



## AGENDA ITEM: 9

### SUMMARY

<b>Report for:</b>	<b>Cabinet</b>
<b>Date of meeting:</b>	<b>15 December 2015</b>
<b>PART:</b>	<b>1</b>
If Part II, reason:	

<b>Title of report:</b>	<b>Consideration of Responses to Pre-Submission Focused Changes and Submission of Site Allocations Development Plan Document (DPD)</b>
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: <ol style="list-style-type: none"> <li>1. Consider the significant new issues raised through representations on the Focused Changes to the Pre-Submission Site Allocations DPD; and</li> <li>2. Agree the process for submitting the Site Allocations DPD to the Planning Inspectorate.</li> </ol>
Recommendations:	<ol style="list-style-type: none"> <li>1. To note the issues arising from representations received to the Focused Changes to the Pre-Submission Site Allocations Development Plan Document (DPD) and the impact of new advice.</li> <li>2. To recommend to Council that:             <ol style="list-style-type: none"> <li>a) the changes set out in Table 4 of the Report of Representations are made to the Pre-Submission Site Allocations DPD as a result of representations received; and</li> <li>b) the Site Allocations DPD incorporating Focused Change, together with other appropriate supporting documents is submitted to the Planning Inspectorate.</li> </ol> </li> <li>3. To delegate authority to the Portfolio Holder for Planning and Regeneration to approve any further minor wording changes to the Site Allocations document prior to consideration by Full Council.</li> </ol>

	<p>4. To delegate authority to the Assistant Director (Planning, Development and Regeneration) to:</p> <p>(a) Finalise the Report of Representations and other Submission documents; and</p> <p>(b) Agree any further minor changes arising during the course of the Examination.</p>
<p>Corporate objectives:</p>	<p>The Site Allocations forms part of the Council's Local Planning Framework, which as a whole helps support all 5 corporate objectives:</p> <ul style="list-style-type: none"> <li>• <i>Safe and clean environment:</i> e.g. contains policies relating to the design and layout of new development that promote security and safe access;</li> <li>• <i>Community Capacity:</i> e.g. provide a framework for communities to prepare area-specific guidance such as Neighbourhood Plans, Town / Village Plans etc;</li> <li>• <i>Affordable housing:</i> e.g. sets the Borough's overall housing target and the proportion of new homes that must be affordable;</li> <li>• <i>Dacorum delivers:</i> e.g. provides a clear framework upon which planning decisions can be made; and</li> </ul> <p><i>Regeneration:</i> e.g. sets the planning framework for key regeneration projects, such as Hemel Hempstead town centre and the Maylands Business Park.</p>
<p>Implications:</p>	<p><u>Financial</u> Budget provision for the next stages of the statutory process i.e. Submission and Examination are made in the 2015/16 and 2016/17 LDF budget.</p> <p>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).</p> <p><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.</p> <p><u>Legal</u> Jameson and Hill 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.</p>

	<p><u>Staff</u> It is critical that the Strategic Planning and Regeneration team is 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.</p> <p><u>Land</u> 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).</p>
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:	<p><u>Monitoring Officer</u></p> <p>No comments to add to the report.</p> <p><u>Deputy Section 151 Officer</u> There are no direct financial implications of this report. The staffing costs will be contained within existing staffing budgets.</p>
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

	<p>published.</p> <p>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.</p> <p>In terms of internal processes, a Task and Finish Group advised on the preparation of the Site Allocations DPD, 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 apprised of progress.</p> <p>SPEOSC also considered a progress report, which highlighted key emerging issues, on 27 January 2015 (see below).</p>
<p>Background papers:</p>	<ul style="list-style-type: none"> <li>• Statement of Community Involvement (June 2006)</li> <li>• Local Development Scheme (February 2014)</li> <li>• Dacorum Borough Local Plan 1991-2011 (adopted April 2014)</li> <li>• National Planning Policy Framework (March 2012)</li> <li>• Planning Practice Guidance (March 2014 and updated regularly online)</li> <li>• Planning Policy for Travellers Sites, July 2015.</li> <li>• Mrs Jean Timmins and A W Lymn Limited vs Gedling Borough Council and Westerleigh Group Limited High Court Judgement (March 2014)</li> <li>• Town and Country Planning (Local Planning) (England) Regulations 2012</li> <li>• Core Strategy (adopted September 2013)</li> <li>• Report of Consultation – Site Allocations Issues and Options (2006)</li> <li>• Report of Consultation – Site Allocations Supplementary Issues and Options (2008)</li> <li>• Report of Consultation – Site Allocations (2014)</li> <li>• Report of Representations – Pre-Submission Site Allocations (July 2015)</li> <li>• Consultation Reports relating to the Core Strategy (Volumes 1-7) (as dated)</li> <li>• Schedule of Site Appraisals (2006, 2008 and 2014)</li> <li>• Sustainability Working Notes for Schedules of Site Appraisals (2006, 2008 and 2014)</li> <li>• Sustainability Appraisal for Pre-Submission Site Allocations DPD (September 2014)</li> <li>• Addendum to Sustainability Appraisal (July 2015)</li> <li>• Habitats Regulations Assessment – Summary Report (September 2011)</li> <li>• Copies of all representations made (available on online)</li> </ul>

	<p>consultation system via <a href="http://consult.dacorum.gov.uk/portal">http://consult.dacorum.gov.uk/portal</a></p> <ul style="list-style-type: none"> <li>• Duty to Co-operate Statement – Update (2014)</li> <li>• Infrastructure Delivery Plan (2015 update)</li> <li>• SPEOSC Report (January 2015)</li> <li>• Cabinet Report on Site Allocations Pre-Submission (July 2015)</li> <li>• Workshop Reports for Local Allocations LA1, LA3 and LA5 (July 2013).</li> <li>• Notes from Stakeholder meetings for Local Allocations LA2, LA4 and LA6 (May 2013).</li> <li>• Report on the Consultation event held in July 2013: ‘Shaping the Masterplan’ for Proposal Local Allocation LA3: West Hemel Hempstead (January 2014)</li> <li>• Draft Background Issues Papers (updated to July 2015) on: <ul style="list-style-type: none"> <li>- The Sustainable Development Strategy</li> <li>- Strengthening Economic Prosperity</li> <li>- Providing Homes and Community Services</li> <li>- Looking After the Environment</li> </ul> </li> </ul> <p>All technical studies relating to the Local Planning Framework are available from the online Core Strategy examination library at <a href="http://www.dacorum.gov.uk/corestrategyexamination">www.dacorum.gov.uk/corestrategyexamination</a>.</p>																										
<p>Glossary of acronyms and any other abbreviations used in this report:</p>	<table border="0"> <tr> <td>DPD</td> <td>Development Plan Document</td> </tr> <tr> <td>SCI</td> <td>Statement of Community Involvement</td> </tr> <tr> <td>LDS</td> <td>Local Development Scheme</td> </tr> <tr> <td>NPPF</td> <td>National Planning Policy Framework</td> </tr> <tr> <td>NPPG</td> <td>National Planning Practice Guidance</td> </tr> <tr> <td>InDP</td> <td>Infrastructure Delivery Plan</td> </tr> <tr> <td>SPD</td> <td>Supplementary Planning Document</td> </tr> <tr> <td>SPG</td> <td>Supplementary Planning Guidance</td> </tr> <tr> <td>LPF</td> <td>Local Planning Framework (also referred to as Local Development Framework)</td> </tr> <tr> <td>CIL</td> <td>Community Infrastructure Levy</td> </tr> <tr> <td>GEA</td> <td>General Employment Area</td> </tr> <tr> <td>GTAA</td> <td>Gypsy and Traveller Accommodation Assessment</td> </tr> <tr> <td>PPTS</td> <td>Planning Policy for Travellers Sites</td> </tr> </table>	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	GTAA	Gypsy and Traveller Accommodation Assessment	PPTS	Planning Policy for Travellers Sites
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## BACKGROUND

### Introduction:

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 will either be covered in a separate East Hemel Hempstead Area Action Plan (AAP), or through the new single Local Plan.
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.
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.
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).

### Consultation:

5. 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 public consultation on the Pre-Submission version of the Site Allocations document ran from September to November 2014 for a period of six weeks. The feedback results of this consultation and the Council's response to this is set out in a Report of Representations. This was agreed by Cabinet in July 2015. Consultation on draft master plans for the six Local Allocation sites was carried out in parallel with the Site Allocations and reported to cabinet in November 2015.
6. 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.

7. As a result of feedback received to the Pre-Submission Site Allocations document, a series of 'Focused Changes' were proposed to the Site Allocations document. These comprised the following:

<b>MC</b>	Minor Change	Changes of a minor nature that are required to reflect amendments referred to in Table 3 of the Pre-Submission Report of Representations, or as a consequential change from changes referred to in Table 3. Some minor changes follow significant changes arising from the representations.
<b>SC</b>	Significant change	Changes of a more significant nature that are required to reflect amendments referred to in Table 3 of the Pre-Submission Report of Representations, 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.

8. The Significant Changes are summarised as follows (listed by settlement):

<b>SC reference(s)</b>	<b>Summary of Change</b>	<b>Reason</b>
<b>Hemel Hempstead</b>		
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.
<b>Tring</b>		
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	Changes required as a result of SC1 above
SC8	Changes to LA5 indicative layout	
SC11	Amended L/3 LA5 leisure space	
<b>Kings Langley</b>		
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.
<b>Other</b>		
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.

9. Some editorial changes were also set out, but as these are factual in nature, they did not form part of the consultation and so have not been brought back before Members.
10. The approach to the Focused Changes consultation was agreed at Cabinet in July 2015. 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. The consultation ran for the statutory 6 week period – from 12 August to 23 September 2015.
11. In addition to the required press notice in local newspapers, there was also an article in the Autumn 2015 edition of Dacorum Digest which is delivered to all households in the Borough. A press release was also issued.
12. 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.

**Changes in Government advice:**



Planning Policy for Travellers:

13. The only change in Government guidance of relevance to the Site Allocations process since Cabinet agreed the Focused Changes to the Pre-Submission Site Allocations for consultation relates to advice on Gypsies and Travellers.
14. The Government issued its revised 'Planning Policy for Traveller Sites' (PPTS) on 31 August 2015: <https://www.gov.uk/government/news/new-rules-will-offer-stronger-protection-against-unauthorised-occupation>.
15. With regard to requirements for the Council's plan-making activities, the majority of the text remains the same as for the previous 2012 document. It is important to note that the Council's obligations regarding making appropriate provision for Gypsies and Travellers have not changed:
  - Paragraph 9: local planning authorities should set pitch targets for gypsies and travellers which address the likely need for such accommodation.
  - Paragraph 10: Local planning authorities should, in producing their Local Plan, identify sites to meet their locally set targets.
  - Paragraph 17: Green Belt boundaries should be altered only in exceptional circumstances. If a local planning authority wishes to make an exceptional, limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan making process and not in response to a planning application. If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a traveller site only.
  - The requirement to be able to demonstrate a 5 year supply of deliverable sites.
16. The changes relate to two main areas:
  1. **The treatment of speculative application for sites within the Green Belt** - with a strengthening of powers to refuse such applications, plus the inclusion of a new sentence in paragraph 27 to indicate that a lack of pitches for Gypsies and Travellers is not a reason to grant planning permission for sites in the Green Belt and other protected areas. This requirement is in the section relating to determining applications (i.e. Development Management decisions), not the section on plan-making; and
  2. **The definition of Gypsies and Travellers** - the definition of 'Gypsies and Travellers' in Annex 1 has changed. The words 'or permanently' have been deleted from the end of the definition in paragraph 1 in the annex, whilst paragraph 2 in the annex is new. The new definition is as follows:

## Annex 1: Glossary

1. For the purposes of this planning policy “gypsies and travellers” means:

*Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

2. In determining whether persons are “gypsies and travellers” for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:
- a) whether they previously led a nomadic habit of life
  - b) the reasons for ceasing their nomadic habit of life
  - c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

17. The approach in the Site Allocations DPD is to allocate three small new sites within the three largest Local Allocations:

Site	Number of pitches
LA1: Marchmont Farm, Hemel Hempstead	5
LA3: West Hemel Hempstead	7
LA5: Icknield Way, west of Tring	5
<i>Total</i>	<i>17</i>

*\* A pitch is the space occupied by one family or household: it may accommodate one or more caravans.*

18. The sites at LA1 and LA3 were already proposed to be part of the area removed from the Green Belt within the Pre-Submission Site Allocations DPD. The site at LA5 is proposed to be taken out of the Green Belt via Significant Change SC1 (and associated Minor Changes). This approach accords with Policy CS22: New Accommodation for Gypsies and Travellers of the adopted Core Strategy and the pitch target (which is expressed as a minimum figure) set out within it.
19. Officers have taken both internal and external legal advice (from Rob Jameson at Attwaters Jameson Hill) regarding whether the publication of the new PPTS requires the Council to make any changes to this current approach. This legal advice concludes that the only legally sound way forward for the Council is to continue with its current approach. This is due to a range of reasons summarised below:
- a) The role of the Site Allocations DPD is to allocate sites in accordance with the targets and policies set out in the adopted Core Strategy. It is not the role of the Site Allocations DPD to reconsider or revise these numbers. This is consistent with the approach the Council is taking (that has been accepted by Inspectors), regarding further Green Belt releases for housing.
  - b) The appropriate time to update our Gypsy and Traveller Accommodation Assessment (GTAA) is as part of a suite of technical work to inform the new Local Plan i.e. in 2016/17. If the target of 17 pitches comes down following

this review, then the Council can de-allocate sites, or reduce their size, in the new single Local Plan.

- c) Processes are underway for a legal challenge by representatives of the travelling community to the new PPTs. This challenge is expected to seek the quashing of the new definition, or if this is unsuccessful, some clarity regarding the meaning of key words within it. It is unwise to change the current approach on the basis of a definition that will be subject to such challenge. It is better in both planning and legal terms to allow for discussion of the issues as part of the Site Allocations examination process, with the Inspector advising the Council to modify its plan if necessary.
- d) It is too early for the Gypsy and Traveller Unit at Herts County Council to assess the likely impact of the new PPTS upon the availability of pitches at the two existing sites within the Borough. They are therefore not yet in a position to advise upon the new PPTS's likely impact upon overall levels of need and pitch availability in the Borough.
- e) It is not known how the change in definition will affect the Gypsy and Traveller community themselves – for example, it is quite likely that they may modify their travelling behaviour to ensure they fall within the new definition.

20. With regard to the allocation of sites, Members should note that Officers have been unable to find any suitable sites for Gypsies and Travellers on land excluded from the Green Belt. Therefore, Officers have advised (and continue to advise) that exceptional circumstances exist to justify releasing land from the Green Belt, to meet the assessed need for additional accommodation. Subject to Members continuing to support the Focused Changes relating to the site at LA5, all three new sites will be excluded from the Green Belt. This approach is consistent with paragraph 9, 10 and 17 in the revised PPTS.

21. Members should also be aware that the Housing and Planning Bill is expected to make provision for Gypsy and Traveller needs to be included in the Council's overall assessment of 'objectively assessed need.' This change in approach has yet to come into effect and its implications will need to be considered once the details are known. What is clear however is that there will still be a requirement to consider Gypsy and Traveller needs when considering housing issues and drawing up planning policies and designations.

#### Green Belt policy:

22. Contrary to some comments submitted as part of the consultation, there has been no change in Government policy pertaining to the Green Belt. This remains as set out in the National Planning Policy Framework (NPPF), with which the Core Strategy and Site Allocations DPDs accord.

#### **Representations received on Focused Changes:**

23. 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.

24. A draft of the Report of Representations relating to the Focused Changes has been published on the Council's website alongside this report. 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 of the Focused Changes (in plan order)
- Table 3 - summarises the main issues raised (to the Significant Changes and then to the Minor Changes), identifies 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 as a result of changes already agreed with Cabinet relating to the associated draft Local Allocation master plans.

Main issues raised:

25. In numerical terms, the total number of respondents (and individual comments) received to the Focused Changes consultation was low compared with previous iterations of the plan.

26. A total of 105 comments were received. This comprised 84 comments on the Focused Changes themselves (38 on the Significant Changes and 46 on the Minor Changes). Of these 84 comments, 18 were supporting and 66 objecting to the Focused Changes. In addition, there were 21 comments submitted under the 'General' heading. These did not relate to the Focused Changes *per se*.

27. The 84 comments received on the Focused Changes were made by 19 individuals, 15 organisations and 13 landowners.

28. This relatively low level of feedback is not unexpected considering the limited number of changes upon which feedback was being sought and the stage which the Site Allocations DPD has reached. A number of organisations and groups did however submit representations behalf of their wider membership (e.g. WHAG, CPRE, Chiltern Society, Grovehill Future Neighbourhood Forum) or electorate (e.g. Tring Town Council).

General Comments:

29. A large proportion of comments received were either a reiteration of previous objections or very general in nature and did not relate to any of the specific changes under consideration. Whilst these do not legally need to be reported, they are included in the Report of Representations for completeness and to ensure the Inspector is aware of all comments received.

30. Frequently raised objections related to the perceived conflict between the Council's plan and national Government policy relating to Green Belt and provision for Gypsies and Travellers (see above).

31. A new issue relating to buildings heights was raised by both the Ministry of Defence (Assistant Safeguarding Officer) and Heathrow Airport. In summary, their objections related to location of Berkhamsted, Tring and Hemel Hempstead within an area where building heights should be limited to protect aviation airspace and the need for these

organisations to be consulted on relevant planning applications. This issue was not directly related to the Focused Changes consultation. Neither does the wider Site Allocations DPD include any sites where tall buildings are specified or promoted. If any such applications were to be received, the Council's Development Management team already notifies relevant organisations as part of standard procedures. No changes are therefore warranted to the Site Allocations document as a result of these representations.

*Significant Changes:*

32. As expected, the highest number of individual comments of objections to any of the specific changes related to related to SC1 (5 objectors) and SC7 (8 objectors) which proposed the removal of the cemetery extension and Gypsy and Traveller site at LA5: Icknield Way, Tring from the Green Belt. The reasons for this change were summarised in the Cabinet Report of 21<sup>st</sup> July 2015. The reasons for this change remain valid, and legal advice received recommends that the Council incorporates these changes within the Site Allocations DPD submitted to the Planning Inspectorate.
33. More surprisingly, a number of objections (5) were received to SC12 which, together with SC10 introduces a new Leisure proposal for detached playing fields at Dunsley Farm to serve any future expansion of Tring secondary school. The need for this provision is referenced within the adopted Core Strategy and this proposal was added included as part of the Focused Changes consultation to remedy the omission of a specific plan designation. Hertfordshire County Council's Ecology Officer raised concerns regarding the impact of potential floodlighting and the need to protect existing hedgerows. Whilst Tring Sports Forum objected to the proposal, their comments make it clear that they support the principle of the allocation, but object to the fact that there is no explicit reference to the pitches being available for wider community use (which is incorrect) and state that the plan still does not include sufficient sports provision for the town. Some of these concerns can be addressed through some further minor wording changes to the proposal (see Table 4 of Part 2 of the Report of Representations).

*Minor Changes:*

34. As explained in the July 2015 Cabinet Report, the Council was not legally obliged to seek feedback on the Minor Changes (MCs), as these were not considered to relate to potential 'soundness' issues with the plan. However, as some MCs were directly related to the Significant Changes (SCs), it was considered appropriate to ask for comments on these changes too.
35. MC24 and MC25 generated the most feedback (4 objections each). MC24 updated the text relating to ensuring appropriate drainage provision as made for Local Allocations LA2.
36. MC24 added a development principle to Local Allocation LA3 requiring the scheme's design, layout and landscaping to safeguard the archaeology and heritage assets within and adjoining the development, received the highest numbers of objections (4 each). The new wording was however supported by Historic England.

Changes proposed

37. The changes now recommended to the text as a result of representations received are limited to some minor wording changes to the text of the Focused Changes (see Table 4 of the Part 2 of the Report of Representations) and some updating of indicative layout

maps for Local Allocations Policies for LA1 and LA3. These changes are summarised as follows:

*(a) Changes recommended as a direct result of representations received on Focused Changes*

<b>Focused Change to be amended</b>	<b>Summary of suggested change</b>	<b>Reason</b>
SC6	Remove reference to the 7,000sqm retail floorspace figure in Proposal S/1 (Jarman Park).	To address issues raised by representations and reflect the fact that the planning application which was the source of the 7,000 figure has now expired.
SC10	Add some additional text to Proposal L/4 regarding detached playing fields at Dunsley Farm to serve Tring School to refer to: <ul style="list-style-type: none"> <li>• Retention of existing hedgerows;</li> <li>• Minimising impact on ecological value of site</li> <li>• Location of pedestrian access point; and</li> <li>• Consideration being given to the need for a new pedestrian crossing point on London Road.</li> </ul>	To address issues raised by representations and provide further clarity to proposal.
MC18, MC25, MC28 and MC34	Amend wording of text in 'Delivery and Phasing' sections of LA1, LA3, LA4 and LA5 regarding the need for a comprehensive approach to development.	To improve wording and make Council's requirement for a comprehensive approach to development as clear as possible and tally with revised wording in master plans.
MC21	Amend wording for the development principle for LA2 regarding building heights.	To improve clarity of wording and ensure development principle tallies with revised wording in master plans.
MC24	Amend one of the development principles for LA3 relating to archaeological and historic heritage.	To improve wording and add reference to ecological assets which is currently missing.

*(b) Changes recommended as a result of amendments agreed by Cabinet in September to the Local Allocations master plans:*

<b>Policy</b>	<b>Summary of suggested change</b>	<b>Reason</b>
LA1	Revised site layout to show existing pedestrian route between Link Road and Margaret Lloyd Park, and to amend	To ensure Site Allocations DPD and associated site master plan tally.

	reference to landscaped buffer on the western edge of the site.	
LA2	Update indicate layout with version from updated master plan to ensure it is clear there is to be no vehicular access from site into existing residential area to the north.	To ensure Site Allocations DPD and associated site master plan tally.
LA3	Correct location of a footpath link and correct site boundary of allocation in south west corner.	To ensure Site Allocations DPD and associated site master plan tally and the site boundary reflects that shown on the Polices Map.
LA5	Replace existing indicative layout map with amended version below which deletes the words 'and other facilities' from the label for 'Cemetery car park' and update development principle 11 to reflect this	To ensure Site Allocations DPD and associated site master plan tally.

38. As none of these changes are considered to be 'significant' i.e. they do not affect the intent of the plan, or the boundaries and requirement of designations within it, they do not trigger the need for further consultation (see 'Next Steps' section below).

**Sustainability Appraisals / Strategic Environmental Appraisal:**

39. A Sustainability Report (including Strategic Environmental Assessment as required under European law), accompanied the Focused Changes to the Pre-Submission Site Allocations. This was published in the form of a short addendum to the Pre-Submission stage SA Report. No comments were received on this SA/SEA Addendum Report.

40. The Council's sustainability consultants (C4S) have advised that due to the very minor nature of the amendments now proposed to the Pre-Submission Site Allocations (incorporating Focused Changes), there is no need to undertake additional assessment and issue a further addendum to the SA Report. However, a short statement will be prepared to accompany the Submission documents to set out the most up-to-date position and the conclusions that the changes now proposed would have either a positive or neutral impact in sustainability terms.

**Local Allocation Master Plans:**

41. Cabinet considered responses to the consultation on the six Local Allocation master plans at its October meeting. The responses set out in the Report of Consultation relating to these documents were agreed, subject to any knock-on changes required as a result of the parallel Site Allocations process. Any necessary changes to these master plans to ensure consistency with the requirements of the Site Allocations DPD will be under delegated authority in accordance with Cabinet's previous decision. Any changes are expected to be very minor in nature.

**Next Steps:**

Submission:

42. Members' approval is now required to enable the Site Allocations to move on to the next stage – which is its formal Submission to the Planning Inspectorate.
43. If the Council wishes to make any further '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, via a further round of consultation.
44. However, if Members agree the recommendations within this report, the plan can progress directly to Submission, subject to the agreement of Full Council. This is because only minor wording changes are proposed that do not trigger the requirements for further consultation.
45. The following Submission documents are required by Government planning regulations:
  - Pre-Submission Site Allocations DPD (as amended by the Focused Changes),
  - Amended Proposals Map
  - Sustainability Appraisal Report (Publication SA report, plus Addendum and short Submission statement)
  - Reports of Consultation (Volumes 1-3)
  - Report of Representations (Main report and Focused Changes addendum)
  - List of Supporting documents
  - Statement of Community Involvement
  - 'Duty to Co-operate' Statement (Addendum)
46. 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.
47. 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.

Post-Submission:

48. 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 Spring 2016.
49. 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.
50. 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.



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

Review:

52. 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. The early partial review process will result in the production of a new single Local Plan for the Borough.