



# **Dacorum Borough Council**

## **Local Planning Framework**

### **DACORUM CORE STRATEGY EXAMINATION IN PUBLIC**

**Statement by Dacorum Borough Council**

**Issue 9: Looking after the Natural and Historic Environment**

**September 2012**

## **Purpose of this statement**

The purpose of this statement is to summarise the Council's position regarding the following issues raised by the Inspector in advance of their discussion at the public hearing sessions.

To avoid repetition this statement includes cross references to appropriate technical work and includes relevant extracts as appendices.

## Matters raised by Inspector

- 9.1 Will the Core Strategy be effective in protecting the Borough's environmental and heritage assets? Is it sufficiently robust, particularly with regard to protecting sites of biodiversity and/or geological importance?
- 9.2 Is the Council's approach to the provision and protection of green infrastructure sound and appropriately reflected on Map 3: High Level Green Infrastructure Network (which now incorporates minor change MC40)?
- 9.3 Does the Core Strategy provide sufficient protection for archaeological assets in the Borough?
- 9.4 Paragraph 125 of the NPPF refers to the need to limit light pollution. Is proposed change MC100 sufficient to ensure that this objective will be achieved?
- 9.5 Does the Core Strategy provide a positive strategy for the conservation and enjoyment of the historic environment?
- 9.6 Are there any issues regarding minerals that should be addressed?

## Dacorum Borough Council's Response

- 9.1 **Will the Core Strategy be effective in protecting the Borough's environmental and heritage assets? Is it sufficiently robust, particularly with regard to protecting sites of biodiversity and/or geological importance?**
  - 9.1.1 The approach to environmental and heritage assets in the Pre-Submission Core Strategy (Examination Document SUB1) is a continuation, and strengthening, of the approach set out in the current Dacorum Borough Local Plan (Examination Document OT1). This is supported by technical work and public consultation.
  - 9.1.2 The role of the Core Strategy is to provide a clear framework for the protecting the Borough's environmental and heritage assets. This is set out sections 16 and 17 of the Pre-Submission Core Strategy and includes the following policies:
    - Policy CS24: The Chilterns Area of Outstanding Natural Beauty;
    - Policy CS25: Landscape Character;
    - Policy CS26: Green Infrastructure; and
    - Policy CS27: Quality of the Historic Environment.
  - 9.1.3 Other policies elsewhere within the Core Strategy will also help to deliver environmental objectives. For example:
    - *Policy CS29: Sustainable Design and Construction* – includes a range of principles aimed at reducing water consumption, providing adequate foul

drainage, providing on-site recycling facilities for waste and maximising the energy performance of buildings.

- *Policy CS31: Water Management* – seeks to minimise water run-off, seek opportunities to reduce the cause and impact of flooding, secure opportunities to conserve and enhance biodiversity and avoid damage to Groundwater Source Protection Zones; and
- *Policy CS32: Air, Soil and Water Quality* – requires development to protect and improve air quality, maintain soil quality, improve water quality standards and avoid development that would result in increases in air, soil or water pollution.

All of these requirements are aimed at protecting the environmental assets of both the borough and beyond.

9.1.4 The Proposals Map (Examination Document OT1) that accompanies the Core Strategy shows the location of key environmental and heritage designations to be protected, including:

- Chilterns Area of Outstanding Natural Beauty (AONB);
- Sites of Special Scientific interest (SSSIs)
- Nature reserves;
- Key areas of open land;
- Scheduled ancient monuments (SAMs);
- Conservation Areas;
- Parks and Gardens of Special Historic Interest;
- Areas of Archaeological Significance;
- Regionally Important Geomorphological Sites; and
- Regionally Important Geological Sites.

Boundaries on the Proposals Map have been updated as necessary as part of work on the Core Strategy (see Examination Document SUB2).

9.1.5 There remain ‘saved’ policies in place within the Dacorum Borough Local Plan that set out the Council’s more detailed requirements. These included policies relating to the Chilterns Area of Outstanding Natural Beauty (Policy 97), trees and woodlands (Policies 99-101), Sites of Importance to Nature Conservation (Policies 102 and 103), the protection of river valleys, lakes, reservoirs and ponds (Policies 104 and 105); archaeological remains (Policy 118) and conservation areas and listed buildings (Policies 119-121).

9.1.6 The Council has engaged with key environmental and heritage bodies throughout production of the Core Strategy (see Statement of Compliance with the Duty to Co-Operate: Examination Document SUB8) and sought to reflect their advice to ensure an effective and robust approach.

9.1.7 The strategy has the support of specialist officers within Hertfordshire County Council’s Historic Heritage and Landscape teams (see Statement of Common Ground: Examination Document SG4) provided a few additional changes are

made to the text. These are put forward as further minor changes to the plan. Advice of the County Archaeologist has been taken into account when assessing potential local allocations and strategic sites (see Examination Document HG15) and drawing up joint planning statements that will guide the content of forthcoming master plans (see Examination Documents SG1-3 and SG5-8)

- 9.1.8 The Council's ecological adviser from the Hertfordshire Biological Records Centre has provided advice throughout development of the strategy and where appropriate his advice is reflected in the text. The ecological adviser has also provided feedback on ecological and habitat enhancements required as part of development of the local allocations and strategic sites (see Examination Documents SG1-3 and SG5-8)
- 9.1.9 The Chilterns Conservation Board are happy with broad approach proposed to the borough's environmental and heritage assets (Examination Document SUB9).
- 9.1.10 Natural England made detailed comments on section 16 (Enhancing the Natural Environment). They were involved in work on the green infrastructure studies (Examination Documents EN13 and EN14) and specially support Policies CS24: The Chilterns Area of Outstanding Natural Beauty, and CS26: Green Infrastructure. Minor changes have been put forward to address concerns raised – including providing more information on the Chilterns Beechwood Special Area of Conservation (SAC) and sites of special scientific interest (minor change MC42 in Annex B, Table B, Report of Representations, Examination Document SUB5).
- 9.1.11 English Heritage provided a number of detailed comments regarding the historic environment. Many of these are considered to be more relevant to the review of 'saved' policies in the Dacorum Borough Local Plan i.e. as part of the forthcoming Development Management DPD. Proposed minor changes meet most points raised regarding Hemel Hempstead and Berkhamsted Castle (see Annex B, Table B, Report of Representations: Examination Document SUB 5 and also Examination Document SG4 which sets out further minor changes)
- 9.1.12 The Council's strategy has been developed to complement the 'Living Landscapes' initiative of the Wildlife Trusts and the work of the Chilterns Conservation Board. Compliance with the AONB Management Plan is a specific requirement in Policy CS24.
- 9.1.13 Some minor changes have been put forward to strengthen the strategy's approach to the protection of geological interests (see minor changes MC43, MC49 and MC101 in Table 3 of the Report of Representations). These changes include incorporating RIGGS in the Countryside Vision Diagram.
- 9.1.14 The Sustainability Appraisal has considered the effects of Policies CS24 – CS27 against the sustainability framework. This framework includes specific objectives relating to the protection and enhancement of biodiversity / geodiversity (SA Objective 1) and the historic environment and cultural assets (SA Objective 10) (see Table 8-1, Sustainability Appraisal Report, Examination Document SUB3). This assessment concludes that "*The policies are forecast to have significant positive effects for biodiversity, cultural heritage and landscapes and other*

*associated indirect effects, for example, through green infrastructure helping to mitigate the effects of climate change.....”* (paragraph 6.6.1). The SA Report has also assessed the impact of the Core Strategy as a whole on both biodiversity and cultural heritage and landscape. The results of this assessment are similarly positive (see paragraphs 6.9.1 and 6.9.4).

9.1.15 See also the responses to questions 9.2, 9.3 and 9.5 below, which provide more detailed information and explanation regarding the Council’s approach to green infrastructure, archaeological assets and the historic environment.

**9.2 Is the Council’s approach to the provision and protection of green infrastructure sound and appropriately reflected on Map 3: High Level Green Infrastructure Network (which now incorporates minor change MC40)?**

- 9.2.1 Green Infrastructure (GI) is a new concept that has been incorporated into the heart of the Council’s approach to the natural environment. The term covers a network of protected sites, nature reserves, habitats, green spaces, waterways and green linkages that cross the borough (and beyond).
- 9.2.2 The Council considers that its approach to GI is both robust and sound. It has been developed on the basis of a series of technical studies, in particular:
- Urban Nature Conservation Study (Examination Document EN2); and
  - Dacorum Borough Green Infrastructure Plan (Examination Document EN13)
- 9.2.3 It also takes account of Habitats Regulation Assessment (HRA) advice (Examination Documents SUB4 and CS7) regarding the Chiltern Beechwoods Special Area of Conservation and advice received from key consultees such as Hertfordshire County Council’s Landscape team, who subject to some further minor changes, have confirmed that they are happy with Council’s approach (see Statement of Common Ground: Examination Document SG4).
- 9.2.4 This approach to GI (including the content of Map 3) has been developed in consultation with the Council’s ecological adviser at the Hertfordshire Biological Records Centre and specialist officers at Hertfordshire County Council. It reflects the Herts and Middlesex Wildlife Trust’s ‘Living Landscapes’ project (reference to which is added via proposed minor change MC47).
- 9.2.5 Map 3 (as amended by minor change MC40) illustrates the high level GI network within the Borough. It supports Policy CS26: Green Infrastructure by showing key factors referred to in the supporting text in a visual format. Where appropriate, cross boundary linkages are shown. ‘Areas of Biodiversity Opportunity,’ where investment and management could secure significant wildlife and habitat benefits, are also identified.
- 9.2.6 As its title indicates, Map 3 it is intended to give the district overview – rather than provide all of the detail which is within the studies themselves and will be incorporated into a planned Supplementary Planning Document.

- 9.2.7 Other maps within the Core Strategy provide a further level of detail. For example, Figure 28: Countryside Vision Diagram shows the long distance footpaths within the Borough, and Vision Diagrams within the Place Strategies show strategic (and where appropriate, urban) wildlife corridors, areas of open land and green gateways. Map 2 and Figure 28 show the extent of the Chilterns Area of Outstanding Natural Beauty. The Proposals Map (Examination Document OT1) shows the location of nature reserves and sites of special scientific interest and a range of historic heritage designations which are often small in scale and therefore hard to show accurately in diagrammatic form. There is however a close correlation between these small-scale designations and the ‘Key Biodiversity Areas’ shown in Map 3.
- 9.2.8 This approach therefore accords with the second bullet point of paragraph 117 of the NPPF which requires planning policies to “*identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation.*”
- 9.2.9 This overall approach to GI complies with the requirements of the National Planning Policy Framework which states that “*Local planning authorities should: set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure...*” (paragraph 114).
- 9.3 Does the Core Strategy provide sufficient protection for archaeological assets in the Borough?**
- 9.3.1 Policy CS27: Quality of the Historic Environment sets out the strategic approach to protection of the historic environment within the Borough. This explicitly refers to the fact that “*Features of known or potential archaeological interest will be surveyed, recorded and wherever possible retained.*”
- 9.3.2 This policy is currently elaborated through a ‘saved’ policy within the DBLP Policy 118: Important Archaeological Remains. The Local Development Scheme (Examination Document OT3) specifies that this policy will be reviewed and included within the Development Management DPD.
- 9.3.3 There has been close liaison between the Council and its archaeological adviser from Hertfordshire County Council in preparation of the Core Strategy. The Statement of Common Ground prepared with the County Council (Examination Document SG4) confirms that, provided the changes outlined in the statement are made, the County Council’s Environment Department (which includes the county archaeologist) has no objection to the Pre-Submission Core Strategy. These changes are put forward as further minor modifications to the plan.
- 9.3.4 The Council has also been careful to take archaeological issues into account when considering the suitability of potential local allocations and strategic sites, with advice from the County Archaeologist reflected in the assessments (see

Examination Document HG15)

9.3.5 No concerns regarding the Council's approach to archaeological assets have been raised by other key organisations such as English Heritage.

**9.4 Paragraph 125 of the NPPF refers to the need to limit light pollution. Is proposed change MC100 sufficient to ensure that this objective will be achieved?**

9.4.1 Paragraph 125 of the NPPF (Examination Document REG15) states that "*By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature consideration.*"

9.4.2 Paragraph 26.18 of the Countryside Place Strategy already refers to reducing the impact of light pollution in the context of main transport routes. This reflects guidance within the Chilterns AONB Management Plan (Examination Document EN5). Minor change MC100 seeks to strengthen this approach, by highlighting the particular vulnerability of the rural parts of the Borough to light pollution and ensuring that these impacts are minimised.

9.4.3 This requirement is support through Policy CS32: Air, Soil and Water Quality. This policy clearly states that any development proposals that cause harm from a significant increase in pollution by virtue of light and other factors will not be permitted.

9.4.4 Policy 113: Exterior Lighting of the Dacorum Borough Local Plan is retained as a 'saved' policy and adds detail to Policy CS32, together with detailed advice on lighting within Appendix 8. The Local Development Scheme (Examination Document OT3) proposes that Policy 113 is replaced by an appropriate revised policy within the Development Management DPD.

9.4.5 The requirements of the NPPF will be further met through the application of policies within the Core Strategy that seek to provide high quality design – particularly Policy CS12: Quality of Site Design, which includes a specific clause regarding visual intrusion.

9.4.6 Other guidance, such as that provided by the Chilterns Conservation Board regarding equine activities (referenced in paragraph 26.15) will provide additional support for the Council's approach

**9.5 Does the Core Strategy provide a positive strategy for the conservation and enjoyment of the historic environment?**

9.5.1 The conservation and enjoyment of the historic environment can relate to buildings, landscape and archaeological features. It therefore covers both the built and natural environment. The framework within the Pre-Submission Core Strategy seeks to identify key assets and provide a mechanism to help conserve

and enhance them.

- 9.5.2 A number of minor changes have been proposed to help strengthen the Council's approach e.g. MC52, MC82, and MC83 and the further minor changes set out in the Statement of Common Ground drawn up with Hertfordshire County Council (Examination Document SG4).
- 9.5.3 The strategy is a continuation (and in some areas, strengthening) of the approach set out in the Dacorum Borough Local Plan (Examination Document (OT1). Policies have been developed in consultation with colleagues in the Conservation and Design team at the Borough Council DBC and have the support of the Historic Heritage team at Hertfordshire County Council (see Examination Document SG4). The overall strategy has the support of English Heritage.
- 9.5.4 Policy CS27: Quality of the Historic Environment is couched in positive terms, requiring all development to favour the conservation of historic assets. The Place Strategies identify particular aspects of the historic environment that are important to individual areas and should be protected. This importance can relate to their intrinsic historic value, or the role they play in helping people to enjoy and appreciate the history of the area e.g. Berkhamsted Castle is both an important historic asset and also a popular place to spend leisure time and learn about the past. Paragraph 11.15 of the Pre-Submission Core Strategy recognises that the tourism within the area is closely linked to its cultural assets.
- 9.5.5 The conservation and enjoyment of the historic environment is supported by a number of 'saved' policies in the Dacorum Borough Local Plan. These provide a more detailed set of requirements relating to development within Conservation Areas and affecting Listed Buildings.
- 9.5.6 A programme of Conservation Area Appraisals (CAAs) is underway, with those for Bovingdon, Chipperfield, Frithsden, Nettleden and Great Gaddesden already complete. The appraisal for Berkhamsted is due to go out for consultation in early October. These CAAs, and the historic environment as a whole, will be supported through a new Historic Environment SPD (see Local Development Scheme: Examination Document OT3).
- 9.5.7 Design policies also have an important role to play in providing a positive strategy. The approach set out in Policies CS10-CS13 requires developers to consider the relationship of new development with its historic setting at the settlement, neighbourhood and site scale, and through consideration of the public realm.
- 9.5.8 See also response to question 9.1 and 9.3 above.

## **9.6 Are there any issues regarding minerals that should be addressed?**

- 9.6.1 Hertfordshire County Council is the minerals planning authority for Dacorum. Their role is set out in paragraph 18.40 of the Pre-Submission Core Strategy (as amended by minor change MC68). The County Council are therefore responsible

for implementing most of the requirements of section 13 of the National Planning Policy Framework, albeit with the support of the local planning authority.

- 9.6.2 The Minerals Local Plan 2002-2016 was adopted in March 2007. There is an associated Supplementary Planning Document which identified minerals consultation areas within the county. None of these fall within Dacorum (see <http://www.hertsdirect.org/infobase/docs/pdfstore/sandandgravel2.pdf> and <http://www.hertsdirect.org/infobase/docs/pdfstore/prop150208.pdf> for further information).
- 9.6.3 There are no significant mineral reserves within the Borough. As noted in the footnote to paragraph 18.27 of the Pre-Submission Core Strategy, the only mineral reserves within the Borough are some clay reserves at Bovingdon Brickworks (used to make bricks and tiles) and the sand and gravel belt around Kings Langley.
- 9.6.4 The brickworks are referred to explicitly within the Bovingdon Place Strategy (section 24 of the Core Strategy) – with the vision referring to their protection. The brickworks forms part of the protected employment land supply by virtue of its designation as an Employment Areas in the Green Belt (Policy CS15: Offices, Research, Industry, Storage and Distribution and ‘saved’ Policy 32 of the Dacorum Borough Local Plan).
- 9.6.5 Policies 127: Mineral Workings and Waste Disposal, and 128: Protection of Mineral Reserve of the Dacorum Borough Local Plan 2991-2011 still remains in force. The Local Development Scheme (Examination Document OT3) indicates that these two policies will be merged and superseded through a new policy in the Development Management DPD.
- 9.6.6 Hertfordshire County Council, in their capacity as minerals planning authority, has been consulted throughout development of the Core Strategy. The Statement of Common Ground (Examination Document SG4) confirms that, provided the changes outlined in the statement are made, the County Council’s Environment Department has no outstanding objections. These amendments are proposed as further minor changes to the Pre-Submission Core Strategy.
- 9.6.7 In the light of the above factors, the Council considers that the Core Strategy appropriately reflects minerals issues.