AGENDA ITEM: 8

SUMMARY

Report for:	**Cabinet**
Date of meeting:	**21 July 2015**
PART:	**1**
If Part II, reason:	

Title of report:	**Consultation on Modifications to the Site Allocations Development Plan Document (DPD)**
Contact:	Graham Sutton, Portfolio Holder for Planning and Regeneration James Doe, Assistant Director - Planning, Development and Regeneration Laura Wood, Team Leader – Strategic Planning and Regeneration
Purpose of report:	That Cabinet: 1. Consider the significant new issues raised through representations on the Pre-Submission Site Allocations DPD in late 2014; 2. Agree arrangements for consulting upon the 'Focussed Changes' arising from the representations; and 3. Agree the process for submitting the Site Allocations DPD to the Planning Inspectorate.
Recommendations:	1. To note the issues arising from representations received to the Pre-Submission Site Allocations DPD and the impact of new advice; 2. To agree the responses set out in Table 3 of the Report of Representations to the Pre-Submission Site Allocations DPD and consult on the proposed changes arising, as set out in Table 4 of the Report of Representations to the Pre-Submission Site Allocations DPD; 3. To delegate authority to the Assistant Director (Planning, Development and Regeneration), in consultation with the Portfolio Holder for Planning and Regeneration, to: (a) agree details of arrangements for the required 'Focussed changes' consultation; and (b) approve any further minor wording changes to the Site Allocations document prior to the consultation commencing.

Corporate objectives:	The Site Allocations forms part of the Council's Local Planning Framework, which as a whole helps support all 5 corporate objectives: • *Safe and clean environment:* e.g. contains policies relating to the design and layout of new development that promote security and safe access; • *Community Capacity:* e.g. provide a framework for local communities to prepare area-specific guidance such as Neighbourhood Plans, Town / Village Plans etc; • *Affordable housing:* e.g. sets the Borough's overall housing target and the proportion of new homes that must be affordable; • *Dacorum delivers:* e.g. provides a clear framework upon which planning decisions can be made; and • *Regeneration:* e.g. sets the planning framework for key regeneration projects, such as Hemel Hempstead town centre and the Maylands Business Park.
Implications:	<u>Financial</u> The process of preparing the Site Allocations has financial implications. Budget provision for the next stages of the statutory process i.e. Submission and Examination are made in the 2015/16 budget. Having an up-to-date planning framework helps reduce the incidence of planning appeals (and hence costs associated with these). It will be the most effective way of ensuring the optimum level of developer contributions to infrastructure and in mitigation of development impacts can be achieved. This process will be further improved and simplified through the implementation of the Community Infrastructure Levy (CIL). <u>Value for money</u> Where possible, technical work that supports the Site Allocations has been jointly commissioned with adjoining authorities to ensure value for money. <u>Legal</u> Attwaters Jameson and Hill Solicitors have been retained to provide external legal support for the Site Allocations. The same advisers acted for the Council through the Core Strategy Examination process and subsequent (unsuccessful) legal challenge to this document. They will provide the Council with any advice required regarding the implication of new Government advice; assist with responding to key representations; advise on the production of any additional evidence and support Officers through the Examination process itself. <u>Staff</u> It is critical that the Strategic Planning and Regeneration team are fully staffed to enable the agreed LPF timetable to

	be delivered. A Programme Officer will need to be appointed by the Council to provide administrative support to the Inspector and act as a single, independent point of contact for all parties throughout the Examination process. Land The Site Allocations supports delivery of the Council's adopted Core Strategy which will play an important role in decisions regarding future land uses within the Borough. The Council has specific land ownership interest in two of the Local Allocations - LA1 (Marchmont Farm) and LA2 (Old Town).
Risk implications:	Key risks are identified in the Local Development Scheme and reviewed annually within the Annual Monitoring Report. They include failure of external agencies or consultants to deliver on time, changes in Government policy and team capacity. A separate risk assessment prepared for the Core Strategy Pre-Submission identifies a number of risks relating to the Examination process and particularly the soundness tests with which the Site Allocations must comply.
Equalities implications:	An Equality Impact Assessment has been carried out for the Core Strategy. Equalities issues are also picked up as part of the Sustainability Appraisal Report that accompanies the Site Allocations document.
Health and safety implications:	Implications are included in the planning issues covered by the Core Strategy and Site Allocations DPDs.
Sustainability implications:	The Site Allocations (and Core Strategy that precedes it) has been subject to detailed sustainability appraisal (incorporating strategic environmental assessment) throughout its development. Sustainability Appraisals covers social, economic and environmental considerations, including equalities and health and safety issues. A summary of this assessment process, and its conclusions, are set out in the Sustainability Appraisal Report (September 2014) and update report that accompanies it (July 2015).
Monitoring Officer/S.151 Officer comments:	Deputy Monitoring Officer No comments to add to the report. Deputy Section 151 Officer There are no direct financial consequences arising out of this report. All costs have been contained within the 2015/16 base revenue budget.
Consultees:	Consultation on the Site Allocations DPD has been carried out in accordance with the Statement of Community Involvement (SCI), adopted by the Council in June 2006. The detail is set out within the Reports of Consultation that followed the 2006 and 2008 Issues and Options Consultations. A draft report of consultation for the period 2008 and 2014 has also been published. Advice from key stakeholders, such as the Local Education

	Authority and Highway Authority, has been sought where appropriate. Feedback on the Council's Infrastructure Delivery Plan has also been significant in developing a clear understanding of local infrastructure needs. This advice is referred to within the relevant Background Issues paper that form part of the Site Allocations DPD evidence base. The Consultation Reports relating to the Core Strategy (Volumes 1-7) are also relevant. In terms of internal processes, a Task and Finish Group advised on the preparation of the Site Allocations DPD, and will meet again to go through further issues. There have been reports to Cabinet at key stages in the preparation of the Local Planning Framework and the Planning and Regeneration Portfolio Holder has been kept appraised of progress. SPEOSC also considered a progress report, which highlighted key emerging issues, on 27 January 2015 (see below).
Background papers:	• Statement of Community Involvement (June 2006) • Local Development Scheme (February 2014) • Dacorum Borough Local Plan 1991-2011 (adopted April 2014) • National Planning Policy Framework (March 2012) • Planning Practice Guidance (March 2014 and updated regularly online) • Mrs Jean Timmins and A W Lymn Limited vs Gedling Borough Council and Westerleigh Group Limited High Court Judgement (March 2014) • Town and Country Planning (Local Planning) (England) Regulations 2012 • Core Strategy (adopted September 2013) • Report of Consultation – Site Allocations Issues and Options (2006) • Report of Consultation – Site Allocations Supplementary Issues and Options (2008) • Report of Consultation – Site Allocations (2014) • Consultation Reports relating to the Core Strategy (Volumes 1-7) (as dated) • Schedule of Site Appraisals (2006, 2008 and 2014) • Sustainability Working Notes for Schedules of Site Appraisals (2006, 2008 and 2014) • Sustainability Appraisal for Pre-Submission Site Allocations DPD (September 2014) • Addendum to Sustainability Appraisal (July 2015) • Habitats Regulations Assessment – Summary Report (September 2011) • Copies of all representations made (available on online consultation system via http://consult.dacorum.gov.uk/portal • Duty to Co-operate Statement (September 2015) • Infrastructure Delivery Plan (2015 update)

	• SPEOSC Report (January 2015) • Workshop Reports for Local Allocations LA1, LA3 and LA5 (July 2013). • Notes from Stakeholder meetings for Local Allocations LA2, LA4 and LA6 (May 2013). • Report on the Consultation event held in July 2013: 'Shaping the Masterplan' for Proposal Local Allocation LA3: West Hemel Hempstead (January 2014) • Draft Background Issues Papers (updated to July 2015) on: - The Sustainable Development Strategy - Strengthening Economic Prosperity - Providing Homes and Community Services - Looking After the Environment All technical studies relating to the Local Planning Framework are available from the online Core Strategy examination library at www.dacorum.gov.uk/corestrategyexamination.
Glossary of acronyms and any other abbreviations used in this report:	DPD Development Plan Document SCI Statement of Community Involvement LDS Local Development Scheme NPPF National Planning Policy Framework NPPG National Planning Practice Guidance InDP Infrastructure Delivery Plan SPD Supplementary Planning Document SPG Supplementary Planning Guidance LPF Local Planning Framework (also referred to as Local Development Framework) CIL Community Infrastructure Levy GEA General Employment Area

BACKGROUND

1. Introduction:

1.1 The Core Strategy DPD was adopted in 2013, and forms the first part of the Local Planning Framework (LPF) for the Borough. The Site Allocations is the second LPF document. It is the 'delivery' document for the Core Strategy: focussing on the delineation of site boundaries and designations, and setting out planning requirements for new development. It does not cover the Maylands Business Park as this area is to form part a separate East Hemel Hempstead Area Action Plan (AAP).

1.2 Like the Core Strategy the Site Allocations document it is divided into four main sections:

1. *The Sustainable Development Strategy* – covering issues such as revisions to the boundaries of the Green Belt, transport proposals, and the definition of Major Development Sites in the Green Belt and Mixed Use proposals.
2. *Strengthening Economic Prosperity* – setting out General Employment Area and retail designations, together with revised retail frontages for the three towns.
3. *Providing Homes and Community* Services – comprising the housing schedule, policies for the six Local Allocations and designations relating to leisure and social and community uses.
4. *Looking After the Environment* – covering historic heritage and wildlife designations.

1.3 There are also summaries of all the proposals and designations geographically (via a continuation of the 'Place Strategy' approach), plus a short section on Monitoring and Review.

1.4 The level and broad location of new development, including the principle of releasing 6 'Local Allocations' from the Green Belt, has been established and accepted through the Core Strategy and will therefore not be re-opened for consideration at this Site Allocations stage. These issues will be reassessed through the development of a new Local Plan for the Borough (including the early partial review of the Core Strategy).

2. Consultation:

2.1 Consultation on the Site Allocations started in 2006 on the 'issues and options' and there have been several milestones in preparing the Site Allocations since then. The Report of Consultation is a statutory document required for the submission of a development plan. It is published in three volumes. The first covers the 2006 consultation, the second the 2008 consultation and the third the period from 2008 to summer 2014 when the Pre-Submission document was published. The Reports for Consultation prepared for the Core Strategy (as listed in Background Papers) are also relevant, as the Site Allocations document is a delivery document for the principles set out in the Core Strategy.

2.2 The public consultation on the Pre-Submission version of the Site Allocations document ran from September to November 2014 for a period of six weeks. Consultation on draft masterplans for the six Local Allocation sites was carried out in parallel.

2.3 The approach to this consultation was agreed at Cabinet in June 2014. It involved notifying by email or letter all statutory consultees on the strategic planning database, together with residents, businesses, organisations, and community groups. Over 3,500 people were written to by letter, email or through 'Objective' (the consultation portal) as

part of the consultation. Further consultees were added to the strategic planning database of contacts during and following the consultation.

2.4 In addition to the required press notice in local newspapers, the Council also had a half page spread in local newspapers in the first week of the consultation to advertise the consultation and forthcoming exhibitions. A similar advert was displayed as a poster in libraries and various community halls to inform local people of the consultation. An article on the consultation period and exhibitions was prepared for the Dacorum Digest which was delivered to all residents in the Borough in early September. All information and background documents were available on the Council's website. Reference copies of the documents were available from libraries across the Borough as well as the Hemel Hempstead civic centre and satellite offices in Berkhamsted and Tring.

2.5 Five exhibitions were prepared initially for Hemel Hempstead Civic Centre, Bovingdon, Tring, Berkhamsted and Warners End, and an additional exhibition arranged for Grovehill Community Centre at later notice. No exhibitions were arranged for Kings Langley, Markyate or other areas due to the very small number of proposed allocations.

2.6 Each exhibition comprised a series of posters relating to the Site Allocations generally and on the Local Allocations. The exhibitions were tailored to the town and relevant Local Allocation, and copies of the posters in A4 were available for people to take away together with copies of the questionnaire. There was a questionnaire for the Site Allocations itself, and comment form for each for individual Local Allocation. Officers were available at each exhibition to explain the proposals and answer questions.

2.7 Since the close of the Pre-Submission consultation, Officers have been processing the comments received, summarising the issues raised and considering whether any changes are required to the Site Allocations as a result. As a number of significant new issues have been raised through the consultation, Members' approval is required before the plan can move on to the next stage – which is its formal Submission to the Planning Inspectorate.

2.8 A summary of the consultation process and number and nature of responses received was provided to Strategic Planning and Environment Overview and Scrutiny Committee (SPEOSC) in January 2015.

3. Relationship with Local Allocation master plans:

3.1 One of the most important aspects of the Site Allocations document is the inclusion of policies to deliver the six Local Allocations:

Place	Location	Nº of Homes
Hemel Hempstead	Marchmont Farm (LA1)	300-350
	Old Town (LA2)	80
	West Hemel Hempstead (LA3)	900
Berkhamsted	Hanburys, Shootersway (LA4)	40
Tring	Icknield Way, west of Tring (LA5)	180-200
Bovingdon	Chesham Road / Molyneaux Avenue (LA6)	60

3.2 Local Allocations are housing sites which the Site Allocations DPD proposes to remove from the Green Belt. They will be managed as countryside until required for development. To add detail to the Site Allocation policies on these sites (Policies LA1-LA6), draft master plans have been drawn up for each Local Allocations and feedback sought.

3.3 Due to their intended status as Supplementary Planning Guidance (SPG), the master plans are not subject to formal independent Examination. However, they will form important contextual information and it is important that the Inspector is made aware of the concerns raised by residents and other interested parties in the consultation responses to these draft documents. These issues will be summarised in a separate Report of Consultation, which will be passed to the Site Allocations Inspector for information (see 'next Steps' below).

4. Changes in advice / information since Pre-Submission stage

4.1 Since Cabinet agreed the Pre-Submission Site Allocations DPD for consultation, there have been a number of Government statements and legal judgements on planning issues of which Cabinet should be aware.

Government Guidance

(a) Green Belt policy

4.2 A number of consultation responses (from both individual and developers) cited the Ministerial Statement (4 October 2014) and associated wording changes to the Planning Practice Guidance (PPG), as indicating a change in Government policy with regard to the Green Belt. As a consequence they considered that the Site Allocations as written was contrary to the NPPF or somehow 'illegal' as a result. The Council has taken legal advice on this issue and this advice confirms that no such policy change has occurred with regard to the Council's plan-making function.

4.3 Government guidance (as contained in the NPPF) attaches great weight to the protection of the Green Belt against inappropriate development. The Green Belt has always been a constraint that has been taken into account when deciding how far the Council can go in meeting the area's objectively assessed need[1] (OAN) and continues to be so.

4.4 It is however important to note that the NPPF specifically allows for new Green Belt boundaries to be established when Councils review their strategic plan (i.e. the Core Strategy) (para. 83) through the plan-making process. It recognises that it is sensible for Councils to assess the long term changes planned in their area over the lifetime of their plans and how this might affect the permanency of the Green Belt. This is exactly what the Council has done through the Core Strategy. A key role of the Site Allocations DPD is to take forward the strategic policies and targets relating to housing within the Core Strategy and ensure that these are delivered on the ground. It is the role of the early partial review (in the form of a new single Local Plan) to look again at longer term needs and take account of a whole range of Government policies and guidance, including those relating to housing and the Green Belt.

4.5 Equally, the NPPF places considerable emphasis on Councils meeting their development needs (para. 14), and in particular to "*significantly boost the housing supply"* (para. 47). In considering these points, Councils are expected to meet their *"objectively assessed needs"* for housing as far as possible (para. 47) having regards to a range of factors set out in the NPPF, including the Green Belt.

[1] This is most simply explained as the demand for housing (of all types and tenures) that an area's population would demand if this were not constrained any planning policies.

4.6 Officers have been advised that the changes to the PPG are particularly aimed at the growing number of speculative housing development proposals submitted by developers through the decision-making (planning application) rather than the plan-making process. The changes do not affect how we implement plans that are already adopted, such as our Core Strategy and associated proposals that it contains.

4.7 Therefore, there has been no fundamental change in terms of Green Belt policy from when the Core Strategy was considered and adopted and what the situation is now to warrant changes to how the Council progresses the Site Allocations DPD.

(b) Cemeteries in the Green Belt

4.8 The Council's legal adviser has also highlighted that there has been recent clarification regarding the Government's approach to cemeteries in the Green Belt (as set out in the NPPF) through a judgement from the Court of Appeal[2]. In contrast to the advice above, this change does result in a change to the Site Allocations DPD. This High Court judgment clarifies that cemeteries are considered as inappropriate development within the Green Belt in terms of the definitions in the NPPF. This is because cemeteries are not listed in the text of the NPPF (paragraphs 89 and 90) as categories of development which are 'not inappropriate'. However, rather counter-intuitively, new buildings providing appropriate facilities for cemeteries are classified as appropriate development.

4.9 As a result of this case, the Council's legal adviser recommends that the cemetery extension site that forms part of Local Allocation LA5 is excluded from the Green Belt in the Site Allocations document. He has also advised that for consistency with the approach to the cemetery, and the approach to the Gypsy and Traveller Sites on LA1 and LA3, the adjacent Gypsy and Traveller site is also excluded from the Green Belt (see below).

Technical Information:

4.10 Since publication of the Pre-Submission Site Allocations document, a limited number of new technical studies have also been completed and published:

- Re-run of the Hemel Hempstead Transport Model (2015), to ensure this includes the latest available information regarding the expected scale and location of new development within the town.
- Infrastructure Delivery Plan (June 2015), an update to the previous 2014 report, to ensure that infrastructure issues raised through the Pre-Submission consultation process are discussed and addressed with service providers.
- Leisure Facilities Assessment (September 2014) and associated Playing Pitch Strategy Action Plan (June 2015).

4.11 These documents are referred to where appropriate within Table 3 of the Report of Representations, with further information provided in the updated versions of the Background Issues Papers (dated June 2015) that accompany the Site Allocations document. None indicate the need for any significant changes to the Site Allocations document.

4.12 A number of other technical studies are also underway, relating to housing, employment and the Green Belt. However, as these studies are to inform the early

[2] Timmins and Lymn Family Funeral Service v. Gedling Borough Council and Westerleigh Group. Judgement issued March 2014.

partial review of the Core Strategy (and production of a new Local Plan for the Borough), they are not relevant to the Site Allocations process.

4.13 Officers are also in the process of completing and checking the latest housing and employment monitoring information (for the 2014/15 financial year). This information will be published in the form of Land Position Statements and used to make factual updates to the figures contained within the Site Allocations DPD and associated Background Issues Papers. This will ensure that the Inspector has the latest information available i.e. a base date of information at April 2015 rather than the current base date of April 2014.

5. Representations received on Pre-Submission Site Allocations:

5.1 Tables 2 and 3 in the Report of Representations provides a full breakdown of the number of responses received to each part of the Site Allocations document and further sub-divides these into comments of support and objection.

5.2 Any small discrepancies in the tallies within this table and the provisional figures reported to SPEOSC in January are attributable to the fact that the process of compiling statistics is complicated. Some comments have subsequently been reallocated to different sections of the plan for consistency; other comments have not specified if they are of support or objection; whilst some responses were a mixture of the two. This means that there is an element of double counting within some of the figures and totals may therefore not add up.

5.3 It is important to note that the statistics are provided to give both Members and the Inspector an overview of those issues which generated most concern, rather than to be used as an absolute. This will enable the Inspector to focus the Examination accordingly.

5.4 Many of the comments and concerns raised on the Local Allocations draft master plans are equally applicable to the Local Allocation Policies within the Site Allocations document itself. Indeed, most local objections with regard to the Local Allocations were directed towards these documents rather than the Site Allocations DPD itself. In drawing up the proposed changes Policies LA1-LA6 Officers have therefore had regard to the master plan feedback. This master plan feedback will be formally reported to Cabinet in September. The intention is to include the draft master plans (with any amendments Cabinet require) as part of Submission documents, and to request their adoption by full Council at the same time as the Site Allocations is reported for final approval (likely to be summer 2016). This will enable any changes required by the Site Allocations Inspector to the Local Allocation policies to be reflected in the wording of the final masterplans, and to avoid any contradictions in requirements for the sites that may otherwise arise (see next steps below).

<u>Infrastructure issues:</u>

5.5 Liaison with infrastructure providers has continued through the preparation of an update to the Council's Infrastructure Delivery Plan (InDP). This has included meetings with the Primary Care Trust (PCT), West Herts Hospital Trust, Highways England (formerly the Highways Agency), Thanes Water, Highway Authority (HCC), and Children's Schools and Families Unit at Hertfordshire County Council.

5.6 Despite concerns over the capacity of infrastructure being a recurring theme of objections to the Pre-Submission Site Allocations (particularly with regard to the Local Allocations), providers have confirmed that there are no infrastructure 'showstoppers'

that would prevent delivery of the future development planned, subject to the timely delivery of new infrastructure. Where appropriate, specific advice received is referred to within Table 3 of the Report of Representations (see below). Key concerns and the Council's proposed response (agreed with infrastructure providers as appropriate) are summarised in Appendix 1 and within the Report of Representations itself.

Duty to Co-operate issues

5.7 The only outstanding infrastructure issue relates to comments from the Environment Agency regarding waste water / sewerage capacity. It should be noted that comments of support were initially submitted to the Council. Objections were only raised after the close of the Site Allocations consultation period. Whilst the Council's legal adviser has advised that this means such comments do not need to be included within the Report of Representations, Officers would advise that they are covered and a 'Statement of Common Ground' drawn up between the EA, Thames Water (as the sewerage infrastructure provider) and the Council. This will set out areas of agreement between the parties and those areas where the Council and Thames disagree with the EA's position (see Appendix 1). This Statement will then be submitted to the Inspector to enable him/her to take an informed view of the situation.

5.8 Members should be aware that the Council's legal adviser does not consider the EA's concerns to be valid on a number of planning and legal grounds:

1. Their comments were not received within the specified representations period;
2. They relate to the overall quantum of development, rather than raising any concerns regarding individual sites. Such strategic level concerns should have been raised at the Core Strategy stage. Instead comments of support were received form the EA at this time.
3. Thames Water supports the Council's approach as set out in the Site Allocations (as amended by a series of minor changes).
4. The technical work required by the EA is already underway on a county-wide basis and will be available to inform the early partial review of the Core Strategy. The EA and Thames Water are both involved with this work.

6. Draft Report of Representations

6.1 A Report of Representations must accompany the Site Allocations when it is submitted to the Planning Inspectorate. Its role is to demonstrate that the Council has complied with the relevant regulations when seeking feedback on the Pre-Submission Site Allocations; to summarise the main issues raised; and to provide a short response regarding these issues.

6.2 A draft of the Report of Representations is available in the Group Rooms and is on the Council's website (alongside this report). Paper copies can also be provided to Members on request. Cabinet's attention is particularly drawn to the following tables within this draft Report of Representations:

- Table 1 – lists the groups / individuals from whom responses were received
- Table 2 – lists the number of representations received to each section of the plan
- Table 3 - summarises the main issues raised in plan order, indentifies if these are new and / or significant in nature and sets out a brief response.

- Table 4 – provides a schedule (in track changes form) of the changes proposed to the Pre-Submission draft and identifies if these changes are proposed as a direct response of representations received, or are editorial.

6.3 Key areas of concern are summarised in Appendix 1 of this report, together with the Council's suggested response.

6.4 Most responses received did not raise any new issues that have not been brought previously to Members' attention either through previous reports on the Site Allocations, or relating to the Core Strategy process. Officers have tried to highlight where new issues have arisen in Table 3 of the Report of Representations. This table also highlights if these issues are considered by Officers to be significant in nature.

Proposed changes

6.5 A number of changes are proposed to the Site Allocations DPD as a result of representations received through the consultation, and also as a result of advice from the Council's legal adviser. Changes are split into 3 categories:

E	Editorial Change	Editorial changes are intended to clarify meaning, update facts and correct any inaccuracies. All editorial changes are minor changes in nature. Some editorial changes follow minor changes arising from the representations.
MC	Minor Change	Changes of a minor nature that are required to reflect amendments referred to in Table 3, or as a consequential change from changes referred to in Table 3. Some minor changes follow minor changes arising from the representations.
SC	Significant change	Changes of a more significant nature that are required to reflect amendments referred to in Table 3, or as a consequential change from changes referred to in Table 3. Significant changes usually relate to the inclusion of a new proposal site or a more substantial change to the wording or boundary of a designation or proposal.

6.6 Most changes proposed are either editorial (E) or minor in nature (MCs) that that don't affect the thrust of the plan. There are however a number of changes that Officers consider to be more significant in nature (SCs). These are shown below by settlement:

SC reference(s)	Summary of Change	Reason
Hemel Hempstead		
SC2	Designation of a new Major Developed Site (MDS) at Abbots Hill School, Hemel Hempstead	As a result of representations made on behalf of the school and to ensure consistency in approach with other MDS designations already included within the Core Strategy.
SC6	Changes to planning requirements for Proposal S1 – Jarman Fields	As a result of representations and to better explain the restrictions to the sale of goods that are considered appropriate in this out of centre location.
SC13	Amended Historic Park and Garden designation at Shendish	As a result of representations and to correct a mapping error.

Tring		
SC1	Amending extent of Green Belt release relating to Local Allocation LA5 (GB/9) in Tring	As a result of representations, to reflect legal advice regarding the implications of the Timmins legal judgement (referred to above) and to ensure consistency in the approach towards Gypsy and Traveller sites at LA1, LA3 and LA5 (i.e. that these are removed from the Green Belt and their anticipated extent shown on the indicative layout map that forms part of the relevant Local Allocation policy).
SC10 & SC12	New detached playing fields at Dunsley Farm - additional text and new Leisure designation	As a result of representations and to take forward the express intent of the Core Strategy for the provision of detached playing fields to serve Tring Secondary School, should this school expand further.
SC7	Amendments to LA5 policy text	
SC8	Changes to LA5 indicative layout	
SC11	Amended L/3 LA5 leisure space	
Kings Langley		
SC3	Defining an 'infill area' for Kings Langley School Major Developed Site	To reflect the recent planning permission for the redevelopment of the school site and ensure consistency of approach with other Major Developed Sites in the Borough.
Other		
SC4	Changes to Bourne End Mills Major Developed Site	As a result of representations and to ensure the boundary (external and infill) better reflects existing permissions and boundaries on the ground.
SC5	Changes to Bourne End Mills employment area in the Green Belt	To ensure consistency with the MDS designation above.
SC9	Amended wording to Policy SA10: Education Zones	As a result of representations, and to ensure the scope of the policy is clear.

6.7 The change that is likely to prove most controversial relates to the removal of the cemetery extension and Gypsy and Traveller site from the Green Belt at Local Allocation LA5. Neither change results in any amendment to what will actually be delivered on the ground. The change regarding the cemetery is recommended as a result of the High Court decision referred to above. The cemetery extension will continue to remain open in character and will be protected from development for any other uses. As the cemetery land will no longer be within the Green Belt, it is logical to also remove the adjacent Gypsy and Traveller site from this designation, as it is

preferable for these sites to also be excluded from the Green Belt (as for all types of housing). The number of pitches proposed remains unchanged.

6.8 If the Council wishes to make any 'significant changes' to the Site Allocations DPD then there needs to be the opportunity for residents and other interested parties to comment on these changes. In the past, this consultation would often take place after the Examination process, when it could also incorporate any changes that the Inspector requires the Council to make to the document in order to find it 'sound.' Whilst there have been no changes either to the Acts or Regulations governing plan making, the advice of the Planning Inspectorate in terms of its expectations has altered. This is largely due to the number of legal challenges to plans being lodged in the High Court that relate to procedural issues. Paragraph 6 of the 'Examining Local Plans Procedural Practice' issued by the Planning Inspectorate in December 2013 states:-

> *'LPAs should rigorously assess the Plan before it is published under Regulation 19 to ensure that it is a Plan which they think is sound. The document published should be the document they intend to submit under Regulation 22 to the Planning Inspectorate, subject to any further changes to the draft arising from the Regulation 19 Consultation. <u>These changes should be further consulted on and subject to sustainability appraisal before submission</u>. The Planning and Compulsory Purchase Act 2004 specifically provides that an LPA must not submit the Plan unless it considers that the document is ready for Examination. Main modifications after submission will only be considered where they are necessary to make the Plan sound and/or legally compliant and where the LPA has formally requested that such modifications be recommended by the Inspector'.*

6.9 The Council's legal adviser has advised that this consultation only needs to focus on the changes listed above that fall within the 'significant changes' (SC) category. However, for completeness he recommends that the Council takes the opportunity to seek feedback on all of the changes proposed, apart from these that are purely editorial in nature (denoted by the E prefix).

6.10 Whilst this additional stage in consultation has an inevitable impact on the timetable for the Site Allocations DPD (see next steps below), it is considered appropriate to act on the legal advice given, rather than increasing the risks of having the submitted plan found 'unsound' by the Planning Inspector at examination.

7. Consultation Arrangements:

7.1 It is advised that the consultation on the changes is clearly badged as 'Focussed Changes to the Pre-Submission Site Allocations DPD.' Officers will explain as clearly as possible in notification letters and emails and on the website that this consultation is only on the *changes* that are being proposed to the plan, rather than a full re-opening of consultation on the plan itself or the policies and designations which are not being amended in any way.

7.2 As required by Government regulations, the consultation will last for 6 weeks. In terms of consultation arrangements, these will replicate that carried out for the Pre-Submission consultation last year, with the exception of the public exhibitions. Exhibitions are not considered necessary for this 'Focussed Changes' consultation, due to the limited scope of the changes proposed.

8. Sustainability Appraisals / Strategic Environmental Appraisal:

8.1 A Sustainability Report (including Strategic Environmental Assessment as required under European law), accompanied the Pre-Submission Site Allocations. As a result of comments received on the Pre-Submission draft, the Council's independent consultants, C4S, have assessed the changes proposed and have also responded to comments made on the Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) process itself. The results of these assessments are published in the form of a short addendum to the Pre-Submission stage SA Report.

8.2 Once the final schedule of changes to the Site Allocations (Table 4 of the Report of Representations) has been agreed by Cabinet and Full Council, this addendum report will be finalised and published.

8.3 The Council's consultants advise that the changes now proposed to the Pre-Submission Site Allocations document will have a largely neutral impact on the sustainability performance of the plan, as most changes relate to detailed wording changes, rather than changing the scale or broad direction of planned development. In addition it has been confirmed that the changes proposed will not alter the conclusions of the Habitats Regulations Assessment (HRA).

9. Next Steps:

Submission:

9.1 Due to the need to carry out the 'Focussed Changes' consultation, there will be some slight slip in the Site Allocations timetable compared to that previously agreed by Members in December 2014.

9.2 Following consultation on the Focussed Changes, Officers will report back to Cabinet on responses received and advise if any further changes are required prior to Submission. Full Council will then be asked to ratify the Submission arrangements.

9.3 This additional reporting stage means that the Site Allocations will now be submitted for Examination in late 2015 / early 2016. Precise dates will be confirmed once the scale of representations received to the consultation is known.

9.4 The following Submission documents are required by the regulations:

- Pre-Submission Site Allocations DPD, together with a schedule of changes
- Amended Policies Map
- Sustainability Appraisal Report (Final report plus addendum)
- Report of Consultation
- Report of Representations
- List of Supporting documents
- Statement of Community Involvement

A statement under the 'Duty to Co-operate' is also now required under the Localism Act.

9.5 A number of other documents can also be included at the Council's discretion. These will include copies of all previous Core Strategy consultation documents and associated Sustainability Appraisal Working Notes and Habitat Regulations Assessments, Background Issues Papers, Infrastructure Delivery Plan and copies of all relevant technical work and supporting documents (including the draft Local Allocation master plans).

9.6 Other documents, such as relevant Cabinet reports and minutes, copies of consultation documents relating to the Site Allocations and East Hemel Hempstead Area Action Plan DPDs, and a legal compliance self assessment may also be included on the recommendation of our legal adviser.

Local Allocation Master Plans

9.7 Officers have considered all of the responses received to the draft masterplans and begun preparing recommended responses to these for inclusion in a Report of Consultation. This Report of Consultation is due to be put before Cabinet in September.

9.8 If Members require any changes to the draft master plans which will have a consequential impact on the relevant Site Allocations policy, then these changes can be picked up in the Site Allocations document prior to its Submission.

Post-Submission:

9.9 The timetable for the Site Allocations DPD following Submission will be determined by the Planning Inspectorate. However, the Examination is expected to be held in early / mid 2016.

9.10 It is likely that the Inspector will require the Council to prepare 'Statements of Common Ground' with some parties before these issues are discussed at Examination. These will be focussed on objectors with who we have common areas of agreement. It may not be possible to agree statements with some objectors due to the lack of common ground. Preparation of Statements will follow Submission.

9.11 It is recommended that the Assistant Director of Planning and Development is delegated the power to agree any minor changes to the Site Allocations DPD suggested to the Council by the Planning Inspector during the course of the Examination. Any changes recommended that are of a significant nature would be subject to further public consultation and the Examination could be adjourned to allow this to happen. If this situation arises the recommended changes would be put before Members for consideration and decision.

9.12 The final Site Allocations DPD, including the Inspector's recommended changes, will be brought before Council for adoption. Provided the Inspector finds the Site Allocations 'sound,' it is hoped that this will be in mid-2016.

9.13 The Portfolio Holder for Planning and Regeneration will be kept up-to-date of progress throughout the Examination.

EPR process

9.14 In the Core Strategy, the Council committed to undertaking an early partial review to look again at key issues, including housing numbers and Green Belt boundaries, which will result in the publication of a new single local plan. The technical work for this has begun and it is planned that an 'issues and options' document will be published for consultation in 2016.

Appendix 1

Summary of Key Issues Raised and Proposed Response

The following provides a summary of some of the issues most frequently raised through the Pre-Submission consultation, together with the Council's proposed response. The proposed responses have been agreed with the Council's legal adviser and form the basis of many responses in Table 3 of the Report of Representations.

ISSUE	RESPONSE
(a) Concerns relating to the Site Allocation document and process in general	
Promotion of additional Green Belt housing sites	No change. A number of representations seek to promote additional housing sites within the Green Belt. The Core Strategy considered the need for changes to be made to the Green Belt to accommodate new development and resulted in the designation of six Local Allocations. The Site Allocations formally removes these sites from the Green Belt through changes to the Policies Map. Paragraph 8.29 of the Core Strategy clearly states that *"The Council's own review of the Green Belt boundary has identified some locations where releases of land will be necessary to meet specific development needs. No further change will be necessary in the Site Allocations DPD, other than to define these locations precisely and correct any minor anomalies that may still exist…. The Council will only re-evaluate the role and function of the Green Belt when it reviews the Core Strategy (see paragraphs 29.8 to 29.10)."* This is reflected in the text of Policy CS5: Green Belt which states that *"There will be no general review of the Green Belt boundary through the Site Allocations DPD, although local allocations (under Policies CS2 and CS3) will be permitted."* This approach was accepted by the Core Strategy Inspector and is reflected in the Site Allocations DPD. A full review of the Green Belt is being carried out to inform the early partial review of the Core Strategy, through the production of a new single Local Plan. The role of the

	Site Allocations DPD is to deliver the policies of the Core Strategy; not to pre-empt the content of any future Local Plan.
The Site Allocations should be reviewed in light of new technical work and household growth projections	No change. The role of the Site Allocations DPD is to deliver the policies of the Core Strategy; not to pre-empt the content of any future Local Plan. This is supported by several recent High Court judgements (ref: Gallagher Homes Ltd and Lioncourt Homes Ltd vs Solihull MBC, Gladman Development Ltd vs Wokingham Borough Council and Grand Union Investments Ltd vs Dacorum Borough Council). These decisions clarify a number of key points, including: • A 'Local Plan' can comprise a series of DPDs. Dacorum's Site Allocations DPD is in-effect a 'daughter document' to the Core Strategy and as such does not require a new assessment of objectively assessed needs (OAN) to be carried out; • Councils should continue with the preparation of Site Allocations DPDs even where they do not deliver the full OAN figure for the area. • The role of the Site Allocations DPD is to set out how the development targets set out in the Core Strategy will be delivered: not to reassess what these targets should be. • That in Dacorum's case, housing delivery is only expected to fall short of delivering full OAN in the latter part of the plan period, by which time a new Local Plan (via the early partial review) will be in place and will have reconsidered appropriate targets. In the light of these decisions the approach taken by the Council to the Site Allocations DPD is considered to be both appropriate and legally compliant. This is reinforced by the fact that Dacorum's own Core Strategy Inspector was happy with the wording in paragraph 29.8 (introduced via a post Examination main modification) that "The Council is committed to a partial review of the Core Strategy (i.e. after completion of the Site Allocations and Development Management DPDs. Evidence gathering will begin in 2013. The purpose of the review is to reconsider housing need and investigate ways of meeting that need more fully."

Adequacy of background work to inform approach to open land and leisure designations	No change. The Council considers that all necessary technical work has been completed to inform the approach set out to open land and leisure designations within the Site Allocations DPD. As required by the NPPF, this technical work is proportionate to the nature and complexity of the issues. The majority of this work was prepared to inform the Core Strategy, with some supplementary work carried out specifically to support the Site Allocations. Further detail regarding this technical work is set out in the Providing Home and Community Services Background Issues Paper.
(b) Concerns relating specifically to the Local Allocations	
Object to principle of development of Local Allocations	No change. The Council has taken time and care to identify what are considered, on balance, to be the most appropriate sites to bring forward for new housing. The decision to allocate the six Local Allocations for development has been taken in the context of the National Planning Policy Framework (NPPF). This requires, amongst other things, for Councils to *'positively seek opportunities to meet the development needs of the area'* (para 14); *and 'boost significantly the supply of new housing'* (para 47). The decisions made regarding both the overall level of new homes and whether there should be any Green Belt releases to help deliver these new homes was discussed at the Core Strategy Examination. The Examination was presided over by a Planning Inspector independent of the Council, who was aware of the concerns raised by local residents over the scale, location and potential impacts of new homes planned; particularly with regard to the Local Allocations. However, the Inspector's Report concludes that the Green Belt housing sites were appropriate and are required to help meet the planned level of housing and local housing needs. It is important to note that the Inspector's main concern when weighing up whether or not to find the Core Strategy 'sound' or not, was if the Council had allocated *sufficient* land for housing, not if any of the Green Belt sites should be removed from the plan.

	The principle of releasing land from the Green Belt and bringing forward this site for housing and associated uses has therefore already been established. The role of the Site Allocations is not to reconsider the housing target set, or the Local Allocations identified in the Core Strategy, but to demonstrate how these will be delivered.
Timing of release of Local Allocations for development	No change. The Core Strategy envisaged all six Local Allocations being delivered from 2021 onwards. Following further consideration of local housing needs and the role the site will play in delivering other essential local infrastructure, the delivery of Local Allocation LA5: Icknield Way, west of Tring has been brought forward into Part 1 of the Schedule of Housing Proposals and Sites. Whilst no specific delivery date has been set, this will follow the formal release of the site from the Green Belt i.e. after adoption of the Site Allocations DPD. The reasons for this earlier release of LA5 are set out in the Meeting Homes and Community Needs Background Issues Paper (June 2015). They include: • the role the site will play in ensuring a robust 5 year housing land supply (for both bricks and mortar homes and Gypsy and Traveller pitches); • the benefits of the early delivery of the extension to the Icknield Way General Employment Area; • the benefits of securing land for an extension to Tring cemetery and associated public open space; and • the lack of any infrastructure capacity issues that require site delivery to be delayed until later in the plan period. The remaining Local Allocations (i.e. LA1-LA4 and LA6) are included in Part 2 of the Schedule of Housing Proposals and Sites and will bring forward completed homes from 2021 onwards. There have been no significant changes in circumstances since the adoption of the Core Strategy and in consulting on the Site Allocations DPD, to justify bringing forward these allocations sooner. Policy CS3 provides sufficient flexibility for this to happen, if required. No detailed phasing of individual sites is

	warranted as they vary significantly in size, character, and location, and these factors will naturally regulate their release over time. However, there will need to be a lead in period in order to allow practical delivery from 2021. In practice, this will mean that applications will be received and determined in advance of 2021 and that site construction and works may actually take place ahead of the specified release date to enable occupation of new homes by 2021. This approach is considered to remain appropriate and will ensure that the Council can continue to demonstrate a 5 year housing land supply as required by the NPPF. This approach is consistent with the wording of paragraph 6.28 of the Core Strategy.
Concerns regarding adequacy of previous public consultation regarding allocation of Local Allocations	No change. This was a matter for consideration by the Core Strategy Planning Inspector. The Core Strategy Inspector's Report was issued in July 2013 and stated that, subject to some modifications, the Core Strategy was 'sound'. An Inspector can only reach this conclusion if they are satisfied that the Council has fulfilled certain tests. The Core Strategy must be prepared in accordance with the "duty to co-operate", legal and procedural requirements, and whether it is sound. Soundness is determined with reference to the tests set out in paragraph 182 of the National Planning Policy Framework – i.e. the Core Strategy must be positively prepared, justified, effective and consistent with national policy. The Inspector was satisfied in all respects. In his report referring to public consultation, he concludes: *"…the requirements of the Statement of Community Involvement (SCI) have been met and the level and nature of the consultation undertaken was appropriate."* The Statement of Community Involvement (SCI) is the Council's statement of policy on public consultation for planning document (and planning applications). It was subject to independent scrutiny by a Planning Inspector before it was adopted in June 2006. The Council has gone beyond the requirements of this SCI, and of consultation requirements set out within Government planning regulation in preparing the Core Strategy and hence establishing the principle of this site. It has

	also complied with the SCI in preparation of the Site Allocations document and associated master plans. A full summary of the consultation undertaken by the Council on both the Core Strategy and the current Site Allocations document are contained in the relevant Reports of Consultation and Report of Representations. All of these documents are published on the Council's website and their content has been reported to Members at the appropriate time. It should be noted that the Council intends to review and update its SCI prior to beginning consultation on its new single Local Plan.
Concerns regarding adequacy of current consultation with regard to the Local Allocations	No change. The recent consultation related to the Pre-Submission stage of the Site Allocations DPD (also referred to as the 'Submission' stage). The consultation requirements for this stage are set out in the Statement of Community Involvement. The Statement of Community Involvement is the Council's statement of policy on public consultation for planning policy documents (and planning applications). It was subject to independent scrutiny by a Planning Inspector before it was adopted in June 2006. The Council has gone beyond the requirements of this SCI, and of consultation requirements set out within Government planning regulations, in seeking feedback on the Pre-Submission Site Allocations document (and associated draft masterplans). In addition to the consultation mechanisms listed within the SCI (letters to those on our consultation database, press notices, website etc.), a series of public exhibitions were also held to provide an opportunity for residents to ask Officers' and Members' questions about the documents and the sites and proposals they contain. These exhibitions were held mid-way through the 6 week consultation period (which began on 24 September and ended on 5 November). These consultation arrangements

	were agreed by Cabinet Members in June 2014 and ratified by Full Council in July 2014.
Concerns re loss of Green Belt	No change. The principle of removing land from the Green Belt (via the Local Allocations sites) was tested and established through the Core Strategy. The role of the Site Allocations is to take forward this approach and to make the actual changes to the Green Belt boundaries that will enable this development to go ahead. When drawing up the Core Strategy the Council had to ensure that it reflected guidance on the Green Belt and other matters set out in the National Planning Policy Framework (NPPF). This was tested as part of the Examination process and the plan found 'sound.' It is important to note that the NPPF specifically allows for new Green Belt boundaries to be established when Council's review their strategic plan (i.e. the Core Strategy) (para. 83) through the plan-making process. It recognises that it is sensible for Councils to assess the long term changes planned in their area over the lifetime of their plans and how this might affect the permanency of the Green Belt. This is exactly what the Council has done through the Core Strategy and continues to do through its Site Allocations document. The Local Allocations identified within the Core Strategy remain the only housing sites identified for release from the Green Belt.
Brownfield land, office to residential conversions and previously developed land should be used before releasing Green Belt sites for housing	No change. Before the Council considered the allocation of Green Belt land for housing, it needed to ensure it was making the best use possible of 'brownfield' sites (and greenfield sites that are not in the Green Belt). This included making informed assumptions about the levels and broad locations of brownfield land that it expects to come forward for development over the period which the Core Strategy covers (i.e. up to 2031). The starting point for this was the Strategic Housing Land Availability Assessment (SHLAA) and the information within this document has then been

	updated each year as part of the Council's annual monitoring report (AMR). Other potential sources were also assessed and monitored as part of this process. These documents are available on the Council's website and formed part of the evidence presented to the Core Strategy Examination (see above). The Inspector who presided over the Examination into our Core Strategy considered the assumptions we have made about brownfield sites and how much housing they will deliver as part of the Examination process. He was satisfied that maximum use was being made of brownfield land and that in order to meet the Borough's future housing need some release of Green Belt land for housing would be required. He was also satisfied that the Council had achieved an appropriate balance between the amount of new housing land proposed and the amount of land set aside for other uses, such as employment and retail. There are two critical factors to consider when assessing housing supply. Firstly, assumptions regarding supply should be *robust* and also acknowledge that the housing target should be considered as a minimum. If other sources of housing supply come forward over the plan period, then this helps provide a buffer and adds to the robustness of the housing programme (as required by paragraph 47 of the NPPF). Secondly, additional sources of supply such as changes of use through changes to permitted development rules add *flexibility* to the housing programme and add a further safeguard to ensure the target is delivered. In preparing the Site Allocations document the Council has looked carefully again at the full range of housing sources including allocations, planning commitments and other potential sites, and assumptions on small windfalls. In preparing the housing programme, it has considered the extent housing from employment land could realistically contribute to the housing supply. The Council would acknowledge that there have been recent changes to the permitted development regime and other changes to national policy/guidance that potentially allow for more housing land to come forward in the future. However, their contribution is difficult to predict and thus

	quantify. For example, it is too early yet to understand the likely contribution from the conversion of offices to housing. National guidance generally seeks to limit the role of windfalls in assessing future supply in favour of identified sites or locations. Not all windfall sites are necessarily available for a variety of reasons and should only be included if there is a reasonable prospect of them being delivered. They would in any event be identified through regular monitoring processes, particularly in monitoring planning commitments. It may be possible in the future to better identify and test their contribution through the full update of the Council's Strategic Housing Land Availability Assessment (SHLAA). Office to residential conversions and other forms of windfall would not remove the need for the Local Allocations, which make a significant contribution (1,595 homes in total) to the housing programme. Local Allocations have an important strategic and local role that windfalls cannot readily fulfil (see para. 14.22 of the Core Strategy). They also provide greater certainty in the housing supply, particularly in the future where it is difficult to predict and identify windfalls and where opportunities in the urban areas are likely to decline. The Core Strategy Inspector's Report concluded that the Council was not planning to meet the Borough's full objectively assessed need for housing. However, he concluded that, subject to the recommended modifications, the Council's overall approach to housing provision was sound. The modifications (which were accepted by the Council) included a commitment to an early partial review of the Core Strategy, which will identify the full objectively assessed needs for market and affordable housing and assess whether or not those needs can be met. Given the above points, the Council considers that the Local Allocations remain an essential part of the housing programme and must be retained.

Promotion of alternative site(s) seen as preferable to Local Allocations	No change. The potential role that other sites could play in meeting Dacorum's housing needs was considered as part of the Core Strategy Examination. This included brownfield sites and other greenfield and Green Belt sites. The Inspector supported the choice of Local Allocations proposed by the Council. It is therefore appropriate that it is these sites that are progressed through the Site Allocations process. There have been no significant changes in circumstances since adoption of the Core Strategy and in consulting on the Site Allocations DPD to justify allocating additional or alternative sites. This can more appropriately be considered in preparing the new single Local Plan and considered then against the identified objectively assessed need (OAN). See response to new Green Belt housing sites. In terms of the Green Belt and Local Allocations, the Core Strategy also clearly states that *"The Council's own review of the Green Belt boundary has identified some locations where releases of land will be necessary to meet specific development needs. No further change will be necessary in the Site Allocations DPD, other than to define these locations precisely and correct any minor anomalies that may still exist."*
Conflict with NPPF / Government policy and recent ministerial statements on Green Belt	No change. The Council acknowledges that Government guidance (as contained in the NPPF) attaches great weight to the protection of the Green Belt against inappropriate development. This approach has not changed through the recent Ministerial Statement (4 October 2014) or the recent wording changes to the Planning Practice Guidance (PPG) that accompanied this statement. The Green Belt has always been a constraint that we have taken into account when deciding how far we can meet the area's objectively assessed need. It is important to note that the NPPF specifically allows for new Green Belt boundaries to be established when Councils review their strategic plan (i.e. the Core Strategy) (para. 83) through the plan-making process. It recognises that it is sensible for Councils to assess the long term changes planned in their area over the lifetime of their plans and how this might affect the permanency of the Green Belt. This is exactly what the Council has done through the Core Strategy. A key role of the Site Allocations DPD is to take forward the strategic

	policies and targets relating to housing within the Core Strategy and ensure that these are delivered on the ground. It is the role of the early partial review (in the form of a new single Local Plan) to look again at longer term needs and take account of a whole range of Government policies and guidance, including those relating to housing and the Green Belt. Equally, the NPPF places considerable emphasis on Councils meeting their development needs (para. 14), and in particular to "*significantly boost the housing supply"* (para. 47). In considering these points, Councils are expected to meet their *"objectively assessed needs"* for housing as far as possible (para. 47) having regards to a range of factors set out in the NPPF, including the Green Belt. The Council considers that the changes to the PPG are particularly aimed at the growing number of speculative housing development proposals submitted by developers through the decision-making (planning application) rather than the plan-making process. The changes do not affect how we implement plans that are already adopted, such as our Core Strategy and associated proposals that it contains. Therefore, the Council considers that nothing has fundamentally changed in terms of Green Belt policy from when the Core Strategy was considered and adopted and what the situation is now to warrant changes to how the Council progresses the Site Allocations DPD.
Dwelling capacities of Local Allocations	No change. An estimate of site capacities for the Local Allocations was established through the Core Strategy. These estimates were based on prevailing densities and the area of the site, and tempered by local infrastructure considerations. It is appropriate to make effective use of land if it is to be released from the Green Belt in order to minimise the scale of releases required. Following more detailed technical work carried out as part of preparing draft masterplans, some site capacities have been adjusted to reflect the availability of further information about the amount of land available for development and/or the expected configuration of uses within a

	site. Overall this does marginally increase the level of housing supply proposed across the Local Allocations as opposed to the levels indicated in the Core Strategy. It is important to note that this work has indicated that the capacity of one site (LA4) should be reduced. None of the issues raised through the Pre-Submission Site Allocations or draft masterplan consultation indicate that the current capacity figures should be amended. The final capacity of all Local Allocations will be tested via the planning application process. This application process will include further public and stakeholder consultation.
Concerns re infrastructure capacity (general)	No change. As part of preparing its plan for the scale and location of new development in the Borough, the Council has prepared an Infrastructure Delivery Plan (InDP). The InDP provides information on a range of infrastructure issues including school capacities, highway issues and planned improvements, water and sewerage capacities and GP services. It looks at current capacities, what will be required to meet the demand generated by new residents and how any shortfalls in provision can be addressed. Whilst prepared by the Borough Council, the InDP is prepared in consultation with, and using information and advice provided by, a wide range of infrastructure providers. Information regarding doctors' surgeries was provided by the Clinical Commissioning Group. The InDP is updated regularly (usually on an annual basis). The current (2015) update has been timed to take account of concerns regarding infrastructure issues raised through the Site Allocations Pre-Submission consultation and provide an opportunity to discuss these further with providers. This revised version of the InDP will accompany the Submission version of the Site Allocations DPD. This update will ensure key infrastructure concerns are raised with providers and any necessary amendments made to the DPD and accompanying Local Allocation master plans to ensure these are properly addressed. Specific issues raised relating to individual sites are addressed under the relevant

	Local Allocation.
Concern about capacity of schools in Tring – particularly that there is inadequate capacity in local schools and no information on how 'latent capacity' will meet future demand for places (the evidence base and Infrastructure Delivery Plan) are out-of-date.	Minor change required to clarify the position regarding potential additional education provision in Tring. At the request of the Council, Officers in the Children's Schools and Families Unit at Hertfordshire County Council have provided updated information regarding schooling issues in Tring. For primary schools this information shows a predicted surplus of 27 places for 2015/16, 52 for 2016/17 and 44 for 2017/18. This is out of a total reception place capacity of 200 spaces across the town. (The County Council do not model primary school capacities beyond a 4 year period). The updated information from the County Council also shows that primary schools in Tring have sufficient latent capacity to provide for housing growth to 2031. This conclusion reflects the scope to expand Dundale Primary School from 1.3 to 2 forms of entry and expand The Grove Primary School from 2 to 3 forms of entry. In terms of secondary school capacity, there is predicted to be a small deficit of places in the period 2017/18-2021/22 of between 1 and 15 places. Before and after this period there is expected to be a small surplus. The County Council are happy that the Core Strategy refers to the potential for the secondary school to expand on its existing site, and the provision of detached playing fields to enable this expansion. For clarity, the following changes are proposed to the Site Allocations DPD: • Add text to section 7 to explain that the forecast needs for school places in Tring can be met by expanding Tring Secondary School (including the

	provision of detached playing fields) and expanding Dundale and The Grove Primary Schools. • Include the proposed detached playing fields for Tring Secondary School in the Schedule of Leisure Proposals and Sites in section 7 of the Site Allocations Written Statement • Include the location of these detached playing fields on the Policies Map. This was requested by Hertfordshire County Council through their representations (see response to issues relating to Chapter 7 of the Site Allocations). • Add text to the Tring Place Strategy (chapter 13 in the Written Statement) to reflect the above.
Concerns regarding waste water and sewerage capacity • Thames Water comment re 'no objection but concerns about capacity' – • EA initial representations were of support, late representations changed this to object	Minor change required to add reference to specific housing proposals regarding the need for early liaison required with Thames Water to develop necessary Drainage Strategy to identify any infrastructure upgrades required in order to ensure that sufficient sewerage and sewerage treatment capacity is available to support the timely delivery of the sites. A series of meetings have been held to discuss issues regarding waste water and sewerage issues with Thames Water (together with the Environment Agency) in early 2015. With regard to the Local Allocations, it is noted that Thames Water did not raise any objections through the Core Strategy and have not highlighted any significant issues when consulted on the Council's Infrastructure Delivery Plan (InDP). They have also not requested any specific amendments to the text of the Site Allocations document with regard to the Local Allocations. However, the Council is aware that Thames Water is often requiring technical work to be carried out by developers at the planning application stage for larger sites or those located in areas of existing sewerage / waste water constraint. For the

	development proposed within the Site Allocations DPD (and specifically the six Local Allocations in addition to those listed below), Thames Water will require the developers to complete a Drainage Strategy to inform any planning application. This is to ensure they are satisfied that the local waste / foul water network has the capacity to deal with the additional demands. In the light of this experience, the landowners / developers of the Local Allocations have been advised to liaise with Thames Water at an early stage when drawing up their detailed schemes. The delivery and phasing section of each of the Local Allocation policies explicitly refers to *'Early liaison with Thames Water required to ensure sufficient sewerage and sewerage treatment capacity is available to support delivery of the site.'* This requirement is reiterated within the associated masterplans. If any more specific upgrade requirements are identified through future updates to the InDP, or the associated county-wide work that is underway to consider waste water issues, these will be reflected in the text of the masterplans and/or passed through to developers at the pre-application stage. With regard to the other proposed housing sites contained within the housing schedule of the Site Allocations DPD that Thames Water have specifically commented on, it is considered appropriate to add a short reference to the planning requirements to refer to the need for liaison with Thames Water and preparation of technical work (i.e. Drainage Strategy) to assess capacity issues. These sites are: <u>Housing Allocations:</u> • H/2 National Grid, 339-353 London Road, Hemel Hempstead; • H/3 Westwick Farm, Pancake Lane, Hemel Hempstead; • H/4 Ebberns Road, Hemel Hempstead; • H/5 Hewden Hire Site, Two Waters Road, Hemel Hempstead; • H/6 39-41 Marlowes, Hemel Hempstead; *(Note: site proposed for deletion)* • H/8 Turners Hill, Hemel Hempstead;

	• H/9 233 London Road, Apsley, Hemel Hempstead; • H/10 Apsley Paper Trail, Apsley, Hemel Hempstead; • H/11 The Point, Two Waters Road, Hemel Hempstead; • H/12 St Margarets Way/Datchworth Turn, Hemel Hempstead; • H/14 Frogmore Road, Hemel Hempstead; • H/17 Corner of High Street/Swing Gate Lane, Berkhamsted. <u>Mixed Use Allocations:</u> • MU/1 West Herts College site, Hemel Hempstead; • MU/2 Hemel Hempstead Hospital; • MU/3 Paradise/Wood Lane, Hemel Hempstead; • MU/4 Hemel Hempstead Station Gateway; • MU/6 Durrants Lane/Shootersway, Berkhamsted. A short Advice Note entitled 'Planning Requirements for Waste Water Infrastructure Issues in Dacorum' has also been prepared and placed on the Council's website. This advises developers of the requirement for the above sites, sets out what a Drainage Strategy should cover and provides contact details should further advice be required from Thames Water. Where necessary the Council will impose Grampian Conditions to ensure sewerage and waste water issues are appropriately addressed prior to occupation of any permitted development. The Council are however aware of the need to update the Water Cycle Study published in 2010 which identifies areas of development constraint within the Borough – particularly in Hemel Hempstead. In light of this, and with the comprehension that water infrastructure pays no regard to administrative boundaries and thus water catchment areas cover a geographical area much wider area than

	Dacorum, the Council are currently party to a county-wide study being completed by Hertfordshire County Council. This study will holistically review the water environment (supply and waste water treatment), assess waste water infrastructure issues against planned growth (Phase 1), and, based on various growth scenarios, explore infrastructure options and solutions for any deficits identified (Phase 2). Phase 2 is not likely to be commenced until 2016/17 following completion of Phase 1. Therefore, mindful of the above-mentioned timescales and requirement for a 5-year housing land supply which will be delivered through the proposed Site Allocations and Local Allocations as agreed through adoption of the Core Strategy (in September2013), the Council propose to prepare and agree a tripartite Statement of Common Ground with Thames Water and the Environment Agency. This Statement will outline what assessments (and therefore infrastructure upgrades) are necessary to deliver proposed developments and commit the Council to assisting Hertfordshire County Council in completing the above-mentioned county-wide study. The latter will subsequently inform the Council's new Local Plan following completion of associated technical work to assess projected growth within the Borough.
Surface water drainage and flood risk – impact of development on Local Allocations and adjoining land	Minor changes required. The issue of sustainable drainage and the need to incorporate appropriate mechanisms within the design and layout of the Local Allocations is already highlighted within the Delivery and Phasing section of each relevant policy. However, since publishing the Pre-Submission version of the Site Allocations document the Government has confirmed a change in approach to how development schemes will be assessed. Rather than a dual system when the local planning authority consider the planning application and the SuDS Approval Body (SAB), SuDs (Sustainable Urban Drainage Systems) issues will now be dealt with through conditions on planning applications, following liaison between the LPA and SAB. The Council has prepared a short guidance note to explain how the new system will be operated. The text of Policies LA1-LA6 should be amended to reflect

	this change in procedure. Similar amendments will also be required to each of the Local Allocations masterplans.
Concerns over road capacity	No change. Both the local highway authority (Hertfordshire County Council) and the Highways Agency (now called Highways England, who are responsible for the motorway and trunk road network) have been consulted throughout preparation of the Core Strategy and Site Allocations DPDs. No concerns regarding the ability of the overall road network to cope with the scale of new development proposed have been raised by either party, although it is acknowledged by the Council that some local highways improvements and mitigation measures will be required relating to specific site proposals. For Hemel Hempstead the consideration of highway issues has reflected outputs from the Hemel Hempstead Transport Model (Paramics model). This model is managed by specialist transport consultants on behalf of Hertfordshire County Council. A number of model runs have been undertaken throughout the preparation of the Core Strategy and Site Allocations DPDs to ensure that the most up-to-date information regarding the scale and location of new development within the town is reflected. These are as follows: 1. 2008 base model (May 2009). 2. 'Do minimum' models for 2021 and 2031- accompanied by a Future Years Issues Report (May 2009). 3. LDF Option Test Western Hemel (August 2010). 4. Combined Local Plan Test (July 2012). 5. Morrisons Development Test (Summer 2013). In addition to the above a further model run was carried out in Spring 2015 to ensure

	that there had been no material change in circumstances since 2013 and help inform decisions regarding any changes that may need to be made to the Site Allocations DPD (and associated Local Allocation master plans) to take account of concerns raised through representations. The Highway Authority have advised that the 2015 model outputs indicate that there has been no material change in highway conditions since the Site Allocation Pre-Submission document was prepared and that there are no issues highlighted that cannot be ameliorated through appropriate mitigation. In addition to transport modelling, specific traffic studies have been prepared for Local Allocations LA1 and LA3. These have taken account of the Transport Model and the agreed with the Highway Authority. Any necessary highway improvements are referred to in the relevant Local Allocations policies of the Site Allocations document, and elaborated in the site master plans. The Highway Authority has confirmed through their representations that they support the content of all. For parts of the Borough not covered by the Paramics Model, the Council has taken advice from the Highway Authority regarding highway issues. This advice is reflected in the planning requirements for individual sites and in the Schedule of Transport Proposals. Site LA5 currently has a Transport Scoping Report which has also been agreed with HCC. For all development sites, detailed highway issues will be considered as part of the planning application process, for which the Highway Authority are statutory consultees. Where appropriate this will include provision of a Transport Assessment. Appropriate highway improvements and mitigation measures will be secured through developer contributions and agreements.

	Officers met with a representative from Highways England to discuss their comments in May 2015. Highways England have subsequently confirmed by email that their comments should not be treated as an objection to either the overall level of development planned for the Borough, or to any specific site(s). Rather, they required some further clarification regarding the work that had been carried out, and future work planned, to consider the impact of current and future development on the strategic road network. This information has been included in an update to the September 2014 version of the Sustainable Development Strategy Background Issues Paper. Highways England are also aware (and involved with) the development of a new county-wide transport model that will be used to test the impact of future growth scenarios emerging form the early partial review (new Local Plan) process.
Loss of Hemel Hempstead Hospital	No change. The decision to downgrade Hemel Hempstead hospital was taken by the West Herts Hospital Trust a number of years ago. It is not a matter over which the Council has any control. What the Council has tried to ensure through the Core Strategy, Site Allocations DPD and work on its Infrastructure Delivery Plan (InDP) and Community Infrastructure Levy (CIL), is that appropriate health infrastructure is planned for within the Borough. This includes the requirement for improved GP provision as a result of development at west Hemel Hempstead (LA3), requirements for site MU/2 regarding the Hospital Zone in Hemel Hempstead Town centre, and the content of the Council's Regulation 123 list.
The appropriateness of the Council's approach towards meeting Gypsy and Traveller needs	No change. The original technical work was prepared on a South West Hertfordshire basis by consultants Scott Wilson and included a large number of sites that were coded red, amber, green - depending on the consultant's view of their suitability. All were in the Green Belt or Rural Area as no suitable urban sites were found. Many site suggestions were some distance from settlements, services and facilities and

	would not comply with Government guidance (or our own Core Strategy policy). In addition the emphasis was on identifying suitable locations. Landownership was not considered in the study, and therefore it was not clear how many sites in reality had reasonable prospects of actually being delivered. The full Scott Wilson Report is on the Council's website: http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/evidence-base/gypsies-travellers-study-potential-sites-(stage-2) Feedback on these potential sites was sought as part of Site Allocations consultation in 2008. Following analysis of these consultation responses, a report was considered by Members regarding how and where provision should be made within the Borough. This resulted in the current policy approach of seeking to integrate sites with new 'bricks and mortar' housing. The relevant Cabinet Report is available online: http://www.dacorum.gov.uk/docs/default-source/strategic-planning/cabinet-reportofconsultation-g-t-2008.pdf?sfvrsn=0 A brief summary of the process the Council has been through with regards to considering and assessing potential Gypsy and Traveller sites is set out in the Issues Paper the Council prepared for the Core Strategy Examination: http://www.dacorum.gov.uk/docs/default-source/planning-development/issue-7-hearing-statement---dacorum-borough-council.pdf?Status=Master&sfvrsn=0. This clearly explained to the Inspector the Council's proposed approach of setting strategic policies (plus a monitoring target for new pitch provision) through the Core Strategy and identifying precise pitch locations and requirements on the three largest Local Allocations (LA1, LA3 and LA5) through the Site Allocations. The specialist consultants who prepared the Council's latest Traveller needs Assessment (ORS) stated that the incorporation of new sites within new urban extensions was emerging as a 'good practice' approach. The potential to extend the two existing Gypsy sites within the Borough has been

	considered and discussed with the Gypsy and Traveller Units at Hertfordshire County Council, who own and manage both sites. They have advised that the Three Cherry Trees Lane site is already larger than the ideal site size and should not be extended. The Long Marston site is not ideally located in terms of access to services and facilities and is already considered to be of the maximum size suitable for its rural location on the edge of a village. The potential for expansion is severely limited due to land ownership (with an area of land that may have been appropriate for expansion being bought by a local farmer with the express intent of preventing this from occurring). There is also a written undertaking between the County Council and local Parish Council that there will be no further site expansion. Whilst this is not legally binding, it is a further constraint to expansion. Officers have subsequently written to the owner of land adjacent to the Long Marston site, who has confirmed that they would not support the use of their land for any future expansion of the site. Other sites suggested through the Pre-Submission consultation and also submitted as having development potential through the 'call for sites' process' have also been considered and discounted as realistic or appropriate options. A fuller explanation is set out in the Homes and Community Services Background Issues Paper. The text of the September 2014 version of this document has been updated to elaborate on the explanation previously given, as a result of representations received. New sites suggested have also been appraised. The Council has also approached the owners of land adjacent to the Long Marston site (currently owned and managed by the County Council), to explore the potential for further expansion of this site.