part 2 Sites for Potential Allocation consultation document and appendices
- National Planning Policy Framework
- Planning Practice Guidance
- Playing Pitch Strategy and Action Plan (2019)
- Strategic Housing and Employment Land Availability Assessment (2020)
- Interim Sustainability Appraisal Report (2021)

