

Appendix 2 - REPRESENTATIONS – Local Plan Regulation 18 Preferred Policy Options Consultation – Design Criteria

Statutory Consultees

REPRESENTATION REFERENCE	REPRESENTOR	REPRESENTATION	SUMMARY OF REPRESENTATION/MAIN ISSUES RAISED	OFFICER/COUNCIL RESPONSE	OFFICER'S/ COUNCIL'S PROPOSED ACTION
Note: Regulation 18 consultation questionnaire did not include Appendix 1 Design Criteria - statutory consultee responding to Appendix 1 are recorded below*					
PL_00002 _ACFS8b	ROK Planning on behalf of Woolbro Group 210818 - TRDC Reg 18 - ROK OBO WOOLB RO FINAL	<p>1.32 In general, the Preferred Policy Option is the right approach as it sets the parameters whilst Appendix 1 sets detailed design requirements. This is supported as being the most appropriate approach. Detailed comments are included on the design requirements in Appendix 1 from paragraphs 1.60 to 1.64 of these representations.</p> <p>1.33 However, since the publishing of the consultation a revised NPPF (July 2021) has been issued which updates national design guidance. This should be reviewed by TRDC to ensure full conformity with the NPPF.</p> <p>1.60 No question is provided for Appendix 1; however, this element of the Local Plan Part 1 will be responded to regardless. It should again be noted that an updated NPPF has been published since the publication of the consultation document. The proposed policy options should be reviewed against the updated NPPF to ensure accordance with national policy.</p> <p>1.61 It is considered however there are elements which need further consideration and amendment.</p> <p>1.62 Flatted Development: no justification is given, nor is there national policy support for limiting the number of units per storey to 8. A design-led approach should determine units per storey.</p> <p>1.63 Dwelling Houses: increased requirements for amenity space proposed for houses in comparison to current adopted policy is unjustified. It is considered that current policy provides sufficient amenity space and concurrent with national guidance, therefore no increase is required.</p> <p>1.64 It is welcomed that there is an acknowledgement of flexibility towards these standards. This is necessary given the varied nature of residential development across the District.</p>	<ul style="list-style-type: none"> Right approach as policy sets parameters whilst Appendix 1 sets detailed design requirements. A revised NPPF has now been issued with updates to national design guidance so policy should be reviewed to ensure conformity with NPPF Policy options should be reviewed against updated NPPF to ensure accordance with national policy. Criterion A under Flatted Developments section: Design-led approach should determine units per storey rather than a limit of 8 units per storey being applied. Residential Amenity Space for Houses: Increased requirement for amenity space in comparison to adopted current policy is not justified. Current policy provides sufficient amenity space and no increase is justified. 	<ul style="list-style-type: none"> Noted. Noted and agreed that policy should be reviewed taking into consideration revised NPPF and updated national design guidance. Review policy in context of revised NPPF and updated national design guidance. Noted. Appendix 1 in the Regulation 18 consultation document does not propose an increased requirement for amenity space for dwelling houses. Appendix 2 (Design Criteria) in current adopted policy (Development Management Policies LDD) requires indicative levels of: 63sqm for 2-bed dwelling, 84-sqm for 3-bed dwelling and 105sqm for 4-bed dwelling. The proposed Design Criteria (Appendix 1) in the Regulation 18 consultation document proposes indicative minimum levels of 45sqm for 2-bed dwelling, 60sqm for 3-bed dwelling and 75sqm for 4-bed dwelling which demonstrates a lower requirement for amenity space. Appendix 1 also acknowledges that in some situations, such as where existing buildings in town centres are converted to residential use, there may be challenges in meeting these standards and states that some flexibility will be applied where developments would still provide a good standard of living for future residents. 	<ul style="list-style-type: none"> Review policy in context of revised NPPF and updated national design guidance. Draft policies to be reviewed against updated NPPF. Remove Criterion A which places limit of number of units per storey.
SC_0002 0_Chorley wood Parish Council	Chorley wood Parish Council	<p><i>Question 24. Do you think the Preferred Policy Option for Local Distinctiveness and Place Shaping is the right approach? If not please identify how the option could be changed. Should we have considered alternative options? If no, please explain why.</i></p> <p>Whilst many elements of this policy make sense and therefore are acceptable, other elements need amendment or removal: In the detailed schedule in Preferred Policy Option 23: o (11) In line 2, the policy should be re-phrased to include “social” as well as “economic” aspects. The term “suitable access” is open to interpretation and needs to be clearly defined in the supporting text. Whilst other qualities covered in this policy point are defined in Appendix 1, this term is not defined and is therefore open to misinterpretation.</p>	<ul style="list-style-type: none"> Paragraph 2 should require “All dwellings should provide for direct daylight to enter habitable rooms for a reasonable period of the day. Living rooms, kitchens, dining rooms should preferably receive direct sunlight.” 45 degree splay line is a reduction of the current degree of protection Residential amenity space policy refers to a ‘Policy XX’ No reference to standards on public open space. No standard for amenity space required for a 1 bed property. 	<ul style="list-style-type: none"> Noted. The 45 degree splay line has already been adopted in the Development Management Policies LDD (2013). There is already a minimum amenity space requirement for one-bed flats, in Appendix 1. The National Technical Housing Standards do not recognise one-bed dwellings which are two-storeys and above. 	<ul style="list-style-type: none"> Text referring to ‘Policy XX’ to be amended Clear definition of winter gardens? Winter gardens is referenced in Appendix 1 as an example

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		<p>With regards to Appendix 1 Design Criteria, the Associations have the following detailed comments:</p> <ul style="list-style-type: none"> o Daylight, Sunlight, and Outlook. As written, paragraph 2 does not make sense. The second sentence should be re-written, to read “All dwellings should provide for direct daylight to enter habitable rooms for a reasonable period of the day. Living rooms, kitchens, dining rooms should preferably receive direct sunlight.” o 45 Degree Splay Line. Whilst this is a reduction on the current degree of protection offered, it appears that the revised policy does make sense and is easy to understand. However, to reflect the reduction in protection, it is vital that the policy be strictly applied to prevent further harm to the amenity of residential properties.” o Residential Amenity Space: In respect of the first sentence, where are the requirements for public open space defined. The sentence refers to “Policy XX”, and a search of the document reveals no reference to standards / requirements for public open space in the policies. It is essential that this be properly defined and consulted on before moving forward with the plan. o Residential Amenity Space: Why is there no defined standard for the amenity space required for a 1 bed house? This is a major omission, and it is unacceptable (and probably infeasible) to allow such houses to be built without amenity space. o Residential Amenity Space: Is a definition of “winter gardens” to be provided? This is quite a loose term and clear definition is considered necessary. 	<ul style="list-style-type: none"> • Is a definition of “winter gardens” to be provided? This is quite a loose term and clear definition is considered necessary. 		
SC_0002 3 Croxley Green Parish Council	Croxley Green Parish Council	<p>NO</p> <p>We consider the minimum standards for amenity space will lead to very cramped designs and are the absolute minimum that should be permitted. In particular we stress the importance of new development respecting the existing character of neighbourhoods (policies at 5(f) and 6) and the policies concerning sub-division of buildings (at 7)</p> <p>We draw attention to the comments in Jed Griffiths’ statement and endorse them.</p> <p>Particularly to explaining what “character” covers and referring to more recent national guidance.</p> <p>We have a number of detailed comments on the Design Criteria in Appendix 1 to this consultation.</p> <p>The proposed target of 50 dwellings per hectare is significantly different from the average density in the settled areas of Croxley Green (and elsewhere in Three Rivers). Housing density should reflect the density of the existing settlement pattern except where high quality dwellings can be provided at a higher density without damaging the character of the area. We question whether the minimum amenity space standards in Appendix 1 – Design Guide can be achieved with the proposed target of 50 dwellings per hectare.</p> <p>Other comments on Appendix 1 Design Criteria are appended.</p> <p>In particular we are concerned about the effect of ground floor extensions on neighbouring properties, especially in some of the more historic areas of development and in some of the more recent areas, both of which have higher housing densities and limited space for extending properties without adverse effects on neighbouring properties.</p> <p>We consider Three Rivers District Council should provide a simple design guide for those planning to extend their properties, whether under permitted development rights or with planning permission, to encourage more sensitive and considerate design.</p> <p>We consider the minimum standards for amenity space will lead to very cramped designs and are the absolute minimum that should be permitted. In particular we stress the importance of new development respecting the</p>	<ul style="list-style-type: none"> • Housing density should reflect the density of the existing settlement pattern except where high quality dwellings can be provided at a higher density without damaging the character of the area. We question whether the minimum amenity space standards in Appendix 1 – Design Guide can be achieved with the proposed target of 50 dwellings per hectare. • Council should implement a design guide for those extending their properties. • Stress the importance of new development respecting the existing character of neighbourhoods (policies at 5(f) and 6) and the policies concerning sub-division of buildings (at 7). • No amenity standard set for one-bed houses. • Development should respect local character and respect guidance contained within Neighbourhood Plans. 	<ul style="list-style-type: none"> • Noted. • The Appendix 1 Design Criteria sets out the criteria for home extensions. • There is already a minimum amenity space requirement for one-bed flats, in Appendix 1. The National Technical Housing Standards do not recognise one-bed dwellings which are two-storeys and above. 	<p>Policy 23 Local Distinctiveness and Place Shaping to reference Neighbourhood Plan Character Areas as a distinctive local design guide.</p>

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	<p>existing character of neighbourhoods (policies at 5(f) and 6) and the policies concerning sub-division of buildings (at 7). Draw attention to explaining what “character” covers and referring to more recent national guidance. We have a number of detailed comments on the Design Criteria in Appendix 1 to this consultation.</p> <p>Design Criteria In addition to the proposed Design Criteria, there should be specific reference to designs being in keeping with the character of the local area and respecting guidance contained within Neighbourhood Plans.</p> <p>Privacy No comment</p> <p>Prospect No comment</p> <p>Daylight, Sunlight and Outlook These considerations should also apply to the impact of any new development or redevelopment on neighbouring properties. Development should not be permitted that significantly reduces the daylight, sunlight or outlook of existing properties.</p> <p>The 45 degree splay line currently only applies to two storey development. This should be amended to take into account the juxtaposition of neighbouring properties, different land levels, the position and orientation of windows and the potential impact of single storey extensions.</p> <p>It is important that natural light is allowed to enter on the ground floor as well as the upper storeys. Current policies do not apply to ground floor and experience tells us this is an important consideration for local residents. The lack of policies for ground floor extensions in TRDC causes residents a lot of suffering in the longer term through reduction of natural light and sunlight. Croxley Green Parish Council suggests amendments such as:</p> <p>“Overshadowing The Council will consider the extent to which any proposal will affect natural light and sunlight to your neighbour’s property. This will include the size of your extension, how close it is to your neighbours’ windows or garden and the orientation of your house.”</p> <p>“The 45 degree rule In assessing extensions, the Council will use what is called the ‘45 degree rule’ as a guide in determining the acceptability of proposals. This rule is used to assess the impact on amenity of neighbours and considers the proposal in both plan and elevation. An extension should not exceed a line taken at 45 degrees from the edge of the nearest ground floor window of a habitable room in an adjoining property if the proposed extension is single storey. For extensions greater than one storey, the 45 degree line is taken from the centre of the nearest window of an adjoining property.”</p> <p>Croxley Green Parish Council consider it is often inappropriate to infill a ‘L-shaped’ space between buildings as this can create a tunnel effect for the adjoining neighbour’s property. We consider greater consideration should be given to the effect on the neighbouring property.</p> <p>Aspect</p> <p>Flatted Developments</p>			
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SC_0002 7_TFL Commercial Development	TFL Commercial Development	<p>Appendix 1 notes that development which relies on outlook over railways lines will be discouraged. The paragraph goes on to note that there should be an outlook over a public or private highway, but it is not understood why this is considered to be any more acceptable from an outlook perspective than a railway. TfL CD have a number of sites next to railway lines within the borough that are suitable for development, and as one of the largest landowners in London and the surrounding areas we are well versed in delivering residential-led development adjacent to railway infrastructure utilising suitable mitigation to minimise the impacts of the railway on new development.</p> <p>For example, where there is development proposed next to a railway there must be a 3 meter buffer provided between the development and the railway in order to facilitate operational access to the railway, access to the outside of the development for maintenance and to stop items that may fall out of development windows from falling directly onto the railway. This 3-meter buffer must allow vehicle access, but it can be incorporated into the landscaping aspect of a new development thus helping to providing a positive outlook.</p> <p>Given the above, we would request that the reference to outlooks over railway line being discouraged be removed.</p>	<ul style="list-style-type: none"> Appendix 1 – Unclear why the outlook over a public or private highway is worse than a railway line; Are mitigation measures available, such as a 3m buffer for access to the railway and vehicle access; however this 3m can incorporate the landscaping aspect of a new development; Therefore request that the reference to outlooks over the railway line be removed. 	Noted. The vibration from trains is considered to have a greater detrimental impact than road users. However, given that additional guidance has been provided in regards to Buffer Zones, this will be reviewed ahead of the next stage of the Local Plan	Review Appendix 1 in light of comments by TfL
SC_0002 2_Environment Agency	Environment Agency	<p>It is stated within Appendix 1- Indicative Housing Delivery Trajectory that 10,919 new dwellings are to be delivered throughout the local plan time frame. Paragraph 20 of the NPPF states that strategic policies should make sufficient provision for water supply and waste water. It is therefore important that the Council ensure the recommendations from the Hertfordshire Water Study are fully considered within the Local Plan, and demonstrate how the further pressures being placed on water resources and water quality by this planned growth will be accommodated for. There should be commentary in the Local Plan text that reflects how the Hertfordshire Water Study has informed the growth strategy, sustainable growth policies and allocated sites.</p>	<ul style="list-style-type: none"> Ensure recommendations from Hertfordshire Water Study are considered. 	<ul style="list-style-type: none"> Noted. 	None

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Non-Statutory Responses Summary (including residents, resident associations, non-statutory organisations and businesses)

<p>General Comments</p> <ul style="list-style-type: none"> • Appendix 1 appears to be vague. • Design Criteria should be in line with NPPF and National Design Guide • Government have shown emerging support to Design Codes and Local Authorities are encouraged to produce them. • Built Form approach is consistent with NPPF • Application of policy relating to overdevelopment is flawed through the Plan as the site capacities identified for potential allocations will result in overdevelopment. 	<p>Officer/Council Response:</p> <ul style="list-style-type: none"> • Noted. • DPH is indicative only and will be determined at the planning application stage.
<p>Response to Design Criteria</p> <ul style="list-style-type: none"> • Number of units off a staircase core reads as restricting heights to four stories. Unduly costly to construct, not conducive to community development. • The design criteria should limit the use of back garden offices. • There are no references to local design guides in Appendix 1 which should also reference Chilterns Buildings Design Guide and other guidance published by the Chilterns Conservation Board. • Daylight, Sunlight and Outlook – remove first sentence requiring development to maximise natural light in rooms but subject to heating and cooling considerations. • 45 degree splay line is a reduction of the current degree of protection offered • Should clearly define ‘winter gardens’ • No clear definition of amenity/open space. There is no standard for the amenity space required for a one-bed house. • Criterion A under Flatted Developments section: Design-led approach should determine units per storey rather than a limit of 8 units per storey being applied. 	<p>Officer/Council Response:</p> <ul style="list-style-type: none"> • Noted. • The Design Criteria does not restrict the development to four storeys, given that there could be multiple staircases in the property. • There are references to design guidance predominantly in Policy 6: Residential Design and Layout and Accessible and Adaptable Buildings and throughout the relevant policies in the Plan. The Chilterns Design guide is referenced Policy 20 Landscape Character. • The 45 degree splay line has already been adopted in the Development Management Policies LDD (2013). • There is already a minimum amenity space requirement for one-bed flats, in Appendix 1. The National Technical Housing Standards do not recognise one-bed dwellings which are two-storeys and above. • Action: Remove Criterion A which places limit of number of units per storey.