

CHAPTER 3 – OBJECTIVES

3.1. OBJECTIVES:GENERAL

Objections

| <i>Rep No.</i> | <i>Name</i> | <i>Rep No</i> | <i>Name</i> |
|----------------|----------------------------------|---------------|---------------------------|
| 4487 | Prudential Assurance Company Ltd | 5133 | Tring Environmental Forum |
| 4522 | John Dickinson Stationery Ltd | | |

Key Issues

- (a) Should the Plan contain a vision statement to bind together the various objectives. (4487, 4522)
- (b) Do the Local Planning Objectives deal adequately with housing, ‘brownfield land’ and the Green Belt or should they make reference to the government’s “sequential test” for housing. (4522)
- (c) Whether the three ‘regional objectives’ should be included in the Plan. (5133)
- (d) Should the Plan give as much emphasis to the objectives of the Structure Plan 1998. (5133)
- (e) Does the Plan adequately explain how national and local policy objectives have been translated into local policy. (5133)
- (f) Whether the plan adequately addresses how it will meet core objectives of sustainable development, housing/employment needs and other local needs. (5133)

Inspector’s Conclusions

(a) *The need for a vision statement*

3.1.4. The inclusion of a "vision statement" is very much down to the individual style of the local authority preparing the plan. Such a statement may be desirable in aiding understanding of what the policies of the Plan are aiming to achieve, but I do not consider it to be a necessity. The policies are the tools that will deliver and guide development over the plan period; such a statement, which could be construed as being imprecise, will not necessarily aid them. I see no need, therefore, to modify the Plan to include such a statement.

(b) *Housing and the sequential test*

3.1.5. The re-use of previously developed land for housing is one part of the overall objective of re-using such land. The sequential test referred to by the objector has now been brought into the revised PPG3. The requirement of sequential testing for housing development is not compromised by the objective relating to the re-use of existing urban land as a whole, but is included within it. This particular chapter concerns itself with broader objectives, the re-use of previously developed land being one. There are differing uses to which previously developed land can be put and housing is only one of these. In this context, therefore, I see no need to make specific reference to the sequential test for housing at this point in the Plan.

3.1.6. I am concerned, however, that the objectives, particularly those in section 3, do not give sufficient prominence to the need to ensure that development involving the reuse of previously developed land, particularly in urban areas, is given priority over development of ‘greenfield’ sites. In my view Local Plan objective (g), which relates to the reuse of existing urban land and buildings, should not merely seek to reduce the conflicts between development and conservation. Sustainable development is a far wider consideration. I consider the objective would be more apposite if it sought instead to encourage the reuse of existing urban land and buildings and to minimise the development of “greenfield” land in order to achieve a more sustainable pattern of development.

(c) *The regional objectives*

3.1.7. While I understand the reasons why the Council considered it appropriate to include a section on Regional Planning Objectives, I am not satisfied it is essential to the proper understanding of the strategy of the Local Plan. More importantly these objectives may well change during the life of the Plan. The Plan is more likely therefore to become out-of-date if they are included. They also, in my view, add unnecessarily to the length and complexity of the Plan. I recommend, therefore, that they be omitted.

(d) *The Structure Plan objectives*

3.1.8. I have similar reservations about the inclusion of the fairly lengthy exposition of the Structure Plan objectives. There is also a danger that paraphrasing these objectives in the Local Plan could lead to disputes over interpretation and the weight to be attached to the formulation of these objectives in the Local Plan. My concern is reinforced by the fact that in the Structure Plan the objectives are part of the Explanatory Memorandum and are therefore not subject to section 54A of the Act¹, whereas the whole of the Local Plan forms part of the Development Plan. It could be argued, therefore, that greater weight should be attached to the formulation of the objectives set out in the Local Plan.

3.1.9. I appreciate that the Council may have wanted to set the local planning objectives in context. However, I do not consider this is necessary for a proper understanding of the Local Plan Strategy. In any case, the policies of the Structure Plan have to be read in conjunction with the Local Plan in considering whether development accords with the objectives of the Development Plan. I am not satisfied, therefore, that the inclusion of the Structure Plan objectives in the Local Plan is essential. In my view the Plan would be easier to read and more approachable without them. Consequently, I recommend they be deleted.

(e) *The translation of objectives into policy*

3.1.10. I am satisfied that in general terms the development strategy and urban structure policies in Part 3 of the Plan do give effective voice to the local planning objectives. In my view the reasons and background to the policies in most cases, provide sufficient explanation of the role of policy guidance and the objectives in their

¹ See paragraph 22 of PPG12

formulation. Indeed in some cases I find the exposition is unnecessarily lengthy. The inclusion of a fuller explanation would in my view only serve to complicate the Plan further. I do not consider therefore that any change is necessary to the Plan in this regard. However, as I have already indicated in paragraphs 2.4.1 to 2.4.3 of my report I consider that there is a need for clearer indicators to be incorporated into the Plan to enable better monitoring of whether or not the objectives are being achieved.

(f) The core objectives of sustainable development

- 3.1.11. The concept of sustainability underlies the development strategy of the Plan. As such I accept that the Plan seeks to achieve the core objectives of sustainable development. However, as I have already indicated in paragraphs 2.5.1 to 2.5.5, I do not consider that the approach is sufficiently explicit. It contrasts strongly with the Structure Plan, which makes the concept of sustainability a much stronger core feature of its overall strategy. In my view, the approach adopted in the Structure Plan has much to commend it. The Local Plan would be greatly improved if it took a similar approach. I would suggest therefore that it be amended to include a specific policy on sustainability as recommended in paragraph 6.7.15 and sustainability indicators as recommended in paragraph 2.5.6 of my report.
- 3.1.12. I note the Council’s suggestion that some of the objectives are desirable goals and not quantifiable outcomes and therefore it is not always reasonable or realistic to measure the objectives. However, I do not accept this argument. In my view it is essential that the Plan’s ability to deliver its objectives can be measured against appropriate quantitative and qualitative targets if its effectiveness is to be properly assessed and the objectives and policies modified accordingly.
- 3.1.13. I appreciate that there may occasionally be conflicts between objectives and that they may have to be balanced against each other. However, this does not alter the fact that the value of the objectives can only be assessed if the Plan incorporates an effective monitoring framework. The inclusion of such a framework would help to ensure that the Plan adequately addresses the core objectives of sustainable development. I am satisfied that the changes referred to in paragraph 3.1.8 would satisfy this element of the objection.

Recommendation

- 3.1.14. **The Plan be modified as follows in response to objection 5133:-**
- (a) delete the Regional Planning Objectives;**
 - (b) delete the Structure Planning Objectives;**
 - (c) include a more comprehensive monitoring framework, including sustainability indicators.**
- 3.1.15. **No modification be made to the Plan in the light of objections 4487 and 4522.**

3.2. REGIONAL PLANNING OBJECTIVES

Objections

| <i>Rep No.</i> | <i>Name</i> | <i>Rep No.</i> | <i>Name</i> |
|----------------|---------------------------|----------------|---------------------------|
| 5134 | Tring Environmental Forum | 5135 | Tring Environmental Forum |

Key Issues

- (a) Are the extracts taken from the Regional Planning Guidance relevant or should they be removed from the Deposit draft. (5134)
- (b) Are the Regional objectives out of date and do they accord sufficient weight to sustainable development. (5135)

Inspector’s Conclusions

(a) *Relevance of Regional Planning Guidance*

3.2.1 Reference to the version of RPG9 published in 1994, as providing the relevant objectives for the region was correct when the Deposit Draft was published. However, since then a revised version of RPG9 has been published. In principle, therefore, the regional planning objectives ought to be modified to reflect the new guidance. Even if they were not, I find the current wording appears to give greater emphasis to the objectives set down in the 1980’s over those found in the 1994 version of RPG9. I therefore acknowledge that some of the extracts from Regional Planning Guidance referred to in the Plan are no longer of direct relevance.

3.2.2 This could be remedied by rewording this section to give the proper emphasis to the objectives contained in the current version of RPG9. However, in my view, the simplest approach would be to delete the regional planning objectives altogether as recommended in paragraph 3.1.11. This would avoid the danger of the objectives becoming out of date.

(b) *Regional objectives and sustainable development*

3.2.3 As I have already indicated I find that the regional planning objectives are already out of date and could become more so if RPG9 was to be revised again during the period of the Plan. This reinforces my view that the objectives should be deleted.

3.2.4 The objector refers to the weight given to the objective of sustainable development in the draft version of RPG9. Clearly the draft and the final version of RPG9 do develop the concept of sustainable planning a stage further. However, the concept is already all pervasive in current policy and the 1994 version of RPG9 made clear that the objectives of sustainable development should guide the way building development is planned. I do not believe, therefore, that reference to the 1994 version of RPG9 would prejudice adequate regard being paid to current policy initiatives on sustainability. This does not alter my view that it would be better to omit the Regional Planning objectives altogether.

Recommendation

3.2.6. **Modify the Plan by deleting Section 1 of Part 2: “Regional Planning Objectives”.**

3.3. STRUCTURE PLANNING OBJECTIVES

Objections

| <i>Rep No.</i> | <i>Name</i> | <i>Rep No.</i> | <i>Name</i> |
|----------------|----------------------------------|----------------|---------------------------|
| 1255 | CPRE – The Hertfordshire Society | 5172 | Tring Environmental Forum |
| 5136 | Tring Environmental Forum | | |

Key Issues

- (a) Whether the Plan always takes best account of the theme of sustainable development, set out in the Structure Planning Objectives, for its proposals for some sites. (1255)
- (b) Does the Plan place too much emphasis on the objectives of the Structure Plan 1998. (5136)
- (c) Should the Plan indicate how the content of other policy documents has been considered in the development of its strategy and objectives. (5136)
- (d) Are the extracts from the Structure Plan relevant or should they be removed from the Plan. (5172)

Inspector’s Conclusions

(a) *Structure Planning objectives and sustainable development*

3.3.1. The objector has not provided any evidence of where the Plan fails to give appropriate consideration to the sustainable development aims contained in the Structure Plan in respect of particular proposal sites. In the absence of such evidence it is difficult to know precisely which sites the objector believes do not accord with the Structure Planning Objectives. I have, nevertheless, sought to address the issue of sustainability in respect of individual sites when considering objections to specific proposals later in my report. I see no need for any change to this section of the Plan in the light of objection 1255.

(b) *Emphasis on the objectives of the Structure Plan*

3.3.2. The objectives of the Structure Plan are contained within the Explanatory Memorandum rather than within the main body of the Plan. They therefore carry less weight than the Structure Plan policies. The objector refers to a case where the explanatory memorandum of a Structure Plan was held not to form part of the development plan and was therefore not subject to section 54A of the Act. However, in that case (*Holden and Holden v. Secretary of State for the Environment and the Lake District Special Planning Board (1993)*) the above conclusion was arrived at where an application for planning permission was refused on the strength of the explanatory memorandum.

3.3.3. The circumstances in this case are clearly very different. Nevertheless, I accept that there is a danger that including the Structure Plan objectives into the text of the Local Plan could give them undue weight, albeit that they are merely intended to form a background to the Local Planning objectives. I consider, therefore, for the reasons set out in paragraphs 3.1.5 and 3.1.6 of my report, it would be better if they were omitted.

(c) Consideration of other policy documents

3.3.4. I am satisfied that in general terms the Plan does make sufficiently clear which policy documents have influenced the formulation of the Local Planning Objectives and the overall Plan Strategy. I consider a more expansive exposition of the role of these documents would only add unnecessarily to the length of the Plan. It would not in my view be of significant assistance to the layman. I find no justification, therefore, for recommending the Plan be modified to indicate how the content of other policy documents has been considered in the development of its strategy and objectives.

(d) Relevance of the Structure Plan extracts

3.3.5. Although the Structure Plan objectives are contained within the Explanatory Memorandum, I agree with the Council that they are relevant background material. However, while they are important to the context of the Local Planning objectives I see no need to re-iterate them in the Local Plan for the reasons I have already given. I consider, therefore that it would be better if they were omitted.

Recommendation

3.3.6. **Modify the Plan by deleting Section 2 of Part 1 “Structure Planning Objectives”.**

3.4. LOCAL PLANNING OBJECTIVES

Objections

| <i>Rep No</i> | <i>Name</i> | <i>Rep No.</i> | <i>Name</i> |
|---------------|----------------------------|----------------|---------------------------|
| 2166 | The British Film Institute | 5138 | Tring Environmental Forum |
| 2167 | The British Film Institute | 5183 | Tring Environmental Forum |
| 5137 | Tring Environmental Forum | | |

Supports

| | | | |
|------|----------------------------------|------|---------------------------------|
| 1148 | Herts & Middlesex Wildlife Trust | 1835 | Aylesbury Vale District Council |
| 1226 | The Chiltern Society | 5143 | Mr Tony McWalter MP |
| 1835 | CPRE – The Hertfordshire Society | | |

Key Issues

- (a) Should an additional or amended objective be included to refer either to sustaining and enhancing the Borough’s link with film and television heritage facilities through the British Film Institute at Berkhamsted or to protecting the arts and cultural heritage linked to the Borough or on a wider scale. (2166)
- (b) Whether reference should be made to a minor change to the Green Belt boundary at Berkhamsted to allow consolidation of national film heritage conservation and archiving activity on one site. (2167)
- (c) Do the Local Plan Objectives adequately explain how national and local policy objectives have been translated into policy and the Council’s strategy for attaining core objectives. (5137)
- (d) Are the Local Planning Objectives an adequate basis for a sustainability strategy. (5138)
- (e) Should the objectives be amended to define sustainable development as an all-embracing concept that involves economic, social and cultural as well as environmental values.

Inspector’s Conclusions

(a) The need to refer to the Borough’s links with film and television heritage facilities

- 3.4.1 The British Film Institute (BFI) is an institution of national importance. The Government directly supports many of its activities including the conservation and archiving of our film and television heritage as part of the National Film, Video and Television Archive (NFVTA). There is no doubt in my mind that it makes an important contribution to national life.
- 3.4.2 The BFI have had a base within the Borough for the last 30 years. In recent years much of their work has been centred on the J Paul Getty Conservation Centre at Kingshill Way, Berkhamsted. The Centre became operational in 1987.
- 3.4.3 The BFI are seeking to expand their operations at this site to meet the needs of a growing workload that has in part been made possible by money from the National Heritage Memorial Fund. The BFI have, therefore, made a number of objections to the Deposit Draft in order to provide a greater degree of certainty upon which the BFI can base its future planning strategy.
- 3.4.4 Objection 2166 originally sought the inclusion of an additional Local Planning Objective, which would refer to “sustaining and enhancing the Borough’s links with film and television heritage facilities and activities through the British Film Institute at Berkhamsted”. In subsequent discussions the BFI put forward the alternative suggestion of amending objective (d) to include reference to “arts and cultural heritage linked to the Borough or on a wider scale”. The Council does not accept either of the suggested amendments as in their view the relevant issues are already adequately covered within the Plan.
- 3.4.5 Although the objector put forward an alternative wording in discussions with the Council there is no indication that they intended to withdraw their original objection. I have therefore considered both of the alternative suggestions.
- 3.4.6 The original objection seeks to include direct reference to the work of the BFI and the role it plays within the Borough. In my opinion, the primary issue here is the appropriateness, or otherwise, of singling out a particular land use for special treatment due to its status of national importance. The Council have drawn attention to the fact that Policy 87 already seeks to prevent development which would result in a loss of arts, cultural or entertainment facilities. However, prevention of its loss is entirely different to positive support being shown for the enhancement of such a facility. I am not satisfied, therefore, that the Plan does address the issues raised by the objector.
- 3.4.7 However, the Local Planning Objectives, as set out in Part 2 of the Plan, are intended to relate to wider planning aims, which are supported by national and strategic policy. In my view this could not be said to be true for the proposed new objective which effectively relates to a site-specific issue.
- 3.4.8 The site in question lies on the edge of the southern side of Berkhamsted in an area of Green Belt. Part of the site is also within an Area of Archaeological Significance. In addition, there are listed buildings on the site. Unqualified support for maintenance and enhancement of the facility could be seen to prejudice the legitimate aims of these

designations. I do not consider, therefore, it would be appropriate to include a specific statement of encouragement for this use within the wider local planning objectives for the area.

- 3.4.9 Turning to the alternative suggestion I note that the Department of Culture Media and Sport (DCMS)² has sought to give greater priority to the value of culture in contributing to the quality of life. In particular it expects Local Authorities to prepare Local Cultural Strategies by June 2002. It makes clear that Local Development Plans and Local Cultural Strategies should become mutually supportive in helping to define the role of the local authority in the provision of cultural services and in applying the principles of ‘sustainable development’ to a strategic approach to culture. In this context it is apparent that there should be clear and defined links between the Local Cultural Strategy and the Local Plan.
- 3.4.10 I appreciate that the Council had not produced a Local Cultural Strategy by the close of the Inquiry. However, it was clear that they intended to produce one and that they expected it to be in place before the end of 2001. This would be well before the Council is due to consider final modifications to the Local Plan. In my view therefore there should be ample time for the Local Plan to be modified to reflect the Local Cultural Strategy and create the appropriate links that the DCMS is seeking. Indeed such an approach will be essential if the Council is to take a corporate approach to their Local Cultural Strategy. If effective links are to be created then it will be necessary in my opinion for the Plan to make reference to the Local Cultural Strategy.
- 3.4.11 In the circumstances I consider it would be reasonable for the Local Planning objectives to be amended to reflect the aims of the Local Cultural Strategy. I am not satisfied that criterion (d) in its present form does include the Borough’s artistic and cultural heritage, as the Council suggest. However, modifying objective (d) to include reference to such matters would not, in my view, go far enough, since the criterion is limited to protecting existing heritage. I consider that it would be more appropriate to include an additional objective, which would seek to sustain and enhance the artistic and cultural heritage of the Borough in accordance with the Local Cultural Strategy.
- 3.4.12 I do not believe, however, that the new objective ought to include reference to the arts and cultural heritage on “a wider scale” as suggested by the objector. Not only is this terminology unduly vague but it could also cover matters which are strictly beyond the scope of the Local Plan.

(b) *Amendments to the Green Belt boundary*

- 3.4.13 This objection is consequent on objection 2169, which seeks an amendment to the Green Belt boundary at Kingshill Way, Berkhamsted. I deal with the latter in section 4.22 of my report. Objection 2167 proposes that paragraph 3.18 of the Plan be altered to make clear that changes to the Green Belt boundary will either be made specifically in respect of the BFI site or in more general terms to accommodate employment expansion and expansion of cultural and heritage facilities.
- 3.4.14 Paragraph 3.18 does not actually state that changes to the Green Belt boundary are restricted solely to those necessary to meet reasonable housing needs. Consequently,

² This has now become part of the Department for the Environment, Food and Rural Affairs (DEFRA).

a change to the Green Belt boundary at Kingshill Way to meet the needs of the BFI would not, in my view, be contrary to the stated intentions of paragraph 3.18.

3.4.15 It is clear that the principal reason for changes to the Green Belt in Dacorum is to meet the need for additional housing. Such changes are specifically allowed for in the adopted Structure Plan. It is appropriate, therefore, to mention this as the main reason for the proposed changes to the Green Belt in paragraph 3.18. Even if there are exceptional circumstances that justify changes to the Green Belt boundary for other reasons these are, in my opinion, likely to be extremely limited. In the circumstances, I do not consider that it would be appropriate to refer to such changes in paragraph 3.18 as this deals with the wider planning objectives for the Borough. I see no justification for amending the text of this paragraph to make specific reference to a minor change to the Green Belt boundary at Kingshill Way, even if such a change were justified.

3.4.16 There are few other sites to which the issues of employment expansion or expansion of cultural or heritage facilities are applicable. I do not see any need therefore for a more general change to the wording of paragraph 3.18, either in the form originally put forward by the objector or in the amended form suggested by me at the Inquiry. I note the objector’s desire for the objectives of the Local Plan to be more supportive of the work of the BFI but I do not consider that this warrants an amendment to paragraph 3.18. I therefore recommend that no change be made to this paragraph.

(c) *Strategy for obtaining core objectives*

3.4.17 The objector contends that the Local Plan objectives should include a reasoned case to explain how national, regional and structure plan policy has been interpreted into local policy. What is important, in my view, is that the appropriate process of interpretation has been carried out, rather than that the Plan includes a lengthy explanation of how it has been done. I am satisfied in general terms that the Council has undertaken the necessary interpretation. Any specific inconsistencies between strategic policies and those of this Plan will be addressed later in this report.

3.4.18 The objector also draws attention to the possibility of conflict between stated objectives. The Council is required to determine applications in the light of section 54A of the 1990 Act. This states that applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. A conflicting policy/objective contained within the same Development Plan may be taken as a material consideration. I am confident that the Council will undertake their development control decisions with due regard to all the necessary factors. I find that an additional lengthy explanation of the objectives is unnecessary.

(d) *Basis for sustainability strategy*

3.4.19 This issue covers grounds of objection that stretch beyond the text found in Part 2. The objection relates to virtually every part of the Local Plan in its broadest sense. In so far as this objection relates to this particular passage of text, I can see no reason for modification. I am satisfied that the remainder of this report will address disparities between a particular section of the Plan and the concept of sustainable development, where and if these exist.

- 3.4.20 The objection raises numerous points regarding the importance of sustainable development in its widest sense. It must be remembered that the Local Plan is a land-use plan. Consequently, some of the issues raised in the objection are not matters that can be addressed through the implementation of Local Plan policies and proposals. Although the objector refers to more sustainable economic and social practices, the Plan is only able to influence these through land use policies.
- 3.4.21 Nevertheless, I accept that the Plan does not take full account of the latest national guidance on sustainable development, especially that within PPG3 and PPG12. In particular, I am concerned that the strategy does not appear to have been based on a full capacity assessment of the Borough. To some extent this will be addressed by the urban capacity study that is currently being undertaken by the County Council. As I indicated earlier in paragraph 1.1.40 of my report I consider that the Borough Council will need to take the outcome of the urban capacity study into account when considering modifications to the Plan.
- 3.4.22 In addition, there are other areas where the assessment of capacity does not appear to have been as rigorous as it might have been. For instance, I am not entirely satisfied that sufficient consideration has been given to the capacity of local infrastructure to accommodate further development in all cases. However, I am not persuaded that this justifies the radical overhaul of the Plan that the objector is seeking. To my mind the harm that would arise from the inevitable delays that such an approach would entail would more than offset any benefits. Nevertheless the Council should in my opinion give serious consideration to the approach suggested by the objector when undertaking the next review of the Plan.

(e) *The definition of sustainable development*

- 3.4.23 This issue has been addressed in paragraphs 2.5.4 and 2.5.5 above. Nevertheless, I would add that, in my opinion, the use of the word "sustain", or any derivative thereof, does not necessarily imply any relationship to sustainable development. The contested local planning objective is in accordance with the guidance in PPG12. Consequently, I do not consider it to be inappropriate.

Recommendation

- 3.4.24 **The Plan be modified by the insertion of the following additional objective: -**
“to sustain and enhance the artistic and cultural heritage of the Borough in accordance with the aims of the Local Cultural Strategy”
- 3.4.25 **No modification be made to the Plan in the light of objection nos. 2167, 5137, 5138 and 5183.**

END OF CHAPTER 3