

## CHAPTER 16 – NORTH EAST HEMEL HEMPSTEAD

### 16.1. LAND FOR DEVELOPMENT AT NORTH EAST HEMEL HEMPSTEAD: GENERAL

#### Objections

<i>Rep No</i>	<i>Name</i>	<i>Rep No</i>	<i>Name</i>
3089	St Albans District Council	4275	The Hunters Oak Residents’ Group

#### Key Issue

- (a) Whether reference should be made to waste incineration in the text on North East Hemel Hempstead. (3089, 4275)

#### Inspector’s Conclusion

- 16.1.1. There are a number of objections to various parts of the Plan at the inclusion of a waste incineration plant as part of the employment land allocation at North East Hemel Hempstead. I deal with this matter later in the Chapter when considering the objections to the Development Requirements (Part 4), for this is the point at which the requirement is introduced (see Section 16.3). For the reasons indicated in that section, I recommend that a waste incinerator should not be included in the range of specified uses.

#### **Recommendation**

- 16.1.2. The Plan should be modified to exclude a waste incinerator from the range of specified uses at North East Hemel Hempstead.

### 16.2. LAND FOR DEVELOPMENT AT NORTH EAST HEMEL HEMPSTEAD: 1. STRATEGIC BACKGROUND

#### Objections

<i>Rep No</i>	<i>Name</i>	<i>Rep No</i>	<i>Name</i>
5208	Gazeley Properties Ltd	5212	English Partnerships
5210	The Crown Estate		

#### Key Issues

- (a) Whether the Development Requirements are too detailed and restrictive and whether the Detailed Guidelines are necessary. (5208, 5210, 5212)
- (b) Is it clear what specialised technological activities (STAs) are, is the proposed definition is too restrictive, and should further guidance be given. (5208, 5210, 5212)
- (c) Whether the reference to activities in the national or regional interest is appropriate. (5208, 5210, 5212)
- (d) Whether B1 (a) office uses should be allowed on the site. (5208, 5210, 5212)

- (e) Whether the access requirements are too detailed. (5208, 5210, 5212)
- (f) Whether a hotel, an incinerator and small industrial units should be required on the site. (5208, 5210, 5212)

## **Inspector’s Conclusions**

### **(a) *Appropriate level of detail***

- 16.2.1. The objectors argue that the devotion of a whole chapter in the Plan to Area Proposals at North East Hemel Hempstead provides unnecessary detail, and that the requirements are generally too prescriptive. It is accepted that it is necessary to comprehensively plan the development of this large site, and that this is best achieved by a master plan prepared on a collaborative basis between the landowners and the relevant Councils. But in the objectors’ view details such as the location of access points and internal highway arrangements, the layout and phasing of development, and the scale and location of open space, should properly be addressed through the master-planning process. To include them in the Local Plan introduces an undesirable degree of rigidity over matters that have not been subject to detailed analysis. This could lead to uncertainty and inefficiency if changed circumstances lead to different solutions which, although acceptable, do not conform with the Plan.
- 16.2.2. The Council contends that its treatment of North East Hemel Hempstead in the Deposit Draft Plan is largely based on the Adopted Plan (CD39), with an additional section to cover the housing allocation (Proposals Site H27). Other amendments update the requirements to reflect current needs, and provide more guidance on the types of uses and access to the site. The authority points out that the level of detail in the Adopted Plan was broadly accepted by both previous Local Plan Inspectors. Moreover the Council followed the recommendation of the first of these Inspectors (in CD37) by separating the policy elements (the Development Requirements) from the Detailed Guidelines in Part 5. The overall approach is considered to be consistent with the advice in PPG12, paragraph 3.14, in that the matters included are likely to provide the basis for determining future planning applications.
- 16.2.3. In my consideration of the overall style and content of the Plan I have already expressed my concern at its complexity and the generally high level of detail it contains. The treatment of North East Hemel Hempstead is perhaps a prime example, for not only do the Development Requirements contain within their five pages many matters of guidance rather than policy, but they also repeats items that occur elsewhere in the Plan. For example, the site features twice in the employment chapter, where it is introduced as a key strategic allocation in Policy 35 and is included as E4 in the Schedule of Sites. In all instances the priority to be given to specialised technological activities is mentioned, as is the requirement for a high standard of design and landscaping. Further repetition occurs in the Detailed Guidelines, where additional guidance is provided on many of the matters addressed in the Development Requirements. Similar duplication occurs with the housing allocation.
- 16.2.4. There is no doubt in my mind that the level of detail contained in the Development Requirements is not consistent with the advice in PPG12. Whilst paragraph 3.14 indicates that policies should concentrate on matters likely to provide the basis for considering planning applications, it also states that excessive detail should be avoided. Supplementary planning guidance (SPG) is seen as the means of setting out

detailed guidance, and one of the forms of SPG mentioned in PPG12 is an area development brief.

- 16.2.5. In my view most of the North East Hemel Hempstead section of the Plan comprises a level of detail that is more appropriate as SPG. I appreciate that some of the matters identified are essential to the proper development of the site, and these should be included in abbreviated form within the ‘planning requirements’ in the Schedules of Housing and Employment Sites. In short, I see no reason why the principles governing the development at North East Hemel Hempstead should not be treated in much the same way as the other allocated sites.
- 16.2.6. Although previous Inspectors have endorsed the Council’s approach, there are two main reasons why I have reached a different conclusion. Firstly, the Council has chosen to provide more detail in the Development Requirements than appears in the Adopted Plan, notwithstanding the need to address the housing allocation. Matters such as the nature of the access junctions and the internal road layout are not appropriate to a local plan policy, particularly as the representative of the local highway authority accepted at the inquiry that an alternative junction design was likely to be acceptable. This exemplifies the problem of over-prescriptive policy detail, for there may be many appropriate design solutions that would not conform to the policy as formulated.
- 16.2.7. Secondly, current Government advice places greater emphasis on simpler, flexible local plans that can better withstand the passage of time. The 1999 revision of PPG12 indicates that plans should be clear, succinct, relevant and easily understood, avoiding over-elaborate and unnecessary detail. It also places greater weight on SPG that has been prepared in the proper manner, stating that it can play a valuable role in supplementing plan policies and proposals.
- 16.2.8. There are other advantages to delegating the detailed treatment of the site to SPG. Because the strategic allocation includes land in St Albans District, a single document covering both local authority areas could be prepared. As all relevant parties (District and County Councils, landowners and developers) would be involved in the process, the prospects of an agreed approach would be greater, with potential benefits for the speed at which the site is developed. Once it is prepared, SPG can be more easily amended to reflect changing priorities, needs and circumstances than can the local plan, enhancing the likelihood of up-to-date guidance being available in the future.
- 16.2.9. Taking all these factors into account, I recommend that the North East Hemel Hempstead Area Proposals be deleted from the Plan, with those policy elements that are essential to the proper development of the site being included within the ‘planning requirements’ in the appropriate Schedules of Proposals Sites. The guiding principle is that the matters included, and the level of detail, should be consistent with the ‘planning requirements’ elements of the other proposals sites. Some of these matters were subject to objections to the Development Requirements (Part 4.6.4 of the Plan), and I recommend in that section of the report the particular elements that seem to me to be essential.

**(b) *Definition of specialised technological activities***

- 16.2.10. The land at North East Hemel Hempstead was first identified for development in the 1986 Hertfordshire Structure Plan Review. Although this and subsequent structure plans have stated that priority should be given to specialised technological activities (STAs), at no point has the County Council indicated precisely what it means by this phrase. The objectors argue that this matter needs to be clarified in the local plan, as the activities that are to be permitted are fundamental considerations at the commencement of the development process. The Council accepts that a definition of STAs is necessary, but prefers to develop criteria as part of the master-planning process, believing that all parties should be involved in agreeing a workable definition.
- 16.2.11. I find it somewhat ironic that the Council has chosen to defer to SPG the one matter of detail that the objectors believe should be part of the statutory plan. I recognise the difficulties surrounding this issue, for it is important to strike the right balance between the need for clarity and the avoidance of over-elaboration or undue inflexibility. However, as a matter of principle it seems to me that a term that is included within a policy to regulate the use of land should be clearly understood if that policy is to be capable of meaningful interpretation. Whilst a degree of ambiguity may be acceptable at a strategic level, the function of the local plan is to provide sufficient detail to guide day-to-day planning decisions. The STA requirement is a fundamental element of the policy, and is most likely to be implemented by means of a planning condition (or obligation) that requires users of a development to be engaged in STAs. In the interests of clarity and transparency it seems to me that STAs should be defined in the text of the local plan.
- 16.2.12. Three methods of defining STAs were before me at the inquiry. The Council’s approach (as amended by PIC216 and FC91) is based on the Use Classes Order. It accepts all Class B1(b) development as coming within the ambit of STA, and proposes to develop criteria for assessing those B1(c) and B2 uses that should also be included as part of the master-planning process. The objectors prefer a system based on the 1992 Standard Industrial Classification (SIC), and promote a definition which includes the high technology manufacturing and high technology services sectors, together with film and broadcasting and various developing activities such as biotechnology, environmental technologies and multi-media. The third method derives from a report (CD123) by Segal Quince Wicksteed Ltd (SQW), who were commissioned by Hertfordshire County Council to produce a definition of STAs that was relevant to the County. This requires firms to meet two of four criteria, covering both the nature of the industrial sector and the qualifications or expertise of the workforce, and provides guidelines to aid the assessment of each criterion.
- 16.2.13. All three approaches have both advantages and drawbacks. I acknowledge the Council’s view that a classification should preferably employ land use planning criteria, but it is clear that the broad categories of the Use Classes Order are not ideally suited to the purpose. Although Circular 13/87 indicates that “high-tech” uses spanning offices, light industry and research and development should fall within the B1 Class, this Class encompasses many other functions – such as purely administrative offices – that are not STAs. Restricting the definition to B1(b) uses would be far too narrow, as the Council accepts, and any attempt to determine which activities from other Use Classes might be regarded as STAs requires a different terminology.

- 16.2.14. The SIC methodology has the advantage of precision, being based on a widely accepted and detailed classification system, but it appears that the broad groupings favoured by the objectors are likely to include a significant number of activities that, on the face of it at least, would not qualify as STAs. For example, the ‘office machinery and computers’ grouping includes the manufacture of ticket punches and pencil sharpening machines, the ‘precision instrument’ grouping includes the manufacture of tape measures and rules, and under ‘electrical engineering’ appears the manufacture of cycle lamps and electric plugs and sockets. Many other similar examples exist. I think it unlikely that the technology involved in these processes is specialised or “high”, or that they would contribute much to the Bright Green vision for the County based on knowledge, innovation, skills and services.
- 16.2.15. The most promising approach, in my view, is that contained in the SQW report. The four criteria identified as relevant comprise being within a ‘high tech’ sector, focusing on research and development and related activities, having at least 15% qualified scientists and engineers in the workforce, and having established linkages with a research facility. In addition, all firms must be environmentally acceptable and not include activities that would cause a nuisance to other firms. By placing emphasis on the activity or workforce based at the site as well as the sector in which a firm operates, many of the shortcomings of a primarily sector-based approach would be overcome. The inclusion of developing technologies that are not recognised in the SIC system, such as genetic engineering and telepresence, also ensures that the definition is up-to-date.
- 16.2.16. I acknowledge that the SQW methodology is somewhat complex, and I share the objector’s view that the sector guidelines may need some adjustment. For example, the reference to ‘chemicals’ seems overly generalised, whilst there may be a case for including some film and broadcasting activities to build on an existing area of expertise. It is also essential, in my view, that the criterion which lists the ‘high-tech’ sectors requires these activities to take place on site. Nevertheless, from the options before me I consider that a methodology based on the SQW approach is most likely to achieve the strategic objective of STA development.
- 16.2.17. The very nature of STAs, many of which are at the forefront of innovation and require cross-sectoral skills, makes it difficult to produce a definition that is both all-encompassing and yet sufficiently precise. Whilst any definition is likely to involve fine judgements being made in marginal cases, the purpose of the definition is both to inform the decision making process and to reduce the potential areas of dispute to a minimum. The SQW approach errs on the side of flexibility in its identification of acceptable activities, but tempers this with an additional requirement relating mainly to the skills of the workforce. In my view this provides the basis for a definition which should clarify what is meant by the term STA, whilst at the same time not presenting a barrier to appropriate high-tech firms that are seeking to invest in the area. I recommend that the Council produce a definition based primarily on the SQW approach, as outlined above, and that this be included in the text of the Plan following Policy 35, the first occasion when the requirement for STAs is identified.

**(c) *Activities in the national or regional interest***

- 16.2.18. The objectors argue that the reference to activities in the national or regional interest being an “exceptional” clause in the policy, requiring an unusual or special need, is not

consistent with Structure Plan policy 15. I have addressed this matter in my consideration of Policy 35, where I conclude that the exceptional need test is not appropriate (see paragraph 8.9.5).

**(d) Office uses**

16.2.19. The restriction on office uses is included within the Development Requirements section of the North East Hemel Hempstead proposals, and I deal with these objections in my consideration of that part of the Plan (see paragraphs 16.3.4 to 16.3.8).

**(e) Access requirements**

16.2.20. The principles relating to the access to the site are included within the Development Requirements section of the North East Hemel Hempstead proposals, and I deal with these objections in my consideration of that part of the Plan (see paragraphs 16.3.14 to 16.3.18).

**(f) Hotel, incinerator and small industrial units**

16.2.21. These matters are also included within the Development Requirements section of the North East Hemel Hempstead proposals, and I deal with these objections in the following section of my report.

**Recommendation**

16.2.22. **The Area Proposals for North East Hemel Hempstead be deleted, with those policy elements that are essential to the proper development of the site being included in Policy 35 or Sites E4 and H27 in the Schedules of Proposals Sites.**

16.2.23. **A definition of specialised technological activities be included in the text following Policy 35.**

**16.3. LAND FOR DEVELOPMENT AT NORTH EAST HEMEL HEMPSTEAD:  
4. DEVELOPMENT REQUIREMENTS**

**Objections**

<i>Rep No</i>	<i>Name</i>	<i>Rep No</i>	<i>Name</i>
1170	Mr G Gahalin	4011*	HCC Environment Department
1533	Gazeley Properties Ltd	4026	HCC Corporate Services Department
1563	English Partnerships	4076	HCC Environment Department
2122	The Crown Estate	4183	English Partnerships
2123	The Crown Estate	4278	Mr P Waters
3088	St Albans District Council	4282	Mr Ian Stowe

**Counter Objections**

To pre-inquiry change 216			
5724PC	English Partnerships	5786PC	The Crown Estate

**Support**

4025	HCC Environment Department
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## Key Issues

- (a) Whether the Development Requirements are too detailed and restrictive. (1533, 1563, 2122, 2123, 4183)
- (b) Is it clear what specialised technological activities (STAs) are, is the proposed definition too restrictive, and should further guidance be given. (1533, 1563, 2122, 2123, 4183, 5724PC, 5786PC)
- (c) Whether B1(a) office uses should be allowed on the site. (1533, 1563, 2122, 2123, 4183)
- (d) Whether the reference to a waste incinerator should remain, whether it is consistent with the Waste Local Plan, and the effects of such a use on the attraction of STAs to the site. (1170, 1533, 1563, 2122, 2123, 3088, 4026, 4183, 4282)
- (e) Whether the access and highway requirements are too detailed. (1533, 1563, 2122, 2123, 4183)
- (f) Whether a hotel should be required on the site. (1533, 1563, 2122, 2123, 4183)
- (g) Whether small industrial units should be required on the site. (1533, 1563, 2122, 2123, 4183)
- (h) Should STA uses be restricted to named occupiers. (1533)
- (i) Should the text be amended to refer to the master plan being prepared jointly by the local authorities and the landowners/developers. (3088, 4011, 4026)
- (j) Whether reference should be made to the need for archaeological evaluation and any necessary mitigation measures. (4076)
- (k) Whether the area of woodland between the Nicky Line and the industrial area should be retained. (4278)

## Inspector’s Conclusions

### (a) *Appropriate level of detail*

- 16.3.1. These objections are the same as those made to the Strategic Background section of this part of the Plan. I have considered them in section 16.2 above, where I conclude that most of the detail in both the Development Requirements and the Detailed Guidelines is too prescriptive for inclusion in a local plan. I therefore recommend that the North East Hemel Hempstead Area Proposals be deleted from the Plan. The policy elements that are essential to the proper development of the site should be included within the ‘planning requirements’ in the appropriate Schedules of Proposals Sites. The remainder would form the basis of supplementary planning guidance, which in my view is the appropriate vehicle for providing a detailed framework for the development of the site.
- 16.3.2. In the following sub-sections I consider those elements of the Development Guidelines that were subject to objections. In the subsequent recommendation I set out those elements that seem to me to be essential for inclusion as ‘planning requirements’, though I recognise that my list may not be exhaustive.

### (b) *Definition of specialised technological activities*

- 16.3.3. This again is a matter that was raised under the Strategic Background section, and has been dealt with in section 16.2 above. I conclude that a definition of specialised

technological activities should be provided in the Plan, and recommend that it be included in the text following Policy 35.

**(c) *Acceptability of office uses***

- 16.3.4. The objectors argue that the long-standing restriction on office use (Class B1(a)) on this key employment site is too prescriptive and inflexible, and could prejudice the implementation of the desired STA use. They point to the advice in Circular 13/87, which introduced the business use class as a means of encompassing ‘high-tech’ activities spanning office, light industrial and research and development uses. The Council’s position is that office use is only acceptable if it is ancillary to one of the specified employment uses, on the basis that there is ample land available in core office locations and elsewhere to met the projected demand for unrestricted business (Class B) floorspace.
- 16.3.5. There is no objection to the exclusion of a use that falls wholly within Class B1(a), for at the inquiry all parties agreed that a purely administrative office use would not be appropriate in the light of the STA requirement. Consequently the issue is whether the clause that seeks to preclude non-ancillary office use would rule out some businesses that would be otherwise be acceptable because they satisfied the STA criteria.
- 16.3.6. It is necessary to establish, in my view, that this matter has nothing to do with the physical nature of a proposed development, but relates solely to the use to which it is put. Thus the STA requirement does not necessarily prevent the construction of what might normally be regarded as office buildings, for many STA uses operate from such premises. This is recognised in Circular 13/87, where the ‘high-tech’ uses listed in paragraph 20 are noted as operating from “*either offices or light industrial premises, whichever are more suitable*”.
- 16.3.7. I acknowledge that it might not be easy to determine the point at which an office use changes from being ancillary to the principal STA use and becomes a more than subordinate activity that is important in its own right. At the inquiry the Council suggested that the potential area for dispute might not be very large, as it was likely to accept a greater than normal proportion of office use as ancillary in STA cases, reflecting the advice in paragraph 91 of Circular 11/95. Provided the authority applies this interpretation in practice, it seems to me that the ‘ancillary’ clause performs a useful purpose in making it clear that wholly or mainly administrative office uses are not appropriate. I also believe that the clause could be important in securing a functional link with the principal STA use, in that it would enable the authority to exercise control over any sizeable areas of office work that were unrelated to or did not support the primary activity.
- 16.3.8. In certain circumstances it is possible that the ancillary office clause would preclude a business that satisfied the suggested STA criteria. It could, for example, militate against a large company operating within the high-tech sector that employed a small research or design team on site (15% of staff), but which primarily intended to use the premises as an administrative office for functions that were unrelated to the technological activity (such as payroll, purchasing, human resources etc). Whether a business of this nature should be acceptable under the STA umbrella must at least be debatable, in my view, so I regard the ‘ancillary’ clause as an important additional control that could help the Council to satisfy the strategic objective for North East



Hemel Hempstead. Consequently I recommend that the clause is retained in the Plan, as an element of Policy 35 and Site E4. For the sake of transparency, and as an aid to interpretation, I also recommend that in the text of the Plan it is acknowledged that higher than normal levels of ancillary office use may be acceptable for companies that satisfy the STA criteria.

**(d) Waste incinerator**

- 16.3.9. As the Plan is drafted, the provision of a waste incinerator is one of the uses which is required to be provided at North East Hemel Hempstead. The Council argues that such a facility is not a requirement, as the words *if required* at the end of clause 4(d) are intended to qualify the entire clause. However, without a comma after *other waste management uses* there is no doubt in my mind that the *if required* only relates to this last element of the clause, with the substantive first part not being so qualified. Additional punctuation is therefore necessary if this part of the Plan is to be read as the Council intends.
- 16.3.10. The more significant issue is whether it is necessary to identify North East Hemel Hempstead as a potential location for a waste incinerator. The site and adjoining land was initially identified in the Deposit Draft of the Hertfordshire Waste Local Plan (CD 67) as an area of search for such a facility. This was deleted on the advice of the Local Plan Inspector because of the difficulty in defining an area of search in the light of impending changes to the development plan, including the likely allocation of part of the land for housing. Instead the adopted Waste Local Plan includes at Policy 19 a criteria based approach to the identification of suitable sites for waste incineration. Nevertheless, the Council believes that this site is the only suitable location for a waste incinerator in the Borough, and argues that the use should at least be considered during the master-planning process.
- 16.3.11. The objectors are concerned that a waste incineration plant would be incompatible with the strategic planning objective of retaining the site for STAs, and inconsistent with the requirement for a development of high visual and environmental quality. To my mind there is considerable merit in this argument, for it is difficult to see how the impact of an incineration building with its tall chimney, plus the nature of the activity on the site and the associated traffic, would be compatible with the STA designation. I also share the view that the identification of the site as a possible location for waste incineration is likely to act as a deterrent to potential investors, thereby threatening the implementation of this key employment site. I note that the objectors have vowed not to release their land for waste incineration, and whilst in practical terms this would seem to rule the project out, whether this would give investors the security they require is not certain. As to the proximity to the proposed residential development on site H27 and the existing houses on Hunters Oak, although there would undoubtedly be some loss of visual amenity, there was insufficient evidence about other impacts to enable me to reach a conclusion on this matter.
- 16.3.12. It is apparent from a recent review of the options for waste management in Hertfordshire that there is not yet a firm commitment to the provision of a waste incinerator in the south-western part of the County. The current waste management strategy envisages one incinerator being constructed in the north-eastern part of the County by 2008, and a second facility, preferably in the south-west of the County, between 2015 and 2020. There is concern about the safety of incineration, however,

and thermal treatment plants would only be constructed if there were unequivocal evidence that they would be safe. Whilst it therefore remains likely that a site will be required to meet this longer-term need, it is unlikely to arise during the Plan period.

- 16.3.13. In conclusion, I believe that there is an inherent incompatibility between the creation of a high quality STA development and the siting of a waste incinerator close by. I also acknowledge that the implementation of the STA scheme could be prejudiced by a reference in the Plan to the possible construction of an incinerator, despite the landowners’ insistence that the land would not be released for such a purpose. Furthermore, there is little prospect of an incinerator being built during the Plan period. Even if circumstances changed and the need for incineration became more urgent, land within North East Hemel Hempstead could still be identified if it satisfied the criteria of the Hertfordshire Waste Local Plan Policy 19. Consequently the deletion of a reference in the Dacorum Borough Local Plan to a waste incinerator would not necessarily rule out such a facility at North East Hemel Hempstead, but merely places it on an equal footing with all other parts of the Borough. In these circumstances I recommend that the Plan be modified to exclude a waste incinerator from the range of possible employment uses.

***(e) Access and highway requirements***

- 16.3.14. The objectors argue that there is an over-prescriptive and unjustified level of detail in relation to both the access to the site (paragraph 6 of the Development Requirements) and the off-site highway improvements (paragraph 5.2(e) of the Detailed Guidelines). I have already indicated my general view that most of the North East Hemel Hempstead section of the Plan is more appropriate as supplementary planning guidance (SPG). Indeed, in paragraph 16.2.6 above I use access and highway matters to demonstrate the problems that can arise from excessive policy detail. The long list of amendments produced at the inquiry as FCs 100-102 reinforce this point, highlighting yet again the inability of the Plan to accommodate relatively minor revisions that result from closer examination of the highways issues.
- 16.3.15. It is almost inevitable, in my view, that further changes will occur, for there are clearly a number of options relating to the points of access to the site and the internal layout. In addition, more information about the likely scale of development is necessary before the full extent of the off-site works required to accommodate the development can be established. These matters should properly be resolved through the master-planning process, not the Local Plan.
- 16.3.16. I acknowledge that some guidance on highway matters and access is appropriate in the Local Plan, but this should be confined to those requirements that are essential and apply whatever physical form the development might take. I list these below:
- i) Vehicular access from Three Cherry Trees Lane only, using at least two junctions.
  - ii) Phased road improvements to facilitate the North East Relief Road.
  - iii) Other off-site highway improvements to cater for increased traffic to the site.
  - iv) Provision of on- and off-site footpaths and cycleways.

- v) Accessibility by passenger transport, to include a bus link between the housing and employment sites.

- 16.3.17. The question of whether there should be a link for all vehicles between the housing and employment land depends to some extent on the number of houses to be built and the detailed layout of the respective sites, and can best be left to the master plan. I see no reason for this to be included as a requirement.
- 16.3.18. The access and highway requirements identified above should form part of the planning requirements for the larger of the land allocations, Site E4, and a reference to this site being planned comprehensively with Site H27 should be added. In my view it should not be necessary for these requirements to be repeated in the planning requirements for Site H27, provided the cross-reference to Site E4 is retained.

**(f) Requirement for hotel**

- 16.3.19. One of the range of employment uses included in the Development Requirements is an hotel with conference facilities, designed to serve the business needs of the area. The objector accepts the principle of seeking hotel use on the site, but considers that it is overly prescriptive to make it a requirement of the development. The Council argues that there is an acute shortage of hotel accommodation in Dacorum, with weekday bed occupancy rates well above 80% and regular enquiries from businesses for hotel and conference accommodation which cannot be satisfied. Much of this unmet demand currently goes to hotels outside the District, and further accommodation is therefore deemed necessary. Moreover, as North East Hemel Hempstead is likely to generate additional demand for hotel facilities, it is regarded as an appropriate location.
- 16.3.20. I agree that North East Hemel Hempstead is a suitable location for an hotel with conference facilities, and I support its inclusion within the range of potential land uses. Whether it should be a requirement, however, is more problematic, for in my view the evidence of an overriding need for such a facility on this site is not clear cut. There are two existing hotels with conference facilities within a few kilometres, albeit that these are heavily booked. Three budget hotels have opened in recent years in Dacorum, including one in Hemel Hempstead, which cater for some of the previously unmet business demand. Moreover, there are significant opportunities for future provision, including a site at Jarman Fields which, despite being allocated for hotel use in the adopted Plan and having outline planning permission, has not been implemented.
- 16.3.21. A number of other locations are identified in the Plan as being suitable for hotels, including the nearby Maylands core office location, and hotels are among the range of uses encouraged in town and local centres. The opportunities for satisfying the unmet demand for accommodation are therefore wide ranging, both in terms of type of location and geographic spread. Furthermore, I do not regard North East Hemel Hempstead as an area where the need is so significant, or the site so superior, that the demand could not reasonably be satisfied on another site in the town. In these circumstances I can see no justification for requiring an hotel, and I recommend instead that the Plan gives encouragement to such a facility to locate in this employment area.

**(g)      *Small industrial units***

- 16.3.22. The Council points to studies which indicate that there is a shortage of accommodation for small businesses in Dacorum. Because small businesses play an important role in the local economy, and as the land at North East Hemel Hempstead is the only major greenfield employment site in the Borough, the authority considers it reasonable to provide an element of small units here. The objectors acknowledge that such provision may well emerge as the development progresses, but argue that it is unduly prescriptive to make it a requirement rather than a suggestion.
- 16.3.23. Structure Plan policy 14 seeks to ensure that a balanced supply of employment floorspace is provided, having regard to matters such as the needs of local businesses and the desirability of encouraging small scale employment development. Policy 36 of the Deposit Draft Local Plan specifically addresses this matter, encouraging the provision of units of under 235 sq m in General Employment Areas and town centres. With all the available evidence indicating that there is a shortage of small employment units in Dacorum, I think it is reasonable that this large development should include a range of unit sizes, both to meet the evident demand and to maintain a balanced supply of accommodation. As there is a tendency for the provision of small units to be neglected by the commercial property market, I consider that in principle the requirement of the Plan is justified.
- 16.3.24. The Plan indicates that the provision of small units should come from the part of the site that provides industrial and warehousing uses, rather than the part that is developed for STAs. However, as I indicate in Chapter 8, because part of the allocation has been lost to housing I am proposing that the whole of the smaller site be used for STA purposes, or those in the national and regional interest. At the inquiry the Council acknowledged that small units would be acceptable anywhere within the employment site, including the STA area. Moreover, the Segal Quince Wicksteed study (CD123) states that the majority of STA firms are small and medium enterprises, and that there is likely to be significant unmet demand for floorspace from this specialist sector of the market. Consequently I believe that there could be significant advantages from retaining the requirement for small units to be provided within the site, and I recommend accordingly.

**(h)      *Restriction to named occupiers***

- 16.3.25. The Council is seeking to ensure that planning permissions granted for STA developments will be subject to conditions and agreements which ensure initial occupation by a named user that satisfies the STA requirement. It argues that this is necessary to prevent the part of the site that is reserved for STAs being squandered for general employment use. The authority accepted at the inquiry, however, that if the nature of STA development was defined and agreed, the named user restriction might not be necessary.
- 16.3.26. I have already indicated my strong belief that a definition of STA development should be included in the Plan, and I have suggested the form that this should take (see paragraphs 16.2.10 to 16.2.17 above). It is envisaged that the occupation of sites designated for STA use would be controlled by a planning condition or obligation which requires the user to fulfil the terms of the STA definition, as set out in the Plan.

In these circumstances there would be no need for a named user restriction, and I therefore recommend that it be deleted.

**(i) Preparation of master plan**

16.3.27. In the Deposit Draft, the requirement for a comprehensively planned development includes the provision of a master plan to be prepared by the landowners/developers in consultation with the interested local authorities. The other Councils object to the emphasis given. St Albans argues that the Councils should retain control over the development by preparing the master plan, while the County Council considers that the preparation of the master plan should be a joint process between the local authorities and the developers. The Borough Council has responded by proposing in PIC217 that the master plan should be prepared on a collaborative basis. I agree that this is an appropriate approach, and I accept that the Plan should refer to the need for a comprehensively planned development of the North East Hemel Hempstead area. However, I regard the arrangements for preparing the master plan as one of the detailed matters that does not warrant a mention in a local plan.

**(j) Archaeological evaluation**

16.3.28. I have addressed the need for a programme of archaeological investigation in my consideration of Proposals Site E4, where I conclude that it should be one of the ‘planning requirements’ of that policy. Consequently, whilst I support PIC218 in principle, the matter has been dealt with elsewhere in the Plan.

**(k) Retention of woodland**

16.3.29. The objector considers that a small area of woodland adjacent to the Nicky Line and close to the existing industrial estate should be retained. Whilst I would generally support the incorporation of such woodlands into the areas of landscaping and open space that are required as part of large development sites, in my view this is a detailed matter that can best be determined during the master plan process. I recommend no change in response to this objection.

**Recommendation**

16.3.30. **The Development Requirements for North East Hemel Hempstead be deleted from the Plan, and be re-drafted in the form of ‘planning requirements’ for Proposals Site E4 to include the following matters:**

- **Comprehensively planned and phased development based on master plan approach;**
- **Activities in the national or regional interest to be added to the specified uses;**
- **Office uses to be ancillary to specified uses;**
- **Provision of small units to foster the growth of small firms;**
- **Hotel with conference facilities encouraged;**
- **Highways and access requirements –**

vehicular access from Three Cherry Trees Lane, with at least two junctions,  
 phased road improvements to facilitate the North East Relief Road,  
 other off-site highway improvements to cater for traffic,  
 provision of on- and off-site footpaths and cycleways,  
 passenger transport access, including bus link to housing site;

- High standard of design and landscaping to create high quality environment;
- Retention of existing landscape features;
- Landscape buffer to housing site;
- Scheme of archaeological evaluation and mitigation.

16.3.31. A definition of specialised technological activities be included in the text following Policy 35.

## 16.4. LAND FOR DEVELOPMENT AT NORTH EAST HEMEL HEMPSTEAD: 5. DETAILED GUIDELINES FOR THE DEVELOPMENT OF THE KEY EMPLOYMENT SITE

### Objections

<i>Rep No</i>	<i>Name</i>
4995L*	English Nature
5209	The Crown Estate

<i>Rep No</i>	<i>Name</i>
5211	English Partnerships

### Counter Objection

To pre-inquiry change 219
5727PC English Partnerships

### Key Issues

- (a) Whether the Detailed Guidelines are repetitive and overly prescriptive. (5209, 5211)
- (b) Whether there is a discrepancy in the notation of the housing site. (4995L)

### Inspector’s Conclusions

#### *(a) Repetitive and overly prescriptive*

16.4.1. As will be apparent from my consideration of similar objections in the earlier parts of this Chapter, I consider that the Detailed Guidelines provide an unnecessary and unduly prescriptive amount of detail for inclusion in a local plan. I therefore recommend that this section be deleted from the Plan, and incorporated (as appropriate) in supplementary planning guidance.

#### *(b) Discrepancy in notation*

16.4.2. The objector identified a discrepancy in the reference to the housing site at North East Hemel Hempstead, which at one point in the Detailed Guidelines (and on some of the plans) is referred to as H33 rather than H27. The Council proposes to correct this error

by PIC219. As this error only seems to occur in those parts of the Plan that I am recommending for deletion, it is not matter that requires my endorsement.

**Recommendation**

16.4.3. **The Detailed Guidelines be deleted from the Plan.**

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END OF CHAPTER 16