



Planning and Economic Development

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Dear Mr Evans

Comments on the Draft Radlett Neighbourhood Plan (April 2017)

Thank you for the opportunity to comment on the Draft Radlett Neighbourhood Plan prior to taking the document out to public consultation. We have provided detailed comments below which particularly cover where there may be a conflict between the Radlett Plan (the Plan) and the Local Plan 2012-27 (the Local Plan) and/or the National Planning Policy Framework (NPPF) or national Planning Practice Guidance (PPG).

These comments represent officer opinion only and have not been approved by elected Members.

General observations

- Given the level of detail in the Plan, it may be advisable to revisit the decision not to allocate or reserve any sites for development. This could include land currently owned by APC within the Neighbourhood Area which it is seeking to develop or enhance.
 - A key diagram which identifies and (where appropriate) allocates or reserves sites could cover any of the following:
 - Starveacres
 - Options for Health Hub locations
 - Potential Scrubbits Wood affordable housing site (now proposed as a Local Green Space)
 - Land to rear of War Memorial
 - Relocation of Fair Field School and development of current site for housing
 - If sites are allocated, care should be taken to ensure there is evidence that shows they are deliverable.
- The Planning Practice Guidance makes it clear that Neighbourhood Plan policies must relate to the development and use of land, and must be “clear and unambiguous” to enable a decision-maker to apply them consistently. A number of the policies do not make it clear what forms of development would be permitted, and elements of some of the individual policies are not related to land use planning, so would be better incorporated into the supporting text or a section on community aspirations. These are discussed later in these comments.

- The intent behind addressing the mismatch between housing supply and demand in the Plan is noted, but we are concerned that the approach conflicts with the presumption in favour of sustainable development in the NPPF. Policies relating to bungalows need to be drafted with this in mind. That the Neighbourhood Plans contribute to the achievement of sustainable development is one of the basic conditions they must fulfil at examination.
- HBC Policy CS19 covers the role of Key Community Facilities (KCF). The Plan could support this by identifying what it considers to be KCFs locally.
- There are insufficient references to the Conservation Areas (CA) and it is suggested that specific design policies or principles should be considered for the two CAs
- Nomenclature is inconsistent with references to HBC, Hertsmere Borough Council, HCC, Herts County Council and Hertfordshire County Council used interchangeably.
- Inconsistency in policy references e.g. the list on page 59 refers to “Hertsmere Borough Council’s Core Strategy Objective 8”, then immediately afterwards “Hertsmere Local Plan Core Strategy Objective 7”.

Policies

Housing Design

H1 Housing choices: mix of housing types (p.28-31)

Context and reasoned justification

- The heading for this overall section of the plan is ‘Housing Design’, but Policy H1 is about housing need and sizes, rather than being to do with design. Would be better to give this section a separate title relating to meeting local housing need.
- 3.18 – Policy H1.2 is very restrictive, however the census data referred to (which shows that Radlett has a larger proportion of larger homes than the rest of Hertsmere and England) does not in itself indicate a shortfall/undersupply of smaller homes. Evidence is required to show that there is a significant mismatch between household size and the size of available housing locally. Census data can help to understand the existing situation, but a housing needs survey would be a good way to obtain up to date information about the size of households and the type of homes they prefer to live in going forward. If this shows that household sizes in Radlett are below average or significantly mismatched with the sizes of homes in the area, the information on planning permissions would then perform a useful role in demonstrating that the need for smaller homes is not being met and could help justify a more restrictive policy. If this is not the case or the evidence is inconclusive, then a looser policy would be more justifiable (see examples in the comments on Policy H1.2 below).
- 3.22 “*The forthcoming Housing Needs Analysis, carried out by the Hertsmere Borough Council, is expected to provide further evidence around local housing needs*”. Delete this sentence – there are no plans to carry out this survey at a borough level.
- It would be better to change this to ‘small’ households and define what this means in relation to Policy H1.2. For example, does this mean 1 and 2-person households only?
- There appears to be confusion in the Plan over whether the retention/replacement of bungalows is a design consideration or a housing need consideration. If it is one of housing need, this will be more difficult to evidence and may require further work to demonstrate that the retention and encouragement of the development of new bungalows will not conflict with the need for affordable housing.

Policy H1.1

- The Hertsmere Affordable Housing SPD does not set out standards for Lifetime Homes, but refers to the standard set by the Joseph Rowntree Foundation so could say ‘...and referenced in Hertsmere’s Affordable Housing SPD’.

Policy H1.2

- The policy is excessively restrictive towards larger homes and residential extensions of to create larger homes.
 - If the policy is to be retained in its current form, robust evidence will be required to support this (see the above comments on para 3.18).
- The phrase ‘dwellings suitable for smaller households’ is ambiguous and needs definition.
 - Suggest changing this to ‘small households’ and providing a definition within the policy and/or supporting text.
- Policy NP/H2 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan deals with a similar local issue with an imbalance in housing sizes and types in a more positive fashion. Instead of seeking to prevent other types of houses from being built (in their case very large houses and blocks of ‘executive’ flats), it tries to encourage smaller homes which “respond creatively and respectfully to the character area”.

“Policy NP/H2 – MIX OF HOUSING TYPES

Development proposals for new dwellings will be expected to contribute to the aim of ensuring a balanced mix of housing in the Plan area.

NP/H2.1 Dwellings should be, in size and type, in keeping with the size and type of dwellings already prevalent in the surrounding area except where there is a demonstrable need for an alternative type or size of home and these can be delivered to be in keeping with the surrounding area.

NP/H2.2 Subject to being in keeping with the surrounding area, development proposals that will deliver small and medium houses will be encouraged.”

https://www3.rbwm.gov.uk/info/200414/local_development_framework/478/ascot_sunni_nghill_and_sunningdale_neighbourhood_plan

- Similarly the Mulbarton Neighbourhood Plan includes a policy encouraging smaller homes while being realistic about there being a need for a mix of housing.

Mulbarton Neighbourhood Plan (adopted 2016):

Policy HOU2: Type of Housing

“The majority of dwellings proposed for any new development should provide starter/later life homes and family homes, whilst recognising the need for a mix of other property types in accordance with Policy 4 of the Joint Core Strategy.” https://www.south-norfolk.gov.uk/sites/default/files/Mulbarton_Neighbourhood_Plan_0.pdf

Housing design

H2 respecting and enhancing townscape and landscape patterns (p.32-37)

Context and reasoned justification

- Para 3.32 – not necessary to repeat large sections of the NPPF (could quote just the first bit of this and not repeat the full list of criteria).

Policy H2.1 Understanding Local Townscape and Landscape Patterns

- The points a), b) and c) are not criteria or separate policy points, and they cannot be read separately. Suggest:

To secure efficient land use and ensure that development reflects the size, pattern and character of Radlett, development proposals are expected to:

- a) respond positively to the local townscape and landscape character; and*
- b) demonstrate clearly and succinctly how proposed development respects and enhances the character of the local town and landscape with regard to the specific characteristics described in the Radlett Character Assessment.*

Applicants are expected to demonstrate this through scale illustrations of height, mass, bulk and appearance and views of the proposed development in its landscape, topographical and street scene context.

Policy H2.3 Design rules for extensions and alterations to detached and semi-detached residential dwellings outside Conservation Areas

- Point c) – presumed that this means there should be 2m between the side elevation of a proposed building/extension and the property boundary, but this is not clear from the policy. This could be taken to mean 2m spacing between buildings, or 2m between the rear elevations of two houses, which would be very close and would not allow for privacy.
- Point g) – remove Hertfordshire Puddingstone and chalk from the list of acceptable materials, as they are not commonly-used as building materials. Hertfordshire Puddingstone is a relatively rare material, and is also often protected for its geological value (e.g. there is a Regionally Important Geological Site (RIGS) to the rear of Newberries Avenue which is protected from development due to deposits of Hertfordshire Puddingstone having been found there). Chalk bricks have been used historically in some parts of the region and are still produced primarily for restoration purposes, but they are not commonly found in this area, and are not a modern material of choice as they are not very durable.

Policy H2.4 Trees

- Concern that this policy is too onerous and will not be enforceable. It also repeats policy SADM12, which had to be made less onerous during the examination process.
- a) 2) a tree survey is only reasonable when there are high quality/protected trees on a site which would be affected by the proposed development. The policy effectively requires it on all sites, whether or not any trees are present.
- b) This criterion is not a land use policy so should be removed. Putting these requirements into a legal agreement is unlikely to fulfil the three tests for planning obligations and conditions set out in the PPG/CIL Regs that they must be:
 - necessary to make the development acceptable in planning terms
 - reasonable
 - related in scale and kind to the development.
- Having an overly-onerous policy on trees can also have the reverse effect of that which is intended. It may force developers who cannot meet these policy requirements to fell unprotected trees before submitting a planning application, at which point there is no control over the trees.

- Point c) is not a land use policy, nor something that is within the control of the Parish Council, so should be moved out of the policy box into the supporting text or community aspirations section.

Housing Design

H3 The Radlett Bungalows

Policy H3.2 Local List

- This section would be better-placed in the supporting text as it is not a policy relating to the use or development of land. Delete the reference to identified distinct clusters of bungalows as ‘Non-Designated Heritage Assets: Grade B’ as this does not exist in Hertsmere.

Policy H3.3 Replacement of Bungalows

- Is this policy stating that bungalows must be replaced with bungalows, or that the overall scale and massing of a replacement dwelling should be the same height as the existing structure? (For example, some chalet bungalows) have significant ridge heights which are capable of being replicated in a two storey house).
- There are two issues relating to bungalows – their function as an accessible form of housing for downsizing, and their form as a housing typology in urban design terms. Many of the bungalows in Radlett do not perform this function as they are very large and may have steps leading up to them, but there may be some bungalows which are more genuinely accessible.
 - Is the intention of this policy for replacement dwellings to replicate bungalows in design terms only, or does it intend that where a bungalow is genuinely accessible and provides for a need for that form of housing, any replacement should also provide single-level, accessible accommodation?

Housing Design

H4 Designing with Local Knowledge

Policy H4 Designing with Local Knowledge

- While the intent behind the policy is understood, there is a risk that this policy goes beyond the scope of a Neighbourhood Plan and unnecessarily duplicates the Local Planning Authority’s requirements in terms of pre-application engagement and information to accompany planning applications.
- Delete the reference to HBC from policy H4.1 as follows:
“Development Proposals which include five or more dwellings and/or include 500m2 of office, community and retail uses are expected to prepare and submit a detailed Design and Development Brief to ~~Hertsmere Borough Council and~~ Aldenham Parish Council for further public consultation, prior to submitting a planning application for the respective site.”
 We have an existing pre-application process which we would not want to replace with this requirement as to do so would be resource-intensive and would not bring in a fee to cover the costs involved.
- It is recommended that the policy focuses on any sites which are allocated in the Neighbourhood Plan which HBC would be able to cross-reference in its Statement of Community Involvement.

Green Belt Land

GB1 Development in the Green Belt 1 principles

Policy GB1 Development Principles

- b) The Starveacres section of Policy GB1 should be taken out of the Green Belt policy because the site is no longer in the Green Belt. It could be identified separately or as part of the housing supply policies earlier on in the Plan.
- c) – there may be a planning justification for relocating Fair Field School to the other side of New Road into land which is currently GB but this needs to more clearly stated including the fact that the new school would presumably need to be funded through the disposal and redevelopment of the current site. Is this deliverable and are the school or HCC seeking to relocate? The site is not very large, and a new school is very costly.
- d) conflicts with the HBC Local Plan and the NPPF as it suggests that housing will be acceptable in the Green Belt subject to the criteria which follow. There is no Green Belt land within the area covered by the Radlett NP which is currently allocated or identified as suitable for housing by HBC.

Policy GB2 Beneficial Use of the Green Belt

- The CIL priorities (e.g. creation/upgrading of footpaths) are perfectly valid aspirations, but are not land use policies and do not require planning permission, so should be removed from the policy and placed separately in the community projects section.

Radlett Village

RV1 Radlett Village Centre Vitality

Context and reasoned justification

- West Herts Clinical Commissioning Group' should be 'Herts Valleys Clinical Commissioning Group' <http://hertsvalleysccg.nhs.uk/> (West Herts CCG does not exist – there are 2 CCGs in Hertfordshire – Herts Valleys and East and North Herts; this can be checked here: <https://www.england.nhs.uk/resources/ccg-maps/>).

Policy RC1 Radlett Village Centre Vitality

RC1.1 A diverse range of shops and places to meet

- This policy is not enforceable/not useable in a development management context because Permitted Development rights allow A1 to change to A2 (and vice versa) without the need for a planning application. Certain A1 and A2 units can also change to A3 and to residential use without needing and application, so control over these is limited.
- RC1.1 c) is contradictory to the current Local Plan 2012-2027 which expressly does not seek any new development at Battlers Green Farm.

Policy RC1.3

- This policy should either allocate a site for the hub or should be moved to the section on community priorities as a CIL priority. It is not a land use policy in its current form.

Policy RC1.5, RC1.6 and RC1.8

- These are not land use policies, and as they cannot be delivered through the planning process they would be better placed within the 'Community Priority Projects' section and listed as CIL priorities rather than being within the policy.
 - The PPG suggests that wider community aspirations dealing with non land use matters should be clearly identifiable, e.g. set out in a companion document or annex.
 - Other Neighbourhood Plans have done this (e.g. Riseholme Neighbourhood Plan – could look at the Examiner's Report for this one)

Getting Around

Policy GA Getting Around - Promoting sustainable modes of transport and healthy communities - CIL Priorities

- Suggest changing the section title (e.g. 'Movement'), as it reads as though it is a section on how to get around having to comply with policies (it has been read this way by more than one person in our office seeing it for the first time!).

Context and reasoned justification

- Para 3.73 'exasperate' (or 'exacperate') should be 'exacerbate'.

Policy GA1 to GA6

- These are not land use policies, and as they cannot be delivered through the planning process they would be better placed within the 'Community Priority Projects' section and listed as CIL priorities rather than being within the policy.
 - Examiner's report on a similar concept within Dunstan NP: *"This policy section also includes a Proposal (BEP1). I have already concluded, see 3.10, earlier, that such recommendations can remain in the body of the plan, provided their status is made clear and they are distinct from the land-use policies of the plan. I **recommend** that the Proposal is renamed "Community Proposal" and it, together with the supporting Justification, are all placed in a box or other graphic device to distinguish it from the policies."*

Community Facilities

CF Education, Parks, Open Spaces, Allotments, Recreational, Faith and Cultural Places

Context and reasoned justification

Policy CF1.1 Local Green Spaces

- All of these spaces are currently designated as Open Spaces, Sports and Leisure Facilities through Policy SADM34 of the Local Plan 2012-27, which affords them a level of protection.
- It is within the remit of a Neighbourhood Plan to designate Local Green Spaces (LGS). Evidence will be needed to back up this selection of spaces at examination, because the level of protection they gain is equivalent to a Green Belt designation.
 - At the Hertsmere SADM Examination we attempted to designate 8 out of these 9 spaces as LGS, however the Inspector queried the scoring methodology used to assess for spaces (and others around the borough), and the evidence that they met the NPPF definition, and recommended that we downgrade them to simply 'Open Spaces'.
 - The council's Hearing Statement is attached, including a revised methodology for assessing LGS in line with the NPPF criteria. It is recommended that a similar methodology is adopted by the Radlett Plan group and is robustly applied in order to ensure that the proposed LGS have the best chance of being found acceptable at the neighbourhood plan examination (please refer to Matter 7 on p.51 and Appendix 7a on p.57 of the document 'HBC1 Hearing Statements February 2016').
 - Designating Scrubbits Woods as an LGS precludes the site being developed.

Policy CF1.2 and CF1.3

- These are not land use policies, and as they cannot be delivered through the planning process they would be better placed within the ‘Community Priority Projects’ section and listed as CIL priorities rather than being within the policy.
- If the Fairfield School site was allocated for housing through this Plan, and a site was also allocated for the replacement school, then policy CF1.3 could form part of the site specific requirements for the school.

Updates to Hertsmere planning documents

Later on in the neighbourhood plan process we will let those working on the Radlett NP know about any changes to the names or dates of planning documents (both adopted policy documents and supporting studies as these emerge) as we are in the process of updating various documents (e.g. the Statement of Community Involvement and Design Guide SPD Part D), and various studies are being produced as part of the ongoing new local plan process.

Please contact me if you have any queries about these comments. We also intend to provide formal comments on the draft Radlett Neighbourhood Plan once the period of public consultation begins.

Yours sincerely,

Grace Middleton - Planning Officer