

STRUCTURE PLAN PANEL

ITEM 4

9 January 2003

Members of Panel: M Bayes, A Dodd, D Drake, M Saunders (Chairman), R Sanderson, I Simpson, W Storey, B A York

STRUCTURE PLAN ALTERATIONS, 2001- 2016

OBJECTIONS AND RESPONSE TO A RANGE OF POLICIES IN THE PRE-DEPOSIT PLAN

1. Background Purpose of Report

- 1.1 At its meeting of 29th October 2002 the Panel received a report and summary document of representations made to the pre-deposit Plan on the roll forward of the Structure Plan to 2016. At and since that meeting Panel has been able to review the range of representations made. Similarly, officers have been considering the options available in responding to the objections with a view to developing recommendations for possible changes to policies.
- 1.2 The purpose of this report is to present to Panel officers' initial views on a possible response to objections made to a range, but not all, of the policies presented in the pre-deposit Plan. The Panel's views are sought on these recommendations.

2. Responding to objections

- 2.1 The document accompanying this report translates objections made to the policies proposed in the pre-deposit Plan into a series of 'response tables', one for each policy. The tables follow the format set out overpage. The relevant policy as put forward in the pre-deposit Plan precedes each table. The tables then go on in the left hand column to summarise the objections made, in the central column officers initial views on a possible response and in the right hand column to make recommendations on the implications on the wording of the policy itself. Following the table the policy is repeated showing how it might change in response to the objections made.
- 2.2 It is important to note that this document, in an attempt to keep it to a manageable size, does not include a summary of representations in support of policies. These are contained within the summary document presented to Panel on 29th October 2002.

Policy X – as presented in the pre-deposit Plan

Objection	Issues	Implications for Policy
A description of the substance of the objections	Officers initial views on the issues involved and possible implications.	Officers initial views on the implications for the policy - identification of any changes that may need to be made.

Policy X – as recommended to be amended, if at all, for the deposit Plan (proposed text to be deleted being ~~struck through like this~~ and new proposed text in **bold like this**).

2.3 The document does not contain ‘response tables’ in relation to the following:

- Context ‘framework’ sustainable development policies, community planning and town centres (policies 1-4 and new policies on urban design and making development more sustainable).
- Development strategy and housing policies (policies 5 – 10, 37 and new policy on monitoring of housing land supply).
- Employment (policies 14 and 15).
- Transport Policies (policies 22-36 and new policy on freight) - representations made to the transport policies were presented to the Transport Panel on 19th December. Meetings of the Transport Panel of 14th and 28th January will be considering a possible response to objections made to these policies. The views of the Transport Panel will be reported to this Panel on 28th January.
- Landscape Policies (policies 43 and 44 and new policy on Landscape Character Assessment).

All the above will be considered by Panel on 28th January 2003.

2.4 There is a joint meeting of district and county officers scheduled for 8th January to discuss the more substantive district council objections. The document accompanying this report clearly precedes that meeting. Any implications resulting from that meeting will be reported to Panel orally.

3. General Overview of Officer Views

3.1 The following represents a brief overview of some of the more significant issues which have arisen in coming to initial officer views on a possible

response to objections to the policies analysed in the document accompanying this report.

Some policies are inappropriate or too detailed for the Structure Plan.

3.2 Some districts and development interests have expressed concern that the Structure Plan contains policies on issues which are best left to local plans or which are too detailed. There are two main issues here, as follows:

- Range of issues - that there are topic areas for which the structure plan need not provide strategic guidance – for example, the new policies on air quality, light pollution, noise, crematoria, soil, visual amenity, urban design.
- Policies too detailed - for example, Policy 18 ‘Rural economy and development in the countryside’, telecommunications, agricultural land. There is concern that some such policies read as development control policies and are not strategic in nature.

3.3 However, these views are not shared by all districts and developers, some of whom welcome new policies and/or have not questioned the level of detail. GOEAST have also not raised concerns on either of these issues and indeed in some cases have offered suggestions for minor improvements.

3.4 ***Range of issues*** - officers have responded to these concerns in a variety of ways depending on the context and circumstances of the policy in question. In some cases, officers recommend that proposed additional policies are not taken forward, for example in relation to light pollution, air quality and noise. In other cases, for example in relation to urban design, visual amenity and soil officers recommend that the proposed policies are retained. These are discussed elsewhere in this report and in more detail in the accompanying document.

3.5 ***Detail of the policies*** – one of the reasons there is concern about the level of detail in some policies is that they come across as development control policies which would be more appropriately located in local plans. Having development control policies in both the Structure Plan and local plans could lead to duplication and to potential conflict between policies. Notwithstanding other considerations about the level of detail discussed in the paragraphs which follow, officers for a range of policies recommend a reasonably simple wording change, converting polices from development control ones into strategic guidance, along the following lines:

‘Local plans should ensure that.....’ - the remainder of the policy then raises issues which local plans should seek to address in the detail within their local plan policies.

3.6 A further point on the level of detail contained in policies is that the roll forward of the Plan is intended to be a package of alterations and not a fundamental review of the whole Plan. Reviewing the whole Plan to materially change all policies could be considered beyond the scope of a

package of Alterations and more akin to a full review. Given that the Plan was adopted as recently as 1998 a full review is not considered appropriate.

- 3.7 The following summarises some of the main officer recommendations on specific policies or groups of policies contained in the document accompanying this report.

Accommodation and accessibility for people with disabilities and other special needs

- 3.8 The pre-deposit Plan proposed the deletion of a policy ‘Accommodation for people with physical disabilities’, dealing with the provision of housing for those with disabilities, and its replacement with a more general policy to address accessibility for those with disabilities to all forms of development. However, there have been some concerns that this removes the emphasis given in the Plan to the need to specifically meet the housing needs of those with disabilities. Officers agree and recommend that both the original policy on meeting accommodation needs and the new policy on accessibility in a general sense be included within the Deposit Plan.

Gypsy/Traveller Sites

- 3.9 The pre-deposit Plan contains a proposed replacement gypsy policy. The Community Development Agency (CDA), however, have suggested an alternative policy which officers feel better takes account of the range of issues which should be considered in identifying the need for, and the location of, gypsy sites. Officers recommend that the policy proposed by the CDA, with suitable amendments to reflect the views of other objectors, be included within the Deposit Version.

Health

- 3.10 The pre-deposit Plan contains a proposed new strategic policy on the provision of health facilities in meeting the changing needs of the health service. The policy was developed with the Hertfordshire Health Agencies and with the main Health Trusts. Two development interests have objected to the Plan on the basis that it does not identify two separate locations (Roehyde and London Colney) as potentially suitable for a new hospital site or recognise the need for a new hospital. However, no representations have been received from the responsible health authorities either suggesting that the need for a new hospital site should be identified in the Plan, nor on specific locations. Officers therefore recommend that at this stage the policy remains as proposed in the pre-deposit Plan, subject to responses from health agencies at deposit stage.

Development in the countryside and rural facilities

- 3.11 The pre-deposit Plan contained suggested improvements to the policy on the rural economy and a new proposed policy on rural facilities. On the whole these proposals have been welcomed, though GOEAST have recommended that the revised and new policy be merged, together with the existing policy on

Tourism. GOEAST have proposed a new wording. Officers recommend that the GOEAST policy represents an improvement to the approach in the pre-deposit Plan, but that a separate policy on Tourism be retained on the basis that not all tourism in Hertfordshire relates to the countryside.

Environmental Assets

- 3.12 A range of possible changes to the environmental assets policies proposed in the pre-deposit Plan are recommended in the document accompanying this report. Most of these are not considered to be significant. The proposed new policy on the protection of soil has generally been supported, though GOEAST have proposed an alternative wording which officers recommend represents an improvement.

Airports

- 3.13 The pre-deposit Plan contained a proposed new policy on the impact of airport related development on Hertfordshire. A number of relatively minor wording changes have been suggested which officers recommend represent improvements. London Luton Airport, however, have objected to the policy on the basis that it relates to development outside the County and therefore is not appropriate. Officers are of the view that the policy seeks to address the possible implications of airport related development within the County and the impacts of the airports themselves and that as such this is appropriate. BAA Stansted have not raised any fundamental concern with the policy, nor has GOEAST.

Crematoria

- 3.14 The pre-deposit Plan contained a proposed new policy on cemeteries and crematoria, requiring local authorities in the south of the County to join forces in identifying and meeting needs and giving preference to green cemeteries over conventional cemeteries. A number of objections have been received from districts and from GOEAST suggesting that it would not be reasonable to give preference to green cemeteries over conventional ones. Officers accept this point and recommend that this preference be removed from the policy. Objections have also been raised that there is guidance only on the location of green cemeteries and not conventional cemeteries. Officers also recommend that this is addressed in the policy for the Deposit Plan.

Potentially Polluting Development and Pollution Sensitive Development

- 3.15 The existing adopted Structure Plan has one strategic policy on development likely to cause pollution and development that itself would be sensitive to pollution. The pre-deposit Plan proposed to delete this policy and replace it with more detailed policies on specific types of pollution - noise, air quality and light pollution. Whilst GOEAST and some districts have either not commented or have welcomed these policies, others consider that they are too detailed or more appropriate for local plans.

- 3.16 Not all local plans contain policies on all aspects of pollution. On the whole however, most have good coverage of pollution issues. PPG23 'Planning and Pollution Control' suggests there is a need for a framework at the strategic level in the Structure Plan and the question is whether this can be best achieved by one very general overarching policy or several detailed policies. The points raised in paragraph 3.5 are relevant here.
- 3.17 The majority of districts feel that detailed pollution policies are more appropriate for local plans. Officers accept that having more detailed policies in the Structure Plan increases the likelihood that there may be conflict with policies in local plans and therefore cause confusion in coming to decisions on individual development proposals. If the County Council were to revert back to a single overarching policy on pollution it would still be able to object to local plans which, in its opinion, do not contain policies on an appropriate range of pollution issues. On balance, it is considered that the overarching pollution policy in the adopted Structure Plan should be retained and the proposed detailed policies not be taken forward.

Other policies

- 3.18 There are a range of other policies in the document accompanying this report for which officers have recommended relatively minor changes be made in response to objections.

4. Sustainability Appraisal of Deposit Plan Policies

- 4.1 Alongside consideration of what changes may need to be made to policies in response to objections to the pre-deposit Plan, consultants have been appointed to undertake a sustainability appraisal of emerging policies to ensure that sustainability issues are taken as fully into consideration as possible. This appraisal process may point towards the need for additional changes to be made over and above those being considered in response to objections. Any such changes will be reported to Panel on 28th January 2003.

5. What happens next?

- 5.1 At its meeting of 28th January 2003, Panel will receive reports on:
- any further recommended changes to the policies considered in this report in light of the meeting with districts referred to in paragraph 2.4 and the interim results of the sustainability appraisal.
 - recommendations on those policies not the subject of this report and outlined in paragraph 2.3.

6. Conclusions

- 6.1 Panel are asked to advise on the officer recommendations contained in the document accompanying and summarised in this report.