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Dear Mr Wood

HERTFORDSHIRE STRUCTURE PLAN ALTERATIONS 2001-2016 DEPOSIT DRAFT

Thank you for consulting the Government Office on the deposit draft of the Hertfordshire Structure Plan Alterations 2001-2016.

Recent Government guidance, which supplements PPG11: *Regional Planning*, advises that it is desirable to move forward as quickly as is practicable into the new development plans system proposed in the Planning and Compulsory Purchase Bill. County and Unitary Authorities should therefore be encouraged to review their structure plan preparation programmes and re-consider whether it would now be sensible to redirect the resources towards the appropriate elements of the Regional Spatial Strategy (RSS).

As you know, the Regional Planning Panel agreed in principle at its meeting in early March that the regional, county and district planning bodies would work together to produce district level housing figures to 2021 for inclusion in draft RPG14. Lord Rooker has now agreed the Panel's proposals. This means that in this respect draft RPG14 will reflect the purposes of an RSS. The draft RPG14 is now due to be published in February 2004.

This decision has fundamental implications for the compatibility of the strategy set out in the draft Structure Plan Alterations - in particular the amount and distribution of housing - with the emerging draft RPG14. Given the timing of these Alterations and on-going work on draft RPG14 we consider that inclusion of district level housing

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figures in RPG raises serious questions about the value of proceeding with these Alterations. These concerns appear to be borne out by the approach the County Council has taken, which reflects some of the uncertainties about bringing forward Alterations to the approved Structure Plan at this stage. Not least amongst these is the fact that the dwelling distribution is not made on a firm, long-term basis but relies on RPG14 to set the requirement in the longer term. We question therefore whether the Alterations meet their main stated purpose, to update the Structure Plan to 2016.

In addition, we have a number of other related concerns about the Structure Plan Alterations and their relationship with development issues in Hertfordshire and the wider southeast, and the direction of Government policy.

The East of England has been one of the fastest growing regions in recent years. Continued growth will have a bearing on the whole region including those counties closest to London, in particular Essex and Hertfordshire. Demographic pressures will therefore play a significant part in setting the longer-term context for the County's future development. As the Alterations rightly point out there is uncertainty about what overall level of housing provision in the region will be required in RPG14. However, there are a number of current indicators of the direction of demographic change and development levels in the region.

The Regional Planning Panel discussed at its 14 April meeting the demographic projections for new dwellings which will inform the overall requirement to be included in RPG14. Further work on this issue will be considered by the Panel at its June meeting with a final decision on the overall dwelling requirement likely in July. The available projections point to significant demographic pressures beyond the levels catered for in RPG9.

As well as population and household projections and trend-based growth forecasts, there are other important strategies and studies which will inform the process of agreeing a dwelling requirement. These include the draft East of England Housing Strategy, which points to significant levels of newly arising and unmet demand and need for housing as a result of supply failing to meet the demand and need that exists. The draft East of England Affordable Housing Study also raises this significant issue of under provision of housing in general and affordable housing in particular. The East of England Development Agency is currently reviewing its Regional Economic Strategy. One of the key issues will be to ensure that there is an adequate supply of housing to meet regional economic needs.

These important influences must be viewed within the wider context of the direction of Government policy. You will be aware of the recent publication of *Sustainable Communities: Building for the Future*, which sets out the Government's proposals for a step-change in housing delivery focused on four growth areas, including the London-Stansted-Cambridge corridor and Milton Keynes/South Midlands. The Communities Plan provides an important new context for strategic and local planning, which will have particular implications for the East of England. The *Sustainable Communities in East of England* daughter document gives a clear indication of the challenges faced in this region. In terms of housing these include: to provide for the East of England's growing population; to address the imbalance in

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the demand for and supply of housing; increasing the numbers for those on modest incomes; and to close the gap between the need for and provision of rural affordable housing (page 5).

Meeting the region's long-term housing needs in general and in the growth areas in particular will be significant issues for the on-going work on draft RPG14. These issues have not in our view been adequately reflected in the Alterations (nor could they reasonably be expected to be given the respective timing of the Communities Plan and Alterations).

Due to the uncertainty about the implications of this strategic work for the region's and Hertfordshire's housing numbers and distribution, we reiterate our concern that bringing forward these Alterations now - particularly given the timing of the regional work and progress of the Structure Plan Alterations - is not the most productive way of proceeding. But in the event that these Alterations are nevertheless brought forward, it will be important to ensure that they are workable and certain in their effects.

We note that the County Council is seeking to adopt challenging targets for recycling land. In doing so the Council is following the broad policy approach set out in PPG3: *Housing*. We welcome the fact that the strategy reflects the important principles of thoroughly assessing urban capacity and making optimum use of previously-developed land. But we note that there is a significant difference of opinion between the County and District councils over the urban capacity that exists in Hertfordshire. We consider that this uncertainty that exists over urban capacity is an issue which, if the Alterations are taken forward, will need to be discussed fully at an examination-in-public. As a result of this uncertainty, we also question whether it is prudent to omit strategic greenfield reserves which may be needed to meet longer-term housing requirements during the Structure Plan period.

The fact that RPG14 may include a housing requirement for Hertfordshire that is higher than that proposed in the Alterations also calls into question the approach adopted in the Alterations with respect to strategic greenfield reserves and Areas of Special Restraint (ASRs), in which Green Belt land is safeguarded to meet longer-term housing needs. The Alterations propose that new ASRs should not be identified and that existing ones may be reviewed locally. Yet an increased housing requirement in RPG14 could have implications, for example, for the longer-term need for strategic greenfield releases or amendments to Green Belt boundaries if these are considered to be a part of the most sustainable approach to meeting the County's housing requirement. We consider that the approach in the Alterations is premature given the uncertainty about the housing numbers and distribution in RPG14 and the unresolved differences between authorities on the urban capacity that exists. Again, the Structure Plan Alterations provide little certainty as policies leave the issue of possible strategic greenfield releases to RPG14. We reiterate our earlier point that in this respect it is difficult to see how the Alterations would update the Structure Plan to 2016.

We are also concerned that the approach taken to the Green Belt does not reflect policy in PPG2: *Green Belts*. PPG2 requires that proposals affecting Green Belts in

development plans should be related to a time-scale which is longer than that normally adopted for other aspects of the plan. Seeking to change the strategy for the Green Belt and ASRs in particular so soon after the adoption of the most recent development strategy in the 1998 Structure Plan is, in our view, an inappropriate way to proceed.

In conclusion, it is our view that the Alterations should not continue in advance of and in addition to current work on draft RPG14; but if the Alterations are to continue, that it is premature to omit the existing strategic releases and other Areas of Special Restraint. In the final analysis, the Alterations would not, in our view, provide for an effective transition to the regional spatial strategy to be set out in RPG14.

We have gone on in the rest of this letter to comment on the policies and proposals included in the Alterations.

General Comments

You will be aware from the publication of the Planning and Compulsory Purchase Bill and accompanying guidance that the Government wishes to see plans currently in preparation take account of the principles of the new system. These include setting out a clear strategic vision for the area, more succinct text and policies, and cutting out unnecessary or repetitive policies or wording. These principles build on existing policy guidance in PPG12: *Development Plans* which states that plans need to be clear, succinct and easily understood; and that lengthy, over-detailed plans may work against effective implementation.

Our comments in the first half of this letter reflect the fact that, rather than setting out a clear vision for development in Hertfordshire to 2016, the development strategy is based on a number of uncertainties. Notwithstanding our fundamental concerns, we consider that overall the Alterations are clearly written and presented. We are concerned, however, that the Plan does not reflect adequately the need to be concise and focused. The Plan includes a lot of contextual and background text that adds to its overall length and which, in our view, makes it less reader-friendly. In some cases this could be reduced or deleted altogether; we give examples in our detailed comments below. More generally, we would request that you reconsider the need for this much contextual material and supporting text. We also consider that a number of policies, or parts of policies, are unnecessary as they add little to the effectiveness of the Alterations or repeat legislative or national policy provisions.

Comments on Policies

We have a couple of points of clarification on the *Introduction*. The list of components of PPG3 and 13 in paragraph 22 should include a new focus on the quality of development and making more efficient use of land. The third bullet in paragraph 28 should also be clear that densities exceeding 50 dwellings per hectares may be appropriate in many circumstances, reflecting policy in PPG3 and RPG9.

Implementation and Monitoring

We welcome and support the intentions set out in this section, which recognise the importance of monitoring both in terms of implementation of the development strategy in the Alterations and to inform the regional planning process (paragraphs 36 – 39).

Framework for Sustainable Development

We welcome the strategic focus on sustainable development. We note, however, that this section does not refer to the Regional Sustainable Development Framework, *A Sustainable Development Framework for the East of England*. This should be included as an important regional context for achieving sustainable development.

New Policy – Making Development More Sustainable

While we support fully the intention to make development more sustainable we do not consider that this policy takes an appropriate approach. The principles of sustainable development are incorporated in national policy and guidance and are broadly reflected in the preceding Policy 1. Proposals in the Planning and Compulsory Purchase Bill include a sustainability appraisal of development plans. We consider therefore that the principles of sustainable development should be reflected in policies in local plans and development documents. There is no need for a separate checklist as proposed, particularly as this is not a current or proposed requirement in legislation or national policy. The policy could therefore be deleted.

Design and Quality of Development

We welcome the proposed new policy on design which will ensure that this important issue is taken account of fully in preparation of local plans and development documents. We think, however, that the supporting text (paragraphs 43 to 50) is too long and could be shortened considerably.

Policy 3 – Community Planning

This policy requires community strategies and local plans to be closely linked. While we agree that it is sensible to ensure as far as is possible that the preparation of the two are linked, we do not consider that this needs to be the subject of a strategic policy. Proposals in the Planning Bill require that preparation of local development documents will have regard to the community strategy so there is no need for the Structure Plan to repeat this requirement. The policy could therefore be deleted.

Policy 4 – Town Centres

The background to this policy (paragraphs 60 to 65) and the policy itself mainly reflect the requirements set out in PPG6: *Town Centres and Retail Developments*. We consider that this policy adds little beyond what is already set out in PPG6 - and in Policies 6 and 16 in the Alterations - as a basis for preparation of local plans and

so could be deleted from the Alterations in the interest of a more streamlined and focused Plan.

Development Strategy

The Green Belt

We commented above on the approach to Green Belt issues in the Alterations. Our main concerns arise from paragraph 72, which seeks to change the approach to Areas of Special Restraint (ASRs) from that in the approved Structure Plan. We note the justification for this, but we reiterate our earlier comments: given the advice in paragraph 2.12 of PPG2 and the uncertainty that exists about the longer-term development strategy and the implications of the emerging regional spatial strategy and dwelling numbers in RPG14, it is premature to seek to change the approach to ASRs in these Alterations.

Housing

Our comments in the first half of this letter largely relate to the Housing section of the Development Strategy. We reiterate the main points here through reference to particular text and policies.

Paragraphs 98 and 99 reflect the differences between the outcomes of the County and District Councils' urban capacity studies. The Alterations note that there is "considerable uncertainty about overall housing capacity." In our view this reinforces our earlier comments that it is premature to take a different approach to strategic greenfield reserves and ASRs in these Alterations when this uncertainty clearly exists.

We note the reasons given in paragraph 106 for not identifying new or existing reserve allocations to meet longer-term development needs. As we pointed out earlier, we consider that the doubts about the urban capacity which has been identified and the implications for these Alterations of draft RPG14 suggest that it is imprudent to not plan for strategic greenfield reserves which may be needed to meet longer-term housing requirements during the Structure Plan period.

New Policy – Strategic Scale Green Field Housing Development

For the reasons we have given we consider that this policy is inappropriate and so should be deleted.

Policy 9 – Dwelling Distribution

The policy and supporting text are premature in the context of the inclusion of district level housing figures in RPG14. In particular, the approach to dwelling distribution set out at the end of paragraph 120 takes no account of the implications of the growth area studies arising from the Communities Plan or other policy considerations which may emerge shortly as part of the regional spatial strategy.

Policy 11 – Accommodation for People with Physical Disabilities and Other Special Needs and New Policy – Accessibility for People with Disabilities and Mobility Problems

The Council could consider whether these two policies could be combined to produce one shorter policy which addresses this important issue. We would also question whether items i) and iii) of the new policy repeat existing legislative requirements and so may not be strictly needed.

Policy 12 – Gypsy/Traveller Sites

There is no need to repeat in this policy the requirement that sites should not be identified in the Green Belt or on other areas of open land protected from development as this is clearly set out in Circular 1/94 and repeated in PPG2.

Policy 13 – Education and Training

The first paragraph of this policy could additionally refer to the need to minimise opportunities for crime and anti-social behaviour through location and design.

Business and Commerce

Policy 14 – Development for Employment Needs

Reference to employment uses needs further explanation as this general term can encompass a range of development types with different land use implications. For example, the preferred location for offices, set out in Government policy, is within town centres (PPG6, paragraph 1.15), while distribution uses and warehouses have different locational requirements (PPG4, paragraph 12). Clarity on appropriate locations is particularly relevant in respect of points i) and vi) of this policy.

We consider that this policy also needs to require a review of existing employment allocations in local plans to ensure that they are in sustainable locations and still required to meet identified needs.

Policy 15 – Key Employment Sites

Structure Plans should deal with strategic rather than detailed issues. Accordingly this policy should not refer to employment 'sites' but locations.

Retailing and Development Attracting Many Trips

The introductory section on this issue is another example of where we consider less background material is needed in the interests of making the Plan more concise and focused (paragraphs 188 – 199).

Policy 16 – Retailing

We welcome inclusion of this policy which sets out the hierarchy of town and other centres in the County in accordance with guidance in PPG6 (paragraph 1.5). We consider, however, that the final paragraph, which repeats the policy requirements set out in PPG6, is not strictly necessary and so could be deleted.

Policy 17 – Location of New Development Attracting Many Trips – The Sequential Approach

This policy largely repeats the main policy provisions of PPG6, without adding anything further which is specifically relevant to this issue in Hertfordshire as a basis for preparing policies in local plans or development documents. PPG12 requires that authorities should not repeat sections of PPGs and other national policy guidance in plans. The emphasis should be on producing development plan policies which implement national and regional policy at the local level (PPG12, paragraph 3.3). Accordingly, we consider that the policy is not strictly necessary and so could be deleted.

Tourism

This is a further example where the background text could be briefer (paragraphs 204 – 212).

Transport and Major Transport Investment

We note that the two sections covering transport issues between them include some 16 policies. We question whether all these policies are strictly relevant or necessary to deliver the development strategy set out in the Alterations. We comment in detail below on individual policies.

Policy 22 – Reduction of Travel Need and Car Usage

While we support the principles set out in this policy, the policy could be more clearly expressed in terms of implementation, in particular how local planning authorities should reflect these requirements in local plans and development documents.

Policy 24 – Environmental Traffic Zones

Our comments are similar to those on Policy 22. This policy is unclear on the planning and implementation of the zones described and the proper role of other land-use plans and strategies in achieving the aims of the policy.

Policy 25 – Parking

We support the principle of achieving consistency in parking standards across the County. We are concerned, however, that this policy does not accord with the requirement in PPG13 that policies in development plans should set maximum levels of parking for broad classes of development (PPG13, paragraph 52). The relevant

maximum standards, which should accord with those in Annex D of PPG13, should therefore be included in the plan as a basis to inform preparation of policies in local plans or development documents.

Policy 28 – New Roads

We question whether this policy is strictly relevant or necessary as it is largely a statement of general intent. Accordingly, we consider it could form part of the supporting text if considered necessary rather than be the subject of a separate policy.

Policy 30 – Rail and Water Freight Depots

This policy could be clarified by additional details about implementation and locational criteria, ie whether such locations should be identified in subordinate plans and the broad basis for determining appropriate locations.

Policy 31 – Rail Improvement Schemes

Again this policy could usefully provide some more details about timescales for and likelihood of implementation of these schemes during the lifetime of the Structure Plan. If there is no prospect of schemes being implemented during the timescale covered by the Plan then they should not be included.

Policy 33 – Trunk Road Programme

As with Policy 28, we question whether these statements of fact need to be the subject of a strategic policy rather than included in the supporting text.

The words “the Department for” should be deleted before “Transport” in the first line.

Policy 35 – County Transport Schemes

Similar comments apply to those we made on Policy 31. The policy could include more detail about timescales for implementation of the schemes listed. Those outside the timescales addressed by the Alterations should not be included. The policy title should include the word “Road” for clarity: “County Transport Road Schemes.”

Environmental Assets

There is a considerable amount of introductory, contextual material in this section before the first policy (paragraphs 272 – 302). While this may be of general interest we consider that this much detailed material is not needed to deal with the main purposes of this section. We consider therefore that these paragraphs should be reconsidered in the interests of producing a shorter, more focused plan.

Policy 38 – Critical Capital and Other Important Environmental Assets

This policy lists a wide range of assets which have different statuses and levels of protection. A number of these have statutory status and protection and so it is not strictly necessary to include them in this list. The policy should, at least, make a clear distinction between those assets which do not have statutory status and protection and which local planning authorities will need to decide how best to plan for in local plans and development documents.

Policy 40 – Agricultural Land

This policy largely repeats or paraphrases the relevant sections in PPG7: *The Countryside* (paragraphs 2.17 and 2.18). The policy adds little that is relevant to its implementation in the specific context of Hertfordshire. We consider therefore that the policy is unnecessary and so should be deleted.

Woodland, Tree and Hedge Cover

The section which introduces the policies on “Woodland, Tree and Hedge Cover” includes very detailed background material, not all of which is necessary (paragraphs 318 – 322). Again, in the interests of making the plan more readable and focused, this amount of material could be reduced.

Energy Conservation and Generation

The same comments as those immediately above apply to the introductory section on this topic, which is too long and discursive and should be reduced in length (paragraphs 373 – 381).

We support the inclusion of Policy 52 and the new policy on Energy Conservation.

Finally, we welcome the fact that you have made the deposit Structure Plan Alterations available in electronic formats, both on your website and a CD-Rom. We fully support this approach in terms of implementation of e-government.

Yours sincerely

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