



# CORE STRATEGY REPORT OF CONSULTATION

## Overview

## Volume 7

**Includes:**

- Overview of whole period – issues and outcomes of consultation
- Comparison with the Statement of Community involvement

**Timeline:**



This publication is **Volume 7 of the Report of Consultation on the Core Strategy**. If you would like this information in your own language, or you would like to contact the Council about any other issue, please call 01442 867212.

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आ प्रकाशन केन्द्रिय व्युत्तरचना विशे-नो मसलत अहेवाल ग्रंथ ७ छे. जो आ माछिती तमारे तमारी पोतानी भाषामां मेणववी छोय तो अथवा तो बीजा कोठ पछ मुद्दा विशे तमारे काउन्सिलनो संपर्क करवो छोय तो, महेरबानी करी 01442 867212 उपर संपर्क करो.

जो आ माछिती तमारे बीजा आकारमां, जेम के मोठी छाप, अथवा ध्वनि टेप (ओडियो टेप) मां मेणववी छोय तो, महेरबानी करी 01442 228660 उपर संपर्क करो अथवा इकत मीनीकोम माटे 01442 867877 उपर फोन करो.

## Report of Consultation

The Core Strategy for Dacorum Borough has been prepared taking account of Government policy and regulation, technical evidence and consultation. Consultation has spanned seven years, from 2005 to June 2011. This report explains the consultation: i.e.

- the means of publicity used;
- the nature of the consultation;
- the main responses elicited;
- the main issues raised; and
- how they have been taken into account.

It also explains how the actual consultation relates to the Council's policy on consultation and engagement, the Statement of Community Involvement.

The report is presented in seven volumes:

- Volume 1:** Emerging Issues and Options (June 2005 - July 2006)  
- *Annex A* contains a summary of responses from the organisations consulted
- Volume 2:** Growth at Hemel Hempstead and Other Stakeholder Consultation (July 2006 –April 2009)
- Volume 3:** Stakeholder Workshops (September 2008 – January 2009)  
- *Annex A* contains reports on each workshop
- Volume 4:** Emerging Core Strategy (May - September 2009)  
- *Annex A* contains a summary of responses to the general public consultation  
- *Annex B* contains reports from the Citizens' Panel and Gypsy and Traveller community
- Volume 5:** Writing the Core Strategy - from Working Draft to Consultation Draft (June – September 2010)
- Volume 6:** Consultation Draft Core Strategy (November 2010 – June 2011)  
- *Annex A* contains a summary of responses to the general public consultation and reports from the Citizens' Panel and Town Centre Workshop. It also includes changes made to the Draft Core Strategy.
- Volume 7:** Overview

**This is Volume 7.**



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# 1. Introduction

## Purpose

- 1.1 Volume 7 explains why a Report of Consultation has been prepared and provides an overview of what consultation has achieved in Dacorum. It explains:
- what consultation is;
  - the key stages in public consultation on the Core Strategy;
  - the weight given to consultation feedback;
  - the legal and policy influences, which have affected consultation about the Core Strategy;
  - how the consultation compares with the Council's policy on community involvement; and
  - the key issues and outcomes, explaining progress up to the publication of the Pre-submission Draft Core Strategy.
- 1.2 The central purpose of consulting on the Core Strategy was to provide opportunities for constructive contributions and involvement in order to:
- raise awareness of the issues;
  - assist the Council to make the best informed decisions practicable;
  - raise the quality of the Core Strategy;
  - promote shared responsibility with key stakeholders and providing agencies; and
  - improve understanding of the decisions taken.

This was also a legal responsibility.

## Legal Background

- 1.3 Regulation 25 (Town and Country Planning (Local Development)(England) (Amendment) Regulations 2008) requires the Council to:
- (a) (i) notify organisations of the subject matter of a Core Strategy which it intends to prepare; and  
(ii) invite them to make representations;
- [Organisations means bodies specifically listed in the regulations *which the Council considers* may have an interest in the Core Strategy and other bodies *that the Council considers* appropriate.]
- (b) (i) consider, in addition, whether it is appropriate to invite representations "from persons who are resident or carrying on business in their area"; and  
(ii) invite representations; and

(c) take those representations into account.

1.4 The Report of Consultation must therefore set out:

- which organisations and people were invited to make representations under regulation 25;
- how they were invited to make their representations;
- a summary of the main issues that were raised; and
- how these issues have been addressed in the Core Strategy.

1.5 The Report of Consultation must be:

(a) published when the final draft Core Strategy is published to allow representations; and

[The Report of Consultation is one of a number of “*proposed submission documents*”, together with the Core Strategy itself, the sustainability appraisal and other supporting documents (i.e. technical evidence).]

(b) submitted to the Secretary of State when the Core Strategy is submitted for examination.

[The Report of Consultation is one of a number of “*submission documents*”, together with the Core Strategy itself, the sustainability appraisal, representations on the final draft Core Strategy and a summary of the main issues arising (sometimes referred to as the Report of Representations), and other supporting documents.]

### **The Consultation for Dacorum’s Core Strategy**

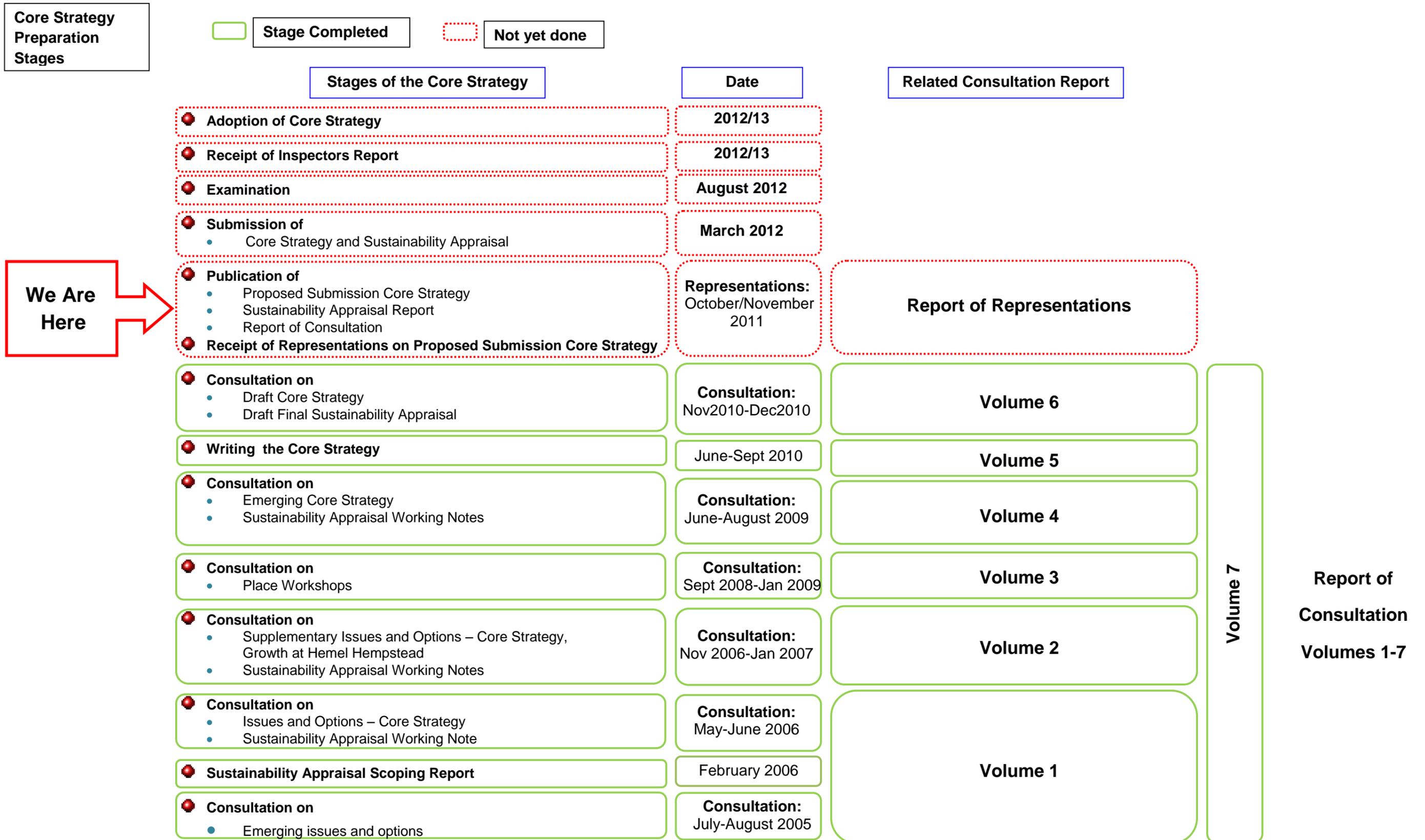
1.6 Public consultation about Dacorum’s Core Strategy began in July 2005 and continued over six years. Consultation with targeted stakeholders on some technical reports began earlier.

1.7 The preparation of the Core Strategy progressed through two broad phases:

- Issues and Options
- Setting the Strategy.

1.8 Figure 1 shows the main periods of consultation, and how this relates to the phases in the preparation of the Core Strategy. Volumes 1 – 6 of the Report of Consultation provide detail of the notification process, the comments received and, where appropriate, the Council’s response.

Figure 1: How the Report of Consultation relates to the Core Strategy



## 2. The Significance of the Consultation

- 2.1 The Council sought, received and considered *feedback* from individuals, organisations and other stakeholders on planning issues, options, objectives, policy direction and policy wording.
- 2.2 In doing so, it endeavoured to meet the ambitions it first set out in the Statement of Community Involvement – see Table 1 below.

**Table1: What Consultation should achieve**

| Principles  |
|---|
| <p>To:</p> <ul style="list-style-type: none"><li>• Give people who want to the chance to participate;</li><li>• Actively encourage those who have previously been underrepresented to participate;</li><li>• Promote involvement at earlier, formative stages;</li><li>• Keep people informed;</li><li>• Raise awareness of what planning does; and</li><li>• Draw in the views of service providers, organisations and stakeholders.</li></ul> |

Source: Para 2.2 Statement of Community Involvement

### Feedback

- 2.3 Feedback from consultation provided information which the Council took into account. It helped the Council progress from issues and ideas to the final draft Core Strategy.
- 2.4 There was:
- a) broad public consultation at Emerging Issues, Growth at Hemel Hempstead, Emerging Core Strategy and Consultation Draft stages; and
  - b) targeted consultation throughout, using a variety of techniques.

The Issues and Options Paper (May 2006) was a public consultation, that was targeted at organisations and individuals on the Local Plan consultation database.

- 2.5 The Council usually published or provided material, asking questions about it.
- 2.6 The process became more formal towards the Consultation Draft, when commenters were asked to be specific and suggest specific changes to overcome their concerns. This was partly inevitable because of the point reached, and partly because the Council wished to “prepare” participants for the pre-submission stage yet to come.

2.7 The Council introduced an online representations system in November 2006, enabling interested persons to submit comments any time of the day. It supplemented existing channels of communication.

2.8 Targeted consultation was extensive. It included:

- discussion with focus groups and workshops

Some groups representing particular age groups or minorities were involved. The Gypsy and Traveller community were separately approached. Participants in the series of workshops between September 2008 and January 2009 were challenged to respond to some difficult questions involving growth and change in their area, accommodation for Gypsies and Travellers, etc. It provided useful information and an insight into the perceptions of different groups.

- dialogue with stakeholders and key organisations

This was both ad hoc and continuous. Much of it was aimed at informing the Council about issues and how they could be dealt with, in part by the organisations themselves. This was especially important where the organisations provided services or infrastructure.

- dialogue with landowners

While relevant to a range of matters, it was particularly important to ensure landowner support and confirmation of their ability to deliver key sites. Landowners at Hemel Hempstead were involved in the consideration of major growth options.

- liaison with Dacorum Partnership

This extended the reach of the consultation and involved many voluntary and community groups. It helped to provide an insight into social issues and the varied spectrum of community aspirations.

- dialogue with other local authorities and parish councils

Councils in Dacorum and outside of Dacorum provided input where they chose to. A close working relationship was maintained with the County Council as an adviser and providing agency. The Councils collaborated on regional growth proposals and their infrastructure needs. The service requirements of the education authority helped the Council understand different growth options in all areas. The local highway authority provided regular advice and put in place a traffic model for Hemel Hempstead to enable the effect of different development proposals to be understood. Links with St Albans Council and Three Rivers Council were maintained to enable consideration of development and change at Hemel Hempstead

and Kings Langley respectively. Parish councils within Dacorum were actively involved and provided local understanding of issues. Generally there was limited interest from outside Dacorum, although the relevant authorities were consulted at key stages. The Council attempted to establish whether there were issues of common interest with adjoining authorities: very few were identified.

- advice from critical advisors (see paras below).

2.9 The results of consultation on plans other than the Core Strategy were assessed: i.e.

- (1) Dacorum Community Plan/Strategy
- (2) Site Allocations DPD
- (3) East Hemel Hempstead Area Action Plan
- (4) Hemel Hempstead Town Centre Master Plan.

(1) *Dacorum Community Plan/Strategy*

2.10 The voluntary and community sector provided an overview of community aspirations and drew out opinions from some typically 'hard-to-reach' groups. It covered many issues, often not related to land use, and so provided a different perspective (see Volume 2, Chapter 9).

2.11 There were some changes to the Community Strategy in 2010, when it was "refreshed" by the Dacorum Partnership. The Core Strategy used the most recent strategic objectives from the Community Strategy, although the council had not formally adopted the Community Strategy at 28 September 2011. The Council was concerned that it might not be able to deliver some of the aspirations itself (e.g. a performing arts venue) because of lack of resources.

(2) *Site Allocations Development Plan Document*

2.12 Land availability information was provided and tested by way of opinion. A draft policy on accommodation for Gypsies and Travellers was concluded following a review of opinion on potential sites. (See Volume 2, Chapter 11, and the Site Allocations Consultation Report. Volume 1, November 2006, of the Site Allocations Consultation Report is published. Volume 2 will cover the consultation from November 2008: it is partly drafted. Comments relating to accommodation for Gypsies and Travellers comprised almost 90% of responses; they are published, having been fully reported to Cabinet on 31 March 2009.)

(3) *East Hemel Hempstead Area Action Plan*

2.13 An issues and options consultation was originally intended to be taken jointly with St. Albans Council. Because the High Court judgement on the East of England Plan led to the questioning of growth at Hemel Hempstead, St. Albans Council withdrew from joint working. The issues and options consultation was

undertaken by Dacorum Council alone. It comprised full public consultation and specific involvement of businesses through a separate workshop. Ideas potentially affecting land in St. Albans district were retained to allow residents, businesses and stakeholders full opportunity to comment (without the constraint of an administrative boundary). The consultation revisited the direction set in the Maylands Master Plan. It helped to confirm the overarching policy for the Consultation Draft – i.e. for land within Dacorum district. (See Action Plan Consultation Report.)

*(4) Hemel Hempstead Town Centre Master Plan*

2.14 A town centre stakeholders' workshop aimed to progress the master plan itself. Its conclusions suggested one change to the boundary of the character zones and variations in the range of uses to be accommodated. Greater emphasis on east-west links and the need for an effective transport strategy were highlighted. The overarching strategy and policy were adjusted for the Pre-Submission Draft (see Volume 6, Chapters 2 and 3 in particular).

**Other Influences on the Core Strategy**

2.15 Preparing the Core Strategy meant the Council reviewed the Dacorum Borough Local Plan (1991-2011). Some policies have been saved (and may be reviewed at another time – ref. Appendix 1 in the Consultation or Pre-submission Draft). Others are being replaced by the Core Strategy itself. Despite replacement and updating, the Council has concluded there are important long standing policy principles which remain relevant – for example, the settlement strategy, urban structure protecting open land and transport strategy.

2.16 The Council has provided appropriate evidence with which to justify its planning policies in the Core Strategy. Current Government guidance in Planning Policy Statement 12: Local Spatial Planning (2008) identifies two elements of an evidence base: i.e.

- research and fact finding; and
- “evidence of the views of the local community and others who have a stake in the future of the area” (para 4.37) – i.e. public consultation.

The draft national planning policy framework does not explicitly continue this statement but it does indicate there should be meaningful engagement and collaboration in plan making. The Council concludes that it should continue to assemble and consider objective evidence and relate this to the results of community participation and dialogue with partners and other interests.

2.17 The Planning Act 2004 required the Council to prepare the Core Strategy with the objective of contributing to the achievement of sustainable development. The draft national planning policy framework says there should be a

presumption in favour of sustainable development<sup>1</sup>. The Council must therefore assess policies in the Core Strategy to see how 'sustainable' they are. To satisfy European directives and national regulations<sup>2</sup>, the Core Strategy was assessed for its contribution to sustainable development and its impact on the environment and on habitats of European importance: i.e.

- sustainability appraisal (incorporating strategic environmental assessment); and
- habitats assessment.

These assessments are reported separately.

2.18 Evidence and sustainability assessments were subject to stakeholder consultation or some form of social survey. Feedback has been recorded in the particular study or assessment, where appropriate. The feedback helped to provide a check on the validity or robustness of the evidence or assessment.

2.19 The public were able to comment on the relevant sustainability appraisal throughout the preparation of the Core Strategy. Some comments were directly relevant to the Core Strategy itself, and are therefore included in this Report of Consultation (in Volume 1, 2, 4 and 6). The Council's sustainability consultants also provided feedback at Working Draft stage (ref. Volume 5).

2.20 The Core Strategy must conform to the East of England Plan (the Regional Spatial Strategy) while it exists.

2.21 It must also be prepared in accordance with the relevant planning regulations and be consistent with national (Government) planning policy.

2.22 Throughout the preparation of the Core Strategy, these two external influences required the Council to:

- adjust its processes, and the timing and nature of consultation;
- undertake new research; and
- consider how and whether the Core Strategy policies should be amended.

2.23 The Council also looked at these influences and the potential change from the new draft regulations and policy before it decided to publish the Pre-Submission Draft Core Strategy. See Appendix 4: Effect of the Regional Plan

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<sup>1</sup> According to the Report of the Brundtland Commission (*Our Common Future*, 1987), sustainable development means development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It is central to the economic, environmental and social success of the country and is the core principle underpinning planning. Simply stated, the principle recognises the importance of ensuring that all people should be able to satisfy their basic needs and enjoy a better quality of life, both now and in the future.

<sup>2</sup> Including the Environmental Assessment of Plans and Programmes Regulations 2004 and Habitats Regulations 2007 (as amended), which implement relevant European directives (2001/42/EC on Strategic Environmental Assessment and 92/43/EC on habitats)

on Core Strategy Progress and Appendix 5: Effect of National Policy and the Legal Background on Core Strategy Progress for a fuller explanation.

### **The Weight given to Feedback**

- 2.24 The Council took into account all comments made through consultation (as reported in Volumes 1 – 6). There were conflicting views and shades of opinion. There were differences in attitudes sometimes, according to whether someone represented an organisation or a landowner, or lived in a particular place. Some comments inevitably proved more influential than others.
- 2.25 Feedback was influential at formative stages in the process when issues were initially raised or development of the policy was informed. The effect of the early issues and options feedback is perhaps less precisely reported, because comments from a variety of sources were gathered together and helped to prepare the Emerging Core Strategy.
- 2.26 The interactive nature of the workshops was particularly helpful at developing issues and possible solutions for places. The place strategies that followed will provide a framework for any future neighbourhood plans and a basis for local infrastructure improvements where known.
- 2.27 Feedback and opinion needed to be informed and based on fact/evidence to be most persuasive. Some feedback related specifically to evidence or the ability of key organisations or landowners to deliver, and was therefore regarded as very important. The Council maintained continual dialogue with as many of the key partners and infrastructure providers as possible, for example the highway authority and Dacorum Partnership. Infrastructure providers were contacted separately and involved in preparation of the Hertfordshire Infrastructure and Investment Strategy and the Dacorum Infrastructure Study, and invited to participate in Dacorum Partnership.
- 2.28 Weight of opinion was most important in helping to set aspirations and decide on competing alternatives, especially when there was otherwise little to choose between them. It was also important in backing evidence and direction – e.g. the principles to follow when planning any growth of Hemel Hempstead. Weight of opinion was necessarily considered in the context of the evidence which is why the Council took some difficult decisions – for example the selection of the housing level and release of land from the Green Belt in spite of local opposition.
- 2.29 Later in the process, when the Core Strategy had been drafted, comments were assessed on the basis of whether the change suggested (or implied) would improve the Core Strategy.

### **Critical Review**

- 2.30 The Council arranged regular critical friend reviews (through the Planning Officers Society) and peer reviews (with the Planning Advisory service and the

Commission for Architecture and the Built Environment). These reviews allowed discussion and feedback for the Council to think about. The reviews considered matters of process, format, content, evidence and argument, but not choice of policy.

2.31 Appendix 2 (Table A3) sets out the key lessons and actions from those reports that the Council was recommended to take. It shows how the Council responded, normally acting to tackle the issue made or to follow the direction given. The 'critical friend' provided a useful sounding board with whom to discuss adjustments in approach in the light of policy and regulatory changes. Overall, the advice was constructive, and the Council believes it helped improve the Core Strategy by:

- enhancing the range and character of the consultation;
- developing closer links with the Local Strategic (Dacorum) Partnership;
- enhancing the evidence base; and
- improving the format, presentation and content of the Core Strategy.

All critical friend reviews and peer reports are in Appendix 3.

2.32 The most recent advice (from the 'critical friend') helped the Council think about the draft national planning policy framework and the robustness of the Core Strategy for the expected examination.

2.33 A visit was requested from the Planning Inspectorate in May 2010 but declined. The Council saw a copy of advice given by a Planning Inspector following a visit to St Albans Council. This recommended the type of information needed to support strategic sites and 'local allocations' in a core strategy (or other development plan document), which the Council took notice of.

### **3. Comparison with the Statement of Community Involvement**

- 3.1 The Statement of Community Involvement (June 2006) explains the Council's intended approach to consultation with partner organisations, stakeholders and the community in progressing the Core Strategy. The Statement of Community Involvement was prepared in accordance with procedures set out in the Town and Country Planning (Local Development) (England) Regulations 2004, including independent examination.
- 3.2 The Council used the Statement of Community Involvement (SCI) as a guide to follow in its engagement with people and organisations.
- 3.3 There is no legal requirement to demonstrate compatibility of actual consultation with the SCI. However the Council believes a good local planning authority should be able to show how its consultation procedures and actions matched up to its intentions (i.e. the policy in the SCI). Paragraphs 3.4 onwards compare intentions in Chapter 3 of the SCI with what happened.

#### **Overall Approach**

- 3.4 Table 1 in the Statement of Community Involvement (SCI) sets out the appropriate consultees for the issues and options stage of the Core Strategy, and the consultation techniques to be used. There was reference to statutory consultees (SCI Appendix 1), stakeholders (SCI Appendix 2) and limited community involvement in line with the 2004 Regulations. The use of workshops and focus groups would enhance and extend engagement. Publicity would include publication of documents and information on the Council's website and articles in the Council's newsletter (Dacorum Digest).
- 3.5 Changes in the regulations in 2008 caused the issues and options stage to effectively merge with the preferred options stage. The Council did not formally amend the SCI:
- there was a duty to undertake proper consultation in any event (ref Chapter 1); and
  - there was no disadvantage to consultees.

The Council gave higher priority to review of its planning policies (explained in the Annual Monitoring Report 2008/9).

- 3.6 The Council met its intended policy (in Table 1 of the SCI), as explained in Table 2 (see end of this chapter):
- Evidence gathering was continuous rather than a set stage. However, there was consultation on particular studies – for example settlement workshops with the Urban Design Assessment; direct notification of parish councils

- and environmental organisations and invitation to comment on the Urban Nature Conservation Study; continual liaison with housing providers and other stakeholders on the Strategic Housing Market Assessment.
- The initial phase of consultation was largely targeted. Organisations and people with some expressed interest in planning gave initial views on issues.
  - Feedback from a broad spectrum of interests was sought throughout, using the Citizens Panel and place workshops.
  - Consultation was most broad (i.e. with the wider community) at Growth at Hemel, Emerging Core Strategy and Consultation Draft stages – generally later in the process.
  - Contact with consultation bodies was made as appropriate and in accordance with regulations. Appendix 1 confirms contact made at two different phases in the preparation of the Core Strategy – termed “issues and options” and “setting the strategy”. (The latter starts at Working Draft stage).
  - All the techniques of consultation listed (in Table 1 of the SCI) were used.
  - Publicity was provided on a continual basis through information on the web site, press releases and local advertisements (in a local newspaper) and regular articles in Dacorum Digest (the ‘newsletter’).
  - The previous preferred options stage was largely subsumed by consultation on the Consultation Draft Core Strategy.

### **Community Involvement**

- 3.7 Table 3 (see end of this chapter) examines more fully how the Council matched up to its intentions: i.e.
- what the Council meant by community involvement; and
  - how the Council intended to reach potential consultees.
- 3.8 The Council involved:
- Dacorum Partnership
  - hard to reach groups
  - statutory consultees – i.e. relevant authorities, including parish, district and county council’s and other consultation bodies (see Appendix 1)
  - other organisations (see Appendix 1)
  - landowners; and
  - individuals.
- 3.9 The Council contacted people and provided information in a variety of ways, for example:
- via general publicity, including Dacorum Digest
  - at exhibitions and workshops
  - on line (later consultations being accompanied by a simple user guide)
  - at libraries and Council offices, and
  - by advertisement.

3.10 The Council also used the results of other consultations, and passed on Core Strategy feedback to others, particularly Community Plan officers. The results of the place workshops were presented to facilitate feedback to stakeholders and service/infrastructure providers.

### **Handling of Consultation Responses**

3.11 Initially, feedback (comments) from consultation was more important for officers because it informed preparatory work. The feedback reported in Volumes 1-3 effectively provided a pool of information, in a similar way to the technical studies making up an evidence base. It informed and helped guide preparation of the Emerging Core Strategy.

3.12 Feedback was more useful for councillors after it had been analysed and when the councillors considered what action they should take, particularly for the next stage in the preparation of the Core Strategy.

3.13 Special briefing sessions were organised at key points for councillors.

3.14 Consultation feedback on Growth at Hemel informed the Council's response to the Secretary of State on the Proposed Modifications to the East of England Plan.

3.15 Volumes of the Report of Conclusion were prepared throughout the period (2005-2011). The website was principally, but not solely, used to post editions of these volumes. Volumes were often drafted in stages. Volume 4 for example was initially available in part only (i.e. the comments received) before adding actions. Volume 3 on the workshops was likewise prepared, and reports sent to participants. Earlier volumes were edited for clarity accuracy and completeness of coverage before finalising the full Report of Consultation.

3.16 Table 4 (see end of this chapter) is in part an audit trail setting out when consultation material or documents were agreed, when feedback was provided to councillors and when the results of the consultation were available to participants (and the general public).

### **Use of Resources**

3.17 The Council aimed to use its resources – i.e. budget and staff – as effectively as possible. With hindsight, the value derived from the effort invested in preparing the Core Strategy and extent of consultation could be questioned.

3.18 The planning system, particularly at the outset, was cumbersome or too rigid. The Council faced particular challenges arising from national guidance and changes in the Regional Spatial Strategy (RSS). These significantly extended the time needed to prepare the Core Strategy, increased the complexity and controversy of the issues and required more investment to keep the evidence base up to date.

3.19 The nature of consultation varied over the preparation period of the Core Strategy in order to suit:

- the target audience;
- the purpose of the consultation; and
- the type of feedback that would be helpful at that stage.

For example, the Growth at Hemel consultation raised awareness of the implications of the proposed growth from the RSS, as well as providing a first stage analysis of how it might have to be delivered.

3.20 The Council sought to optimise the use of its resources in a variety of ways, including:

- linking Core Strategy consultation with other consultation (e.g. with the Site Allocations DPD issues and options);
- using the results of other consultations to inform the Core Strategy (and vice versa);
- providing all documents on the website and encouraging online representations, e.g. by providing a simple users guide;
- maintaining a series of articles on forward planning in Dacorum Digest;
- commissioning substantial parts of the evidence base jointly with other authorities;
- collaborating with landowners and service providers;
- sharing knowledge (e.g. with Community Plan partners); and
- liaising with parish councils and others to extend publicity.

## **Conclusion**

3.21 No consultation is ever perfect. Notification or advertisement can be missed by intended recipients. It is practically impossible to engage with over 58,000 households and 6,000 businesses. This is why the involvement of representative groups, workshops/focus groups and the Citizens Panel was invaluable. Individuals, and sometimes organisations (whether in or outside the borough), do not always appreciate the significance of a planning consultation until something specific arises later. Consultees do not necessarily like the conclusions reached by the Council, although it is a reasonable expectation that decisions are explained.

3.22 Despite the difficulties, the Council endeavoured to meet its consultation policy (in the Statement of Community Involvement), notifying and involving people and organisations in a long and eventful process towards publication of the Core Strategy.

3.23 The Council believes it fairly followed the SCI. Options and choices existed at times because of various influences on the Core Strategy – e.g. progress and issues with the Regional Spatial Strategy, the Government’s encouragement of spatial planning, regulatory changes, and progress and issues with other policy documents. Within the SCI policy framework and resource constraints, the

Council tried to ensure that people had fair opportunities to influence the Core Strategy, and that where choices about consultation were made, people benefitted rather than being disadvantaged (for example, through the introduction and upgrading of the online consultation system).

**Table 2: Stages in the Preparation of the Core Strategy – Comparison with the Statement of Community Involvement (SCI)**

| Stage in Plan Preparation      |   | Relevant Regulation |            | Consultees  |  | Purpose of Consultation   | Techniques of Consultation  |   |
|--------------------------------|---|---------------------|------------|---|--|---|---|---|
| Intended                       | Actual  | Outset (2004)       | Now (2008) | Intended  | Actual   |   | Intended <sup>1</sup>   | Actual  |
| Pre-production (evidence base) | Range of studies was commissioned at the start (e.g. urban capacity (housing) and employment). The range was extended throughout the period, partly through changes in Government advice and partly so the first tranche of studies was kept up to date. Key updates were for housing, employment and retailing. Most studies, but not all, were jointly commissioned with other authorities. Green infrastructure and climate change were organised by the County Council (covering the whole county). |                     |            | Stakeholders including internal officers.<br>No general consultation but all documents made publicly available.<br><br>Key Council members                      | Yes<br><br>Yes<br><br>Material available. Briefed on key studies (e.g. Gypsies and housing). Important briefing on the full evidence base at end of Phase 1 preparation stage. | To assist the development of the evidence base. Consultation is generally targeted through specific research projects.  | Depends on type of research undertaken: generally includes <ul style="list-style-type: none"> <li>• seminar/workshops</li> <li>• briefing sessions linked to the study being undertaken</li> </ul>  | Consultation undertaken. It included seminars, workshops and briefing sessions, and included direct notification /consultation with key stakeholders. This varied according to the study.   |
| Issues/Options                 | <div style="display: flex; flex-direction: column;"> <div style="margin-bottom: 10px;">Issues/options</div> <div style="margin-bottom: 10px;">Phase 1</div> <div style="background-color: #cccccc; padding: 5px; text-align: center;">Emerging I&amp;O Paper</div> <div style="background-color: #cccccc; padding: 5px; text-align: center;">Supplementary I&amp;O Paper (Hemel)</div> <div style="background-color: #cccccc; padding: 5px; text-align: center;">Place (People) Workshops</div> </div>  | 25                  | 25,27      | <ul style="list-style-type: none"> <li>• statutory consultees (SCI Appendix 1)</li> <li>• stakeholders (SCI Appendix 2)</li> <li>• limited community</li> </ul> | Yes  | To engage with key individuals and organisations that have an interest in future development in the Borough, so that views and specific interests are known early in the process. | <ul style="list-style-type: none"> <li>• Publication of documents on the web-site (All)</li> <li>• workshop targeted at specific issues/areas for key organisations (based on areas/or topics as appropriate) (Stakeholders only)</li> <li>• internal Council briefing</li> <li>• focus group targeting hard to reach groups (Limited community)</li> <li>• newsletter (All)</li> </ul> | All techniques used. Place workshops embraced full range of stakeholders, including Council representatives. Material for Emerging Issues and Issues and Options Papers available for inspection at Council offices and libraries. Growth at Hemel widely advertised. |
| Preferred Options              | Emerging Core Strategy  | 26                  |            | <ul style="list-style-type: none"> <li>• statutory consultees (SCI Appendix 1)</li> <li>• stakeholders (SCI</li> </ul>  | Yes  | Formal stage in the plan preparation process with the   | <ul style="list-style-type: none"> <li>• local press (All)</li> <li>• letters to the statutory and</li> </ul>   | All techniques used for Emerging Draft and Consultation   |

|                                  |   |       |       |                                  |  |   |   |   |
|----------------------------------|---|-------|-------|----------------------------------|--|---|---|---|
|                                  | Phase 2<br>Working Draft<br>Consultation<br>Draft |       |       | Appendix 2)<br>• wider community |  | specific requirements set out in the regulations. Consultation responses will be taken into account in decisions made about the content of the LDD [Core Strategy]. Public involvement should be targeted at refining the preferred options into the submitted document. It should also help to identify issues that will need to be explored at the examination. | general consultation bodies<br>• exhibitions (All)<br>• newsletter/leaflet (All)<br>• web-site showing preferred options (All)<br>• material available for inspection at the Council offices and other appropriate places (All) | Draft. Targeted Stakeholder feedback sought on Working Draft. |
| Submission to Secretary of State | Pre-submission (or Publication)                   | 28\29 | 27/28 |                                  |  |   |   |   |
|                                  | Submission to Secretary of State                  |       | 30    |                                  |  |   |   |   |

**Table 3: Community Involvement in the Core Strategy – Comparison with the Statement of Community Involvement<sup>1</sup>**

| Principle  | ✓ <sup>4</sup> | What happened   |
|--|----------------|---|
| <b>(a) Who we should involve<sup>2</sup></b>                                 |                |   |
| 1. Contact EERA about conformity with the East of England Plan               | ✓              | This was done. EERA provided detailed comments on the Emerging Core Strategy (and said that its policy direction conformed to the regional plan): see Volume 4. EERA was abolished by the coalition Government in 2010.   |
| 2. Contact groups /individuals who had previously been involved              | ✓              | The first consultation used contacts and organisations from the Local Plan database (2004), as refined when preparing the SCI (May 2005). The database was thoroughly updated in May 2006. New consultees were added at successive stages of consultation. Unless anyone asked to be removed from the database (or moved away), contact has then been maintained throughout the period of preparing the Core Strategy.  |
| 3. Involve hard to reach groups – including young, elderly and ethnic        | ✓              | There were the normal, direct channels of communication. There were focus groups and workshops: i.e. focus groups for younger and older groups at Emerging Issues stage (2005); workshops with young people, and older people, community and ethnic groups at a later date (2008/9). The voluntary sector, including community groups and ethnic minorities, is represented on the Dacorum Partnership, and was also contacted that way. Consultation took account of the Dacorum Compact <sup>5</sup> . Two specific consultations (i.e. in respect of Site Allocations, 2008 and Emerging Core Strategy 2009) focussed on the Gypsy and Traveller community. The Citizens Panel was consulted extensively: it is reasonably representative of the Borough's population and includes some "hard-to-reach" group representatives. |
| 4. Consult the Board of Dacorum Partnership on key documents                 | ✓              | Progress reports were regularly given by the Head of Planning (and Regeneration) to the Board. The Board was asked for its opinion of the Emerging and Consultation Draft Core Strategies. Feedback from the Consultation Draft consultation was provided and its opinion sought on the housing level to adopt (June 2011).   |
| 5. Undertake early discussions with Dacorum Partnership on particular issues | ✓              | An initial workshop was held with the Partnership in 2006. The input of all Theme Groups was sought in 2008, prior to drafting the Emerging Core Strategy. Regular contact was maintained with the Support Group (latterly called the Management Group). The Support Group includes representatives from all Theme Groups (the Theme Groups represent an aspect of the Community Plan/Strategy).  |

|  |   |   |
|--|---|---|
| 6. Contact specific and general consultation bodies as appropriate   | ✓ | This was done on a formal basis – see Appendix 1 for details – and on an ad hoc, informal basis as needed, e.g. when preparing evidence or seeking opinion on a particular issue.   |
| 7. Maintain a database of key contacts   | ✓ | This was done continually, the last major update in May 2006 when everyone on the database was contacted to update their details.   |
| 8. Consult Council departments to help co-ordinate the overall approach to planning  | ✓ | Council departments were a regular consultee throughout. This covered formal stages, and informal feedback and evidence. Regular, informal liaison with housing, development control (now development management) and community planning officers was particularly important. Informal contact extended to County Council officers, particularly corporate services, education, transport, environment and planning. The collective corporate input helped provide evidence and contributed to the drafting of the Core Strategy (especially from the Working Draft to the Consultation Draft) – i.e. the policy, its justification and its delivery.   |
| 9. Involve councillors through briefings and use of an advisory Task & Finish Group  | ✓ | Briefings were undertaken periodically, either by note or more usually by presentation. All Councillors were advised of forthcoming planning consultations by email. Consultation feedback was reported – see Table 5 The Development Plans Task & Finish Group met to discuss Local Plan issues when needed. It is an informal group offering advice to the Portfolio Holder and to officers. Its role is separate from the Strategic Planning/Environment Overview & Scrutiny Committee, Cabinet and Full Council. It met monthly between November 2009 and June 2010 to consider feedback on the Emerging Core Strategy and to help prepare the Working Draft Core Strategy. It also met on other occasions.   |
| 10. Maintain liaison with town and parish councils; involve them in the preparation of the Core Strategy and enlist their help to promote consultation events. | ✓ | As specific consultation bodies, parish councils in and adjoining Dacorum were regularly consulted – see Appendix 1 Parish Councils in Dacorum were invited to outline the issues that they considered important to their place. They were then invited to participate in the relevant place workshop in 2008. All parishes around Hemel Hempstead were involved in that particular workshop. Regular liaison was maintained with parishes in Dacorum through standing liaison meetings with clerks, periodic meetings with parish councillors and email correspondence. All Dacorum parish councils were asked to help broadcast key consultation events, especially the exhibitions, and Emerging and Consultation Draft Core Strategies. The method was left to individual parish councils and was followed through ad hoc, using posters, leaflets and articles in newsletters. |
| <b>(b) How we might reach you<sup>3</sup></b>  |   |   |
| 11. Provide information in Dacorum Digest  | ✓ | Dacorum Digest was published 4-6 times each year. It was regularly used to keep residents up to date. There were articles about planning issues and progress, and advance warning of consultations. There were pull-out supplements for the Emerging Core Strategy and Consultation Draft Core Strategy and a special Hemel edition at Emerging Issues stage.   |
| 12. Organise exhibitions locally – to present issues, explain background work and how you can be involved  | ✓ | Exhibitions were held in Hemel Hempstead, Berkhamsted, Tring, Kings Langley, Bovington and Markyate covering these matters: i.e. at Emerging Core Strategy and Consultation Draft Core Strategy stages. There was also an exhibition in Hemel Hempstead to cover Hemel 2020 vision (with the Emerging Issues).  |
| 13. Use workshops, focus groups and the Citizens Panel to provide feedback   | ✓ | The Citizens Panel provided focus groups for the Emerging Issues. The full Citizens Panel was consulted at all subsequent stages (i.e. Growth at Hemel, Emerging Core Strategy and Consultation Draft Core Strategy). The particular consultation was tailored to local circumstances, avoiding repetition. Workshops were very productive. The intense period of workshop consultation, between September 2008 and January 2009 is reported in Volume 3. It covered seven places – Hemel Hempstead, Berkhamsted, Tring, Bovington, Kings Langley, Markyate and the countryside – and two particular population groups – young people, and older people and community groups. A wide range of stakeholders and individuals was involved in each workshop.   |
| 14. Publish documents online   | ✓ | All documents – including technical evidence – were published online.   |
| 15. Enable online responses  | ✓ | In November 2006, an electronic system was set up in order to allow responses to be made online. The consultation on Growth at Hemel Hempstead was the first document to receive online representations. Every subsequent consultation had an interactive online document in order for representations to be made.  |
| 16. Advertise events/consultation in the local press   | ✓ | Key events – Emerging Issues, Growth at Hemel, Emerging Core Strategy and Consultation Draft Core Strategy – were advertised, normally in one local newspaper – the Gazette. Press releases were supplied to the media and interviews/briefings given as requested.   |
| 17. Supply libraries with documents  | ✓ | A hard copy of all documents – including technical evidence – was given to libraries. The same material was also available in Council offices in Hemel Hempstead, Berkhamsted and Tring.  |
| 18. Use questionnaires   | ✓ | All consultations have used questionnaires. Informal consultation through workshops and focus groups was facilitated through structured questions.  |

Notes: 1, 2 and 3. References to the Statement of Community Involvement – paras 3.21 – 3.36; 3.21-3.29; and 3.30-3.36 respectively.

4. A tick indicates the principle was followed through into action.

5. The Dacorum Compact between the Council and the voluntary and community sector was primarily designed to support preparation of the Community Plan/Strategy. However it was also taken into account in preparing the Core Strategy. This meant:

- Seeking feedback on matters likely to affect the voluntary and community sector;
- Setting reasonable timescales for responses; and
- Taking specific account of minorities through representative groups.

**Table 4: Documents and Feedback up to Pre-Submission Draft Core Strategy**

**(1) Decisions on the documents for consultation**

**(2) Feedback on those documents**

| Stage of Core Strategy   | When 'consultation' material was agreed  | Start of 'consultation'   | Feedback  |  |
|--|--|---------------------------|---|--|
|  |  |                           | To councillors  | To participants  |
| <b>Phase 1</b>   |  |                           |   |  |
| Emerging Issues  | Hemel Hempstead Regeneration Strategy – 26/5/2005 Cabinet<br>Early Core Strategy issues determined by officers in agreement with Portfolio Holder.   | 14/6/2005                 | Hemel Hempstead Regeneration Strategy, together with relevant comments, was reported to Cabinet in September 2005.<br>Results of consultation on Emerging Issues were published in May 2006 – i.e. in Volume 1 of the Report of Consultation.   | Volume 1 of the Report of Consultation published in May 2006 – available online, at Council offices and in libraries.  |
| Issues & Options Paper   | Issues determined by officers, in agreement with Portfolio Holder and after consultation with the Development Plans Task & Finish Group (30/3/2006).   | 5/5/2006                  | Results of consultation on the Issues & Options Paper published in November 2006 – i.e. in an extended version of Volume 1 of Report of Consultation.   | Volume 1 of the Report of Consultation re-published in November 2006 – available online, at Council offices and in libraries.  |
| Supplementary Issues & Options Paper - Growth at Hemel Hempstead | Issues determined by officers, in agreement with Portfolio Holder, and St Albans Council. Cabinet resolved to raise awareness of East of England Plan when considering the Panel Report – 25/7/2006. | 29/11/2006                | Cabinet: 22 February 2007<br>Results of consultation reported to Cabinet (i.e. Citizens panel, focus groups and around 80% of public comments). They helped the Council formulate its response to the East of England Plan Proposed Modifications.<br>Consultation report, with 100% of public comments analysed, available before Cabinet 20 May 2009. [St Albans Council Cabinet: 6 March 2006] | Cabinet report published online.<br><br>Volume 2 of the Report of Consultation published in June 2009 – available online, at Council offices and in libraries.   |
|  |  |                           | Special members briefing – overview of all progress and key lessons: July 2008. Future consultation outlined.   |  |
| Workshops  | Format determined by officers.   | First workshop – 4/9/2008 | Members advised when results of workshops were ready – in two stages, firstly the record of the workshops and then the analysis. Available before Cabinet 20 May 2009.  | Record of place workshops and Senior Voice workshop sent to participants. All advised of completed analysis (and its availability on the website). Youth workshop record passed to Dacorum Environmental Forum (DEF), as it was its sponsor. DEF also advised of |

|                        |   |            |  |   |
|------------------------|---|------------|--|---|
|                        |   |            |  | the analysis. Place workshop participants were invited to early sessions on exhibitions held for the Emerging Core Strategy. Consolidated results and analysis published in Volume 3 of the Report of Consultation in June 2009 – available online, at Council offices and in libraries.  |
|                        |   |            | Special members briefing - results of all previous consultations on accommodation for Gypsies and travellers, including the Site Allocations Issues and Options Paper (November 2008) and progress on the local development framework: February 2009. Followed by Cabinet Report on Gypsies and travellers: 31 March 2009. | Cabinet Report published online.  |
| Emerging Core Strategy | Cabinet: 20/5/2009  | 30/6/2009  | Special members briefing held in October 2009 – to outline results of the consultation (including summaries for each place), key messages and the next steps. Officers then prepared a Working Draft of the Core Strategy, in collaboration with the Development Plans Task & Finish Group                                 | Volume 4 of the Report of Consultation (with results of the consultation published in January 2010 - available online, at Council offices and in libraries. Figures were checked and report edited in the light of further comments from Berkhamsted residents: re-published in September 2010. [Chapters summarising issues and the Council's conclusions were added before Cabinet 29 June 2011.] |
| <b>Phase 2</b>         |   |            |  |   |
| Consultation Draft     | Cabinet agreed to consult a limited number of stakeholders on the Working Draft: 29/6/2010. | July 2010  | Comments on Working Draft reported to Cabinet: 14 September 2009.  | Cabinet report published online. It was included in Volume 5 of the Report of Consultation and published in October 2010 – available online, at Council offices and in libraries.   |
|                        | Cabinet then decided the Consultation Draft: 14/9/2010                                      | 3/11/2010  | Special members' briefing – outline of consultation results, national planning context and next steps: February 2011. Volume 5 and draft Volume 6 of the Report of Consultation available before Cabinet on 26 July 2011. Final draft of Volume 6 available before Full Council on 28 September 2011.                      | Volume 6 of the Report of Consultation published in October 2011 - available online, at Council offices and in libraries.   |
| Pre-submission Draft   | Full Council: 28/9/2011. Report of Consultation finalised.                                  | 26/10/2011 | 'Report of Representations' to be prepared.  |   |

Note: The decision to progress a 'Core Strategy' was taken when the Local Development Scheme 2005 was agreed – i.e. 2 March 2005 (Full Council). Only the key Council meetings are included in the table. Note that all information provided to Cabinet and Full Council was always available before the meeting in accordance with the Council's policy.

## 4. Overview of Key Issues and Outcomes

4.1 The preparation of the Core Strategy is seen as one phase in the 2008 regulations.<sup>3</sup> Preparing the Core Strategy was not straightforward and saying there was one phase of work, with evidence preparation and consultation, does not adequately explain what happened. Consultation comprised many elements, both set stages and informal and continued dialogue (the latter particularly with councillors and relevant stakeholders, including service/infrastructure providers: such dialogue was additional to the set stages).

4.2 The Council has identified two main phases of preparation:

(a) Phase 1: Issues and Options (2005-2009)

This includes

- Emerging Issues,
- Issues and Options Paper,
- Supplementary Options Paper jointly with St Albans Council (Growth at Hemel Hempstead)
- Place (and People) Workshops
- Emerging Core Strategy

(b) Phase 2: Setting the Strategy (2010-2011)

This includes

- Working Draft Core Strategy
- Consultation Draft Core Strategy

This phase was concerned with the way in which the Core Strategy should be worded and presented.

### Issues and Options Phase

4.3 Issues and options were raised and debated. Together with technical evidence, the pool of information led to the Emerging Core Strategy. This set out the policy direction for the main themes of:

- sustainable development, including distribution of development;
- economic prosperity;
- providing homes and welfare; and
- protecting the environment.

Place strategies (including introductions describing their character) were included. The place strategies were quite well developed because of the place workshop consultation. Volumes 1 – 4 cover this phase.

4.4 The Consultation Draft Core Strategy included six main challenges:

1. Balanced and sustainable growth
2. Strengthening the role of Maylands Business Park
3. Regenerating Hemel Hempstead town centre

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<sup>3</sup> The Town and Country Planning (Local Development)(England)(Amendment) Regulations 2008

4. Strong inclusive communities
5. A resilient natural environment
6. A high quality and sustainable built environment.

(See Section 5 in the Consultation Draft for a full description)

4.5 The challenges can be traced to the issues raised not only in the evidence base but also through the consultation. The core planning issues included the following:

- the amount of housing;
- the distribution of development (especially housing);
- the level of jobs;
- the distribution of employment land;
- the role of different settlements;
- the expansion of Hemel Hempstead;
- the regeneration of Hemel Hempstead – the town centre, neighbourhood centres, green spaces and Maylands;
- recovery from the effects of the explosion and fire at Buncefield Oil Terminal (at Maylands);
- the character of different settlements and their settings;
- the provision of much more affordable housing;
- the delivery of infrastructure, particularly for education and health;
- the retention of the hospital in Hemel Hempstead (with a full range of facilities and services);
- the delivery of more accessible services (including shops and leisure) and/or better transport provision;
- protection of the countryside (including the Green Belt) and its management;
- protection of wildlife and other environmental assets;
- protection of the Chilterns Area of Outstanding Natural Beauty;
- the pursuit of environmental sustainability and effective use of resources, water and energy and avoidance of waste;
- responding to climate change and carbon emissions; and
- the achievement of good quality design and safe, attractive places.

4.6 The first consultation (ref Volume 1) revealed a view on the distribution and location of development. Hemel Hempstead residents preferred a wider distribution than simple concentration at the town. However, the Hemel Hempstead Regeneration Vision was endorsed with clear support for development and investment in the town centre and in the Maylands industrial area (later termed Maylands Business Park). Hemel Hempstead New Town was 50 years old and parts were described as “tired”. Refurbishment of neighbourhood centres and green spaces, together with the two main employment areas and addition of affordable housing, were supported and taken forward as the strategy for the town by the Council. It led to particular efforts by the Council to promote the town centre and Maylands Business Park through:

- promotion of a development partnership with Thornfields to redevelop a large area centred on the Civic Centre called ‘Waterhouse Square’. Although this particular scheme foundered during the economic recession

when Thornfields went into administration, the Council has continued to seek comprehensive and co-ordinated development and investment – now under the guidance of a Town Centre Master Plan.

- establishing a Maylands business partnership and preparation of a master plan to guide development and investment bids: the master plan is to be updated and incorporated into the East Hemel Hempstead Area Action Plan.

There was no conclusive view on the future of undeveloped land north east of the town off Three Cherry Trees Lane (also known as Spencers Park) at that time. The weight of opinion shifted later, following the views of businesses themselves and the recommendations of an Employment Space Study. Spencers Park became a residential allocation and its former employment allocation was switched to the Maylands Gateway – mostly former playing fields by the entrance to the town from the M1.

4.7 The Issues and Options Paper consultation in mid-2006 was broad (ref Volume 1). It was topic based and covered:

- objectives
- principles of sustainable development
- settlement strategy
- housing issues
- employment
- retailing
- local congestion, transport and parking
- infrastructure delivery
- education and health
- leisure and open space
- landscape and biodiversity
- implementation issues, focussing on the use of planning obligations.

Respondents favoured retaining the settlement hierarchy. If more development for housing were needed, higher density in Hemel Hempstead town centre would be appropriate. While a greenfield development was seen as a last resort, respondents clearly thought Hemel Hempstead would be the most appropriate location. The preferred housing level was the lowest option (315 dwellings p.a.) (the highest option included in the consultation was 500 dwellings p.a. - it was also the highest level suggested by objectors to the RSS at that time). The spread of employment land should be maintained. Growth at Maylands was supported in addition. It was felt that the addition of complementary facilities (e.g. local shops in Maylands) would help to create a modern business environment. Retention of the pattern and hierarchy of retail centres was clearly supported. Local shops should be protected, and existing out of centre retailing recognised (and controlled). Infrastructure deficiencies were pointed out.

4.8 The Workshop with Dacorum Partnership (ref Volume 1) captured the key planning principles as:

- encouraging the regeneration of Hemel Hempstead through economic growth; and

- protecting the (attractive) countryside throughout the Borough.
- 4.9 The Place Workshops held in 2008 covered the whole borough – the six main settlements and the countryside. While their focus was on the particular place, they considered a full range of topics based around “people and place”. They covered homes, jobs, services and environmental issues – the character of the environment and use of environmental resources. In combination, the workshops repeated much of the earlier Issues and Options Paper material. The focus was sharper however and led to the Council drafting place strategies for the Emerging Core Strategy. Difficult questions relating to Gypsies and travellers, levels of housing, alternative sites for housing and, in the case of growth at Hemel Hempstead, alternative strategies for housing, were raised. The feedback was informative - see Volume 3 for a report of the Place Workshops (and Chapter 3 for a summary). Protection of character, parking provision and delivery of affordable housing were important priorities, though each place was different. The neighbourhood pattern and green infrastructure of Hemel Hempstead and the planning of sustainable neighbourhoods there were important. Though the retention of A&E facilities at Hemel Hempstead hospital was a priority, they were relocated to Watford in 2010 by the health authority.
- 4.10 Two other workshops (ref Volume 3) involved young people and older people with community groups. They provided a different perspective on needs
- a) young people: their focus was on access to shops and leisure, including travel, and environmental issues
  - b) older people: they wanted the fullest range of services, community facilities and shops nearby, better public transport, more affordable housing and closer attention to the needs of disabled people and parents with small children.
- 4.11 The RSS Panel Report recommending growth at Hemel Hempstead led to the November 2006 consultation (ref Volume 2). It revealed a substantial depth of feeling against the growth proposal and encouraged Dacorum and St Albans Councils to work together (that was until May 2009 when a High Court judgement quashed the proposal). The consultation provided very strong support for particular principles to govern the planning of Hemel Hempstead, whether or not there was major expansion – i.e. retention of green infrastructure and open space; separating and contributing to distinct neighbourhoods with their range of local shops and facilities; the retention of the landscape and open valley sides of the Gade and Bulbourne; and attention to infrastructure thresholds.
- 4.12 The growth proposal for Hemel Hempstead led to a major tranche of evidence work and discussion with landowners. Three broad options were considered. They are described in “Assessment of Alternative Growth Scenarios for Hemel Hempstead”. The work concluded that the eastern growth strategy, adapting the Gorhambury proposal submitted in evidence to the Examination on the RSS, was preferred. Major housing and employment growth would be located

close together in the same part of town. This gave greater potential to address infrastructure issues and provide solutions, and reduce journeys to work. The majority at the Hemel Hempstead Place Workshop came to a similar view, though the subject was controversial. Because of the level of housing required, the eastern growth strategy included land at:

- Marchmont Farm
- West Hemel Hempstead (Pouchen End)
- Fletcher Way, the Old Town.

The first two locations had been considered at the Local Plan Inquiry in 2000/01, though West Hemel included smaller (northern) area then. Both those options were considered possible then.

4.13 The Emerging Core Strategy provided a comprehensive picture of Dacorum and its planning. It did not include the growth strategy options at Hemel Hempstead because of the High Court judgement. It set the approach to the policy themes, which would apply whatever the level of growth. It also considered the strategies for all places outside Hemel Hempstead fully. The main controversy surrounded the level of new housing that should be provided at each and in the countryside, together with the optional local development locations. Local development sites at Berkhamsted and Tring particularly provoked a high level of feedback. In the absence of a regional housing allocation for Dacorum, the Council retained the current rate of provision (360 dwellings p.a.). The Council took the view that if additional sites were needed to meet housing demands, the focus would be at Hemel Hempstead. And this would be discussed in a subsequent consultation (i.e. the Consultation Draft Core Strategy Consultation).

4.14 The Emerging Core Strategy consultation completed the first phase of the Core Strategy's preparation. The Council's conclusions from this consultation are repeated in Box 1 below.

#### **BOX 1: Conclusions at the End of Phase 1 Consultation**

B1/1 The Council needed to decide whether the suggested approach and suggested place strategies in the Emerging Core Strategy were appropriate, and then what to include in the first draft of the Core Strategy. The comments it had received were not responded to individually, but used rather as a "community influence" to help consider what was more or less important and what should be included. There were often conflicting views among the detailed comments and different degrees of emphasis, particularly in response to the themes. It followed that were questions of emphasis, context and reasons to be considered when drafting the Core Strategy itself. There was also a question of detail, which was inappropriate to the Core Strategy: the Core Strategy should provide the strategy and overall policy framework.

B1/2 In some cases – particularly connected with development locations and the draft policy on Gypsies and Travellers - the Council did not necessarily follow a simple majority view. It did however consider the reasons for the approach it took and that meant taking account of and responding to the “community view”.

### **Vision and Objectives**

B1/3 The Council concluded that the basic direction set by the aims was acceptable. However, following informal advice from the Council’s critical friend, a fuller Borough Vision was drafted and strategic objectives set to guide the delivery of the Vision. The aims were reviewed in the light of the comments received on the Emerging Core Strategy and re-presented as strategic objectives. They would therefore set the direction for achieving a stronger Borough Vision and Place Visions. The Council reviewed the comments on the Sustainability Appraisal to see if they applied to the Core Strategy. While no prioritisation of objectives (or aims) was warranted, the Council remained conscious of the need to consider social issues fairly.

### **Themes**

#### Sustainable Development

B1/4 The Council concluded that the sustainable development strategy had a large measure of support. It meant taking forward:

- the principle of placing sustainable development at the heart of the Core Strategy, and explaining it more fully;
- the strategy for the distribution of development and providing further guidance on the settlement hierarchy and selecting locations for development;
- policy limiting infill in Green Belt villages;
- a sequential approach to development, emphasising the importance of optimising the use of land within settlements;
- the approach to achieving high quality design, meeting the need to update the original Urban Design Assessments; and
- the approach to the accessibility of facilities - this would entail co-ordination of transport infrastructure and partnership working with the local highway authority, Highways Agency, Network Rail, and train operators and London Luton Airport Consultative Committee in particular.

B1/5 The strategy for the distribution of development would be critical to the future character of Dacorum. Continuity was wanted by the majority. Most new development would be focussed at Hemel Hempstead, with regeneration the key driver for change. The strategy would distinguish between the towns, the villages and countryside so as to conserve the

different aspects of their character. Climate change was agreed as an important driver behind sustainable development, but other issues such as resource management deserved much more emphasis. The importance of farming and local food production was to be linked to effective management of the countryside. Comments on this section and the environment underlined the need for further work in connection with carbon emissions reduction, renewable energy generation, water management and sustainable design and construction.

#### Economy

B1/6 The Council concluded that the basic direction set by the policies promoting economic prosperity was acceptable. Consequently the approach to employment provision was taken forward. The focus on Maylands as a growth area was endorsed and support for tourism recognised. The employment approach needed to ensure that the role of all parts of the borough was covered. There would be no office floorspace ceiling, rather a target to be achieved. The Council decided that further technical work was necessary to help set the target for the long term provision of office space. The target that was used in the Consultation Draft Core Strategy was based on up to date technical work. The Council realised there would be an ongoing issue of reasonable fit with the housing target until the future of the Regional Spatial Strategy was resolved. That did not however undermine the basic approach to economic prosperity.

B1/7 The Council concluded it should:

- take forward the approach outlined to retail development;
- set out a retail hierarchy and areas for out of centre retailing;
- set out a sequential approach to retail development.

It followed its technical consultants' advice that Jarman Park be redesignated as an out-of-centre location, and noted the comments about the Retail Update Study.

#### Housing/Welfare

B1/8 The continuing issue with the Regional Spatial Strategy – i.e. the quashing of the 680 dwellings p.a. target and the failure to either reinstate or amend it by the Government – meant the Council was left to reach its own target. The Council considered Government policy advice, technical evidence and the various community views expressed on the Core Strategy to date, and decided to put alternative housing targets forward for further consultation. These alternative targets were known as Housing Option 1 (which was similar to the Emerging Core Strategy target, at 370 dwellings p.a.) and Housing Option 2 (a higher level, providing 430 dwellings p.a. within Dacorum). Housing Option 2 entailed the identification of local

(development) allocations at Hemel Hempstead as well as other settlements – see under Places below. The Council derived Housing Option 2 in the light of:

- the known implications of potential development alternatives on the environment;
- the level of housing need that was apparent; and
- the fact that the Regional Spatial Strategy target of 680 dwellings p.a. could only reasonably be met using a substantial area of land in St. Albans district.

B1/9 The Council noted landowners' technical points in setting a higher figure and was satisfied that Housing Option 2 was a reasonable and realistic alternative to Housing Option 1. The Council concluded that further liaison with infrastructure providers would be necessary to ascertain the requirements for the different, particularly the higher, growth option.

B1/10 An overall target of 35% for affordable housing was taken forward. Individual sites however would be able to provide more. There was general support to plan for a mix of housing types.

B1/11 The Council decided it should take forward the draft policy on Gypsies and Travellers. This had been written after previous extensive consultation, particularly on the Site Allocations DPD. It was based on principles of equity and integration, and had the support of key agencies involved with this group. The policy was largely supported by the Gypsy and Traveller community and Gypsy representatives. The Council understood this was a controversial subject and felt it should take the lead.

B1/12 The principles behind the approach to community and leisure facilities were taken forward in view of the support. The Council recognised the policy would need to be informed through ongoing liaison with key providers and partnerships responsible for education, health care and leisure. It also appreciated that aspirations for community and leisure facilities needed to be managed, because it could not necessarily guarantee full delivery.

#### Environment

B1/13 The approach to the environment was accepted and taken forward, though it required further development. The Council concluded the policy should cover the following matters:

- protecting and enhancing the natural landscape and wildlife habitats through careful land management;
- conserving the historic environment;
- reducing carbon emissions and energy consumption, while promoting the use of renewables;
- safeguarding agricultural land and other natural resources; and
- minimising pollution.

B1/14 Further technical work was necessary (see paragraph B1/5 above). The need to develop policy on green infrastructure was noted at that time.

### **Places**

B1/15 The place strategies had been presented with context, discussion, issues and alterations to aid consultation. The majority of the concerns stemmed from the suggested inclusion, or exclusion, of alternative development options and the level of housing implied. The consultation provided an important insight into the “community’s view” on alternatives.

B1/16 The place strategies were taken forward into the Core Strategy. This included:

- the addition of local objectives;
- the removal of unnecessary background text; and
- a tighter expression of the strategy.

There were amendments following consultation, and a consideration of both strategic and place issues.

B1/17 The two housing option levels, which were taken forward, had different consequences for different places. Housing Option 1, which included the strategic (urban) sites at Shootersway, Berkhamsted (SS1) and Hicks Road, Markyate (SS2), was offered as the base level – similar to the level put forward in the Emerging Core Strategy. Housing Option 2 included local (greenfield) options in addition, raising the overall housing target to 430 dwellings per annum.

B1/18 The Council decided to assess the potential local allocations (and strategic sites) systematically to help it conclude Housing Option 2. The methodology followed that used to assess different growth strategies at Hemel Hempstead (when the Council was considering how to take the regional allocation of 17,000 dwellings forward, 2006-2031). The assessment has been published as “Assessment of Strategic Sites and Local Allocations” (2010).

B1/19 The Hemel Hempstead vision and place strategy were taken forward in a similar form. Its main thrust remained regeneration and enhancement of the neighbourhood pattern and character. It had to reflect what was expected to be delivered in terms of health and community facilities. It also included development sites in the Green Belt so that Housing Option 2 could be achieved. These local allocations had been raised before in the public consultation on growth at Hemel Hempstead in November 2006 and the place workshop in December 2008. West Hemel Hempstead and Marchmont Farm had also been included in the preferred strategy response to the high growth target in the Regional Spatial Strategy (this was never taken forward to public consultation because of the quashing in the High

Court of the relevant regional policies – see the published ‘Assessment of Alternative Growth Scenarios for Hemel Hempstead’).

B1/20 At Berkhamsted, the Council largely followed the line set by the Citizens Panel. A development option at Hilltop Road was rejected because of the more pressing need for additional school facilities, for which the land was suited. The Council recognised the concerns expressed by residents in the Shootersway area by reducing the dwelling capacity on land and removing Option 4 at Blegberry Gardens. Hanburys was retained as a modest long term option in Housing Option 2 because its impact overall was considered relatively small.

B1/21 For Housing Option 2, the Council included land West of Tring, being preferable to Dunsley Farm and other locations. The site is relatively self-contained and suitable for a mixed use development, including for employment. The more flexible approach to the General Employment Areas and Heygates Mill reflected local concerns and would support appropriate mixed use.

B1/22 The strategies for the large villages were largely supported and therefore taken forward. Bovington had a local allocation under Housing Option 2, land north of Chesham Road which reflected local views and would be a self-contained site with relatively minor impact on the Green Belt. There was no consensus on a short term solution to parking issues in the High Street, Bovington, and so a more strategic longer term approach was taken.

B1/23 Much of the countryside strategy had been supported and was therefore taken forward. The amended strategy accepted and provided a response to the key issues raised by the public. The strategy would include reference to good rural land management, together with a stronger emphasis on strengthening the rural economy. The lower housing level favoured by the Citizens Panel would have less environmental impact on the countryside and was included.

Extract from Chapter 5: Conclusions in Volume 4

## **Setting the Strategy**

4.15 The Council’s conclusions from the consultation on the Emerging Core Strategy and evidential work underpinned preparation of a working draft of the planning policies and text for all the themes. The place strategies were trimmed and alternatives removed (the exception being Hemel Hempstead).

4.16 Setting the strategy passed from drafting a full Core Strategy, to testing this Working Draft with key stakeholders, to presenting the revised Consultation Draft for full public consultation. The Consultation Draft included a very brief

introduction to each section explaining how the Council had reached that point. Substantial parts of the policy direction written in the Emerging Core Strategy had majority support, but there were also significant concerns as well.

4.17 The Consultation Draft included alternative Borough housing targets (because there was no allocation in the RSS): i.e.

- Option 1: 370 dwellings p.a.
- Option 2: 430 dwellings p.a.

Option 2 required local (greenfield development) allocations. These were the “preferred” allocations following the Emerging Core Strategy consultation for Berkhamsted, Tring and Bovingdon. For Hemel Hempstead they were the locations discussed by the Place Workshop and listed in para 4.12 above (as part of the eastern growth strategy). The Council published its “Assessment of Local Allocations and Strategic Sites” at this time to explain its conclusions. Sustainability appraisal compared the two borough housing options and a third based on Government household projections (this would have been the higher level, delivering 12,400 dwellings over the plan period).

4.18 Volume 5 and 6 report the ‘Setting the Strategy’ phase. The Council considered what changes it should make to the Core Strategy (Consultation Draft) and what would *improve* it. Detailed responses were given to the comments received (i.e. Appendices 4 and 5 to Volume 5, and Annex A to Volume 6). A list of changes for each of the drafts was also given in these volumes.

4.19 Conclusions on the Core Strategy Consultation completed consultation on this phase - see box 2 below.

**BOX 2: Conclusions from the End of Phase 2 – Amending the Consultation Draft**

Growth Issue

B2/1 The central issue was the level of growth. While this embraced business and commercial development and employment, the majority focused on the housing issue – whether the housing target should be higher or lower, and/or which of the two housing options to support. The implications extended to the local allocations – which to support – and whether alternative locations were preferred. There were several grounds [given] for objecting to local allocations, including concerns about local infrastructure.

B2/2 The Council considered new evidence, particularly an update to the employment space study and new household forecasts, and took into account the draft national planning policy framework and other Government statements on housing and economic growth.

B2/3 Notwithstanding the impact on the Green Belt countryside around some settlements, the Council concluded that Housing Option 2 (target - 430 dwellings p.a.) was equitable. It catered for most needs and demand, although not the highest levels shown in household/dwelling projections. The level selected was higher than any annual average rate since the main growth of the Hemel Hempstead New Town. The sustainability appraisal showed that Housing Options 1 and 2 were, on balance, reasonable. It also looked at an Option 3 (target – 500 dwellings p.a., which would have met the Government’s 2006-based forecast of 12,400 dwellings between 2006 and 2031). Inevitably the higher the housing target, the greater the environmental impact that would result. Option 1 (370 dwellings p.a.) was dropped: it did not deliver sufficient of the homes needed to tackle existing problems and potential demand.

B2/4 In reaching its conclusion, the Council was fully aware there was not a consensus of opinion. There was a measure of support from the Dacorum Partnership and organisations, particularly involved in welfare, for Option 2. Landowners tended to want more housing, while local communities generally opposed the impact and change new housing development would bring to their area. Change obviously needs to be managed and impact controlled. The Council felt that Option 2 provided the right balance; that the strategy would allow growth while generally protecting the character of the countryside and smaller settlements; and that the change envisaged was both beneficial and could be managed. It did not, however, welcome Green Belt releases.

B2/5 The conclusion also took note of the following factors:

- Actual housing delivery will include some windfall (i.e. previously unidentified housing sites, particularly in years 6-10): this means that delivery should exceed 430 dwellings p.a. Around 11,400 dwellings are expected between 2006 and 2031 (achieving a level approaching 460 dwelling p.a.).
- Household projections include a significant level of in-migration: it is debatable how much of this it is reasonable for a council in the Metropolitan Green Belt and Chilterns Area of Outstanding Natural Beauty to meet.
- Since the 1950s and 1960s growth pressure has been diverted away from the Dacorum area (and south west Hertfordshire) into other parts of the county beyond the Metropolitan Green Belt: at no stage has regional guidance ever required the Council to deliver a higher level *within its district*, than proposed now.
- The revised employment space study (2011) recommended provision was made to deliver around 10,000 jobs (not 18,000 jobs as previously): the Council has taken the new recommendation forward. It means that employment and housing growth should be much better balanced, and

there is no longer a good argument that the level of housing should be higher (than Option 2) in Dacorum to support economic growth.

B2/6 The Council has expressed the view that Dacorum's rate of housing growth should reduce towards the end of the plan period and beyond it (i.e. to what it was, 360 dwellings p.a., or less). A new co-operative agreement should be reached across the sub-region within the next ten years in the interests of sensible planning and compliance with draft Government advice: alternatively, strategic advice will have to be given. Should further Green Belt land be required for development in the very long term, the Council has considered that land east of Hemel Hempstead (in St. Albans district) would be the better option. Further extension to the west, north and south of the town would have unacceptable impacts. The Council concluded there was no good reason to release more land from the Green Belt within Dacorum to provide "safeguarded land" for development after 2031.

B2/7 Changes have been made to the Consultation Draft Core Strategy (Policies CS2, CS3 and CS17 and supporting text) to:

- set out the housing target;
- This is a target to be delivered: it is neither a minimum nor a maximum. There is leeway to exceed the target, but this is not open-ended.
- clarify the difference between the target and housing supply (and delivery);
- simplify the priority between in-settlement development and local allocations (Green Belt releases);
- confirm that phasing will be dealt with in more depth in the Site Allocations DPD; and
- include a housing trajectory: this includes the Council's expectation that the local allocations will be released after 2021.

The experience of past local plans is that, while targets have been delivered, greenfield releases have not always been built out in the plan period. The delivery of the local allocations could therefore extend beyond the plan period. It will be necessary to plan ahead and give reasonable certainty to landowners in the light of prevailing information.

B2/8 Changes to Policies CS14-CS16 have reflected new evidence, taking account of past comments as well. The newer jobs and employment/retail floorspace figures were considered sounder, but did not change policy directions or strategy, with one important exception. The need to plan for land in St. Albans district for business and industry was largely removed: the role of the Area Action Plan for East Hemel Hempstead in St. Albans district

has therefore become more limited and it should be more logical for land there to retain its current Green Belt status. Retail growth in Hemel Hempstead will reflect a reasonable share of its catchment, and not growth at the expense of potential town centre competitors such as St Albans or Watford.

#### Distribution of Housing Growth

- B2/9 The distribution of housing in the Consultation Draft reflected the relative importance of Hemel Hempstead and focus of growth there, together with economic development and proximity to a range of services in the town centre. It also reflected the environment and character of the district, and the desire to control development away from the main town. In large measure it followed past settlement strategy. The settlement hierarchy in Policy CS1 was retained. At individual places there was a closer look at the effects of population change, land availability, infrastructure (particularly primary school thresholds), character and local opinion. This was particularly important for the smaller settlements, where small scale change was considered more appropriate. One concern was to ensure a limited, local supply of housing, notwithstanding that most housing would be accommodated in Hemel Hempstead. The comments received did not persuade the Council that any change was required to the basic distribution: in fact, the majority agreed.
- B2/10 Housing Option 2 included local allocations. They were all retained, except for LA5 (New Road, Northchurch). LA5 had been rejected by the Council following consultation on the Emerging Core Strategy. It had only been retained as an option in the Consultation Draft so that the Council could ask about its potential to support the delivery of a link road – a petition in favour of the link road had been submitted with comments on the Emerging Core Strategy. The weight of opinion overall favoured the removal of any link road. The highway authority doubted its value, had concerns over its safety and confirmed it did not intend to fund it. LA5 would have its own impacts, particularly in respect of safety on New Road itself and visually on the Chilterns.
- B2/11 All local allocations retained will be detailed in the Site Allocations DPD. The Consultation Draft included local allocations at Hemel Hempstead for the first time. In the light of the comments, it was decided that some additional principles or development requirements should reasonably be inserted.
- B2/12 The dwellings capacity figures for the strategic sites were adjusted in the light of further consideration and information. SS1 (land adjoining Shootersway and Durrants Lane, Berkhamsted) was reduced by 20, and SS2 (Hicks Road, Markyate) increased by 10.
- B2/13 Following further work on housing land availability and the decisions above

on strategic sites, there were some very minor changes to the figures used in the local place objectives (see Table below). There was no change in the approach. The figures are intended to be used as a yardstick against which to assess future delivery. The total (in Table below) is the total number of new dwellings, which the Council then expected to be delivered: it should exceed the achievement of the housing target in Policy CS17, because of the inclusion of some, currently unidentified, windfall sites.

**Table: Distribution of Housing – Place Strategies**

| Place           | Number of Dwellings indicated in Each Local Objective |                      |        |
|-----------------|---|----------------------|--------|
|                 | Consultation Draft                                    | Pre-submission Draft | Change |
| Hemel Hempstead | 8,800   | 8,800                |        |
| - Town Centre   | 1,800   | 1,800                |        |
| - East Hemel    | 1,000   | 1,000                |        |
| - Rest of Town  | 6,000   | 6,000                |        |
| Berkhamsted     | 1,200   | 1,180                | - 20   |
| Tring           | 480   | 480                  |        |
| Bovingdon       | 150   | 130                  | - 20   |
| Kings Langley   | 100   | 110                  | +10    |
| Markyate        | 190   | 200                  | +10    |
| Countryside     | 400   | 420                  | +20    |
| <b>Total</b>    | <b>11,320</b>   | <b>11,320</b>        |        |

Note: All figures are rounded and intended to be approximations.  
Pitches for Gypsies and Travellers are not included in this distribution (they should be added to enable an estimate of total new homes over the plan period).

#### Other Issues

B2/14 Although many issues were connected with growth and the distribution of housing, there were others.

B2/15 Some comments have suggested very detailed changes, additional points or the inclusion of other sites. They are not necessarily relevant to the overall Core Strategy. Where they aren't, they can more appropriately be accommodated in other, subsequent policy documents, or debated in that context.

B2/16 Some of the important policy issues, particularly those resulting in changes to the Consultation Draft, were related to:

- the objectives,
- aspects of transport,
- the accommodation of new schools,
- green infrastructure,
- environmental/infrastructure concerns; and
- specific place matters.

B2/17 Social cohesiveness was accepted to be a different aspect of welfare and community to diversity and inclusion. It was therefore included in the strategic objectives. Changes to the common local objectives were relatively minor but reflected legitimate points about employment and traffic congestion.

B2/18 The exclusion of rural rights of way from the transport network (in Policy CS8 in the Consultation Draft) was rectified. It was also logical that in judging design (Policy CS12) there should be safe access for all users: that should recognise different modes of transport and the characteristics of the user (for example, disabled people).

B2/19 The capacity of existing primary schools and the threshold for new primary schools (in relation to new housing) have been important factors in determining place strategies. The Council is supporting the provision of new schools in the right places in line with Government policy: an amendment to Policy CS23 has been made to enable new schools to be provided, where needed, in the Green Belt.

B2/20 The importance of green infrastructure (i.e. habitat and open space networks) was raised in this and previous consultations. The 'Green Infrastructure Strategy' work commissioned from Land Use Consultants enabled the Council to update and illuminate Policy CS26. Map 3 (High Level Green Infrastructure) was updated and wildlife corridors included in place vision diagrams. Policy CS26 was amended to refer to habitat management zones and priorities, the recommendations for which can be incorporated into subsequent, more detailed guidance.

B2/21 There were a number of concerns expressed about the potential impact of development on the Chilterns Area of Outstanding Natural Beauty. However, most local allocations are sufficiently far away for impact to be limited: in the case of land west of Tring, it has been clarified that all housing will be outside the AONB. While Policy CS24 protects the Chilterns scarp slope, it would have been unreasonable to have ruled out any wind energy generation within the AONB.

B2/22 The importance of water management has again been acknowledged by

the Council. Concern over the capacity of Maple Lodge Sewage Treatment Works was noted. A steering group of the key stakeholders has been overseeing the identification of infrastructure issues and solutions. They have agreed that Policies CS31 and CS32 provide the appropriate framework. The Council is awaiting further advice on the timing of development and possible new infrastructure, particularly in south Hemel Hempstead, from Thames Water Utilities. However, these matters can be dealt with at a later date through subsequent planning documents and the infrastructure delivery plan. Policy CS35 links development and infrastructure, and provides appropriate control.

B2/23 Changes to place strategies have generally been minor because the Consultation Draft was the second round of general public on most aspects. Local allocations and strategic sites have been the focus of most comments. Most were retained. No potential local allocations advanced by landowners during the consultation (e.g. at Shendish, Hemel Hempstead and at Duckhall Farm, Bovingdon) were considered preferable.

B2/24 However, in Berkhamsted there have been underlying concerns about the amount and density of development that has occurred. The urban design zones are a broad and reasonable basis to judge future developments. Identifying the British Film Institute as a major development area in the Green Belt should enable limited expansion, without significant impact, and retain the use. Better links with the town should be sought. The strategy and vision have been amended to recognise the value of the motte and bailey castle.

B2/25 At Hemel Hempstead further discussions led to some changes in the presentation, aims and strategy for the regeneration areas, the town centre and Action Plan area at East Hemel Hempstead. The extent of economic development ambitions, affecting St. Albans district, have been reined back. Both areas are subject to ongoing further work. For example Hemel Hempstead has been the subject of an enterprise zone bid by the Local Enterprise Partnership (albeit unsuccessful in August 2011).

Extract from Chapter 4: The Main Issues and How They were taken into account in Volume 6.

## **Outcome**

4.20 The selection of Housing Option 2 – the higher of the housing targets – was an important outcome. The jobs target was significantly reduced to be more in line with housing growth (i.e. from 18,000 to 10,000 additional jobs between 2006 and 2031).

- 4.21 The selection of strategic sites and local allocations was part of Housing Option 2. The sites/allocations (and alternatives) had been subject to technical appraisal and consultation, an overview of which is given in Appendix 6
- 4.22 The central conclusion was that, with the final set of amendments, the Council had a robust Core Strategy. It included all the main components of a local plan and could be added to. It provided a sound way of making progress towards the Council's ambitions for 2031.

# **Appendix 1: Notification of Consultation Bodies**

Contains:

- Table A1: Specific Consultation Bodies
- Table A2: All Consultation Bodies (Organisations) consulted

**Table A1: Specific Consultation Bodies<sup>7</sup>**

| Consultation Body   | Defined in Regulations |                   |                       |
|---|------------------------|-------------------|-----------------------|
|   | 2004 <sup>1</sup>      | 2008 <sup>2</sup> | Proposed <sup>3</sup> |
| Regional Planning Body (EERA <sup>4</sup> )   |                        |                   |                       |
| Countryside Agency  |                        |                   |                       |
| Environment Agency  |                        |                   |                       |
| English Nature/Natural England  |                        |                   |                       |
| English Heritage <sup>6</sup>   |                        |                   |                       |
| Strategic Rail Authority  |                        |                   |                       |
| Secretary of State for Transport  |                        |                   |                       |
| Network Rail  |                        |                   |                       |
| Highways Agency   |                        |                   |                       |
| Regional Development Agency (EEDA <sup>5</sup> )  |                        |                   |                       |
| Local Enterprise Partnership  |                        |                   |                       |
| Electronic Communications Body  |                        |                   |                       |
| Strategic Health Authority  |                        |                   |                       |
| Primary Care Trust  |                        |                   |                       |
| Electricity undertaker  |                        |                   |                       |
| Gas undertaker  |                        |                   |                       |
| Sewerage undertaker   |                        |                   |                       |
| Water undertaker  |                        |                   |                       |
| Coal Authority  |                        |                   |                       |
| Homes and Communities Agency  |                        |                   |                       |
| Relevant Authority in or adjoining<br>Dacorum<br>- Local planning authority<br>- County Council<br>- Parish Council<br>- Police Authority |                        |                   |                       |

Notes:

1. Town and Country Planning (Local Development Regulations 2004) – effective from 28 September 2004
2. Town and Country Planning (Local) (Development) (England)(Amendment) Regulations 2008 – effective from 27 June 2008
3. Local Planning Regulations Consultation July 2011
4. East of England Regional Assembly
5. East of England Development Agency
6. for Historic Buildings & Monuments Commission for England
7. Bodies listed should be notified if the Council considers they may have an interest in the subject of Core Strategy.

**Table A2: All Consultation Bodies (Organisations) consulted**

| Organisation   | Consultation Stage   |                      |
|--|----------------------|----------------------|
|  | Phase 1 <sup>1</sup> | Phase 2 <sup>2</sup> |
| Dacorum Borough Councillors & County Councillors for Dacorum                   | ✓                    | ✓                    |
| Adjoining Local Authorities (see full list below)                              | ✓                    | ✓                    |
| Adjoining Parish Councils (see full list below)                                | ✓                    | ✓                    |
| Key Landowners & Developers  | ✓                    | ✓                    |
| Estate Agents  | ✓                    | ✓                    |
| English Nature/Natural England   | ✓                    | ✓                    |
| British Waterways  | ✓                    | ✓                    |
| Countryside Agency   | ✓                    |                      |
| DEF Group  | ✓                    | ✓                    |
| DPDs Consultants Group   | ✓                    | ✓                    |
| Hertfordshire Constabulary (the Police authority)                              | ✓                    | ✓                    |
| Dacorum Disorder Reduction Partnership (CDRP) – Hemel Hempstead Police Station | ✓                    | ✓                    |
| Hertfordshire Gardens Trust Conservation Team                                  | ✓                    | ✓                    |
| Hertfordshire Highways (Policy)  | ✓                    | ✓                    |
| Local Strategic Partnership Forum (x20)  | ✓                    | ✓                    |
| Hertfordshire County Council   | ✓                    | ✓                    |
| Hertfordshire County Council Highways (DC)                                     | ✓                    | ✓                    |
| Environment Agency   | ✓                    | ✓                    |
| Berkhamsted & District Gypsy Support Group                                     | ✓                    | ✓                    |
| English Heritage   | ✓                    | ✓                    |
| Local Pressure Groups (see full list below)                                    | ✓                    | ✓                    |
| Neighbourhood & Residents Associations (see full list below)                   | ✓                    | ✓                    |

| Organisation   | Consultation Stage   |                      |
|--|----------------------|----------------------|
|  | Phase 1 <sup>1</sup> | Phase 2 <sup>2</sup> |
| Town & Parish Councils in Dacorum(see full list below) | ✓                    | ✓                    |
| Ethnic Minority Groups (see full list below)           | ✓                    | ✓                    |
| Transco  | ✓                    | ✓                    |
| National Grid  | ✓                    | ✓                    |
| Three Valleys Water                                    | ✓                    | ✓                    |
| Thames Water   | ✓                    | ✓                    |
| British Gas Plc Eastern                                | ✓                    | ✓                    |
| British Telecom  | ✓                    |                      |
| Primary Care Trust                                     | ✓                    | ✓                    |
| Disabled Groups (see full list below)                  | ✓                    | ✓                    |
| Chamber of Commerce (Berkhamsted, Hemel & District)    | ✓                    | ✓                    |
| Highways Agency  | ✓                    | ✓                    |
| Mobile Operators Association c/o Mono Consultants      | ✓                    | ✓                    |
| East of England Development Agency (EEDA)              | ✓                    | ✓                    |
| National Air Traffic Service                           | ✓                    | ✓                    |
| Highways Agency – Network Strategy East                | ✓                    | ✓                    |
| Government Office East of England (GoEast)             | ✓                    | ✓                    |
| Sport England (East)                                   | ✓                    | ✓                    |
| South East England Regional Assembly (SEERA)           |                      | ✓                    |
| Strategic Health Authority (Beds & Herts)              | ✓                    | ✓                    |
| West Herts NHS Trust                                   | ✓                    | ✓                    |
| British Pipeline Agency                                | ✓                    | ✓                    |
| Health & Safety Executive (HSE)                        | ✓                    | ✓                    |
| Homes and Community Agency (HCA)                       | ✓                    | ✓                    |

| Organisation  | Consultation Stage   |                      |
|---|----------------------|----------------------|
|   | Phase 1 <sup>1</sup> | Phase 2 <sup>2</sup> |
| Hertfordshire Property                                  | ✓                    | ✓                    |
| Hertfordshire Association of Local Councils             | ✓                    | ✓                    |
| Countryside Management Service (CMS)                    | ✓                    | ✓                    |
| Hemel Hempstead & District Friends of the Earth         | ✓                    | ✓                    |
| The National Trust                                      | ✓                    | ✓                    |
| Built Environment Advisory & Management Service (BEAMS) | ✓                    | ✓                    |
| CABE  | ✓                    | ✓                    |
| The Coal Authority                                      | ✓                    | ✓                    |
| The Chiltern Society                                    | ✓                    | ✓                    |
| Regional Planning Body (EERA)                           | ✓                    | ✓                    |
| Network Rail  | ✓                    | ✓                    |

Notes:

1. Issues and Options (2006) or Emerging Core Strategy (2009)
2. Consultation Draft (2010)

#### **Adjoining Local Authorities:**

- Aylesbury Vale District Council
- Three Rivers District Council
- Watford Borough Council
- St. Albans City & District Council
- Bedfordshire County Council
- Buckinghamshire County Council
- East Hertfordshire District Council
- North Hertfordshire District Council
- South Bedfordshire District Council
- Welwyn Hatfield District Council
- Stevenage Borough Council
- Chiltern District Council
- Hertsmere Borough Council
- Borough of Broxbourne
- Luton Borough Council
- Central Bedfordshire Council

#### **Adjoining Parish Councils**

- Cholesbury-Cum-St. Leonards Parish Council
- Abbots Langley Parish Council
- Sarratt Parish Council
- Chorleywood Parish Council
- Harpenden Rural Parish Council
- Ashley Green Parish Council
- Slip End Parish Council
- Chenies Parish Council
- Latimer Parish Council
- Redbourn Parish Council
- Edlesborough Northall and Dagnall Parish Council
- Buckland Parish Council
- Cheddington Parish Council
- Ivinghoe Parish Council
- Latimer Parish Council
- Drayton Beauchamp Parish Council

#### **Local Pressure Groups**

- Boxmoor Trust
- Built Environment Advisory & Management Service
- Cambs. & Herts FWAG
- Campaign For Real Ale
- Campaign To Protect Rural England
- Chiltern Hundreds Housing Assn
- Chilterns Conservation Board
- CPRE - The Hertfordshire Society
- Dacorum Council
- Dacorum CVS
- Friends of Tring Reservoirs
- Groundwork Hertfordshire
- Guinness Trust
- Hemel Hempstead High Street Assn.
- Hertfordshire Agricultural Society
- Herts & Middlesex Badger Group
- Herts & Middlesex Wildlife Trust
- Herts Fed.of Women's Institutes
- Herts Natural History Society
- Hightown Praetorian Housing Association
- Kings Langley Local History & Museum Society
- London Luton Airport Operations Ltd
- Markyate Village Hall Committee
- Ramblers Association
- S & W Herts WWF Group And Green Party

- St Albans Enterprise Agency
- St Albans Museums
- The Chiltern Society
- The Conservation Society (Herts)
- The Inland Waterways Association
- Tring Cycling Campaign
- Tring Environmental Forum
- Wendover Arm Trust
- Woodland Trust

### **Neighbourhood & Residents Associations**

- Adeyfield Neighbourhood Association
- Bellgate Area Residents Association
- Bennetts End Neighbourhood Assn
- Bourne End Village Association
- Briery Underwood Residents Association
- Chaulden Neighbourhood Association
- Conservation Area Resident's Association (2010 only)
- Dacorum Leaseholder Group
- Douglas Gardens Street/Block Voice
- Gaddesden Row Village Voice
- Gadebridge Community Association
- Grovehill West Residents Association
- Hales Park Residents Association
- Heather Hill Residents Association
- Henry Wells Residents Association
- Herons Elm Street/Block Voice
- Hunters Oak Residents Association
- Hyde Meadows Residents Association
- Little Gaddesden Village Voice
- Long Marston Tenants Association
- Longdean Park Residents Association
- Nash Residents Association
- Nettleden, Frithsden & District Society
- Northend Residents Association
- Pelham Court Residents Association
- Picotts End Residents Association
- R.B.R. Residents Association
- Redgate Tenants Association
- Rice Close Street/Block Voice
- Shepherds Green Residents Association
- Street Block Voice (Farm Place)
- Street Block Voice (Hazel Road)

- Street Block Voice (Hilltop Corner, Berkhamsted)
- Street Block Voice (Typleden Close)
- Street Block Voice (Winchdells)
- The Briars & Curtis Road Street/Block Voice
- The Planets Residents Association
- The Quads Residents Association
- Thumpers Residents Association
- Tresilian Square Residents Association
- Waveney & Frome Square Residents Association
- Westfield Road Street/Block Voice

### **Town & Parish Councils in Dacorum**

- Hertfordshire Association of Local Councils
- Aldbury Parish Council
- Markyate Parish Council
- Nettleden with Potten End Parish Council
- Wigginton Parish Council
- Chipperfield Parish Council
- Kings Langley Parish Council
- Northchurch Parish Council
- Flamstead Parish Council
- Tring Town Council
- Flaunden Parish Council
- Bovingdon Parish Council
- Little Gaddesden Parish Council
- Tring Rural Parish Council
- Nash Mills Parish Council
- Berkhamsted Town Council
- Great Gaddesden Parish Council

### **Ethnic Minority Groups**

- Africans Together in Dacorum
- Asian Masti
- Caribbean Women's Equality & Diversity Forum
- Club Italia
- Dacorum Chinese Community Association
- Dacorum Chinese School Association
- Dacorum Indian Society
- Dacorum Multicultural Association / MWA
- Gujarati Language School / DIS
- Hemel Anti Racism Council
- Jewish Interests
- Muskann - Pakistani Women's Association

- Muslim Welfare Association

### **Disability Groups**

- Age Concern
- Alzheimer's Society (Dacorum Branch)
- Dacorum Dolphin Swimming Club
- Dacorum Talking Newspaper
- Dacorum Volunteer Bureau
- DISH
- Heart to Herts
- Hemel Hempstead Access Group
- Hertfordshire Action on Disability
- Mind in Dacorum
- National Asthma Campaign
- POWWER
- Rehabilitation Activities Group
- The Puffins
- Tring Access Committee

# **Appendix 2: Effect of Critical Friend and Peer Review on Core Strategy Progress**

Contains:

- Table A3: Critical Friend and Peer Advice and Input to the Core Strategy

**Table A3: Critical Friend and Peer Advice and Input to the Core Strategy**

| Report |       | Lessons and Actions for the Core Strategy   | Input to Core Strategy   |
|--------|-------|---|--|
| Author | Date  |   |  |
| POS    | 05/07 | <p>1. Further consultation with partners and representative groups recommended. Consult neighbouring authorities about joint issues.</p> <p>2. Seek better integration with community plan review.</p> <p>3. Weaknesses of previous consultation to be addressed: issues strongly land use based rather than spatial; little about the issues was distinctive to Dacorum; little connection with the community plan/strategy and its ambitions.</p> <p>4. Spatial issues should arise from dialogue with partners and agencies (e.g. priorities in different parts of the district).</p> <p>5. Discussions should refer to evidence in hand and tackle open questions.</p> <p>6. Significant evidence base recognised.</p> <p>7. In future preferred options participation, the Council should be able to demonstrate how sustainability appraisal shaped its decisions.</p> <p>8. Preferred options report should cover:<br/>                     (i) alternative growth strategies (Hemel Hempstead)<br/>                     (ii) options within specific policy areas.<br/>                     Reasons should be given for preferred choice and options rejected.</p> <p>9. Consider use of PAS self-assessment toolkit as a check on soundness of the Council's approach.</p> | <p>1. Accepted and acknowledged. Also see 3 below.</p> <p>2. Accepted and acknowledged.</p> <p>3. Future consultation attempted to involve a wide spectrum of interests in one area – i.e. place workshops; to engage with adjoining local authorities and infrastructure providers; and to liaise with the Local Strategic Partnership more extensively.</p> <p>4. Noted.</p> <p>5. Noted.</p> <p>6. Noted.</p> <p>7. Significance noted. Iterative nature of sustainability appraisal underlined with the Council's independent conclusions.</p> <p>8. Principle accepted, though preferred option stage dropped. Alternative housing levels and local allocations considered. Consultation Draft very briefly explained how we had got to that particular point.</p> <p>9. Not specifically done. PAS diagnostic undertaken. Regular peer review and liaison with other authorities (particularly in Hertfordshire) was considered sufficient at that time.</p> |
| POS    | 01/08 | <p>1. Although the community strategy has shied away from the issue, the Core Strategy must deal with the implications of increased growth – impact on services and social infrastructure in existing urban areas, and needs associated with the new development areas.</p> <p>2. Infrastructure strategy is needed to demonstrate the Core Strategy is deliverable: the importance of engagement with infrastructure providers is underlined.</p> <p>3. Proposed community infrastructure levy needs to be based on evidence supporting Core Strategy and infrastructure plans.</p> <p>4. (Draft) Government advice enables strategic sites for development to be identified. It may be appropriate to identify the first new neighbourhood at Hemel Hempstead this way.</p> <p>5. (Draft) Regulations remove the preferred options stage. Does not mean only one consultation, rather there is a duty to consider whom to consult and how. Growth at Hemel Hempstead requires consideration of options. At other places, an approach focussing on their particular issues or needs should be sufficient.</p>  | <p>1. The issues were tackled – also see below.</p> <p>2. Accepted – also see below.</p> <p>3. Accepted and acknowledged in later infrastructure work.</p> <p>4. Accepted. The Council considered that because of the importance of place strategies (developed from September 2008) strategic sites could be relevant to other places as well as Hemel.</p> <p>5. The difference between Hemel and other places was followed through. Options were evaluated for Hemel Hempstead, both in terms of major growth strategies and different housing levels. Both were, in effect, considered at the Hemel Place Workshop. The strategies were not subject to public consultation because of judicial</p>   |

|     |       |  |   |
|-----|-------|--|---|
|     |       |  | review and ultimate quashing of policies in the RSS. Different housing levels and local development allocations were included in the Consultation Draft. The relevant technical work was published.   |
| PAS | 09/08 | <p>1. Substantial new development proposed for Hemel Hempstead noted. Noted that while officers have made progress with joint work, St. Albans Council appears to have insufficient staff resources and links at member level are poor.</p> <p>2. Substantial regeneration agenda in Hemel Hempstead noted. Some concerns expressed over involvement between teams working on Local Development Framework and regeneration programme, and effect of possible delays in the LDF.</p> <p>3. Two PAS packages were suggested as possible support – delivering a common vision and sustainability appraisal.</p> <p>4. External support might assist the development of a partnership of authorities.</p> <p>5. Strengthen links between the LDF and community plan process.</p> <p>6. Involve Development Control and Regeneration staff more fully.</p>  | <p>1. Joint working has not been easy. St. Albans Council is opposed to almost any development east of Hemel Hempstead and withdrew from joint working after the High Court judgement on the RSS. Some liaison occurs.</p> <p>2. The economic recession has been far more significant than delays in the LDF. The LDF and regeneration teams are now merged.</p> <p>3. Not pursued. The intention was to work with the vision and ambitions of the Community Plan/Strategy, and to retain and work more closely with the Council's sustainability consultants.</p> <p>4. Not considered necessary in the eventual demise of the strategic growth proposal at Hemel.</p> <p>5. Followed through in terms of informal liaison and formal representation on LSP Board and Support (Management) Group.</p> <p>6. For Regeneration see above. Informal workshops, liaison and feedback on Core Strategy drafts have continued with Development Control (now Development Management) staff.</p> |
| POS | 08/09 | <p>1. Impressive that Council is seeking to make progress in a difficult situation (i.e. consulting on an Emerging Core Strategy while the RSS was subject to judicial review).</p> <p>2. At next stage, prepare draft plan to reduce delay (instead of preferred strategy document).</p> <p>3. Streamline internal processes between publication of Core Strategy and submission to the Planning Inspectorate.</p> <p>4. Ask Go East to establish a clear housing target at Hemel Hempstead (between Dacorum and St. Albans).</p> <p>5. Further consultation about Hemel Hempstead could be included in Draft Plan (including alternative growth level to the Emerging Core Strategy).</p> <p>6. Further work on housing land availability suggested, in particular to review conclusions with a Panel including development interests.</p> <p>7. Need to develop a separate infrastructure delivery plan with partners and provider agencies, and refer to in the implementation section of the Core Strategy.</p> <p>8. Full Core Strategy should contain a vision for the future, strategic objectives, overall strategy and policies (including for places).</p> <p>9. More on infrastructure and relationship of Dacorum to its neighbours needed.</p> | <p>1. -</p> <p>2. Done: Consultation Draft published in November 2010.</p> <p>3. Procedures agreed by Council.</p> <p>4. Requested, but RSS not 'repaired': hence no housing target at all.</p> <p>5. Done through Consultation Draft.</p> <p>6. Followed through in subsequent housing land availability work.</p> <p>7. Work commissioned from consultants. Implementation and delivery are important elements of the Consultation Draft. Infrastructure Delivery Plan prepared, though more work is to be undertaken in connection with a community infrastructure levy.</p> <p>8. Incorporated in Consultation Draft.</p> <p>9. Incorporated in Consultation Draft.</p>   |

|      |       |   |   |
|------|-------|---|---|
|      |       | <p>10. Prepare new borough vision – place visions are a good example to work from.</p> <p>11. Use of themes in place strategies leads to repetition: place descriptions are too detailed.</p> <p>12. Consider drafting Core Strategy (assuming the Secretary of State ‘repairs’ the RSS).</p> <p>13. Style of Core Strategy should be assertive – “this will happen”.</p> <p>14. On infrastructure, Core Strategy should address any ‘show-stoppers’, the infrastructure needed to deliver the strategy and what strategic sites need.</p>  | <p>10. Done.</p> <p>11. Place strategies shortened. Excess detail removed. Common place objectives introduced in Consultation Draft.</p> <p>12. Began in 2010 when it was increasingly clear the RSS would not be ‘repaired’.</p> <p>13. Principle followed.</p> <p>14. Done, as far as providers allowed.</p>  |
| CABE | 07/10 | <p>1. Recognise the borough’s sub-regional function and its role in relation to London.</p> <p>2. Link references to the pockets of deprivation more clearly to the overall strategy.</p> <p>3. Include stronger reference to the role of Hemel Hempstead and the challenges faced by the town within the Borough Portrait.</p> <p>4. Strong sections on design and community infrastructure.</p> <p>5. Document successfully integrates work done by the LSP on the Community Strategy.</p> <p>6. Link the vision more strongly to the rest of the document – especially the Place Strategies.</p> <p>7. Policies are well explained, but think about how the policy can be delivered in ways other than through planning i.e. through the third sector.</p> <p>8. Ensure that information gained through the Place Workshops is fully reflected and that there is a strong link in the Place Strategies between problems and actions and that these are explained.</p> <p>9. Document is very easy to read and the authors have clearly taken an inclusive approach.</p> <p>10. Ensure that the ‘Themes’ sections are sufficiently spatial.</p> <p>11. Support inclusion of Key Diagram at the front of the document.</p> | <p>1. Add text to Borough Portrait to cover wider functional relationships.</p> <p>2. Amend para 3.23 of the Borough Portrait to cross-refer to the fact the Hemel Hempstead has the most deprived wards and this is a factor why the town is the focus for regeneration activities.</p> <p>3. Add additional text to para 3.12.</p> <p>4. Support noted.</p> <p>5. Support noted.</p> <p>6. Check text and strengthen links where appropriate.</p> <p>7. Support noted. Add reference to other delivery mechanisms where appropriate.</p> <p>8. Noted. Check to be carried out and any necessary changes made.</p> <p>9. Support noted.</p> <p>10. Noted.</p> <p>11. Support noted.</p>                            |
| POS  | 08/10 | <p>1. Include a concise summary of strategy.</p> <p>2. Review supporting text to convert appropriate statements into full policy.</p> <p>3. The Borough portrait could say more about what makes Dacorum distinctive, e.g. Hemel Hempstead’s New Town origins.</p> <p>4. As a consequence of the removal of references to the RSS as setting the strategic framework, the settlement hierarchy in para. 8.9 should be framed as policy and given local justification.</p> <p>5. The sequential test for the selection of sites should be abandoned, because there is no guiding policy in the RSS anymore.</p> <p>6. Merge this section with Policy CS13 and make clear the extent of development proposed for the town centre.</p> <p>7. Policy CS16 should be re-presented as a Dacorum retail hierarchy in the absence of the RSS.</p> <p>8. The Strategic Housing Market Assessment is not very conclusive on the mix</p>   | <p>1. Insert summary next to the key diagram.</p> <p>2. Noted. The principle will be adhered to during all editing.</p> <p>3. Agreed. Amend text accordingly.</p> <p>4. Amend Policy CS1 to refer to the settlement hierarchy.</p> <p>5. Amend Policy CS2. It should apply to the initial selection of sites in subordinate local development documents and to the phasing of any new extensions to defined settlements. The sequential test is important in the context of encouraging sustainable development.</p> <p>6. Amend section 11 and Policy CS13 accordingly, and ensure it clearly sets out proposals for the town centre.</p> <p>7. Amend policy and text accordingly.</p> <p>8. Noted. No change.</p> |

|     |       |   |  |
|-----|-------|---|--|
|     |       | <p>of dwellings to be provided: this affects Policy CS18 and Table 9.</p> <p>9. More should be included on the strategy for Maylands and the East Hemel Hempstead Area Action Plan. This will set the key parameters and planning principles for this part of Hemel Hempstead.</p> <p>10. Ensure that dependencies between development and particular elements of infrastructure are explained: state whether there are 'showstoppers' in relation to infrastructure – it appears there are none.</p> <p>11. The Council should continue to develop its infrastructure delivery plan in collaboration with the providing agencies, and with a view to bringing forward a levy or tariff (on development) depending upon the final policy of the Government.</p>   | <p>9. Agreed. Further text and policy direction based on existing work, including the Maylands Master Plan, will be included.</p> <p>10. Include references to the Infrastructure Delivery Plan work in the 'Implementation and Delivery' chapter.</p> <p>11. Noted.</p>   |
| POS | 08/11 | <p>1. Comment was provided on the potential effect of the (draft) national planning policy framework on the Core Strategy. Officers should satisfy themselves that where there are policy changes, the Core Strategy is compatible or can be changed to make it compliant. If something is not in strict accord with the draft NPPF, the Council should ensure that its arguments and supporting evidence are effectively presented.</p> <p>2. Objectively assessed needs should be met, unless there are outweighing adverse effects (having regard to the NPPF as a whole). The Council will need to explain its housing target in relation to this.</p> <p>3. The indication of local allocations in the Core Strategy is appropriate (though the terminology is queried).</p> <p>4. The Council will need to demonstrate how it has met the duty to co-operate (with other local authorities and key agencies).</p> | <p>1. Noted. In assessing the comments received on the Consultation Draft and (potential) changes to the Core Strategy, the Council considered the effect of the NPPF. It selected the higher housing option in the light of this (draft) advice. Other changes have been made as well (see Volume 6, Annex A, Appendices 1 and 4). It was also noted that much of the NPPF was concerned with streamlining national guidance, not necessarily changing it.</p> <p>2. This is one of the key draft changes to national guidance. Also see comment above.</p> <p>3. Noted.</p> <p>4. Co-operation and engagement with a variety of individuals, stakeholders and organisations is demonstrated within the Report of Consultation. Further explanation may be necessary when the legal duty to co-operate is in force and explained. [It is being introduced through the Localism Bill].</p> |

Notes: POS – Andrew Wright, Planning Officers Society

PAS – Planning Advisory Service

CABE – Commission for Architecture and the Built Environment

# **Appendix 3: Reports from the Council's Critical Friend and Peers**

Contains Reports from:

- Planning Officers Society - May 2007
- Planning Officers Society - January 2008
- Planning Advisory Service September 2008
- Planning Officers Society - August 2009
- CABE - July 2010
- Planning Officers Society - August 2010
- Planning Officers Society - August 2011

**Dacorum Borough Council**  
**Critical Friend Support for the LDF**

**Report following workshop with LDF team**  
**Revised 30 May 2007**

- 1 POS Enterprises' consultant, Andrew Wright, reviewed documents produced to date and held a day workshop with the Dacorum LDF team on 17 April 2007. This note sets out the main conclusions drawn and recommendations in relation to future action.

**Overview**

- 2 There were weaknesses in the earliest issues and options consultation, but the authority recognised this and put in hand further consultation with partners and representative groups. The LDF team is collaborating with community plan review work, with a view to better integration of the LDF with the new sustainable community strategy. Provided these processes are managed to focus on bringing out spatial issues and options, and how they are distinctive to Dacorum, the outcomes should provide a robust foundation for the development of the various DPDs.
- 3 The strategic context has changed radically since LDF work commenced, with the recommendation of the East of England Plan panel that eastern Hemel Hempstead should receive considerable additional housing growth. The authority's officers have addressed the changing framework in a clear minded way, and have secured agreement with St Albans that the authorities' core strategies will be aligned in time to jointly provide the local strategic framework, and a joint AAP will be prepared for East Hemel Hempstead. LDF work is directed towards delivery of these DPDs and a site allocations DPD.
- 4 The critical factor is that team members appear to be adapting to the changing context, and open to continued learning and strengthening of their grasp of spatial planning and the way it influences the principles of the new system.

**Overall context**

- 5 The Borough Council is currently working on three DPDs - the core strategy, a site allocations DPD, and a joint Area Action Plan with St Albans CC for the East Hemel Area.
- 6 Originally the authority was working to a growth target of 6,300 new dwellings up to 2021 in accordance with the submitted East of England RSS, and carried out issues and options consultation for the core strategy and site allocations DPD on that basis. However, the RSS EiP panel has recommended that the target should be increased to 12,000 dwellings, the majority to be provided in Hemel Hempstead, and with some implication that

the main growth area will be in the north-east of the town including areas falling within St Albans administrative area.

- 7 The authority has accordingly agreed with St Albans to jointly examine where and how the growth might be accommodated. Further issues and options consultation has been carried out based on a supplementary paper prepared jointly with St Albans, which considers a number of broad locations where the growth might take place.
- 8 Alongside current work on the LDF the Dacorum community strategy is being reviewed, with a view to adoption in December 2007. The intention is to make the reviewed community strategy more focused and clear about priorities than the current strategy adopted in 2004. Practical efforts are in hand to bring the work on the LDF and the community strategy closer together. The document Hemel 2020, while focused on specific initiatives within a single settlement, begins to explore some of the issues raised by the fact that the planned new town is now over 50 years old, and points to some spatial issues.

### **The local development scheme**

- 9 A revised LDS came into effect in May 2007. It proposes four DPDs, whose programmes can be summarised as follows -

|                                 | <b>Preferred options</b> | <b>Submission</b> | <b>Adoption</b> |
|---------------------------------|--------------------------|-------------------|-----------------|
| <b>Core strategy</b>            | Jan 2008                 | Aug 2008          | Sept 2009       |
| <b>Site allocations DPD</b>     | Nov2008                  | Dec 2009          | Dec 2010        |
| <b>East Hemel Hempstead AAP</b> | Nov 2008                 | Dec 2009          | Dec 2010        |
| <b>DC policies DPD</b>          | Jan 2010                 | Jan 2011          | Jan 2012        |

- 10 The overall structure is logical. It seeks to bring the core strategy forward first to set the spatial strategy for the other DPDs, and to take it through examination to adoption before any other DPD is submitted. This accords with DCLG and PINS advice. Moreover, the parallel preparation of the site allocations DPD and the East Hemel Hempstead AAP is similarly logical, since it will address all the locations for new development within the Borough at the same time, and enable the authority to show it is meeting its RSS target.
- 11 It is understood that Dacorum and St Albans LDSs show both authorities core strategies being submitted at the same time, and implicitly being examined at the same time. This is important, since the nature of the plan-making arrangement by the two authorities means that their core strategies together will provide the strategic context for the joint AAP.
- 12 However, whilst the LDS makes sense in itself, there must be serious concerns about how the programme will be affected by the decision timescale

for the East of England Plan (RSS). It is understood that although Ministers are still hopeful of approving the final RSS before the summer recess, this is considered unlikely, which suggests that realistically it will be September or later before the key decision is finalised on the level of growth for the Hemel Hempstead area.

- 13 Elected members at both Dacorum and St Albans may be unwilling to involve themselves significantly in the joint AAP process until there is a firm decision on the RSS and the level of growth, so progress to-date has mainly been through officer cooperation. Once there is a decision, and assuming it confirms the increased housing target, it is to be hoped that members of both authorities will be prepared to engage fully with the work on the AAP.
- 14 The planned arrangement for preparing the AAP is a voluntary joint plan, whereby the formal decisions required to progress the plan will be made by each authority acting separately. However, there will be a need for joint member machinery to steer the work on the AAP, and to provide the political forum to build commitment to the emerging strategy. That of itself will take some time. This machinery will also need to address the emerging core strategies of the two authorities, so that members can satisfy themselves that both are meeting their obligations and that the core strategies fit cleanly with each other.
- 15 When the political machinery is in place, however strong the political commitment to collaboration may be (and this cannot be presumed), there will inevitably be differences of view and priorities between the two authorities which will need to be addressed and resolved. Given the contentious nature of the growth proposals the plan preparation process will be played out in an environment of continued opposition from many local people, with associated lobbying and representations which will provide significant political challenges for the members of both authorities. The programme for preparation of the AAP will need to provide for these processes, and may be expected to come under pressure at times when things get difficult politically.
- 16 All this suggests that the LDS timetables for both the core strategies and the AAP are unlikely to be met. Given that the core strategies will actually need to make the big decisions on the broad locations for housing expansion of Hemel Hempstead, it is considered unlikely that the two authorities will be able to get to preferred options participation in January/February 2008. The summer seems more likely. Through careful work programming in concert with St Albans it may be possible to keep to programme for preferred options participation on the AAP and the site allocations DPD, but that would bring participation on these DPDs close behind that on the core strategy. It would be demanding to manage two major sets of consultation close together. Indeed, elected members and communities can be expected to find it challenging to separate the decisions of principle from the decisions of detail when dealing with such contentious issues, which may make it desirable to carry out preferred options participation on the core strategies site allocations

DPD and joint AAP at the same time. This would also be less demanding than two separate consultation processes following one another.

- 17 The timetables from preferred options participation to adoption are not generous, so it is not considered likely that any slippage in getting the joint planning process under way will be capable of recovery.

### **Core strategy: issues and options consultation**

- 18 Issues and options consultation on the core strategy has been carried out over a period of some time, beginning with the “Emerging Issues” consultation in July/August 2005 which was linked to consultation on the Hemel Hempstead 2020 Vision. This was followed by further consultation on an issues and options report (May 2006). This had strengths in that some at least of the issues raised were rooted in evidence and began to address some of the key decisions for the future. However overall there were some important weaknesses -

- the draft vision had some local slant, but read as more of a summary of policy areas than a clear ambition for the future of the Borough
- similarly the draft objectives read more as a summary of key national policies and chapter headings than as being derived out of the local vision
- whilst the draft vision and objectives were included in the consultation document, they were not actively developed with partners to provide a distinctive spatial vision
- the issues identified were strongly land-use orientated, with few references to spatial issues or options
- there was little by way of connection with the community strategy and its ambitions for the area
- there was not much which was about issues which are truly distinctive to Dacorum
- the document tended to raise closed questions, and did not adequately encourage respondents to raise other issues or possible solutions which they felt should be considered
- some of the issues raised were quite vague and consequently difficult to engage with

- 19 It should be said immediately that these weaknesses are not peculiar to Dacorum, but are characteristic of much consultation on issues and options across the country. This realisation has led a significant number of authorities to recognise that their emerging core strategies are unlikely to be found sound, and to go back and carry out further issues and options consultation with a view to rectifying the matter.

- 20 The supplementary issues and options document shows clear progress in the approach to engagement. It sets out a suite of planning principles which it suggests should be followed in planning for Hemel’s expansion and consults

upon them; and brings out a range of real issues which need to be addressed and are distinctive to the place. These include whether the neighbourhood concept which shaped the new town should continue or be revised to reflect changed circumstances; and examination of the merits of alternative locations for development, with information about their possible suitability but without being too leading. However, it is still focused primarily on land use matters, and does not really bring out the wider spatial issues which will go with catering for growth on the scale now proposed by the EiP panel.

- 21 It is stressed that the spatial issues should arise from dialogue with partners and agencies, and without considerably deeper knowledge of the Borough it would be unwise to speculate what they will be. However, by way of example work with other authorities has identified spatial issues such as -
- the implications of a rapidly ageing population
  - the functions performed by main centres both currently and prospectively and their functional relationships with neighbouring settlements
  - how the functions performed by the council and other agencies which have a locational dimension could be better coordinated
  - priorities within the different parts of the District
  - assessment of the needs of the economy that can be supported in ways which do not simply involve the identification of land;
  - consideration of whether all the identified Community Strategy issues are actively addressed by the LDF, and in particular whether there are social issues that could be addressed through positive spatial planning initiatives.

### **Further consultation**

- 22 It is very encouraging that the authority is currently carrying out a further round of consultation focused upon representative groups and partners. This is clearly directed at overcoming some of the acknowledged weaknesses in the earlier issues and options consultation. Moreover, the collaboration with community strategy work should enable the new sustainable community strategy and the core strategy to better influence each other.
- 23 In managing and developing this further consultation, a number of suggestions are offered to maximise the benefits from the process -
- there should be work jointly with the community strategy review to produce a more developed and distinctive vision and key objectives for the Borough, concentrated on work with partners and representative groups. The ideal is to have a common vision for both, though it is recognised that the planning objectives may need to be taken further into development matters than is appropriate to a community strategy
  - in working with partners and representative groups, wider spatial issues are more likely to emerge from cross-sectoral discussions than

from bilateral meetings, as different parties' different mind sets and perceptions interact with each other

- discussions should refer to the evidence already in hand, asking what it tells us and where it points in relation to the topics under examination
- discussions should tackle open questions which encourage speculation about the future and the implications, such as

“How will the proposed growth of Hemel impact upon community services and facilities, and what are the implications for service providers?”

“How can the growth be turned to the advantage of the area, and does where it takes place impact upon this?”

“What are the specific problems and opportunities faced by the different towns in the Borough?”

- though the most fruitful avenue is likely to be the work with partners and representative groups, there should be some wider consultation on the emerging revised vision and objectives, so that demonstrably all stakeholders have had the opportunity to influence them
- similarly there should be some further general consultation on the new issues which emerge from the work with partners and representative groups, and this should in particular ask “Is there anything else we should consider, including other possible solutions?”

24 Alongside the further consultation, the authority should consider what further discussions should be held with neighbours about possible cross-boundary issues (other than the obvious issues in relation to St Albans). This will enable it to demonstrate that it has adequately addressed soundness test 4 as it relates to plans for adjoining areas.

### **Review of the evidence base**

25 The authority already has an impressive body of evidence developed internally or by commissioning consultants. Much of this is equally relevant to the higher growth target now proposed by the EiP panel as to the situation when it was developed. However, it is necessary to consider for each area of evidence whether some supplemental work may be necessary to cover the potential changed circumstances which go with growth.

26 At the same time it is suggested that consideration is given to how well each report is framed for use as evidence in the examination of the DPDs. This should include -

- where there is a national methodology, whether there is a clear statement and demonstration that the guidance has been complied with
- whether sufficiently clear conclusions are drawn and appropriate recommendations made

- 27 To date sustainability appraisal of the core strategy has been used to verify judgements already made, though it has played a more shaping role in the work on the site allocations DPD. Government guidance stresses that SA should act as a key determinant in decision-making, so this needs to be addressed in taking the DPDs forward. There is not considered to be any significant risk in relation to what has already been done, but when it comes to preferred options participation the authority should be able to demonstrate clearly how SA has actually shaped its decisions. It follows that the results of SA need to be available in good time to be used as a decision-making tool.
- 28 The SA appraisal framework gives greater attention to environmental issues than to social and economic considerations. Whilst this reflects the fact that currently much more evidence is available in relation to environmental factors, the authority is advised to ensure that its consultants can demonstrate that their evaluations balance the three sets of influences without undue weight on the environment. Any judgements that one aspect of SA should be given greater weight than others should be made explicit in decision-making, rather than hidden in methodology.
- 29 One area has been identified where some additional evidence may be required, in relation to the functions and roles of settlements. This would supplement work already done on retail to look more widely at the functions of main centres, including in relation to business services, health facilities, and leisure. This is a dimension of spatial planning which is commonly missed. The identification of this specific area should not be taken as a judgement that otherwise the authority has all the evidence it needs. That is a matter for the authority to consider for itself in the light of its detailed knowledge of the area and its issues.
- 30 More generally, it is now clear that all the main evidence on which an authority relies in preparing a DPD should be available at the time of preferred options participation, so that the authority can show how the evidence has shaped its decisions. This may have implications for the timing of any further studies which are needed.

### **Working towards preferred options participation**

- 31 It has become increasingly evident from examination reports and other sources that the preferred options stage is the key decision-making stage in the new system. Once the main decisions have been made then the process of preparing a submission DPD should be seen as about refinement and finalisation, rather than substantial new work.
- 32 The authority's plan-making structure of a core strategy, allocations DPD and joint AAP is a rational response to its circumstances, but there is potential for confusion between their functions. It is therefore recommended that at an early stage the authority should set out "what goes where" in some detail, ie which policies will be found in which DPD (including the planned development policies DPD), and the anticipated level of detail. Apart from providing a

useful “map” of intended LDF content, this will enable the authority to satisfy itself that the core strategy will address all the strategic issues it ought, and that the relationship between the DPDs will be clear and coherent (relevant to soundness test 6).

- 33 The additional engagement which is currently being carried out can be expected to bring out a larger number of issues or options (possible solutions) within them which stakeholders wish to see addressed. In such a situation it is unlikely to be practicable to take them all forward to preferred options participation. This requires a clear and transparent approach to how they will be narrowed down to a manageable number. The first step should be to consider the issues raised. Some will fall outside the proper scope of an LDF, and should be taken no further. Others may not be appropriate to a core strategy, but better considered in the context of the planned development policies DPD. They can be set aside at this time, but with an undertaking to consider them further in the preparation of that DPD. Attention can then shift to narrowing down the options within the remaining truly strategic issues.
- 34 In the context of Dacorum and the growth agenda, it is likely that some combinations of potential broad locations for development will fit naturally with each other and with associated infrastructure requirements. This can provide the foundations for developing alternative strategies, using the term in the sense of different patterns of development as against mere options within individual issues. For example, one alternative might be to meet housing requirements with several smaller peripheral sites. Such an option would be able to make use of existing community facilities and not require significant new provision of infrastructure; but in other respects it might have a range of negative impacts, eg upon landscape and openness and development adjoining large numbers of residents. Another alternative might be to focus much of the growth on a single broad location, which would localise the impacts upon landscape and openness and directly affect less people, but require new community facilities and probably greater infrastructure investment. The evaluation process would examine these and other impacts to come to a view on which is better. It is stressed that the example alternatives here are an illustration, not a recommendation!
- 35 Apart from strategic alternatives there will also be some issues which are not affected by locational strategy, and where the choices within issues do not impact upon other issues. The choices within such issues can properly be considered in isolation. This *might* be the case, for instance, with the policy to be pursued in relation to affordable housing.
- 36 In considering which are the strongest options which deserve further evaluation, it is suggested that the starting point should be sustainability appraisal, evaluating each option and discarding those which do not perform so well as others within the same issue. Other considerations can then be brought to bear, including how well options fit with higher level policy, their practicality, and public opinion and political considerations. Where alternative strategies emerge, it will be necessary for sustainability appraisal to consider

them as strategies, and not solely in terms of the impacts of the individual locations or sites which make them up. This would need to be discussed with the SA consultants, since some are averse to trying to compare strategies, notwithstanding that this is what is expected by both the SEA and Government guidance.

- 37 The important thing is that the full range of issues and options identified through the various processes of engagement are recorded, and clear reasons given in relation to issues which are not taken forward in the core strategy (because they are not strategic) and those options which are discarded because others perform better. Consideration should be given to how this will be presented in a document, so that it can be used at examination to both demonstrate the full range of issues and options considered and the decision-making audit trail.
- 38 Out of this process should emerge a manageable set of alternative strategies, together with options within specific policy areas. Policy areas here means topics which may be expected to be covered in the relevant DPD, eg affordable housing or urban conservation. The authority will then formally consider these to identify its preferred strategy (core strategy) or sites (allocations DPD and AAP). The preferred options report for each DPD should set out both the preferred strategy/sites and the alternatives considered, together with the reasons why the latter have been rejected. The documents should refer to the relevant evidence which led to the identification of alternatives, and how that evidence has influenced the choices made. It is suggested that the findings of sustainability appraisal should be given particular prominence, though where other evidence is more conclusive this should be made clear.
- 39 A common weakness of submitted DPDs is that they do not set out adequately how the proposals are to be delivered and progress monitored, nor do they address how the adopted strategy has the flexibility (in terms of soundness test 9) to adapt to changing circumstances. Inspectors have amended several core strategies to make them sound in this regard, and the changes they have made should provide helpful pointers towards what is needed. It is suggested that these matters are addressed as part of the development of the preferred options documents, to pave the way for their coverage in the submitted DPDs. On the specific matter of maintaining a 5 year land supply, POSe is currently working on the HLAA guidance for DCLG, and this will explicitly address how HLAA data can be updated to demonstrate an ongoing 5 year supply. This is planned to be published in July.
- 40 The overall process from here forward will be assisted by the preparation of a soundness self-assessment for each current DPD, using the PAS toolkit. This will enable the authority to satisfy itself progressively that its work is leading to sound DPDs, both in relation to the procedural requirements and the tests of soundness. Also, use of the “approach and practice” sections in Part One of the toolkit can assist in giving early warning of the need to prepare for following stages, and is thus an aid to project management. Some authorities

have chosen to complete the self-assessment templates as submission approaches, but it is a big job to undertake at this stage, and some of the benefits of the toolkit are missed.

### **The Action Plan**

- 41 An action plan has been prepared in the light of the discussion at the workshop, and comments have been requested upon it. The action plan appears quite comprehensive and clear minded, and has evidently taken to heart much of the advice provided. At this time there are just a couple of points to make -
- while it may be firmly intended, the action plan is not explicit about using collaboration with the community strategy process and discussions with partners to bring out the distinctive spatial issues and unsure that all relevant issues and choices (options) within them are exposed
  - similarly, the collaborative process should include more intensive work on developing a distinctive spatial vision than is suggested by the bald words “Update LDF vision”

### **Site allocations DPD**

- 42 Further comments have been requested on the site allocations DPD. There is only limited experience of allocations DPDs to refer to, and none have yet been through examination, so there is little to learn from. However, discussions with participants in the LDF learning and dissemination project have explored one key issue, and that is how to deal with large numbers of possible sites put forward by developers and landowners at issues and options stage. The conclusion was that the planning authority should use policy filters to reject “non-runners”, such as isolated sites in the countryside, and then use sustainability appraisal as suggested in paragraph 36 above to refine the list to the most suitable sites for more detailed evaluation at preferred options stage.
- 43 There will be more experience to refer to with time, so it is suggested that this matter is re-visited when the site allocations DPD is rather further forward to take advantage of the latest learning.

**Dacorum Borough Council**  
**Critical Friend Support for the LDF**

**Note following visit on 11 January 2008**

- 1 This note amplifies some of the observations provided by POS Enterprises' consultant, Andrew Wright, during a visit to the authority on 11 January 2008. It is not presented in the form of recommendations, but rather as suggestions which may assist in planning further work on the core strategy.

**Bid for Growth Point Status**

- 2 It was explained that the bid was made under the "New Growth Points" regime. The bid document is impressive and it is good to see such a bid being firmly rooted in the planning process which will be involved in its delivery.
- 3 Government documentation on New Growth Points stresses that acceptance of an area as a growth point does not presume that the growth targets are agreed, and decisions typically say "Levels of growth will be subject to comprehensive testing and public consultation through the regional and local planning processes to ensure that individual proposals are sustainable, acceptable environmentally and realistic in terms of infrastructure." The *principle* is effectively addressed by the RSS process, but the demonstration of deliverability will tend to fall to the LDF, and the core strategy in particular. This of itself should not present any difficulty, but it is suggested that the core strategy is upfront about New Growth Point status and refers to it prominently in relation to delivery of the strategy.
- 4 The fact that New Growth Point status brings with it significant Government funding may be expected to increase the interest of corporate colleagues in the delivery of the LDF. While this of itself should be a benign influence, there will of course be a corresponding concern among senior management that the authority should continue to successfully access funding under the regime. This could become effectively a corporate objective which senior management will be anxious to see fulfilled, with consequent pressure on the planners for delivery of the LDF.

**Community strategy**

- 5 It is good to see the extended timescale of the community strategy, and the more strategic content. This should provide ample hooks for the core strategy to demonstrate that it is taking forward community strategy policy. An example of how this might be presented is the Richmond on Thames preferred options report.
- 6 However, the community strategy remains very much theme-based, and there is little sign of joining up the strands, nor of offering an overall strategy for the

development of the Borough. The authority is currently having to manage its political resistance to increased housing growth with the reality that it is likely to become a reality, and it may be that the community strategy has consequently shied away from the matter.

- 7 But it will be important that as soon as the decision is made, the authority and its partners should engage effectively with the implications of increased growth. There will in particular be a need to consider what will be the impact of growth upon services and social infrastructure in the *existing* urban areas, let alone the needs associated with the new development areas. One would expect this to be an important theme of the core strategy for any growth area, and it can only be addressed successfully if the authority and its partners are positively engaged in understanding and tackling the implications.

### **Infrastructure planning**

- 8 The draft review of PPS12 takes forward recent government statements on the importance of delivery in general and infrastructure in particular, in making it a requirement that there should be an infrastructure strategy as part of the core strategy. This is clearly a fundamental plank of current Government policy, so while there may be detailed changes from the draft, it is considered most unlikely that there will be any retreat or significant change of approach.
- 9 The draft PPS12 presents the core strategy as consisting essentially of the overall vision for the area and the strategic objectives which support it, together with a *delivery strategy* for their achievement. Note the change of language, from talking about policies to the idea of a delivery strategy. There is some inevitable over-statement here which is commonly the case where Government is trying to convey a shift in policy or approach, but it should nevertheless be taken to heart both in framing of core strategy and in the prominence given to delivery issues, which are of course particularly crucial in a growth area such as Dacorum.
- 10 Most submitted core strategies have been weak on delivery and monitoring, though in the case of those found sound the Inspectors have been able to draw something together based on material within the plan documentation package. Given the new stress on delivery in national policy this cannot be expected to continue, so core strategies which are not clear about deliverability will be vulnerable to being found unsound.
- 11 It is advised that the infrastructure strategy should be seen as an integral part of an approach which sees the core strategy policies as summing to a delivery strategy. The implication is that some policies will need to be developed in more detail to adequately cover infrastructure, depending on what will be involved in their delivery.
- 12 The new emphasis on delivery strategy and infrastructure planning can be seen as a development of the existing requirement that it be demonstrated that the core strategy is deliverable. In the context of Dacorum and large-scale land development, this will require good knowledge of the

considerations which will determine the developability of particular areas, including key infrastructure requirements, and that these matters are dealt with on the face of the plan. The draft PPS12 makes it clear that infrastructure means social as well as physical infrastructure. There also needs to be explicit consideration of risks and contingencies which might arise and threaten delivery of key development.

- 13 All this points to close working with the infrastructure providers and the expected developers of main development areas, to secure as much commitment as possible to delivery of the relevant elements. Most agencies work to three year investment programmes, so will generally not be able to provide firm commitment to works which will be needed some years off. The aim should therefore be to agree with them and get them to confirm that the proposed measures make sense, ought to be reasonably affordable, and they would hope to be in a position to deliver them. Being pressed for longer term commitment is a relatively new experience for most agencies, so some skill and perseverance will be needed in getting them to go far enough to indicate to an Inspector that there is a reasonable prospect of the infrastructure being provided.

#### **Developer contributions guidance**

- 14 The County Council is in the process of tendering a major project on infrastructure issues and provision on behalf of the Hertfordshire Districts. The question has therefore arisen as to whether the developer contributions guidance which would emanate from this and other work should be brought forward as a DPD or SPD. The draft review of PPS12 effectively sets tests to be considered in deciding whether a DPD is actually needed, or its purposes could be met in other ways. The draft also seeks to revise current policy in relation to SPD, to provide a wider choice of how it could be provided.
- 15 The options could therefore include -
- A separate Dacorum DPD, provided that a strong enough case can be made, which may be difficult
  - A joint DPD prepared across Hertfordshire or at least with those districts willing to subscribe
  - A Dacorum SPD, hanging off the core strategy
  - SPD prepared by the County Council, with District agreement, for the whole County or an agreed part of the County
- 16 The Government's proposals for a Community Infrastructure Levy will be a significant consideration in deciding the way forward. This would go beyond developer contributions policy to the formalisation of a Levy, and could be attractive in the circumstances of an authority facing considerable growth such as Dacorum. The idea has been evolving for a while, and it has now found its way into the Planning Bill, but there are a lot of matters which will need to be better understood before firm advice can be given.

- 17 At this time it is understood that important principles will be that a Levy would need to be founded in the LDF and derived from evidence prepared as part of DPD preparation, including detailed infrastructure planning, and endorsed following examination of the relevant DPD. Warnings have already been voiced that a Levy could be challengeable if it could be shown that some of the infrastructure included was to meet existing deficiencies, and not requisite for new development. The basis of the Levy would also need to be sufficiently robust to stand up to challenge at appeal, on the grounds for instance, that it was not appropriate to a particular development.
- 18 If the authority is interested in taking the Levy route, further work can be undertaken to assist in providing the best available advice. It may be sensible to consider an interim position where the authority develops SPD out of the current initiative, with a view to moving subsequently to a Levy.

### **Review of the LDS**

- 19 There still appears to be something of an assumption that the completed Dacorum LDF will “replace” the local plan, in the sense of continuing most of its policies in one form or another. But DCLG does not see the LDF that way, and views the new system as being much more about strategy and delivery of development. This is reflected in the approach taken in section 5 of the draft revised PPS12, which should be seen as asking “Is any other DPD than the core strategy really needed to deliver the strategy?”
- 20 The experience of early development policies DPDs rather supports the DCLG view. Both the Horsham and Hambleton policies DPDs have been found sound. But in each case the Inspector said very forcibly that there was a great deal of repetition of national (and sometimes regional) planning policy, and that any review of the DPD would be expected to be a lot more concise and focused. The inference is that the Inspectors would have “blue-pencilled” much of the policy material, were it not for the fact that to do so would have so changed the DPDs that they would no longer be the submitted documents.
- 21 The draft revised PPS12 says firmly that core strategies (and by extension other DPDs) should not repeat or reformulate national planning policy. Putting this together with section 5 of the draft PPS12, it seems clear that authorities will be pressed to demonstrate that there is a real requirement for additional policy or development of national policy to warrant a separate policies DPD. In the context of Dacorum, this suggests that rather than continuing with its plans for a separate development policies DPD, the authority might consider including some policy relevant to aspects of strategy within the core strategy, and the remainder or “new” policy within an allocations and policies DPD.
- 22 The other important aspect of draft PPS12 which is relevant to the LDS is the emphasis now given to being able to allocate “strategic sites” for development. This has gone from an exception pioneered by Horsham to

orthodoxy. It may be expected that the Government Office will push this idea when the authority begins to engage with it on review of the LDS.

- 23 In the context of Dacorum this offers considerable potential. The big increase in housing target will require a rapid gearing up to deliver the land for the houses in a well-planned way. In the short term the requirement may be met through sites within and peripheral to existing residential areas, but there will be a pressing need to identify the first strategic area(s) of development as a new neighbourhood or neighbourhoods, and bring forward masterplanning and infrastructure planning to enable site development.
- 24 It is suggested therefore that the aim could be for the core strategy to identify the location of the first new neighbourhood and set out the main land allocations within it. The more detailed planning of the area could then be developed in more detail through SPD, working closely with the landowners/developers. Other new neighbourhoods could be identified as broad locations/areas of search within the core strategy, and taken forward through the joint AAP with St Albans or an allocations DPD, depending on the chosen locations.
- 25 The authority may be encouraged or even pressured by the Government Office to allocate *all* the new neighbourhoods in the core strategy. This would take a good idea too far. It would create a considerable amount of work in examining the areas in sufficient detail to make soundly-based allocations and tackle development practicalities and detailed infrastructure requirements. This would be necessary to be able to go beyond demonstrating the developability in principle of broad locations (necessary to identify them as broad locations), to justifying the details of allocations for each of the areas. The approach suggested here is considered more feasible and more likely to facilitate early development, because it will enable the early delivery of the first new neighbourhood while the subsequent neighbourhoods are being planned in detail.

### **The Maylands Master Plan**

- 26 The issue was raised as to what role the Maylands masterplan might play in future policy formulation. Clearly this will depend on how much importance the authority places on giving it LDF status, or it would be acceptable for the masterplan to remain relatively informal. If LDF status is desirable, then the fact that the masterplan assigns different parts of the site to different types of development and land use could be an issue.
- 27 A possibility is that the authority could include the key provisions of the masterplan in the core strategy, including land allocations or some other approach based on specifying a mix of uses. The main body of the masterplan could then be taken through the requisite procedures and adopted as SPD. To advise further on this matter would require more detailed consideration of what the authority wants to achieve.

## **Draft changes to the LDF Regulations**

- 28 The draft changes to the Regulations, provided they are confirmed very much as drafted, are potentially helpful to Dacorum. The key change is the removal of the specified stages of issues and options consultation and preferred issues participation, and their replacement by a duty to consider who to consult and how. This has been misrepresented as being a change to a single stage of engagement, whereas the explanation of the changes in Section B of “Streamlining LDFs” makes it clear that what is required is a consultation strategy appropriate to the particular DPD, including saying that a major core strategy would normally require a stage similar to preferred options participation.
- 29 In considering broad locations for expansion, the authority with St Albans have a range of possibilities. Under the current Regulations they would have to produce a preferred options report setting out not only the preferred strategy, but also the best of the rejected alternatives. This would be demanding, because there is currently a sizable range of possible strategic locations to consider. Under the revised Regulations, the authority could use an initial assessment to rule out the weaker options, and consult on the conclusions; and subsequently come forward with a further round of participation on the preferred strategy in the light of further evidence and appraisal.
- 30 This approach could also assist in working with developers. Having cleared away the weak options the authority could seek to work with developers in the appraisal of the better possibilities, and in particular to identify and focus collaboration on what are viewed as the strongest locations for early release.

## **Settlements and countryside planning**

- 31 An issue in Dacorum is the nature of future development in the smaller towns other than Hemel Hempstead, notably Tring and Berkhamsted. There is a concern that there should be some carefully planned development to support their continued evolution. Since relatively small amounts of development are anticipated, it is suggested that the approach is focused on their particular issues or needs, and in particular supporting their future sustainability. A useful reference is the Hambleton core strategy, which in addition to addressing where the main body of growth should go, also considers the future of the next level of service settlements.

## **5-year land supply**

- 32 The authority currently cannot demonstrate a 5-year housing land supply. It is suggested that the SHLAA, which is under way should assist in this, by identifying small brownfield sites without planning permission which are likely to come forward within the 5 year period. It will also identify readily developable larger sites in relation to which the authority might nudge landowners to make planning applications.

***Final LDF diagnostic report  
Dacorum Borough Council  
Date: 17 September 2008***

**Planning Advisory Service**

***Draft Local Development Framework diagnostic report***

***Dacorum Borough Council***

***Date of visit: 16th July 2008***

## **Introduction**

The Planning Advisory Service (PAS) helps the local authority planning sector in England build on its success. We encourage continuous improvement and promote a culture of self-sustaining change and learning. PAS is part of the Improvement and Development Agency and Local Government Association family, working for local government improvement so councils can serve people and places better.

Part of the PAS's remit is to work with local authorities on a diagnostic process which is designed to help you to understand the practice of the Council and the context within which it operates in respect of the preparation of the Local Development Framework. The diagnostic **does not test the soundness of plan making or plans**: it assesses the building blocks that should be in place in the Council to enable sound plans to be produced, but does so with reference to the spatial planning issues the Council faces. Whilst it does not assess the content of plans, it does consider structures, organisation, process and the culture as they relate to the LDF function within the authority and its particular context. It does not confine itself to the LDF team rather it recognises the wider context of the local authority and the partners needed to deliver successful spatial planning and implementation.

This report explores the findings, as a result of the diagnostic, and makes recommendations as to which areas would benefit from particular support either from PAS, from another external source, and where direct action should be considered by the Council itself. If you would like to discuss the recommendations detailed in A below, or to find out more about the support packages and tools available from PAS please speak to your PAS consultant.

## **Executive Summary**

There is good high level corporate and directorate recognition of the role of the LDF although its potential importance in enabling appropriate development is not always understood. Resourcing in terms of staff and budget has been satisfactory but attention needs to be paid to ensure that these are sufficient in the future to enable the necessary momentum to be maintained. There have been some delays with the LDF programme, in part caused by the need to consider the implications of new

housing allocations within the RSS, and there have also been past staff vacancies and absences for several months, resulting in a loss of momentum.

The authority's area is part of a region where substantial new development is proposed for Dacorum and adjoining authorities. However, much of Dacorum's growth target may be within the boundary of St Albans, and although officers from the affected authorities have made progress with a range of joint work, St Albans appear to have inadequate staff resources and links at member level are poor, although Dacorum's Planning Portfolio Holder is liaising with his counterpart to discuss possible ways forward. St Albans and Hertfordshire County Council have recently challenged the published version of the RSS and at the moment, the mechanism of how to resolve the issues raised by the challenges is not clear.

There is a substantial regeneration agenda within Dacorum, in part relating to the town centre, but there is a major programme to regenerate the major employment area following the Buncefield explosion in 2005. There are some concerns about the appropriate level of involvement between those working on the LDF and those pursuing the regeneration agenda, and the extent to which delays in the LDF might hinder new investment and development. The authority is good in developing innovative methods of community involvement and particularly strong at proactive joint working with neighbouring authorities.

## **Part A**

### ***Recommendations for support***

Following the review, we recommend that PAS support tools and packages are used in the following areas, listed in order of priority:

*Using the current support modules:*

- R1: Delivering a common vision:** Advice and support around how to bring key stakeholders together in order to develop and agree the delivery of a common spatial vision linking across strategies and administrative boundaries. This will also include collaborative working to identify barriers to the delivery of the vision and identification of the ways forward. A two-part support package including a workshop day and subsequent support.
- R2: Sustainability appraisal:** Advice and support to ensure that the sustainability appraisal of development planning documents is sufficiently rigorous, cost effective and fit for purpose. A two-part support package to help LPAs navigate through the stages of sustainability appraisal including a workshop and subsequent support.

*Possible additional areas of support from an external source*

- R3: Partnership Development:** Support to help the authorities in the area by assisting officers to develop and to improve the participation of key members to enable them to explore and debate the difficult choices that face them with

regard to the spatial strategy, (e.g. the location of growth) and come to agreement on the broad spatial strategy in a manner that delivers support from the individual authorities.

### ***Recommendations for action by Dacorum Borough Council***

Following the review, we recommend that action is taken in the following areas, listed in order of priority:

1. The authority should seek to strengthen and formalise the links between the LDF process and the further development of the SCS
2. Action should be taken to ensure that development control and regeneration staff are more involved with the LDF
3. Clarification of the position with the LDF budget for the remainder of 2008/09 is necessary, and also for future years, to ensure that the programme is not hampered by lack of resources
4. Given concerns about the timetable for the LDF consideration should be given as to whether staff resources are adequate were it to be agreed to speed up the LDF timetable

## **Part B**

### ***Current position***

The borough's local plan (Dacorum Borough Local Plan 1991-2011) was adopted on April 21st 2004. All the policies except one have been saved. The borough is also covered by the Hertfordshire County Structure Plan 1991-2011 where a number of policies have been saved, and by the minerals and waste plans prepared by the County. The minerals plan was adopted on 27th March 2007 and all policies are saved for 3 years. The waste plan was adopted on 12<sup>th</sup> January 1999 and most policies have been saved.

The relevant Regional Spatial Strategy is the East of England Plan. This was published on May 12th 2008 but is the subject of legal challenges from St Albans District Council and Hertfordshire County Council. The current status of the RSS is that it is the adopted plan, but that parts may have to be modified if the challenge is successful.

Work on the LDF started in 2004 and the first LDS was published in April 2005. The borough, in consultation with the Government Office, decided not to review this later in 2005 because of delays to the timetable of the RSS and the potential impact of growth proposal for Dacorum and adjoining areas. When these issues became clear the borough revised its LDS and the current version was published in May 2007. A provisional update was published in February 2008, which reflected further delays with the RSS and the need to carry out more work on the evidence base, particularly in relation to housing issues. The Council is aware that further revisions are needed

but again in consultation with the Government Office have not yet agreed a formal timetable in view of uncertainties about the RSS.

The current LDS indicates adoption of the core strategy in March 2011, with the site allocations DPD adopted in January 2012 and the East Hemel Hempstead AAP also adopted in January 2012. This latter DPD is proposed to be prepared jointly with St Albans District Council as it may accommodate proposed growth for Hemel Hempstead but within the boundary of St Albans. Further consultation on Issues and Options for the Site Allocations DPD is scheduled for later this year, with consultation on preferred options for the core strategy due to take place in spring 2009. However, in view of the current position with the RSS, and the need to consider the implications of the revised PPS12, there will need to be a further revision to the LDS.

The portfolio holder has a good working relationship with the team and senior officers: there is an informal member and officer working group, which considers progress on the LDF and acts as an advisory group before documents are submitted for formal approval. This may be to cabinet and full council, depending on the document, although certain stages of the process are delegated to the portfolio holder e.g. consultation documents.

Officer work on the LDF is carried out by the policy team in the planning section of the Regeneration and Environment Directorate. There is a team of 8 officers, led by a very experienced group manager, although some of the group are new and inexperienced. They do carry out non LDF work although some of the work on conservation SPDs will be carried out by conservation officers. Because of some part time working and training issues, the actual fulltime equivalent is closer to 6.8. There have in the past been some difficulties with staff recruitment and absences but there now appears to be a good degree of stability and commitment. On occasions, some members of the team have carried out other priority work not directly related to the LDF, e.g. on growth area bids.

The borough has a well-established LSP, chaired by the Council's leader. Called the Dacorum Partnership, it has produced a recent Sustainable Community Strategy entitled Towards 2021. This contains a vision for the future of the authority and its area and has a series of cross cutting priorities.

Engagement with key stakeholders and support for and involvement with work carried out jointly with neighbouring authorities appears to be a particular strength of the policy team. There has also been close involvement with various groups involved with the SCS and LSP although this does not appear to have produced a high level of 'buy in' to date.

Based on the information available it would appear that the key issues that may affect progress on the LDF, or are significant to the authority, are:

***A Achieving sustainable outcomes effectively***

A1: Work to date on the core strategy has been delayed by issues relating to delays with the RSS, and revised proposals about potential growth in the

authority's area and adjoining areas. There has been additional work carried out on the evidence base, including work on the SHLAA and SHMA. Although the former report is on schedule, the latter, which is being coordinated by the County, faces potentially serious delays because of a problem with the methodology. However, consultation processes have been thorough and innovative techniques are being used to engage stakeholders. This is particularly the case with adjoining authorities where Dacorum has been proactive in co-ordinating and leading on a range of studies.

- A2: There is a member/officer group that meets when needed to discuss progress and the contents of a range of reports and documents before they go out for public consultation or are submitted for formal approval. This appears to be a useful forum and acts as a sounding board, which enables members to give officers informal advice. It is a cross party group, although currently there are few opposition members on the council.
- A3: Although a good deal of briefing and reporting of progress with the LDF goes on at various levels within the Directorate and across the council, it does seem as if in some cases the level of involvement, understanding and engagement is not very high. There is no formal mechanism for involving other parts of the council at an operational level although senior managers are clearly made aware of the role and function of the LDF. Even within the Planning and Regeneration department, there does not appear to have been much involvement with the LDF outside the Development Plans Group.
- A4: The authority submitted a growth bid to government in the light of proposals for new development around Hemel Hempstead. Although the council is opposed to development in the green belt, it has recognised that additional housing is inevitable given the government's growth agenda but feels strongly that this should only happen with the provision of adequate infrastructure. Some finance has been approved but this is largely for capital spend and the authority feels the current need is for revenue so it can establish more precisely what the capital needs are. Work on the growth bid was led by the policy team so there were clear links set out in the bid with proposal in the draft core strategy.
- A5: There are good officer links between those working on the LDF and those responsible for the LSP and SCS. The development plans group leader staffing particular has had extensive involvement in a range of LSP forums and a group which supports the main LSP Board. The SCS is recent and acknowledges the role of the LDF but does not fully address the growth agenda and there still seem to be some gaps in understanding the importance of the LDF as the vehicle for implementing the spatial elements of the SCS.

### ***B Corporate ownership and leadership***

- B1: Members are kept informed and involved in the LDF process through the informal member/officer working group which is not only a useful mechanism for giving advice to officers but helps when documents are presented formally

for approval. Consultation documents are normally delegated for approval to the Portfolio holder, which also helps speed up the internal process.

- B2: Senior officers do recognise the role of the LDF as a key element in helping to implement the council's key objectives and the LDF is referred to in key council strategies and partnership policy documents. However, there is a focus more on the regeneration agenda and at a corporate level it is recognised there are other higher priorities. Given leave commitments, it was unfortunately not possible to speak to the Chief Executive.
- B3: There are well established regular communication structures within the council to ensure that all parts of the council are aware of the LDF but it seems that senior management may not understand the complexities of the system and perhaps underestimate the amount of resources needed to meet the timetable. There are satisfactory links when needed for appropriate input from elsewhere in the council in the various stages of the LDF but no formal mechanism for ensuring regular updating and involvement and, as a result, some parts of the council including within the directorate are not as engaged with the process to the extent they could be.

### ***C Integrated and early stakeholder participation***

- C1: The SCI was published in 2006. There has been effective consultation with a wide range of stakeholder groups and following the result of the EIP into the RSS a further round of consultation was undertaken on the possible areas for the increased level of housing development. Although the main impact on the area will be the proposed expansion of Hemel Hempstead in part to the east towards St Albans, villages in the district are due to be consulted on the potential impact on them later in the year.
- C2: Although formal links with the LSP need to be further strengthened to ensure closer synergy between the developing SCS and the LDF, good links have been established with a range of external stakeholders. There is close involvement by the policy team with a number of the LSP theme groups although these do not always seem to have resulted in a greater understanding of the process by those involved in the LSP.
- C3: There does not, however, seem to have been a great deal of involvement of officers from elsewhere in the council and from within the directorate in the development of the LDF and there is a lack of understanding of the spatial planning system and its implications.

### ***D Delivery capacity and programme management***

- D1: Progress with the LDF is monitored by means of a schedule of tasks with responsibilities: this is updated regularly and although it does not set out in detail the time required for particular tasks, it does appear to be effective at enabling the programme to be managed. However, all the team do non – LDF related work: some of this is predictable, such as making observations on

planning applications but on other occasions team members get involved in more time consuming projects such as the growth area bid. Although this was a well put together bid and clearly benefited from being done in house by the team, it took resources away from their key activity. In addition, although the team has a technical officer post, this person has a wide range of responsibilities including for GIS and some aspects of the website.

- D2: Some of the team are relatively new and inexperienced: one concern raised was about the SA process and whether it was sufficiently rigorous. Consultants are used for the SA process for DPDs but staff have to manage this process and not all have adequate understanding and expertise about the process.
- D3: In terms of actual numbers, the policy group appears well resourced. However, not all are full time and some are new and inexperienced, and because of their other tasks, there is a risk that any new LDS may not be delivered because of a shortage of staff. The present LDS dating from May 2007 is acknowledged by the authority and by the GO to be out of date: this is primarily because of changes and delays to the RSS and the need for new evidence base to be prepared, particularly relating to housing issues. In view of continuing uncertainty, in part as a result of the challenges from County and St Albans, the timing of the next LDS is not clear.
- D4: However, the main factor that is likely to influence a future timetable is the relationship between Dacorum and St Albans. There is a recognised need at officer level to work together on the East Hemel Hempstead area and the intention is for work on both core strategies to proceed in parallel with a joint AAP for a potential new development area. However, on the current timetable adoption of this is not scheduled until January 2012, and there is concern by the Government Office that progress needs to be quicker. In addition, it is understood that not only has St Albans lost its Head of Planning, (although an interim head has been appointed since the visit), but that it has proved difficult for some members from the authorities to engage productively in a discussion about action needed. The GO is seeking to progress matters at officer level and, although officers from both authorities work well together, member links are poor and this has held up decision making. If there were to be agreement that the government growth agenda needs to be delivered more quickly, thereby necessitating a speeding up of the LDF, it is very doubtful whether this could be achieved given the present resources and complexity of the issues.
- D5: Dacorum has engaged in joint working with St. Albans and other authorities on a range of evidence base studies, with the support and involvement of the county in some cases. Apart from work on the SHMA, all these have or are proceeding to timetable. Dacorum has taken a proactive role in engaging at officer level in joint work and this approach is to be commended. The SHMA Study has been affected by a technical issue about methodology, and is not related to resources, but its delay could affect the delivery of any future revised LDS.

- D6: In terms of financial resources, extensive use has been made of PDG funding over recent years, which has been put into a LDF reserve fund to be used as and when necessary. However, this reserve will run out during the 2008/09 financial year and until the position about the new HPDG is clearer, there is a risk that there may be insufficient funds to deal with external studies and consultation costs later in the year.
- D7: There is an ambitious regeneration programme for the town, including the town centre and the Maylands employment area, which includes the Buncefield site. Masterplanning for these areas has been progressed but not always with close involvement of the development plans team and although the links between the Maylands team (which has an office within the directorate), regeneration staff and the development plans team seem to work well, it is essential to ensure that the account is taken both of the regeneration agenda and the LDF timetable and its procedural issues. This would also be assisted by reviewing the links between the LSP and the Hemel 2020 Board.

### **Interviews carried out and documents used in the preparation of this report**

The authority was visited by David Taylor on the 16th July 2008. The visit included meetings with:

|                     |  |
|---------------------|--|
| Councillor Ian Reay | Portfolio Holder for Planning and Regeneration         |
| Mike Peters         | Director of Environment and Regeneration               |
| James Doe           | Head of Planning and Regeneration                      |
| Richard Blackburn   | Development Plans Manager                              |
| Laura Wood          | Principal Planning Officer                             |
| Francis Whittaker   | Senior Planning Officer                                |
| Nathalie Bateman    | Planning Officer                                       |
| Heather Mordue      | Planning Officer                                       |
| Laura Badham        | Technical Assistant                                    |
| Jane Custance       | Development Control Manager                            |
| Roy Bain            | Director, Maylands Partnership                         |
| Natalie Webb        | Policy Officer, Stronger Communities                   |
| Jon Tiley           | Head of Forward Planning, Hertfordshire County Council |

Telephone interviews were held with:

|               |                   |
|---------------|-------------------|
| Neil McKillen | Government Office |
|---------------|-------------------|

The following documents were examined:

1. Dacorum Corporate Plan
2. Dacorum Partnership: Towards 2021 –Dacorum Sustainable Community
  1. Strategy
  2. Hemel 2020 (dvd)
3. A Community Strategy for Hertfordshire 2004-2010

4. LDS April 2005
5. LDS May 2007
6. LDS Schedule of Document Production February 2008 and June 2008
7. SCI October 2005
8. SCI Inspector's report
9. A range of staff charts
10. A range of financial data
11. Critical Friend reports
12. LDF decision making structure
13. Development Plans Key Service Objectives
14. LDF task and action lists
15. LDF briefing notes
16. Dacorum's Growth Delivery Plan
17. Cabinet report on LDF matters 29 November 2005
18. Response to draft report September 2008

## **Dacorum Borough Council**

### **Critical Friend Support for the LDF**

#### **Note following visit on 3 August 2009**

- 1 This note amplifies some of the observations provided by POS Enterprises' consultant, Andrew Wright, during a visit to the authority on 3 August 2009. The authority helpfully provided a clear agenda for the meeting, so this note is structured around that agenda.
- 2 At the outset it needs to be said that the uncertainties created by the successful legal challenge to the East of England Plan, and the wait to see how the Secretary of State will deal with the remission of the decisions affecting Dacorum, create a very difficult situation for the authority. It is impressive that the authority's officers are striving to find ways of making meaningful progress in this situation, where others might be content to just wait for the remitted decision.

#### **The legal challenge**

##### **a) Likely impact on LDS milestones**

- 3 The authority has sought to make progress on the core strategy through the consultation on the "Emerging Core Strategy" document. This addresses the full range of core strategy matters other than the key issue of where large scale housing growth might take place as an extension of Hemel Hempstead. It was explained that in dealing with settlements, the authority had found it helpful to examine possible development locations in some detail. The intention was that the final core strategy would deal with these locations in a more general way as befits a strategic document.
- 4 It is considered that the authority has now gone about as far as it can in taking the core strategy forward through public processes. It can only make progress in public processes (ie in consulting on further stages of the core strategy) once the Secretary of State has re-considered and re-made the remitted decisions. In this regard, it is considered that the Secretary of State must be expected to seek to re-instate the decisions previously made, but in a manner which is proof against further challenge. Any other decision would be liable to lead to further challenges to other regional strategies, with a serious risk that the regional planning process will begin to unravel across the country.
- 5 On the specific matter of compliance with LDS milestones, the situation was effectively forced on the authority by the legal challenge, so it has the strongest possible case for an exception to be made eg in respect of HPDG, assisted by its serious efforts to make such progress as it can. Once the Secretary of State's decisions are made and the authority can revise its LDS, it will clearly need to reflect the time lost.

- 6 However, there is one means whereby the delay to the core strategy could be reduced, and that is to prepare a draft plan rather than a further preferred strategy type of document. This would effectively be the plan the authority is minded to publish and submit, and would need to be the subject of a further round of consultation. The advantage of this course of action is that there would be little to change before publication, which would compress the timescale for that stage. Public participation would be focused on new matters not covered by the current emerging core strategy consultation. These would include matters such as the fuller vision recommended in paragraph 33 below, the overall strategy statement, the locations for major growth within Hemel Hempstead (as strategic sites), any additional policy (including policy required to provide the context for decision-making in subordinate DPDs), any revisions to the places sections, and the new section on delivery, infrastructure and monitoring recommended below. This would be likely to require the development of a concise consultation document focused on those matters, which would accompany the draft plan in the consultation and point the reader towards the additional policy and any changes.
- 7 Also, the officers should plan to get Council approval before publication that provided no significant new issues are raised (and subject perhaps to consultation with the portfolio holder) they be delegated to go directly to submission without further report to the Council. The Plan-making Manual on the PAS website gives DCLG advice on this. This will enable the time between publication and submission to be reduced to about 3 months, rather than the 5 months in the current LDS.
- 8 While revising the LDS, the authority is recommended to seriously re-consider the need for a development control policies DPD. DCLG argues against the need for such DPDs, and experience is increasingly that the PPS12 policy that national and RSS policy should not be repeated leaves only a few local development policies which may still be required. Such development policies as are needed to address local circumstances can be included in the core strategy and/or the site allocations DPD, depending on the matters they deal with.

#### **b) Establishing a clear housing target**

- 9 The process of preparing the core strategy up until the legal challenge was made more complicated than it might have been by the rather vague way the additional housing at Hemel Hempstead was dealt with in the RSS. This made it necessary for the authority to work collaboratively with St Albans, with the concomitant need to agree working and reporting arrangements and the other necessities of joint plan making. It may be expected that if the Secretary of State effectively reinstates the original decision, elected members at St Albans will find it very difficult to reconcile themselves with an early return to joint planning. That in turn could mean that it will be difficult to set an expeditious programme for the LDS.

- 10 The authority could consider making representations through the Government Office on this issue. It is suggested that there is a good argument that because of the delay caused by the legal challenge, it would be helpful to both authorities, should the Secretary of State decided to re-affirm the original decision about the scale of growth at Hemel Hempstead, to make the apportionment of that growth between the two authorities more explicit. This would give both authorities greater clarity as to the level of growth they need to plan for, and remove debate about how much goes to which authority's area from the process. This should make collaborative working more practical or, if St Albans cannot be brought readily back to the table, enable Dacorum to proceed on their own.
- 11 It is appreciated that the implications of this suggestion bear upon the relationships between the authorities in a wider way than just in relation to plan-making, so senior management of the authority would need to consider whether this is a course they would be minded to suggest to elected members. There would also remain matters which would be better considered on a cross-boundary basis, especially in planning the regeneration of Maylands.

**c) Potential need for further consultation at Hemel Hempstead**

- 12 This matter has largely been dealt with in relation to item a) above. All that needs to be added is that the authority should be careful to consider whether a higher level of growth than that considered for Hemel in the current consultation would have any different implications in relation to infrastructure or community services across the town as a whole, ie not just the immediate impacts of any expansion areas within Dacorum. These would need to be exposed, dealt with in the draft plan, and brought to the attention of communities and others in consultation upon it.

**Joint working**

**a) Current position**

- 13 This has been covered already.

**b) Protocols for joint working and decision making**

- 14 There are a number of places around the country where authorities have moved to preparing joint core strategies or subordinate DPDs. In some such areas protocols have been developed for managing elected member decision-making and the supporting officer processes. Gloucester/Cheltenham/Tewkesbury is an example.
- 15 However, these arrangements remain voluntary, and therefore depend on the goodwill and commitment of the participating authorities to make them work. It is considered that this is assisted where the RSS is quite specific about where growth should take place, and gives the participating authorities clear targets to work to. This is reflected in the suggestion in paragraph 10 above.

**c) How to make decisions on the direction of growth if there is no clear front-runner in terms of SA**

- 16 Until suspended by the legal challenge outcome, the joint work with St Albans had adopted what appears to be a robust basis for considering the best locations (or more accurately clusters of locations ) for growth at Hemel, which came up with three scenarios for further testing. If the outcome of the re-consideration by the SOS of the decision is to affirm the original decision (particularly if there is no greater precision as to how much goes to which authority's area) it will be necessary to return to this process. Sustainability appraisal is a central part of the process, and should be focused on those objectives where differential impacts may be expected.
- 17 Frankly, the political uncertainties around this issue are so great that if the two authorities do find themselves trying to pick up the joint working process again, it would be safer to offer further advice at that time.

**Evidence base update**

**a) Robustness of the SHLAA**

- 20 The SHLAA has not been reviewed in detail, because that is not part of the instructions. It has some strengths in that it was carried out for the housing market area, it followed the stages and generally the principles of the SHLAA methodology, it used a design led approach to capacity, and there appears to have been some review of the findings.
- 21 However, -
- although development interests were consulted on the methodology they were not involved in the judgements on individual sites, and this alone seriously detracts from its robustness as evidence
  - some sites are described as developable but because of lack of information on ownership are not assigned to a 5-year period. This is not considered to comply with the SHLAA guidance
  - there is little headroom to meet the RSS growth target for 2001-21, and it does not address the forward 15 year period from the anticipated adoption of the core strategy
  - there is no reference to risk assessment
  - no windfall allowance is included for the 11-15 year period, though this is permissible
- 22 The authority has concerns about the SHLAA and has prepared a paper on housing land availability. Again, this has not been studied in detail, but it does make a number of points which appear valid, including commenting on the lack of urban sites in the later time period, the matter of sites not assigned to 5-year periods, and a suggestion that some rejected sites be re-visited to consider whether they could be made developable.

- 23 It is advised that the SHLAA is so fundamental, the authority needs to take action to make it robust and clear as evidence. This should include working with the housing market partnership if there is one in place, or with a SHLAA panel, to review and confirm all the assumptions and conclusions on individual sites. The Appendix to this note suggests how this might be approached.
- 24 POS Enterprises would be pleased to advise in further detail in relation to the SHLAA if that would be helpful.

#### **b) Gaps in the evidence base**

- 25 The crucial area remaining to be fully dealt with is infrastructure planning. The authority is a member of the POS Infrastructure and CIL project, so is aware of guidance issued by the Society and the learning shared at the meetings of the group. It needs to develop a separate infrastructure delivery plan with partners and provider agencies, and draw upon relevant elements of this in drafting the implementation section of the core strategy and in due course the site allocations DPD. The infrastructure strategy will also be the key feed into the development of a CIL charging schedule.
- 26 Officers should be sensitive to the fact that since the Borough Council will be the charging authority for its area, elected members may wish to ensure that infrastructure priorities are not restricted to services such as transport and education, but also address the Council's own local priorities eg recreation and culture. These need to be reflected in the core strategy policy content and feed naturally into the Implementation section and the charging schedule.

#### **Feedback on current consultation papers**

##### **a) Core strategy**

- 27 The peculiar context in which this document was produced is appreciated, and it is recognised that it could not address all the matters which will need to be covered once the Secretary of State has re-addressed the decisions on housing levels. It is also appreciated that it is seen by the officers as a stepping stone towards the final core strategy, which will be developed further. The comments which follow are made in this context, but it is also considered helpful to take the document somewhat at face value.
- 28 The main point to make is that as the document stands it does not adequately address overall strategy for the Borough, but very quickly gets into detailed policy matters and policies for places. In developing the full draft core strategy it is advised that there should be a strong logical progression through
- a spatial portrait of Dacorum which describes the Borough concisely and identifies the key issues which the plan must address - see "Policies for Spatial Plans" for examples, though practice now tends to merge the portrait with the issues:  
<http://www.idea.gov.uk/idk/aio/942241>

- the vision for the future
- strategic objectives
- the overall strategy; and
- the policies, which will include policies for places

[There is no paragraph 29]

- 30 A good key diagram will be helpful in showing the relationship of Dacorum to its sub-regional context and the main elements of strategy.
- 31 On some specific matters -
- there is little on infrastructure, delivery or monitoring, which are of course crucial
  - the relationship and role of Dacorum and its main centres relative to its neighbours needs to be addressed

### ***Vision and strategic objectives***

- 32 The document takes the vision from the sustainable community strategy. However, this is extremely concise, and could frankly apply anywhere. PPS12 says that aim is that the vision “ ..... responds to the local challenges and opportunities, and is based on evidence, a sense of local distinctiveness and community derived objectives, within the overall framework of national policy and regional strategies”.
- 33 It is advised therefore that the SCS vision can remain the starting point, but the core strategy should have its own vision which sets out clearly how Dacorum will have changed beneficially in 15 years time. For example this could include saying things like “The growth in housing and population at Hemel Hempstead will be accommodated by the creation of new neighbourhoods based on the original New Town principles but updated for today’s circumstances. These will be assimilated into the fabric of the town with improved community infrastructure to serve the growth in population, including a new road connection to xyz”.
- 34 The place visions are actually quite good, and provide an example to work from. The challenge now is to express a vision for the whole Borough which is more strategic but still distinctive to Dacorum.
- 35 The document does not refer to strategic objectives, but does set out a list of what are described as aims. Some are quite distinctive to Dacorum. but many are generalised and could apply anywhere. It is suggested that they be re-cast as strategic objectives, and just as the vision needs to be distinctive to the Borough, so should the objectives. In each case the question to ask is “How will this objective take forward the vision and address the issues identified in the spatial portrait?”

- 36 It is further advised that the strategic objectives are followed by a Chapter which sets out the overall strategy of the plan. It should be made clear that this is policy, and should be read alongside the vision, strategic objectives, and specific policies in considering investment decisions and planning proposals. A reader should be able to stop after reading this chapter and have a good picture of the planned future of the Borough, albeit without some policy detail. More detailed Borough-wide policy would then follow (organised by theme) and then the places sections.

***Themes - sub-division and policy coverage***

- 37 It was explained at the meeting that the purpose of the themes is to help make the shift away from land use to spatial planning, by breaking away from the traditional use of topics to structure the document. This makes sense. However, whilst the themes of sustainable development, economic prosperity and looking after the environment are clear, it is not self-evident that “Social and personal welfare “ is largely about housing until one reads the text. Ideally the themes would encompass the coverage of the strategic objectives, whether individually or perhaps several being covered by a theme. This would provide a clear print-through from vision to strategic objectives to the way policies are grouped.
- 38 The use of the themes in developing the place strategies is understood to have been used to help in the development of thinking. However, when it comes to the text this does not work very well, and actually leads to a lot of repetition. In further developing the places section the principle should be to deal only with the matters on which it is considered the core strategy should have something to say.

***Place strategies***

- 39 There is a lot of good material here, most of which, once expressed at the right level of detail, will fit well with a core strategy. As commented earlier, the visions are quite good, and are certainly reasonably distinctive to the places: it may be possible to refine them to make them more distinctive still. It was explained at the meeting that it is appreciated that the places text goes further into detail than is appropriate to a core strategy, and that in progressing to the published plan it is intended to draw back from the detail to express the policy and proposals in more strategic terms.
- 40 The other comment to make is that the descriptions of places are rather detailed, and should be condensed considerably in the next iteration. At the same time the text can be developed to say more about the particular issues which are faced to give a natural lead into the specific policies. There should of course be no proposals for specific sites other than for genuine strategic sites.

***Discounting sites- has enough been done?***

- 41 Recent messages from Inspectors indicate that they do not wish to see extensive material about the merits of alternative sites - what they call “beauty

parades”, partly because this commonly obscures consideration of the real strategic issues. Looking first at the places sites, most settlements in Dacorum are highly constrained, and there are few real choices as to where growth might go. It is suggested that all that is needed is for the core strategy to identify the directions of growth for the settlements, with a brief explanation of the criteria which the authority has applied (whether generally or in some cases to reflect the particular circumstances of particular places).

- 42 At the more strategic level of where growth should take place at Hemel Hempstead, the authority with St Albans adopted what appears to be a robust process to consider a range of possible strategic locations and evaluate these, leading to the conclusion that there are three scenarios which deserve more detailed evaluation. It is considered that an Inspector would welcome this approach as securing a focus on real alternatives.

### ***Next steps***

- 43 It is suggested earlier that once the Secretary of State has re-made the decision on housing targets, then rather than prepare a further preferred strategy style document, the authority should prepare a draft plan. Consultation on this should focus on the matters which could not be covered in the current consultation, and not repeat the latter. Just how this will be done depends on whether the authority is able to resume joint working with St Albans, or has to progress its core strategy and a reduced scale of AAP separately.
- 44 In developing the draft plan the authority is advised to address the advice here on structure, and of course the matters which could not be addressed in the current version. For the record, this should include not only where housing growth should take place at Hemel, but also its Growth Point status and how the plan will assist delivery of the Growth Point; the impact of housing growth on the existing urban areas and their infrastructure, and the allocation of strategic sites within Dacorum (and not covered by the AAP) and the necessary detail. The latter should include the purpose of allocating strategic sites, the main land uses they will contain and guideline quantum of development, any essential infrastructure, and any other matters of strategic principle not suited to SPD.
- 45 The key issue is of course how the officers can continue to make progress on the planning of its area while awaiting the Secretary of State’s decision. The point is made above that the authority has gone as far as it safely can in public processes. Therefore it is suggested that energies are now turned to actually writing the draft plan, on the assumption that the Secretary of State will confirm the original decision. This will offer a window of time to think through how best to structure and express the plan so as to make it as concise and clear as possible, before committing again to the consultation process. A tip is to set a target number of pages, and endeavour to communicate the strategy and policy effectively within that scale of document. 60 pages would be a good starter.

- 46 There will of course be some parts of the core strategy which cannot be drafted until the nature of the SOS's decision is clear and can be taken through to plan decisions. In such cases the broad structure can be put in place, and the detail painted in subsequently.
- 47 The style of the document should be assertive, ie "This will happen" and not refer to the exercise of the authority's development control role other than in the implementation chapter. Whilst a written justification is required, there is no need for more than brief references to relevant evidence, SA conclusions or consultation results. Those matters will have already have been covered in earlier documents and do not need to be repeated at length.

## **The area action plan**

### ***Coverage and level of detail***

- 48 St Albans CC withdrew from the joint work on the AAP on receipt of the decision on the legal challenge, so the Borough Council has sought to make progress through consultation on an issues and options document restricted to its own area. This essentially addresses two matters - the future of the Buncefield site, and the regeneration of Maylands, taking the Maylands Masterplan as the starting point, but also addressing other issues.
- 49 The issues and options document appears reasonable in its scope, and should bring out issues which businesses and other interests wish to raise. The level of detail appears appropriate to a consultation of this nature.
- 50 In the event that the Secretary of States decision on the remitted decisions is to confirm the original decisions, the best way forward would be to make the AAP a joint plan with St Albans. This would of course enable the whole growth area in the east of St Albans to be considered comprehensively, and provide a vehicle for addressing cross-boundary issues such as the possible relocation of the crematorium. However, it may prove difficult to get St Albans to return to joint planning, so the Borough may have no option to continue with a more limited AAP. Even if this was the case, the authority would still need to work as closely as possible with St Albans, albeit on separate plan-making processes, because of cross-boundary issues.
- 51 Further work on an AAP would of course need to address more detail than the issues and options document, given that its function would be both to make decisions about land development within an area which is already largely developed, and it would no doubt wish to give headline layout and design principles statutory planning status as an aid to effective development management.

### ***Next steps***

- 52 How the planning for the area will be taken forward depends very much on the nature of the Secretary of State's decision, whether it is more explicit about how much development is to be accommodated by Dacorum and by St Albans, and how St Albans Council responds to the decision. This is highly

speculative, and it is probably unsafe to try to advise further. If the two Councils are unable to agree on joint working then the pragmatic way forward may have to be for the two authorities to plan individually for their own areas but in collaboration on specific issues.

## **Site allocations DPD**

### ***Feedback on work to date***

- 53 There are real difficulties in trying to progress a site allocations DPD when the policy framework of the core strategy is not in place, because the decisions on which sites to allocate should flow through from principles set in the core strategy, probably in the form of policy criteria. These difficulties are reflected in the issues and options consultation, which has a distinct local plan feel to it, and does not really flow through from core strategy policy or principles. In particular, the site assessments in the appendices read as if they were carried out in isolation from the core strategy, with no reference to or application of core strategy decision-making principles.
- 54 Moreover, whilst the appendices refer to the SHLAA as having identified sites, the way the assessment is presented comes across as if it was a separate process. This can be addressed in preparing the draft plan. The authority can work on the principle that unless there is competition from another land use, an urban site which is in the SHLAA and if of sufficient size to be allocated can be accepted without further to-do. In relation to greenfield sites, the matter arises as to which are the *best* of the potentially suitable sites, given the amount of supply required. This judgement should reflect the SHLAA evidence, together with any other relevant considerations, and not appear to address the matter afresh.

### **Discounting sites - has enough been done**

- 55 The point can be reiterated here that the authority does not need to individually justify every site which is included, nor every site which is excluded. Rather, it should be able to show how the consistent application of core strategy criteria has led to the selection of the sites included collectively, and similarly for those excluded. Only where the circumstances of a particular site make it necessary should there be a specific assessment as to its suitability.

### ***Next steps***

- 56 It is suggested that the advice above to make progress by beginning to write the draft core strategy will assist significantly. In doing this, the officers will need to ask "What policies does the core strategy need to contain to set a context for the more detailed decisions to be made in the AAP and the site allocations DPD?" This will put in place the policy framework for making decisions on sites. The core strategy might, for example, contain policy that employment sites are to be retained unless particular sites create adverse environmental conditions for residential areas or for other types of activity (eg

schools). Then, the site allocations DPS would only contemplate proposing employment sites for housing where those circumstances applied.

- 57 What this adds up to is that a sound site allocations DPD will need to take a quite different approach to the current issues and options document. In the light of the advice in paragraph 8 above, the authority may also wish to include relevant development management policies within this DPD. In terms of consultation on the emerging DPD, it is suggested that it will be more helpful to communities and others to consult on the draft plan rather than a preferred options type of document. This would need to be accompanied by a document providing information on the considerations (SA, evidence and consultation results) which led to choices.

### **Any other issues**

#### **The value of Planning Inspectorate site visits**

- 58 Such a visit should be of great value, and provide very valuable feedback. Experience elsewhere suggests that the timing is very important. The authority should have a well advanced version of the draft plan for the Inspector to consider and advise upon, and the visit should be sufficient time before the planned publication date to allow any identified areas for attention to be addressed.

#### ***Infrastructure planning - level of detail for different DPDs***

- 59 It is suggested that for the core strategy the key questions should be -
- Are there any particular elements of infrastructure which are show-stoppers if they do not go ahead? These need particular attention to demonstrate that the necessary commitment is in place and that the strategy is not at risk of frustration
  - What other infrastructure is required to enable the delivery of the strategy?
  - Where it is proposed to allocate strategic sites, what specific infrastructure do they require?
- 60 New or improved social or community infrastructure required because of the growth of places as a whole is just as important as that which is directly related to particular sites.
- 61 For a site allocations DPD, the core strategy will have already have identified the key infrastructure needed to enable the delivery of the strategy, and this does not need to be repeated. Thus the DPD can focus on the infrastructure required to enable the development of specific sites where existing infrastructure does not have the requisite capacity. The DPD should of course also address any elements of infrastructure which require sites to be allocated or reserved for them.

#### ***Delivery***

62 So far there is little evidence in documents that deliverability has been fully addressed. It will be necessary to nail down who will deliver each significant development and infrastructure identified as need, and when, and get their confirmation. In the case of infrastructure to be delivered later in the plan period, this may be by way of demonstrating that what is proposed is considered reasonable by the relevant agency, as against committed.

## Appendix

### Working with a SHLAA Panel

*Note: references to a SHLAA Panel here apply equally where the authority is able to work with the Housing Market Partnership.*

- 1 The authority should go into the work with the panel with the objective of reaching the maximum of agreement - ideally consensus (or at least a clear majority) on every site assessment. If this can be achieved and the panel members “sign up” to it, it will give the SHLAA data considerable credibility. This is not to suggest that the authority should be passive, or concede every point made by a panel member: it may well need to defend assessments it considers sound and provide polite challenge to assertions, and should certainly expect give and take.
- 2 When it comes to the assessment of individual sites for deliverability or developability, the authority needs to be sensitive to the pressure placed on development interests by the recession, and keep the demands on its members to the practical minimum. In particular, it will not be in anyone’s interests to go laboriously through all the sites one by one. Instead, a three-stage approach is recommended, which is geared to the officers using the meetings with the panel to reinforce their understanding of how to assess sites for deliverability/ developability, and then apply that heightened understanding to reviewing the assessments themselves, seeking panel endorsement for the results.
- 3 The starting point should be an initial meeting at which the rules of engagement are confirmed, and panel members are updated on the position reached in LDF preparation. The planned approach to the assessment of sites should be explained, particularly the aim that the officers should use the early meetings with the panel to strengthen their ability to carry out much of the review process themselves and then seek the panel’s confirmation.
- 4 This meeting can be used to seek the panel’s endorsement of the main parameters which underpin the SHLAA, particularly the underlying density assumptions, lead times, and build-out rates. The panel may also be able to suggest delivery timescales for smaller sites. It is advised that individual sites are not considered at the first meeting, so that as many matters of principle as possible are fully considered and agreed before getting to cases.
- 5 The panel members may be expected to be preoccupied initially with the recession, and possibly unduly pessimistic about the prospects of development. It will therefore be important to get them to move on to thinking about what will happen when things get back to “normal”.
- 6 It is possible that panel members will take issue with some of the study parameters applied, and argue for changes. This is legitimate, and the authority may well feel that it can agree to such changes. Alternatively, if the

concerns appear to relate more to the treatment of particular classes of sites, it may be more appropriate to defer the matter to be dealt with at the time the panel considers the relevant assessments.

- 7 Subsequent to the initial meeting, the authority should select a sample of different kinds of sites, together with any sites where there appear to be particular issues which make it important that the panel discusses them individually. These should then provide the agenda for the second meeting, when the panel will be asked to carry out the assessment for each of the selected sites in turn. The officers should use this meeting very much as a learning exercise about how assessments of availability or achievability are made, and should not hesitate to ask for explanation as to why particular judgements are offered. In the event that the panel feels that more information is needed for particular sites than is available on the day, this can be obtained and the site brought back to the third meeting of the panel.
- 8 Following the second meeting, the authority should draw upon what has been learnt to assess all the remaining sites. It can then develop a schedule setting out the provisional assessments. This should be sent to the panel members for them to examine in good time before the planned third meeting. The panel members should be asked to work on an exception basis, ie they should identify any sites where they take issue with the authority's view, or which they feel need to be discussed by the panel. All parties need to be clear that site assessments not raised in this way will be presumed to be correct and not discussed further. The agenda for the third meeting should then focus on the sites identified for discussion by panel members.
- 9 Apart from its conciseness, the approach suggested here will assist the officers in building up their skill in the assessment of sites, which will facilitate the annual roll forward and updating of the SHLAA data as part of the AMR, and minimise the future demands on the SHLAA panel.

## **Oral points from CABE Policy Review -30<sup>th</sup> July 2010**

Note made by Dacorum Officers attending

(written report from CABE to follow)

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### **General**

- Very clear and easy to read document.
- An introductory / overview section at the front, which gives a spatial overview (with maps) would be helpful.
- Putting the policy and delivery together is good.
- Delivery sections could extend their focus to pick up how other groups and organisations will help deliver the policy objectives i.e. third sector.
- One of the strongest documents they've seen in terms of trying to establish links with the SCS and LSP. Unusual, but good.
- It is important to get Members to 'own' the document –make a case for the plan in terms of it being a mechanism to make things happen.
- We come across strongly as 'enablers'.
- With a few amendments we could take the document to the next level and change it from being a good Core Strategy to an exemplar Core Strategy.
- Talk to other Mark 1 New Towns such as Harlow as they are experiencing very similar problems. Bracknell have an adopted CS.

### **Maps**

- Good to have Key Diagram upfront.
- Play a very useful role and could potentially have more of them.
- Need to map the 'function' of Dacorum i.e. traffic flows, where people live, links to London etc.

### **Introduction**

- Vision - Good and long term. Could better relate to the rest of the document.
- Portrait - Need to pick up more strongly the purpose of the place and what its role and connections are: i.e. why do people choose to live here? What is the relationship with London and the 'bigger geographical picture'? Need to illustrate things like commuting patterns more clearly through additional map(s) and identify the functional role of the sub-region in the light of the loss of the RSS. Include some more profiling on low skills etc.
- Say what would happen to the Borough if the plan wasn't in place and link this to the objectives.
- What is the function of countryside, places and spaces?

### **Sustainable Development Strategy**

- Think how we use GB as a ‘21<sup>st</sup> century resource.’ It is London’s leisure resource and ‘green lung.’
- Policy CS8 (Sustainable Transport) – helpful in terms of providing DM advice, but not considered very proactive in terms of forward planning.
- Policies CS10-13 (Design) are helpful, but how can these help respond to climate change and relate back to the key challenges i.e. good design will help improve community resilience.

### **Economic Prosperity**

- If we think that the targets we have set are right for our place then include them, together with clear justification.
- Low carbon economy needs greater emphasis. Pick up links with Energy Opportunities Plan.

### **Natural Environment**

- Government has committed to completing regional energy capacity studies.
- Consider Carbon Offset Fund in light of recent Govt announcements for a similar scheme for house builders to pay into.
- Energy opportunity areas may help to justify where growth goes.

### **Infrastructure and Delivery**

- Strong section
- Schedule of Delivery mechanisms (Appendix) is very good and less planning focussed than the delivery sections that follow the policies.

### **Place Strategies**

- Place visions are good. Check they link fully to the Borough vision.
- Make sure that the objectives link to the text: i.e. if schooling is an issue, then pick this up in the text and vision, as well as the local objectives.

## DACORUM BOROUGH COUNCIL

30<sup>th</sup> July 2010  
St Albans Council Offices

### Written Report from CABE

#### Final points from panel

- This is a good piece of work, take the document to the next level and make it an exemplar core strategy. Seize the day.
- Recognise the borough's sub regional function and its role as a place on the outer ring of London
- Understand who chooses to live in Dacorum and why. Do some profiling of the communities in Dacorum – identify the pockets of deprivation within the borough and address them proactively in the core strategy document
- Look at some other strategies for new towns outside Hertfordshire. New towns have similar demographics and share challenges and opportunities. For example, look at Stevenage
- Explore the future role of the greenbelt in the borough. The countryside in Dacorum is a great asset and offers leisure and tourism opportunities for communities inside and outside the area. Recognise that people come from London and from neighbouring boroughs to go walking in Dacorum. Explore the wider role of the countryside and take a more proactive approach to maximise the benefits from it – use it as a resource
- Make the case for the role of core strategy and spatial planning in making things happen. How will the document be used by communities and the LSP to guide development?
- Collaborate across boundaries to address the function of the region. This is especially important since the revocation of the RSS. Identify functional economic areas - the formation of a LEP may help this
- Try to get members to feel a sense of ownership of the document. Make it clear that the document isn't a product of development management – it is a forward planning document and should enable the borough's progress and development. This is an opportunity to win friends and have influence

#### Tell the story

- Dacorum's relationship to London is neglected – the document needs to address the role and spatial challenges of Dacorum as a place on the outer ring of a world city. Look at CABE guidance on planning for the wider area <http://www.cabe.org.uk/news/getting-the-big-picture-right>

- Tell the story of Hemel Hempstead as a mark one new town. This is an important part of the spatial portrait of Dacorum
- Consider undertaking an energy mapping exercise of the borough
- What decisions about transport have been made? Where will the transport hubs and infrastructure be located in the borough?

### Set the agenda

- The document has strong sections on design and community infrastructure and successfully integrates work done by the LSP
- The vision is clearly set out at the beginning, but it needs to better relate to the rest of the document. The document fails to explain how the vision will be realised within the spatial plan process or elaborate on the very different timescales associated with each issue in the vision
- The policies are well explained – each policy is backed up by an explanation of how it will be delivered. Think about how policy will be delivered in other ways than planning
- Design policies need to help the council, communities and businesses respond to the challenges that are ahead
- Explain the purpose of Dacorum and, in particular, the town of Hemel Hempstead. What jobs will be created?
- The major challenge of how to plan for Hemel Hempstead is not fully addressed. This is such an important part of the borough – its future is critical
- Establish how the particular deprivation problems associated with new towns will be addressed in Hemel Hempstead
- Explore what has come out of the sense of place workshops – really use the information that has been gathered
- The place strategies fail to address what the problems are for each of the places and how they might be solved. This particularly applies to public service infrastructure. How will each place change?
- Investigate how a low carbon agenda could be interpreted spatially – would communities be brought together to optimise on energy resources? Respond to the carbon offset fund and refer to work being done by the LSP. Make it clear how planning will play a role in the low carbon agenda for Dacorum
- Undertake some joint asset mapping of the borough and its neighbours to understand the implications of growth. Plan for a new style of public sector

provision with very different delivery mechanisms. Collaborate with the LSP and the third sector to do this.

## **Say it clearly**

### **Structure**

- The document is very easy to read – the authors have clearly taken an inclusive approach
- The section in the middle of the document is like a local plan – it isn't spatial
- The place strategies need to be incorporated into the document and brought forward. The feel of the borough needs to be expressed at the beginning, with lots of maps and pictures. The thematic strategies and facts should follow on from this.
- The visions need to relate more to the objectives – at the moment, the objectives don't follow through from the vision

### **Visual material**

- It is encouraging that the key diagram is on the first page, but maps need to be used throughout the document. Use maps as a tool to inform the decision making process
- Use photos throughout the document to show what Dacorum is like as a place. Showcase the incredible natural and heritage assets of the borough and the distinctive characteristics of the new town Hemel Hempstead. Use photos to show what needs to change in the borough

## **Dacorum Borough Council**

### **Critical Friend Support for the LDF**

#### **Note following visit on 28 July 2010**

This note records and in places amplifies the observations provided by POS Enterprises' consultant, Andrew Wright, during a visit to the authority on 28 July 2010. The authority helpfully provided a clear agenda for the meeting, so this note is structured around that agenda.

The authority had been prevented from making expeditious progress with its core strategy by the successful legal challenge to the Secretary of State's proposed modifications in respect of the housing target for Hemel Hempstead and expansion of the town into St Albans. The revocation of RSSs means that Dacorum can now set its own housing target and progress the core strategy, which from the authority's point of view is to be welcomed.

At the same time the new freedom carries the responsibility to demonstrate a robust basis for what ever target is now put in place, with no Government guidance on how this should be done. This creates an important challenge for the authority in being one of the first to break new ground, which will inevitably eclipse all other considerations in progressing the core strategy. The matter of the approach to setting the target and wider issues about the revocation of the RSS are addressed below.

## **1 Progress**

### **a) Timetable**

- 1.1 Whilst the adopted LDS shows the core strategy being published in September 2010, this is not practicable because of the delay caused by the legal challenge to the former RSS, and the need now to consult on the proposed level of housing growth and its implications for strategy. The aim now is to carry out consultation on the draft plan (incorporating the proposed housing target) in November this year, with a view to submission in the Spring of 2011. This will be a demanding timetable given what still needs to be done, the reduced staff resources now available, and the impending departure of Richard Blackburn.
- 1.2 The decision has been made to focus on progressing the core strategy, and defer for now the site allocations DPD and the East Hemel Hempstead AAP. This reflects both the priority of the core strategy and the limitations of resources.
- 1.3 The LDS shows the preparation in due course of a development control policies DPD. Advice has previously been given that this might be better merged with the site allocations DPD. The case for this is strengthened somewhat by the fact that the core strategy contains some policies which are arguably development control policies rather than the more strategic content

assumed in a core strategy. The matter of development control policies is returned to in Section 3c) below.

#### **b) Process**

- 1.4 Following the consultant's visit in August 2009, the decision was made to progress with a draft core strategy rather than a preferred strategy document. This offers the advantage that it will be capable of being quickly converted from a draft plan to its finalised form following the publication and representations stage. The current draft is the focus of much of the comment in this note.

#### **c) Staffing**

- 1.5 The effect of the reduced staff resources now available is addressed in relation to a) above.

#### **d) Joint working with St Albans**

- 1.6 It was noted that little substantive joint working has been possible with St Albans on cross boundary issues since the High Court decision on the legal challenge, which led to St Albans withdrawing from the joint process hitherto under way. But there remain some significant cross boundary issues, including an established highway proposal north of Maylands, the need for policies to manage development in the light of the advice issued since the Buncefield inquiry, whether Maylands will expand into St Albans and how that will fit together with development in Dacorum, and proposals for a new stadium and a park and ride facility. Meanwhile, St Albans is progressing its own core strategy.
- 1.7 It was suggested that given the sensitivities around Dacorum/St Albans cross boundary development, a way forward may be to make polite representations to St Albans in the short term logging that these matters do need to be addressed, and seeking discussions upon them. The authority can then, if need be, follow up these approaches with comments on the St Albans preferred strategy, and more formally through representations at publication stage. There is of course a specific key question on cross boundary issues in the PINS guidance, which cannot be ignored.
- 1.8 It was also noted that the more the core strategy has to say about these issues the more it will bring them to a head, and conversely that if they can be left to be dealt with in the East of Hemel Hempstead AAP or the site allocations DPD (subject to the core strategy providing sufficient strategic framework) that may provide the opportunity to tackle the issues downstream when perhaps there will be less political sensitivity.

#### **e) Need for a separate East Hemel Hempstead AAP**

- 1.9 The need for a separate AAP could be removed by making more decisions in the core strategy, and preparing an SPD document for East Hemel instead of an AAP. This would then give greater planning status to material currently

contained within the current masterplan. However, this would mean that site allocations at Maylands would need to be brought into the core strategy, which would entail additional technical work which would add to the demands in meeting the planned timetable.

- 1.10 The alternative would be to do away with the idea of a separate AAP (the justification for which is largely removed by the successful legal challenge to the RSS and its subsequent revocation) and instead to deal with Maylands issues within a combined site allocations and development policies DPD. As noted at d) above, this could also allow more time to address cross boundary issues with St Albans.

## **2 Implications of the abolition of RSSs**

### **a) Housing targets**

- 2.1 The decision by the Secretary of State to revoke RSSs, and the intention in due course to repeal the RSS legal provisions has as a by-product resolved the problem of the High Court deletion of the housing target for Dacorum, because the position is now that the authority will fix its own target.
- 2.2 The signals from CLG are that there will be no Government guidance on how to go about setting housing targets, or for that matter to address the effects of the removal of other aspects of RSS strategy and policy, other than the information provided in the Chief Planner's letter of 6 July. That means that authorities will have to set in place their own processes for setting housing targets.
- 2.3 It needs to be clearly understood, and communicated to elected members, senior management, and local communities that the new freedom for authorities to set their own housing targets carries with it the responsibility to do so in a way which is robust and defensible. The Chief Inspector letter says "..... any target selected may be tested during the examination process especially if challenged and authorities will need to be ready to defend them". The responsibility is therefore accompanied by the risk that an authority will not be able to successfully defend its target, and that its plan will be found unsound as a consequence.
- 2.4 Dacorum has already begun to take action on this matter. Officers have examined alternative levels of growth and their implications and reported upon them to the member task and finish group which steers the core strategy. Two alternatives have been considered, both of which involve higher annual house building levels than the previous Structure Plan target. They are -
- Option 1, which is based on the capacity within the Borough without incursion into the Green Belt; and
  - Option 2, which seeks to scale local development allocations so as to maintain local population levels and extend variety in housing supply.

- 2.5 Both options are higher than the aborted RSS review “Option 1” figure for Dacorum. Both have been compared with the projected natural increase in population.
- 2.6 There have been discussions with other Districts in Hertfordshire, and current signals are that they will not object to each other’s proposed targets.
- 2.7 The LGA and POS consider that there is a pressing need for sector-led advice on how authorities might address the issues created by the revocation of RSSs, and in particular the need to set their own housing targets, and are expected to commission POS Enterprises to prepare it on their behalf. Some consideration has been given to the form the advice should take, and the thinking has developed further since the discussion during the visit on 28 July.
- 2.8 The main thrust of the advice is expected to be that authorities will need to be able to show that their plans are set within a logical overall strategy for the wider sub-region, and that there is agreement on the strategic principles which will ensure that the overall development of the area is coherent. This means that authorities should seek agreement with their neighbouring authorities on the broad strategy for the sub-region, and that their housing target is consistent with this strategy. At the same time the advice is expected to recognise that authorities such as Dacorum, which are well-advanced in plan-making and want to get their core strategy to adoption, need a means to make quick progress.
- 2.9 The advice is therefore expected to suggest that in situations such as that of Dacorum, the authority should aim to develop and agree a concise strategy statement with its sub-regional neighbours. This would cover matters such as -
- the wider strategic context
  - the role the authority’s area should play in catering for development and the reasons
  - the housing target for the authority and the reason it is set at that level
  - the broad locations for growth where relevant
  - strategically important cross-boundary matters
  - anything else necessary to show a sensible sub-regional approach
- 2.10 In developing the statement an authority should be able to draw substantially upon the strategic thinking which lay behind the RSS or emerging review, and the evidence used in the development of strategy, as advised by the Chief Inspector’s letter.
- 2.11 When it comes to setting the housing target, the LGA/POS advice is likely to include that an authority should explicitly address the current household projections for its area, since these are what may be called the “raw” projections before the intervention of planning strategy. It can then go on to consider what would be the appropriate level for housing provision and relate

this strategy for the sub-region. Where the expectation is that the target will depart from the previous RSS level, it would seem appropriate to consider alternatives. In defining alternatives for consideration, authorities will need to be careful that they do not bring into the public domain figures which are likely to be seriously difficult to justify and defend in the face of informed challenge.

- 2.12 It has to be stressed here that the LGA/POS advice will be just that, and cannot have the status of guidance issued by the Secretary of State. Moreover, it must be expected that experience, Inspectors' reports and possibly legal challenges will lead to changes in thinking, which the advice cannot possibly foresee. It will therefore have to be treated as what appears to be sensible advice at the time - no guarantees can be given in such a situation.
- 2.13 The approach taken so far by Dacorum parallels much of the thinking behind the planned LGA/POS advice, but it is suggested that the authority should go beyond simply considering the housing target to address the wider strategic context, and should seek formal endorsement to the statement from its neighbours. They in turn are likely to need the same from Dacorum in due course. The POS consultant would be pleased to offer comment upon a draft strategy statement once the advice note is published.

#### **b) Removal of the sequential approach**

- 2.14 During the previous visit, the consultant expressed concern that the authority was referring to the sequential approach to brownfield and greenfield land development, whereas PPS3 has removed such references. It was explained by the officers that the RSS still referred to a sequential approach and therefore gave legitimacy to such an approach.
- 2.15 The revocation of the RSS removes the sequential approach policy, and the authority is therefore advised to similarly remove such reasoning from the core strategy. Comments by developers on the SHLAA make the same point. To the extent that the plan provides for greenfield development it should be made clear that the order of site development is not controlled by a formal sequential approach policy. This would not rule out the management of the release of significant sites to tie in with practical infrastructure supply considerations, nor to reflect advice from the sustainability consultant.

#### **c) Removal of other policies and targets**

- 2.16 The media focus on housing targets has somewhat obscured the fact that the revocation of the RSS has also removed the overall strategy which lay behind key targets, statements of strategy for sub-areas, targets other than for housing, and a wide range of policies.
- 2.17 The section above on housing targets deals with the desirability of developing a statement which covers the strategy for the sub-region, and that does not need to be repeated here. But such a statement would not cover all the matters removed from the development plan by the revocation of the RSS. It is

therefore advised that the authority should review the text of the core strategy to remove references to the RSS as setting the strategic framework, and aim to bring relevant RSS policy into the core strategy as part of the policy content, justified by the relevant evidence prepared for the RSS.

2.18 Thus for example the settlement hierarchy set out at paragraph 8.9 should be framed as policy and given a local justification, as should much of the introduction to Section 11 on economic strategy.

2.19 There is a particular issue in relation to employment land, because the levels shown in the current draft of the core strategy are based upon the high growth projection allied to the SoS proposed changes to the RSS housing target. The officers indicated that current work by the County Council and EEDA may lead to Maylands being recognised as serving a wider sub-regional role as a key employment location, and not just a Dacorum facility. Properly presented in the text of the core strategy, this could provide a strong argument for continued investment and expansion at Maylands.

### **3 Implications of changes to national guidance**

#### **a) PPS3 - density and garden land**

3.1 The consultant explored the implications for Dacorum of the removal of the minimum density requirement in PPS3 and the re-classification of garden land. It was explained that the authority has treated gardens as previously developed land, but not as brownfield land. There was an issue in relation to the densities which were required by the former PPS3 requirement, and the authority would take the opportunity to set density levels to reflect the character of the area. This would lead to a substantial change in the potential overall supply.

#### **b) Other future policy changes**

3.2 The consultant was not aware of any specific changes to national policy which Ministers might have in mind. However, he raised the matter of the government's expressed intention to replace the current body of policy and guidance by a much more concise national planning policy statement. This could lead to much of the detailed policy currently contained within PPSs and PPGs being removed. It was explained that Dacorum had saved virtually all the policies from its local plan, and that there is no time limit on their life. The authority will therefore be able at the appropriate stage to bring such of the saved local plan policies as may be needed to replace removed national policies into the LDF, probably in a combined site allocations and development policies DPD.

#### **c) The future of national indicators**

3.3 The Government has signalled that as part of giving greater freedom to local authorities, it will consider the removal of some national indicators. No further information is available at this time.

## **4 Draft core strategy document**

### **a) Structure and coverage**

- 4.1 The overall structure of the document reflects the advice provided at the August 2009 visit. This is logical and helpful in principle, though there are some comments to be made here and at d) below about how it works in detail.
- 4.2 No reference could be found to the fact that Hemel Hempstead has been designated a New Growth Point, a matter raised at the last visit. It is not known whether the Government will continue the Growth Point programme. Growth Point status is understood to have been predicated on the high level of growth proposed in the SoS's proposed changes to the RSS, whereas the authority is now looking at a much lower level of growth which would not justify it. It is therefore advised that the matter is raised internally with a view to tactful enquiries being made about the future of Growth Points and the status of monies paid over to the authority under the scheme.
- 4.3 The portrait is shaping up well, but could perhaps say a bit more about what makes Dacorum distinctive - perhaps in relation to the new town origins of Hemel Hempstead and the fact that some of the infrastructure is either wearing out or no longer matches service provision practice eg primary schools. However, the portrait as it stands would be most unlikely to attract unfavourable attention from the Inspector at examination.
- 4.4 The strategic objectives are not really specific to Dacorum, and are restated in different terms and with more content by Policies CS1 and CS2. There are then the common objectives for places at the start of the "Places" section, which are also more specific than the strategic objectives. These could be beneficially merged into a revised suite of strategic objectives, and the two policies and common places objectives would then fall away.

### **b) Explaining how decisions have been made**

- 4.5 An implication of progressing a draft plan is the need to provide information about how the main decisions which have shaped the plan have been made. This matter is referred to in the PINS guidance on the examination of DPDs which in relation to alternatives asks "..... Have the reasonable alternatives been considered and is there a clear audit trail showing how and why the preferred strategy/approach was arrived at? Where a balance had to be struck in making decisions between competing alternatives, is it clear how and why these decisions were made?"
- 4.6 The need to demonstrate a decision audit trail can be addressed either by the preparation of a concise document to be published and publicised at the same time as publication and subsequent submission of the core strategy; or by incorporating suitable sections of text into the body of the draft plan, to be removed prior to publication. The officers indicated that they were minded to follow the latter course. In proposing this course of action, they are clear that only the important choices need to be addressed in this way, and that there is no need for such explanation in relation to every policy.

### **c) Strategic locations/allocations and contingencies**

- 4.7 Officers clarified that the intention is that strategic sites referred to in the Places section should be allocated by the core strategy, and that they feel they have the evidence to explain and justify such allocations. However, PINS has developed tests for the suitability of site allocations in core strategies, and it is questioned whether they really meet these. The CLG Plan Making Manual takes this thinking forward and provides advice on allocating sites in core strategies at <http://www.pas.gov.uk/pas/core/page.do?pagelid=469051>.
- 4.8 Certain Green Belt sites are described as contingency sites and also as reserve sites. It was explained that these sites are included to address the possibility that development might not come forward on (generally brownfield) sites within the urban areas sufficiently quickly to enable housing targets to be met. They would be released for development only in that situation. It was advised that care be taken in the framing of policy to make this intention quite clear.
- 4.9 Also, some sites at Berkhamsted are indicated as only being proposed for development if developer contributions are required from those sites to fund a road link. It was explained that the County Council has a study in hand which should provide the answer as to whether the road link is required in time for a decision to be made on whether or not to include the sites before finalising the draft core strategy for consultation.

### **d) Communicating the overall strategy**

- 4.10 The draft as it stands does not give the reader a clear picture of overall strategy early on. Rather, one has to read a long way into the document before the strategy emerges fully: Indeed some of the key material is found only when one gets to the Places section. Given the position reached and the desirability of minimising new work, it is suggested that rather than carrying out extensive re-drafting, the authority should introduce a concise summary of strategy into the document, which could be allied to the key diagram. This could logically follow the strategic objectives. The summary would be commentary rather than policy in its own right.
- 4.11 In addition, key policies in the Strategy section should be reviewed to ensure that they provide the full strategic story rather than leaving some of it to the Places section, eg overall policy for Hemel Hempstead town centre and Maylands and the regeneration of neighbourhood centres in Hemel (currently paragraph 21.5).

### **e) Policy content and wording**

- 4.12 There is a tendency to express the purpose and intentions of the plan as policy, eg at Policies CS1 and CS2. It is suggested that these could be re-visited to remove material which expresses purpose and focuses on strategic principles.

- 4.13 Also, there are places in the Strategy section where the supporting text has the character of policy. It is suggested that this is re-visited with a view to turning it into policy, which in some cases would replace or lead into what is currently distinguished as policy. Examples are paragraphs 8.24 and 9.6, Table 5, paragraphs 15.3, 15.4, 15.34, 19.21 and 19.34. Table 8 should similarly become policy, suitably framed to explain the overall housing supply strategy.
- 4.14 Most of the Places section text is also policy, so it is suggested that rather than trying to distinguish policy from explanation in this section, the whole section should be treated as policy. This would need to be made explicit and prominent.
- 4.15 There are places where policy arguably repeats or re-casts national planning policy, which does not comply with the guidance in PPS12, eg Policy CS4 on the Green Belt. However, given the current uncertainty about just what form the revision of national planning policy will take, it may be more prudent to retain such policies. The reasons for doing so could be explained in the document, and would certainly need to be brought to the attention of the Inspector at examination if the revision of national planning policy has not been completed by then.
- 4.16 Some comments are offered on further aspects of the document, as follows -
- Section 10 looks more like SPD or DC policies than core strategy policy. However, it was explained at the visit that this is intentional, to give a strong emphasis on the importance of good design in the development plan
  - Section 11 sets out intentions for the economy but no overall policy, nor does it provide a clear overall policy for the town centre. It is suggested that this and Policy CS13 might be merged. The policy should certainly be explicit about the quantum of development proposed for the town centre.
  - Policy CS15 refers to a minimum supply of Bi Class land, but does not say what it should be
  - Policy CS16 will need to be re-cast as a Dacorum retail hierarchy, rather than the local application of the RSS hierarchy. In doing so it will need to be more explicit about what nature and scale of development is sought or acceptable at the different tiers
  - Policy CS18 and Table 9 would benefit from some revision to be more clear about what housing mix is sought, though it recognised that the SHMA is not as conclusive as one would wish in this regard
  - Policy CS23 on social infrastructure does not set out particular requirements, and might be better left for development in the site allocations and/or development policies DPD

#### **f) Relationship to other DPDs**

- 4.17 As the document stands some policy decisions appear to be left to subsequent DPDs to deal with, eg Section 11 sets intentions but no overall strategy for Maylands, but says this will be covered in the AAP. The Places section is more clear as to strategy, but given the importance of Maylands to overall strategy one would have expected to find more in the Strategy section.
- 4.18 Advice by PINS on its experience of examining DPDs, and core strategies in particular, is firmly that core strategies should commit all the strategic decisions, and not delegate them to subordinate DPDs.

## **5 Technical work**

### **a) Update on work to date**

- 5.1 A schedule was provided setting out details of all the studies carried out in connection with the core strategy. Comment is offered in two areas.
- 5.2 Green Belt review - if any changes are anticipated to Green Belt boundaries, or allocation of sites currently in the Green Belt, it will be important to apply a coherent methodology. The authority had what appears to have been a sound approach in previously looking at potential growth areas. It is emphasised that similar rigour is needed for smaller sites or boundary changes. It is understood that this was stressed by the Inspector who made an Inspectorate visit to St Albans.
- 5.3 The SHLAA - a number of concerns were raised in relation to the SHLAA at the August 2009 visit, relating particularly to the lack of engagement by the development sector, the expressed intention to allow for windfalls in the 6 to 10 and 11 to 15 year periods, the explicit application of a sequential approach to brownfield and greenfield land development, and the anticipated scale of apartment development.
- 5.4 The authority has since sought to engage the development sector, and whilst the input received has been modest, nevertheless it can show it has made a proper effort to do so. Having reflected on the advice provided in 2009 and the discussions with the development sector, the authority has decided not to make a windfall allowance in the first 10 years of the plan period. Comment is made elsewhere in this note that the revocation of the RSS removes the basis for applying a formal sequential approach as such.

### **b) Any key gaps affecting soundness**

- 5.5 The main gap at present is in relation to transport, where work is still in hand by the County Council which is required to provide a coherent picture of how development intentions and transport will fit together. It is to be hoped that this is completed in time to be reflected in the consultation version of the draft core strategy - it should certainly be completed and reflected in the publication version.
- 5.6 The other area which appears incomplete is in relation to infrastructure planning, and whether there are any show-stoppers or important

dependencies which need to be addressed. This is dealt with in the next section.

## **6 Infrastructure planning and delivery**

- 6.1 Dacorum commissioned consultants to carry out a strategic infrastructure study and prepare an infrastructure delivery plan. The study appears comprehensive, and suggests that overall there are no major deficiencies existing or projected which would prevent the delivery of the core strategy. However, although there are references to dependencies between development and particular elements of infrastructure, it is not clear what these are, nor whether they could be show-stoppers. Also the study is not explicit about whether there are significant gaps in likely funding, and the implications of Growth Point status are not addressed - see paragraph 4.2 above.
- 6.2 Given the stress which PPS12 and the PINS guidance on DPD examinations put on infrastructure planning, the Inspector can be expected to pay substantial attention to this aspect of the core strategy. It is therefore essential that these matters are addressed thoroughly, and that the maximum practical agreement is found and demonstrated with the relevant agencies. In this connection, it is advised that the authority prepares a draft statement of common ground for each category of infrastructure, and aims to agree it with the relevant agency, amended as may be necessary to get that agreement. These can then be supplied as part of the evidence base at publication and submission.
- 6.3 On the matter of the Community Infrastructure Levy, the new Government has indicated its intention not to continue with CIL, but replace it by a local tariff system. The POS is in discussion with the LGA and CLG with a view to putting forward a sector-led proposal for the way in which CIL would be replaced, which for tariffs would retain the crucial separation between the tariff and the impact of individual development projects. It is advised that the authority continues to develop its infrastructure delivery plan in collaboration with the provider agencies, with a view to bringing forward a levy or tariff depending on the final form decided by Government.
- 6.4 On the matter of delivery, the current document indicates how each policy would be delivered, and in general this should satisfy an Inspector. However, the affordable housing policy says that larger sites should provide a greater proportion of affordable housing, but does not set a threshold or say what the increased proportion should be. This matter could be addressed by a revision to the policy, or by stating within the policy the Site Allocations DPD will set requirements for individual larger sites based on their individual circumstances and information on their viability.

## **Dacorum Borough Council**

### **Critical Friend Support for the LDF: August 2011**

#### **Questions concerning housing targets and local allocations**

POS Enterprises has been retained by Dacorum Borough Council to provide “critical friend” support to the development of its core strategy. To date this has entailed visits by the consultant to meet officers and discuss aspects of the work with them, together with the provision of notes of the main advice given.

The authority is moving towards publication of the core strategy, and officers have reported on the housing target and local allocations at the Cabinet meeting on 26 July 2011. The publication version of the plan will be finalised ready for approval by Full Council in September and subsequent publication.

The authority has raised some specific questions on which it has sought advice, in part to provide an introduction to potential future challenges it may face.

#### **1 Changing national policy on housing targets**

- 1.1 Before coming to the specific questions raised by the authority, it is important to consider how national policy related to the setting of housing targets has evolved and is continuing to do so. In particular the new national planning policy statement (NPPS), the consultation draft of which was published in July 2011, will be crucial to the future of the Dacorum core strategy. The draft NPPS seeks to bring together in concise form all the key elements of current national planning policy. But it goes beyond simply condensing current policy, by bringing forward some shifts in national policy to reflect the Government’s priorities and objectives.
- 1.2 Prior to the General Election in May 2010, housing targets for individual local planning authorities were set by the regional planning bodies. The process was largely driven by a strong drive from Government to fully meet the housing needs of the nation, as derived from CLG household projections. As these projections were updated the identified housing needs tended to rise, with the consequence that when submitted regional strategies came to examination there was pressure from Government Offices for the housing targets for to be revised upwards. Most regional strategies saw the housing targets for individual authorities increased through Secretary of State alterations before their final approval.
- 1.3 In the run up to the election, the Conservative Party made a manifesto commitment that if elected, it would abolish regional planning, and that it would be for each local planning authority to determine its own housing targets in the light of local circumstances. Following the election of the coalition government the new Secretary of State acted quickly on this commitment and announced the revocation of regional strategies.

- 1.4 Whilst there were no official statements by Ministers on the matter, the impression was widely taken that unpopular regional housing targets could be changed, and a number of planning authorities announced their intention to reduce their targets. The decision on the Cala Homes judicial review overturned the action of the Secretary of State, so that in effect the regional strategies had not been revoked and remain operational. However, the Localism Bill provides for the revocation of regional strategies, and in the light of this some authorities have progressed plans with reduced housing targets to the stage of submission and imminent examination.
- 1.5 Meanwhile signals were beginning to emerge from Government, notably in the “Local Growth” White Paper of October 2010 that the planning system needed to be reformed to stop it being a barrier to growth, and that the default answer to development proposals should be “Yes”. This was allied to statements by Planning Ministers about the intended production of a greatly condensed national planning policy statement which would stress the importance of growth, allied to a presumption in favour of sustainable development.
- 1.6 As a first step towards the production of a national planning policy statement, Planning Minister Greg Clark invited a small group of practitioners to form an advisory group to set out their perspective on what it should contain. The group published what is referred to as a “proposed draft” in May 2011. It is understood that CLG officials provided substantial assistance to the advisory group, and the proposed draft was widely seen as a vehicle for testing reaction to some emerging ideas for policy. There is a view that the finalised NPPF will not change much from the current consultation draft, because CLG has already heard about the main issues as seen by interested agencies through the consultation on the practitioners’ draft.
- 1.7 The draft NPPF takes a strong line in making it clear that the function of the planning system is to support growth, and that development plans should plan positively for development and infrastructure, with repeated references to avoiding planning acting as a barrier to development. In terms of housing the draft says that:

*“Local planning authorities should prepare a Strategic Housing Market Assessment to assess their full housing requirements, working with neighbouring authorities where housing market areas cross administrative boundaries. The SHMA should identify the scale and mix of housing and the range of tenures that the local population is likely to require over the plan period which ..... meets household and population projections, taking account of migration and demographic change, ..... and caters for housing demand and the scale of housing supply necessary to meet that demand” (paragraph 28)*

*“To boost the supply of housing, local planning authorities should ... use an evidence base to ensure that their local plan meets the full requirements for market and affordable housing .....”(paragraph 109)*

*“..... local plans should be prepared on the basis that objectively assessed development needs should be met, unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.” (paragraph 110)*

1.8 Such a strong policy line is in contrast to the interpretation of earlier signals which led some authorities to believe that they had much greater discretion, and to seek to reduce their housing targets. Indeed the reference to meeting *demand* and not just *need* arguably goes further than the policy approach which drove the regional strategy targets.

1.9 The draft NPPF leaves Green Belt policy largely unchanged, including the fact that their essential characteristic is their permanence. It carries forward the previous policy that Green Belt boundaries should only be changed exceptionally, and that the development plan (now the local plan) should be the vehicle for doing this. However, the policy on how Green Belt boundaries should be defined has been amended by a new provision, that:

*“..... local planning authorities should ..... ensure consistency with the local plan strategy for meeting identified requirements for sustainable development” (paragraph 140)*

1.10 The implication of this provision appears to be that Green Belt boundaries should be revised when necessary to allow for development needs to be met, as part of a coherent development strategy for the area. It certainly does not appear to support the notion that Green Belts are somehow inviolable, and that where there is a Green Belt, development needs may not be able to be met.

1.11 The Localism Bill will place a “duty to cooperate” on planning authorities and other public bodies, which seeks to ensure that strategic issues which affect more than one authority are properly considered. The draft NPPF sets out how the government expects local planning authorities to address the duty, saying:

*“..... The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.*

*Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual Local Plans. They should take account of different geographic areas, including travel-to-work areas. ....*

*Local planning authorities will be expected to demonstrate evidence of having successfully cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint*

*committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. ....*

*Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the objectives, principles and policies of this Framework. As part of this process they should consider producing joint planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans.” (excerpts from paragraphs 44 to 47)*

- 1.12 This is quite explicit, and clearly the authority will need to consider how it can demonstrate that it has meet the expectations expressed here.
- 1.13 It is clear that the draft NPPS is of great importance to Dacorum, and will need to be very carefully considered to ensure that the submitted plan has the strongest possible chances of success at examination.
- 1.14 In the light of the discussion here the specific questions raised by the authority are now addressed. The approach taken is to work on the assumption that finalised NPPF will not change to any significant extent from the draft. The authority will, of course, need to examine the finalised NPPF when it is published and, should there be any material change from the draft, decide how that can be best dealt with.

## **2 Responses to questions**

### **HOUSING OPTIONS**

**Have we identified all of the main issues we face if we choose to progress with housing option 1? Is there anything you would add?**

- 2.1 This question is addressed in terms of the development of the housing target, and no attempt is made to address wider issues about the form and content of the core strategy. These were addressed in previous advice by the consultant.
- 2.2 The two options were developed during 2010, at a time when there was a widespread perception that the abolition of regional strategies meant that authorities would be able to set housing targets related to their assessment of local circumstances. In particular at Dacorum, thinking was very much influenced by the presence of the Green Belt, and a wish to continue so far as possible to meet housing and other needs without development in the Green Belt. It is noted that Option 1, whilst providing for less housing than current household projections indicate, would nevertheless deliver more housing than was required by the previous structure plan. In a sense, the authority is promulgating a continuation of the approach which characterised planning in the sub-region prior to the East of England Plan, which was to relate the

housing targets for Districts with extensive areas of Green Belt broadly to the capacity of their urban areas, and avoid incursion into the Green Belt.

- 2.3 In July 2010, following a meeting with Council officers, the consultant provided a note which advised that the authority should have discussions with neighbouring authorities to seek their endorsement of a “local strategy statement” which would set out the targets and strategy for the Borough. (It is interesting that the draft NPPF implies the need for something similar in fulfilment of the proposed duty to cooperate). It is understood that there have been discussions with other adjoining Districts, but that these have not led to formal endorsement of the Dacorum approach. Rather, the authorities have collectively indicated that they do not challenge the approach.
- 2.4 The draft NPPF takes a very clear and strong line that planning authorities should plan to meet the whole of objectively assessed needs, and indeed refers to meeting not just needs but demand. In the circumstances the authority may expect to have difficulty in defending any housing target which does not involve fully meeting the identified needs. It will need to show that the effects of doing so would, in the words of the presumption on favour of sustainable development that allowing development to the full scale of identified needs would bring adverse impacts which would demonstrably outweigh the benefits, when assessed against the policies of the framework taken as a whole.

**What issues do we face (especially in terms of soundness) in pursuing the two approaches to delivering housing Option 2?**

- 2.5 For the purposes of this question, the assumption is made that Authority can produce sufficiently strong arguments to not fully meet housing requirements, and that it can effectively defend the level of housing target associated with Option 2. The answer can then focus on the suitability of the alternative plan-making mechanisms.
- 2.6 In passing, one doubts whether the term “local allocation” is appropriate for a core strategy, because an allocation requires detailed delineation on a proposals map. The core strategy does not do this, but rather indicates the general locations for development with a symbol on the vision diagram for the settlement, and makes it clear that delineation will be carried out in the site allocations DPD. A more appropriate term would be “local development location” or similar. The authority may expect the examination Inspector to challenge the use of the word “allocation”, so it would be advisable to consider whether it is appropriate to introduce a change in terminology.
- 2.7 The alternatives identified are between identifying the locations in the core strategy, and simply setting a housing target in the core strategy and leaving their definition to be addressed through a subordinate DPD. It is advised that it is preferable to identify them within the core strategy as per the draft document, for three reasons -

- it resolves the principle of broadly where urban expansion will take place, and in doing so fulfils one of the principal purposes of a core strategy, which is to make the main decisions for the future of the area. Moreover, communities and others have been engaged in discussion about where development might happen, and the core strategy reflects the outcome. To defer the decision to a site allocations DPD would mean running the whole debate a second time
- all the “local allocations” are currently within the Green Belt, Given the importance of the Green Belt and the requirement in PPG2 for decisions about removal of land from the Green Belt to be based on consideration of its purposes, it is desirable to indicate clearly as part of the strategy where Green Belt changes are proposed
- the authority has sought to go further than setting out overall strategy for the Borough, by addressing the vision and strategy for individual main settlements. This has the advantage that it provides greater clarity for residents and potential investors as to how those places are seen as developing over the coming years. It is therefore logical for the plan to indicate the main locations where development will take place at the same time.

**How should we treat Local Allocations in the time between their designation and development i.e. when would we need to take them out of the Green Belt?**

2.8 The draft core strategy as it stands makes it clear that the “local allocations” are identified as general locations in the core strategy, but that the detail, including their delineation, will be delivered through allocations in a subsequent DPD. The corresponding changes to the Green Belt boundary to enable those allocations should be made at the same time in that DPD.

2.9 The supporting evidence for the core strategy, notably the “Assessment of Local Allocations and Strategic Sites”, correctly identifies the requirement at paragraph 2.12 of PPG2 that:

*“When local planning authorities prepare new or revised structure and local plans, any proposals affecting Green Belts should be related to a time-scale which is longer than that normally adopted for other aspects of the plan. They should satisfy themselves that Green Belt boundaries will not need to be altered at the end of the plan period. In order to ensure protection of Green Belts within this longer timescale, this will in some cases mean safeguarding land between the urban area and the Green Belt which may be required to meet longer-term development needs.”*

2.10 The draft NPPF carries this expectation forward unchanged, though rather differently presented. It also says that local planning authorities:

*“should make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted*

*following a local plan review which proposes the development”  
(paragraph 140)*

- 2.11 The draft core strategy does not address the matter of safeguarded land beyond the plan period. It is appreciated that the core strategy has reached an advanced stage and is close to publication and submission, but the examination Inspector must be expected to raise the issue. It is therefore important to be able explain how the Council sees this matter.
- 2.12 There are alternative ways of dealing with this. The first would be to make a case that Dacorum does not need to provide safeguarded land beyond 2031. This would involve arguing, with supporting evidence, that:
- the core strategy does not make large, locally strategic changes to the Green Belt and therefore it is not necessary or appropriate to identify safeguarded land
  - historically the application of Green Belt policy in Hertfordshire has not involved safeguarding beyond the Local Plan period in Dacorum
- 2.13 The second approach would be to make provision for safeguarding land within the plan. This could be done in two different ways:
- to say in the plan that safeguarded land will be identified and removed from the Green Belt in a subsequent DPD at the same time as the “local allocations” are allocated and delineated. However, this would mean that the core strategy would give no indication as to where the further Green Belt changes to provide safeguarded land should take place, and would thereby fail to answer an important strategic question; or
  - to bring the identification of areas to be removed from the Green Belt and safeguarded into the core strategy, drawing upon but perhaps developing existing evidence about where land makes the least contribution to Green Belt purposes
- 2.14 If Dacorum were to follow the second approach it would be necessary to consider a further concise round of consultation, identifying potential area for safeguarding land and the preferred area(s). It is understood that the Council considers that any further expansion of settlements should be to the north east of Hemel Hempstead, which is outside its current jurisdiction.

**To what extent will we need to show locations (indicative or otherwise) in the Core Strategy? How do we show them on the proposals map?**

- 2.15 As noted at paragraph 2.8 above, the way the draft core strategy shows the locations of the “local allocations” is considered satisfactory. There is no need to show them on the proposals map because they are not allocated, which will be dealt with by a subordinate DPD.
- 2.16 There are also two “strategic sites” at Durrants Lane/Shootersway Berkhamsted and land at Hicks Road, Markyate. The advice in PPS12 says

that core strategies may allocate strategic sites where these are central to achievement of the strategy, and where investment requires a long lead-in; but otherwise site allocation should be through a subordinate DPD. The two areas are quite small, so it is difficult to see how they are central to the achievement of the overall strategy. The term “strategic sites” has taken on a specific meaning through its use in PPS12, and its use for these areas could be misleading..

- 2.17 It is also not clear whether the strategic sites are intended as allocations. Their delivery is dealt with differently from the “local allocations”, in that the text says they will be brought forward through masterplans and planning applications, not the site allocations DPD. They are also shown as areas with boundaries rather than by symbols on the relevant vision diagrams, albeit these are diagrammatic. It would be preferable that these areas should not be allocated by the core strategy, but if they are to be treated as allocations, it will be necessary to include a submission proposals map.
- 2.18 From the text it is clear that the objective is that these areas should be brought forward for development as soon as possible, which will not allow the authority to wait to deal with them in a subordinate DPD. It is suggested that it be made explicit that because of the need for speed, these areas will be brought forward through development management, including pre-application discussions informed by the masterplans, but avoiding the suggestion that the masterplans will actually allocate them, which is a DPD function.

**Are we right in our reading of PPS12 in terms of the weight we accord public opinion when setting our housing target?**

- 2.19 PPS12 marked something of a turning point in the treatment of the results of public consultation, in that at paragraph 4.37 under “Evidence base” it referred to “evidence of the views of the local community and others who have a stake in the future of the area” as being one of the two elements of the evidence base (the other being research and fact-finding). This helpfully made it clear that authorities should rightly take account of such views in making decisions. It should be noted that the reference is to the local community and others, which embraces interests such as developers, business and partner organisations, as well as residents.
- 2.20 The draft NPPF does not continue this statement, but this is considered to be a consequence of the compression of policy rather than any intentional policy shift. The PINS soundness guidance includes a key question “Has the consultation process allowed for effective engagement of all interested parties?” The inclusion of this question reinforces the view that that the results of engagement should be a consideration in decision making, otherwise why ask it? We wait to see whether and how the PINS guidance may change in response to the new order in plan making.
- 2.21 What PPS12 does not do is to try to address how much weight should be given to the results of consultation compared to other evidence. Relating this to the issue of housing targets, the main guidance on how to go about setting

targets is in PPS3, which sets out the range of evidence to be considered, covering the strategic housing market assessment, advice from the National Housing and Planning Advice Unit on the impact of the proposals for affordability, the latest published household projections and the needs of the regional economy, the strategic housing land availability assessment, the Government's overall ambitions for affordability, the sustainability appraisal, and the impact of development on existing infrastructure. Again, this guidance is not carried into the draft NPPF, but is replaced by the more concise but pointed expectation that objectively assessed development needs should be met, which demands a rigorous approach to such assessment.

- 2.22 What this comes down to is that each planning authority needs to assemble and consider what may be termed the objective evidence, and at the same time relate this to the results of community participation and dialogue with partners and other interests. Weight of opinion is a factor, but one would expect an authority to get into difficulties at examination if, in seeking to be guided by the findings of participation, it flew in the face of the NPPF or its own evidence. But it would be proper to pay particular attention to community views where the evidence is inconclusive or there is clear room for subjective judgement.

## **PHASING OF SITES**

**How can we justify the current sequential approach to releasing sites after the regional policy that allows this is deleted?**

**How can the existing policy and/or supporting text be strengthened?**

- 2.23 The removal (when PPS3 replaced PPG3) of a strict sequential approach to the development of previously developed land before greenfield land, was a conscious policy shift by Government. It reflected inter alia concerns that a "brownfield first" policy stood in the way of providing a balanced portfolio of different types of sites suited to different developers, and the fact that in some areas the difficulties in bringing forward redevelopment sites was holding up the delivery of new homes.
- 2.24 The RSS includes a sequential approach. However when the RSS is revoked, as expected, this will be removed. Moreover, the draft NPPF removes the national brownfield land target. Rather, the concern is with providing the development industry with a supply and choice of suitable land for development. The core strategy does refer explicitly to a sequential approach and holding the "local allocations" in reserve until needed. As this stands it is susceptible to challenge when the plan comes to examination.
- 2.25 However, It is understood that the bulk of housing supply will come from within the existing urban areas, and that a range of sites of different sizes is available. This includes greenfield sites. The estimated level of greenfield delivery in Option 2 is understood to be about 40%. The "local allocation" sites would only make up about 15% of the overall supply in Option 2. The authority should therefore be able to argue with some justification that the

“local allocations” areas in the Green Belt should reasonably be held back while readily developable sites within the urban areas are brought into development. This argument would be assisted if the authority can show that it would be more efficient and economical to bring forward development which can use existing infrastructure before the development of areas which will require new infrastructure provision. It will be helpful to emphasise that there are other greenfield sites (not the local allocations) in the portfolio of sites which would come forward earlier.

## **FLEXIBILITY**

**If housing option 1 is chosen do you agree that we should leave open the possibility of identifying Local Allocations in either the Site Allocation DPD and/or Neighbourhood Plans if they are required?**

- 2.25 This is taken in two parts, looking first at the site allocations DPD, and then at possible neighbourhood plans. So far as the Site Allocations DPD is concerned, it would require some care, but on the face of it would seem sensible. Indeed the Inspector at examination may be expected to ask how the plan would cope should there be under-delivery of housing or other important development. There would need to be a policy which set out the particular circumstances in which it would be appropriate for this to happen - it should not be left as an open option.
- 2.26 The core strategy should drive strategy and not leave it to subordinate plans. It would therefore appear logical to indicate the broad areas of search for such sites should the situation arise. These would presumably be selected from the “local allocations” identified in the current draft. This approach would also reduce the scope for speculation.
- 2.27 In relation to neighbourhood plans, these are seen as addressing essentially local issues, and it is hard to see how it would be appropriate for a neighbourhood plan to deal with something as important as the allocation of significant sites in the Green Belt. It is considered that this should fall to the planning authority through a DPD. It is acknowledged that a neighbourhood plan might bring forward a small site in the Green Belt to meet particular local requirements which could not otherwise be met. But this would be a quite different scale of development from something of the order of a “local allocation”.
- 2.28 There is currently very little by way of guidance on neighbourhood plans, other than the requirement that they should conform with the strategic policies of the local plan, which is now given formal status in the draft NPPF. This is clarified by the current draft local planning regulations, published for consultation purposes in July. These distinguish at draft Regulation 7 between strategic policies and development management and site allocation policies, the latter being intended to guide the determination of applications for planning permission. It is therefore advised that any policy the authority wishes to bring forward dealing with possible Green Belt development should be restricted to the site allocations DPD.

**Under housing option 2 should we leave open the possibility of identifying / allowing further Local Allocations in subsequent planning documents if we find that we are not delivering expected housing levels within existing settlement boundaries?**

- 2.29 This would seem sensible, for the same reasons as for an Option 1 based plan. A core strategy which proposes development in the Green Belt and identifies the proposed locations (the “local allocations”) also needs to address the mechanism for defining the longer term boundary of the Green Belt.

## **NATIONAL POLICY CHANGES**

**Do you have any views / insight into the likely content of the new NPPF and other emerging policy in terms of the LDF system?**

- 2.30 The advice here has sought to address the implications of the draft NPPF for the Dacorum core strategy in relation to the particular questions raised. There are a number of shifts in policy which have not come up in addressing those questions which the authority will need to consider, to judge whether the plan as currently framed should be revised. Without undertaking a full review of the draft core strategy against the NPPF it is not safe or helpful to focus on particular examples. Clearly the officers will wish to satisfy themselves that where there are policy changes the core strategy is consistent with the NPPF, or can be changed in an acceptable manner to make it compliant. Certainly, if there is any instance where the authority feels it must pursue a line which is not strictly in accord with the draft NPPF (and in due course the finalised version), it should ensure that its arguments and supporting evidence are effectively presented.

**If so, what would you advise in terms of the likelihood of Dacorum being able to progress subsequent DPDs as currently planned (and the impact this would have upon our second approach to delivering Option 2 housing levels)?**

- 2.31 It is pleasing to see that the notion of the local plan being a single document, advanced in the practitioners’ proposed draft, is not brought forward in to the draft NPPF. This would have effectively prevented joint plans and the use of AAPs to develop the intentions for particular locations in more detail. The draft local planning regulations continue to allow for more than one DPD to make up the local plan. However, it is clear that as part of the simplification of the planning system Ministers wish to see no more plans being prepared than are demonstrably necessary. For Dacorum this suggests that site allocations and development management polices should be brought together into a single DPD to follow the core strategy, or possibly that the authority might follow the core strategy with a single local plan document dealing with both strategic and more detailed matters.

Andrew Wright BSc DipTP MRTPI  
POS Enterprises

August 2011

# **Appendix 4: Effect of the Regional Plan on Core Strategy Progress**

Contains:

- Summary
- Table A4: Stages in the Preparation of the Adopted East of England Plan and its Relationship to the Core Strategy

## Summary: Effect of the Regional Plan

1. The position of the East of England Plan (i.e. the Regional Spatial Strategy (RSS)), created challenges throughout preparation of Dacorum's Core Strategy:

- (a) There were delays in taking the RSS through to adoption, affecting the timing and content of consultations on the Core Strategy and the nature of further technical work.
- (b) The introduction of major growth at Hemel Hempstead was unexpected and created a controversial new issue for the area. There were consequential demands for additional technical work, research into Local Delivery Vehicles (for development) and Growth Area Fund bids.

The growth agenda led to public consultation on Hemel Hempstead (November 2006) and subsequent joint working with St Albans Council and the County Council on infrastructure planning, the delivery of the development and high level master-planning. The technical work helped to create a better understanding of the potential development strategy for Hemel Hempstead (ignoring administrative boundaries). A traffic model was commissioned to help understand the effects of major growth on the town.

- (c) There were other policy changes during the course of preparing the RSS to take into account.

While this was not unusual, some were more significant than others. The jobs allocation for Hertfordshire varied and further work was required to identify the appropriate approach in Dacorum and other districts. The RSS allocation was very high in relation to likely housing growth in the area and was reassessed when considering comments on the Consultation Draft. The approach to the borough outside Hemel Hempstead was established following the Panel Report. Environmental policies were updated in line with Government policy and regional distinctions.

- (d) Uncertainty existed from June 2008 when a judicial review was sought in the High Court.

The Council's evidence base studies often looked at the effect of more than one housing development target, even before June 2008, because of the change in housing allocations and the fact that allocations were not confirmed. From this time the Council thought about different housing levels outside Hemel Hempstead, noting that no Green Belt review was signalled in the RSS. After the Emerging Core Strategy consultation was completed, the Council thought about alternative housing targets for Hemel Hempstead and the borough as a whole: these were included in the (Working Draft and) and Consultation Draft

Core Strategy. Regeneration of Hemel Hempstead was an important issue throughout for the Council.

2. Table A4 charts the progress of important policies in the RSS, which are most relevant to the Core Strategy. Key points were reached between 2008 and 2009:

- The East of England Plan was adopted in May 2008.
- A single issue review on Gypsies and Travellers introduced new policies which became part of the adopted Plan in July 2009.
- Aspects of Policies LA1 (London Arc), LA2 (Hemel Hempstead Key Centre for Development and Change), SS7 (Green Belt) and H1 (Regional Housing Provision) were quashed by a High Court decision in July 2009. This removed the housing target for Dacorum and the proposal for major growth at Hemel Hempstead.
- At 28 September 2011, the East of England Plan (minus policy which was quashed) provided strategic planning guidance for the Core Strategy.

The table also indicates how the Council responded to the main planning issues affecting the Core Strategy.

3. Certainty of strategic advice was helpful, though not of absolute and overriding importance. The more certainty there was about policies in the RSS, the easier it was for the Council to progress the Core Strategy. The Council knew what the Core Strategy should conform with, and thus the context for the particular consultation.

4. Uncertainty extended through:

- the application for judicial review (June 2008);
- the lack of a hearing until May 2009;
- the judgement announced in the High Court on 20 May 2009 and the decision on 8 July 2009;
- the Government's intention, and eventual inability, to 'repair' the RSS (i.e. review and complete the process);
- the Opposition's stated intention to revoke RSSs
- the new Coalition Government's stated intention to revoke RSSs (May 2010);
- the start and abandonment of a review of the full East of England Plan;
- the Secretary of State's advice to local planning authorities to effectively ignore RSSs: and
- Court judgements saying the Secretary of State's advice was wrong.

5. The Council expects the RSS to be revoked upon enactment of the Localism Bill progressing through Parliament.

6. The Council considered what were sensible policies to take from the RSS and use in the Core Strategy, taking account of local circumstances and national planning policy. GoEast was not able to respond formally for requests for advice (ref Appendix 4, Volume 5). However professional officers there reviewed the East of England Plan: they advised whether the Working Draft Core Strategy should be amended in order to cover any important policy principles that might be lost following revocation of the RSS. Their advice was followed, although in fact very little change was required.

**Table A4: Stages in the Preparation of the Adopted East of England Plan and its Relationship to the Core Strategy**

| East of England Plan            |               |   | Dacorum Core Strategy                     |                       |   |
|---------------------------------|---------------|---|---|-----------------------|---|
| Stage                           | Date          | Key Strategic Policies affecting Dacorum  | Stage                                     | Date                  | Issues  |
| <i>(1) East of England Plan</i> |               |   |   |                       |   |
| Draft Plan                      | December 2004 | <p>1. General vision and 14 objectives for the region.</p> <p>2. Urban areas are the main focus for development and change. Nature of change to depend on balance between urban concentration and expansion. Prioritise the use of previously developed land. Hemel Hempstead is a key centre.</p> <p>3. No priority area for regeneration, but Local Development Documents (LDDs) to define locally significant areas.</p> <p>4. Dacorum in London Arc – general policies. Growth pressures to be managed to secure more sustainable forms of development. Principles – urban renaissance, manage transport demand, positive management of land between settlements.</p> <p>5. No Green Belt review indicated.</p> <p>6. Market towns and thereafter key service centres to take potential for urban renaissance and local development needs. Define in LDD.</p> <p>7. 40% aspiration for affordable housing.</p> <p>8. Do not add to the risk of flooding: undertake strategic flood risk assessment.</p> <p>9. Range of transport policies, including principle of reducing the need to travel.</p> <p>10. Strategic transport network includes A41, M1 and M25, and main west coast railway.</p> <p>11. No regional transport interchange (Watford the nearest).</p> <p>12. Expansion of Luton Airport to existing runway capacity accepted.</p> <p>13. Job growth for Herts (excluding M11 corridor) – 55,800: 2001-2021.</p> <p>14. Provide strategic employment sites in LDDs.</p> <p>15. Hemel – regional centre for retailing (St. Albans, the same; Watford, major regional centre).</p> <p>16. Housing allocation for Dacorum – 6,300 dwellings (at 315p.a.): 2001-2021.</p> <p>17. Range of policies on environment, covering</p> | Emerging Issues<br>Issues & Options Paper | June 2005<br>May 2006 | <p>The Draft Plan provided part of the strategic policy context for the Core Strategy, and included many matters on which local elaboration would be needed.</p> <p>The development context was one of:</p> <ul style="list-style-type: none"> <li>- incremental change;</li> <li>- diversion of growth away from south and west Hertfordshire;</li> <li>- meeting identified development needs for Dacorum up to 2021; and</li> <li>- continuation of important policy principles.</li> </ul> <p>Meeting development needs included:</p> <ul style="list-style-type: none"> <li>- a housing target based on urban capacity;</li> <li>- a similar settlement strategy, with Hemel Hempstead a key centre and focus for regeneration;</li> <li>- relatively minor change in other settlements;</li> <li>- supporting the affordable housing aspiration;</li> <li>- working out the jobs growth implication for Dacorum, the distribution of employment and the identification of the strategic employment site at Maylands (the Gateway or Three Cherry Trees Lane); and</li> <li>- determining retail growth in the context of a shopping centre hierarchy, Hemel Hempstead town centre being the key location;</li> <li>- with no review of the Green Belt required..</li> </ul> <p>Transport principles were taken forward (a continuation of the Local Plan transport strategy).</p> <p>Under the environment and social/cultural facilities, there some key principles to take forward and policies to elaborate: e.g. on energy, waste and other aspects of environmental sustainability. Open space and leisure studies responded to national policy advice (PPG17). Protection of local open space and open land in settlements was put forward as a continuation of existing (generally supported) local policy.</p> <p>Protection of the landscape, countryside and biodiversity was brought together as a consideration</p> |

|              |           |   |                           |               |   |
|--------------|-----------|---|---------------------------|---------------|---|
|              |           | <p>landscape, biodiversity, agriculture and soils, woodland, historic environment, air quality and water management.</p> <p>18. Framework for minerals and waste: move towards regional self-sufficiency for waste disposal. Minimise waste.</p> <p>19. Encourage energy efficiency (energy consumption statement required).</p> <p>20. Renewable energy target for development sites (i.e. provide 10% of predicted requirement through renewables).</p> <p>21. General policies supporting culture and leisure.</p>   |                           |               | of a coherent land management strategy.   |
| Panel Report | June 2006 | <p>The Panel Report recommended significant changes, mostly, but not completely followed in the Secretary of State's Modifications. Critical changes affected Hemel Hempstead:</p> <p>2. Overall strategy amended – stronger emphasis on infrastructure and use of previously developed land. New policy on regional centres for development and change – including Hemel Hempstead.</p> <p>4. New policy for Hemel Hempstead. Green Belt review to allow for expansion of the town. Joint LDD with St. Albans Council required in order to identify urban extensions. Substantial employment growth, regenerating Maylands, creating a more attractive town centre and capitalising on strategic links to Watford, London, etc. Improve infrastructure, built fabric and the public realm. Local development vehicle was needed to enable delivery.</p> <p>5. The Green Belt review, including land in St. Albans, should supply sufficient land to avoid further review before 2031. No other Green Belt review was indicated.</p> <p>10. Strategic transport network unchanged. Transport investment priorities to include key centres for development and change, particularly strategic employment locations (Hemel Hempstead).</p> <p>13. Jobs growth in the London Arc (7 authorities from Dacorum to Broxbourne) – 63,000: 2001-2021.</p> <p>14. Hemel Hempstead was listed, with other places, as a strategic employment location to assist regeneration, ensure growth in key sectors and create a balance with housing growth.</p> <p>16. 12,000 dwellings allocated to “Dacorum”, including provision in St. Albans from the expansion of Hemel</p> | Growth at Hemel Hempstead | November 2006 | <p>The key changes, endorsed by the Secretary of State, meant:</p> <ul style="list-style-type: none"> <li>- the effective date of the Core Strategy would be 2031 (i.e. 10 years longer);</li> <li>- 17,000 new dwellings in Dacorum (including on its edge with St Albans district) (2006-2031) should be provided;</li> <li>- substantial changes to the Green Belt at Hemel Hempstead; and</li> <li>- the provision of transport, physical and social infrastructure became an important issue.</li> </ul> <p>The Growth at Hemel consultation considered :</p> <ul style="list-style-type: none"> <li>- principles to guide planning of the town;</li> <li>- where that growth could be accommodated; and</li> <li>- implications of accommodating growth.</li> </ul> <p>The (housing) urban capacity work was updated, taking account of ideas promoting regeneration in Maylands and the town centre. Greenfield options were considered after this. The identification of green infrastructure would be relevant to the planning principles for the town. Joint working with St Albans Council had begun in earnest.</p> |

|                       |               |  |           |                |   |
|-----------------------|---------------|--|-----------|----------------|---|
|                       |               | Hempstead: 2001-2021.<br>17. Identify green infrastructure. Chilterns AONB noted as a regional asset.  |           |                |   |
| Modifications         | December 2006 | The Secretary of State amended some of these recommendations – i.e.<br>4. Green Belt review to allow scope for growth up to 2031 at least. Co-ordinated LDDs would be possible as an alternative to a joint LDD with St. Albans.<br>10. Central Herts was identified as an area likely to come under increasing pressure as a result of underlying traffic growth and the RSS development strategy.<br>13. Jobs growth in the London Arc – 50,000: 2001-2021.<br>16. Housing allocation 2006-2021: Dacorum 680 dwellings p.a. – continue at this rate afterwards [still 12,000 dwellings 2001-2021]<br>17. Significance of green infrastructure particularly important in growth areas.<br><br>The Secretary of State also put forward other modifications in response to the Panel Report. These modifications follow through into items 1, 3, 6, 7, 8, 9, 11, 12,15,18,19, 20 and 21 in the Adopted Plan. No regional transport interchange was ever indicated in Dacorum. |           |                | The relevant district authorities collaborated on an update to employment studies to work out how the jobs growth should be allocated. It recommended 18,000 for Dacorum (2006-2031).   |
| Further Modifications | October 2007  | No substantial change was made to the Modifications.   |           |                |   |
| Adoption              | May 2008      | 1. General vision (to 2021) and five broad objectives relating to climate change, housing shortages, economic potential, quality of life and conserving the environment.<br>2. Principle of urban regeneration similar to Draft Plan, but stronger emphasis on growth where infrastructure is better or has greater potential. Prioritise the use of previously developed land. Hemel Hempstead is a key centre for development and change.<br>3. No priority area for regeneration. Local Development Documents (LDDs) to define locally significant areas.<br>4. Dacorum in London Arc – general policy emphasises retention of Green Belt restraint and urban regeneration, except at Hemel Hempstead. New policy for Hemel. Green Belt review around the town (including in St. Albans district) to enable growth to at least 2031.<br>Substantial employment growth capitalising on strategic   | Workshops | September 2008 | The Place and People Workshops used the Adopted East of England Plan as a basis to ask questions about social, economic and environmental issues, and the accommodation of new development.<br><br>The development period was taken to 2031. The Place workshops considered:<br><br>(a) for Hemel Hempstead<br>- development and regeneration within the town;<br>- alternative greenfield strategies to deliver the bulk of additional growth (around 6,800 dwellings) to make up the 17,000 overall target;<br>- alternative greenfield housing sites<br><br>(b) for other places<br>- alternative housing development levels and local |

|  |  |  |  |  |   |
|--|--|--|--|--|---|
|  |  | <p>transport links and regenerating Maylands and the town centre. Improve town's built fabric and public realm.</p> <p>5. No other Green Belt review indicated.</p> <p>6. LDDs to define approach to other settlements in Dacorum. Consider potential to increase social and economic stability in market towns. Accommodate development in service centres based on local character and needs.</p> <p>7. 35% monitoring target for affordable housing (target in LDDs).</p> <p>8. Principles similar on flood risk: reduce risk; undertake strategic risk assessment.</p> <p>9. Range of transport policies, part reflecting changing travel behaviour and managing traffic demand. Guidance on parking standards (but no standards included, as they had been in 2004 Plan).</p> <p>10. No change in strategic transport network. Central Herts identified as an area likely to come under increasing transport pressure, partly because of proposed growth at Hemel and in Welywn-Hatfield.</p> <p>11. Same: no regional transport interchange.</p> <p>12. Greater expansion of Luton Airport (to 2003 White Paper level).</p> <p>13. Job growth for Herts – 68,000: 2001-2021.</p> <p>14. Ensure adequate range of employment sites: strategic sites to be identified. Hemel Hempstead noted as a strategic location.</p> <p>15. Hemel – major town centre in the retail hierarchy (same as St. Albans; Watford, a regional centre). New retail, and complementary development to be located here. Scale to be consistent with nature of centre and regional role.</p> <p>16. Housing allocation: 2001-2021. 12,000 dwellings in the period – includes any in St. Albans district as a result of the expansion of Hemel Hempstead. Annual rate of 680 dwellings p.a. from 2006, to enable a 15 year supply at least. General policy on provision for Gypsies and Travellers included.</p> <p>17. Range of environmental policies covering landscape conservation, biodiversity, agriculture and soils, woodland, historic environment and water management. Stronger emphasis on particular places, the Chilterns is mentioned and regional biodiversity targets. LDDs</p> |  |  | <p>issues;</p> <ul style="list-style-type: none"> <li>- greenfield options to enable higher levels to be delivered. [All greenfield options would have to be justified on the basis of special circumstances as they would involve releases of Green Belt land.]</li> </ul> <p>The scale of development at places outside Hemel Hempstead would need to consider the character of the countryside and the settlement concerned, and the broad hierarchy of settlements.</p> <p>The Council, with other relevant authorities, commissioned additional studies to inform new policies on a number of environment issues - Low and Zero Carbon Study, Water Cycle Study Scoping Report and Green Infrastructure Study. The first two</p> |
|--|--|--|--|--|---|

|                                     |           |  |                        |           |   |
|-------------------------------------|-----------|--|------------------------|-----------|---|
|                                     |           | <p>should define green infrastructure, and retain substantial connected networks of urban green space.</p> <p>18. Framework for minerals and waste. Similar principles as in Draft Plan. Reduce import of waste.</p> <p>19/20. Policies amended. Overall renewable energy target (to 2020). Site target retained, but energy should be obtained from renewable or low carbon sources. New emphasis on reducing carbon dioxide emissions and responding to climate change. Maximise opportunities to exceed renewable/low carbon targets on development sites in key centres for development and change.</p> <p>21. Briefer policy on culture and leisure. LDDs should include policies to support and grow the region's cultural assets.</p> |                        |           | <p>fed into the Working Draft/Consultation Draft Core Strategy and the last the Pre-submission Draft.</p>   |
| Successful legal challenge to parts | July 2009 | <p>4. London Arc policy emphasises retention of Green Belt restraint and urban regeneration. Policy for Hemel Hempstead remains, but housing target removed. No reference to urban extensions (or continued growth of the town as a result of any Green Belt review).</p> <p>5. No Green belt review indicated.</p> <p>16. Housing target removed, though still a need to plan for a 15 year supply.</p>   | Emerging Core Strategy | June 2009 | <p>The Adopted East of East Plan (<i>minus</i> the quashed policies at Hemel Hempstead) provided part of the strategic policy context for the Emerging Core Strategy and subsequent stages. Just as the Draft Plan, it included many matters on which local elaboration would be required.</p> <p>The Emerging Core Strategy covered place issues thoroughly: i.e.</p> <p>(a) for places other than Hemel</p> <ul style="list-style-type: none"> <li>- vision at 2031, objectives, housing levels, strategy, vision/design diagrams and development options [following regional policy guidance on market towns, smaller places and the Green Belt/London Arc.]</li> </ul> <p>(b) for Hemel Hempstead</p> <ul style="list-style-type: none"> <li>- vision at 2031, objectives, interim housing level, strategy, vision/design diagrams and more detailed policy for the town centre [following amended regional policy guidance, including the designation of regeneration areas and regional policy on Hemel Hempstead].</li> </ul> <p>No general Green Belt review could be justified.</p> <p>The Emerging Core Strategy raised issues along particular themes: e.g.</p> <ul style="list-style-type: none"> <li>- the level of affordable housing;</li> </ul> |

|   |               |   |                        |                |   |
|---|---------------|---|------------------------|----------------|---|
|   |               |   | Working Draft          | June 2010      | <ul style="list-style-type: none"> <li>- the level of retailing (and distribution of shopping)</li> </ul> <p>A key employment issue was how Hemel Hempstead would retain/enhance its position as an important employment location.</p> <p>The Working Draft was developed from the Emerging Core Strategy, with reference to regional and national planning policies and newer evidence.</p> <p>The East of England Plan was reviewed to ensure there would be no missing policy elements (if it was revoked) and also as a check on general conformity.</p>  |
|   |               |   | Consultation Draft     | November 2010  | <p>The Working Draft/Consultation Draft put policy directions from the Emerging Core Strategy into words. Apart from this, the key issues put forward were:</p> <ul style="list-style-type: none"> <li>- the selection of a housing target for the borough up to 2031: two options were put forward (370 and 430 dwellings p.a.);</li> <li>- the balance between a housing target (lower than in the originally adopted Regional Plan) and high employment growth (18,000 jobs 2006-2031);</li> <li>- the identification of local greenfield allocations at Hemel Hempstead to enable the higher of the two housing options to be met;</li> <li>- the inclusion of preferred strategic sites at Berkhamsted and Markyate to assist delivery of housing there; and.</li> <li>- the inclusion of preferred local (greenfield) options at Berkhamsted, Bovingdon and Tring;</li> <li>- the delivery of supporting infrastructure;</li> </ul> |
| <i>(2) Single Issue Review – Gypsies and Travellers</i> |               |   |                        |                |   |
| Draft   | February 2008 | 22. Provision of pitches for Gypsy and Traveller caravans proposed. Dacorum, 15 more pitches 2006-2011 and 3% p.a. increased on planned stock in 2011.  | Workshops              | September 2008 | Potential location of sites discussed.  |
| Panel Report  | December 2008 | 22. Gypsy and Traveller policy amended. Dacorum's short term target increased to 20. Transit site to be found in the south/west half of Hertfordshire.<br>23. Policy on Travelling Showpeople introduced. |                        |                |   |
| Modifications   | March 2009    | As above  | Emerging Core Strategy | June 2009      | Context for policy provided by single issue review. Pitch allocation for Gypsies and Travellers accepted. Emerging Core Strategy includes draft policy.   |
| Adoption  | July 2009     | As above  | Consultation Draft     | November 2010  | As above.   |

Notes:

- A. The table shows key strategic policy items in the East of England Plan and when they influenced preparation of the Core Strategy. They are numbered to help comparison.
- B. A full list is set out for the Draft Plan and for the Adoption stages separately. Changes from the Draft Plan stage and changes from the Adopted Plan are then indicated.
- C. For the single issue review, the key policy items are added to the Adopted East of England Plan. Changes are simply shown in order.
- D. Early consultation stages for the East of England Plan and for the review of the Plan, which were carried out by the East of England Regional Assembly, are not shown.

# **Appendix 5: Effect of National Policy and the Legal Background on Core Strategy Progress**

Contains:

- Summary

## Summary: Effect of National Policy and Legal Background

1. Preparation of the Core Strategy began against the background of a new planning system introduced by the Planning Compulsory Purchase Act 2004. Regulations prescribed how the Core Strategy and, indeed, Statement of Community Involvement (SCI) should be prepared. The SCI was the first planning document to be prepared and was subject to independent examination. Work started on other development plan documents between 2006 and 2009: the evidence base and consultation for the Core Strategy is, in part, relevant to them as well.
2. Dacorum's development plan was required to be in conformity with the Regional Spatial Strategy; hence its progress was very important to the Council (see section above).
3. The change in the planning system signalled change in national planning policy. New advice explained what was expected from the process<sup>1</sup>.
4. All planning authorities needed to learn the new system, which proved very challenging. Delays in implementing the new system occurred throughout Hertfordshire.
5. Not only was there the new, more complex planning system, but also there were some significant changes in Government policy and regulation between 2005 and 2011. The procedural changes relating to delivery of the Core Strategy itself were helpful. However, policy changes invariably added to the Council's workload. All changes had an effect on consultation, either:
  - directly; or
  - indirectly, because of new evidence to be researched and because of amendments to the policy context (affecting the Core Strategy itself).
6. The main regulatory changes affected:
  - (a) Local planning procedure
    - The preferred options stage was removed (in 2008)

This change allowed the Council greater flexibility in predicting and discussing policy direction, options and proposals. It was considered beneficial to the public for this reason.
    - The process following publication of the Core Strategy (i.e. the Pre-submission Stage) became more flexible (from 2008).

Previously the Core Strategy was submitted for examination at the same time it was published. Now the Council can consider representations on the

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<sup>1</sup> Planning Policy Statement 12: Local Development Frameworks (it was replaced in 2008)

Pre-submission Draft Core Strategy and whether to make any changes before proceeding to examination. (Any changes would be subject to consultation and sustainability appraisal.)

- The list of specific consultation bodies to be consulted was amended (in 2008).

See Appendix 1.

The SCI does not need to be submitted with the Core Strategy as part of the examination process (from 2008). Future SCIs will not be subject to examination either.

(b) Related procedures

- The requirement for Habitats Assessment (under European regulations) was clarified.

A scoping report (and update) was prepared by the Council's sustainability consultants.

- A community infrastructure levy will be introduced.

The levy will effectively be a tax on development, using the proceeds to enable infrastructure to be provided in accordance with an infrastructure delivery plan. Its introduction has been subject to substantial political debate, causing uncertainty about the role of planning obligations and the levy.

7. Policy changes have been quite extensive and varied. The most important ones were:

- the emphasis on housing delivery

Initially the Council were required to prepare an urban capacity study, then a strategic housing land availability study extending to a wide range of 'possible' green field sites. These were first subject to consultation through the Site Allocations DPD issues and options. Possible Gypsy and Traveller sites were also tested.

The Government provided incentives by way of the Planning Delivery Grant (which initially was intended to support the costs of changing to the new planning system) and in places such as Dacorum the Growth Area Fund (i.e. because Hemel Hempstead was identified as a major growth area in the Regional Spatial Strategy).

Strategic sites could be brought forward and allocated in the Core Strategy.

- a new emphasis on spatial planning

The new Planning Policy Statement 12 (2008) stressed the need for the delivery of development and infrastructure. An infrastructure delivery plan should be prepared to support the Core Strategy (and other planning documents). Spatial planning also emphasised the importance of place and the linking of strategies to provide distinctive places and sustainable communities. This was an important principle behind the preparation of the place workshops and later dialogue with key parties and stakeholders.

- the significance of climate change and evolving response to its effects

While there is a UK Sustainable Development Strategy, the role of Dacorum in responding to climate change was fluid. Knowledge has been extended through studies/reports on climate change, covering renewable and low carbon technology, and the water environment. Codes or good practice emerged for development of new homes and other buildings. Stakeholders with an environmental interest were keen to strengthen policy on these matters. The Council was required to provide appropriate justification.

8. The current Coalition Government intends further changes:

- the preparation of local plans (which can be made up of more than one development plan document);
- the conformity of local plans with a new (currently draft) national planning policy framework;
- minor change of the local planning regulations;
- the introduction of “localism” and ability of parish councils or neighbourhood forums to prepare neighbourhood plans (which is acknowledged in the Core Strategy) and neighbourhood development orders;
- the abolition of regional plans; and
- the delivery of “sustainable development”

9. The Council examined the comments raised on the Consultation Draft in the light of current and potential Government policy.

10. Draft amendments to the local planning regulations were published in July 2011, with a closing date for comments of 7 October 2011. The draft ‘Town and Country Planning (Local Planning) (England) Regulations [2012]’ would introduce some changes – for example, the list of specific consultation bodies would change again. However, the changes would not affect the approach the Council has taken to date and would not prevent the Council taking a sound core strategy through to adoption. Consequently, although the Council has looked at the draft regulations, they are effectively irrelevant to this Report of Consultation.

11. A new duty to co-operate will require willing parties, such as the Council, and others to work together better. Spatial planning could not work without co-operation, nor could infrastructure be delivered with new development. The Council endeavoured to collaborate with relevant authorities and providers from the outset, looking at the geography of place rather than administrative boundaries. The Planning and Compulsory Purchase Act 2004 (section 13) encouraged this. There were challenges and issues, e.g. at East Hemel Hempstead considering potential development in St. Albans district and within the district at Berkhamsted (where two parishes have responsibility for the urban area and expressed different views on the need for a link road (to New Road, Northchurch)).

# **Appendix 6: Selection of Strategic Sites and Local Allocations**

Contains:

- Table A5: Choice of Development Options
  - (1) Strategic Sites
  - (2) Local Allocations

**Table A5: Choice of Development Options<sup>1</sup>**

(1) Strategic Sites

(2) Local Allocations

| Place                  | Technical Appraisal <sup>2,3</sup>  | Public Consultation <sup>4</sup>  |
|------------------------|---|---|
| <b>Berkhamsted</b>     | <p>Two options were considered for Egerton-Rothesay School/land at Shootersway. Option 1 was the original Local Plan proposal. Option 2 retained the school in situ and proposed more of the development area for housing (up to 200 homes). Additional public open space was proposed west of Durrants Lane. Option 2 was preferred as a more effective use of an urban site.</p> <p>Land adjacent to Hanburys, Shootersway was the preferred local allocation – a modest compact site adjoining the British Film Institute. Land at Hilltop Road was recommended for educational use, as and when needed. There were significant doubts about the New Road site, even initially: the County Council then advised that the link road was not desirable, removing a potential advantage of bringing forward the site. Land south of Berkhamsted was rejected as a realistic option because of its size and impact on the Green Belt and character of the town.</p>  | <p>Local public opinion wanted to retain Option 1 – i.e. least housing. Public concerns can be mitigated however. The proposed dwelling capacity has been moderated (from 250 in the Emerging Core Strategy) to 180.</p> <p>Local public opinion favoured no Green Belt release, and initially Hilltop Road would have been preferred over others.</p> <p>The New Road site, particularly the link road to which it could have contributed, was very controversial. In the end there was very clear opposition by the majority.</p>   |
| <b>Bovingdon</b>       | <p>The large expanse of Bovingdon Airfield was rejected, and four other options considered more fully. There were pros and cons of each. On balance, Option 4 (land north of Chesham Road, adjoining Molyneaux Avenue) was preferred, being a modest self-contained site where development would have limited impact on the Green Belt. The site was part of the former airfield and originally intended to provide housing for prison officers. The landowners have since confirmed the site is deliverable.</p>   | <p>Local public opinion has preferred land at the former airfield if any Green Belt release was required. The proposed site is supported by the Parish Council.</p>   |
| <b>Hemel Hempstead</b> | <p>When the East of England Plan selected Hemel as a location for major expansion, Dacorum and St Albans Councils considered three growth strategies. The technical appraisal favoured the eastern growth option. The main factors supporting the conclusion were:</p> <ul style="list-style-type: none"> <li>• “the ability to focus infrastructure investment in one area, which helps key providing agencies (especially education and health);</li> <li>• the proximity of new housing to the Maylands Business Park (i.e. where new homes and jobs can be more easily planned together);</li> <li>• the M1 demarcates the limit of development (i.e. [it] provides a firm, long term boundary for the Green Belt); and</li> <li>• a lower impact on landscape character.”</li> </ul> <p>Because of the scale of development required the eastern growth option also included land at West Hemel Hempstead and Marchmont Farm.</p> <p>The Assessment of Local Allocations<sup>2</sup> suggested a priority order – i.e. Marchmont Farm, land next to the Old Town (the smaller area) and West Hemel Hempstead upper area first, and lower area second. Whilst other options were included in the priority list (i.e. Shendish, Nash Mills and Felden), there were serious concerns about any development here, and in particular the impact on the Green Belt and settlement character from development at Nash</p> | <p>Major expansion of Hemel Hempstead was clearly opposed (ref Volume 2). However preferences emerged from the Place Workshops and the majority tended to favour the eastern option (ref Volume 3). The three growth options were not subject to general public opinion because of the High Court judgement quashing growth at Hemel Hempstead.</p> <p>The Growth at Hemel Hempstead consultation (ref Volume 2) revealed overwhelming support for the principles that should guide any growth of the town. These principles have been incorporated into the Core Strategy and used to help test potential local allocations<sup>2</sup>.</p> <p>If there should be growth within the borough, the clear majority have accepted and preferred that the focus should be at Hemel Hempstead. Any significant Green Belt change should also be at Hemel Hempstead.</p> <p>This preference supports the borough settlement hierarchy. However, there are still objections to development of local allocations around the town from local people (ref. Volume 6). Public opinion would appear to favour land outside the borough (east of Spencers Park) in preference to other locations. The Council must however select locations within the borough, and has done so having regard to previous discussion (at the local plan inquiry 2000/1) and the technical analysis<sup>2</sup>.</p> |

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|                 | Mills and Shendish. There are also particular infrastructure issues in this area. Felden is poorly related to the town and lacks local facilities.   |  |
| <b>Markyate</b> | Two options were considered for land at Hicks Road. Option 1 involved partial redevelopment of the former industrial land to include housing, shops and a doctor's surgery. Option 2 entailed relocation of employment uses to a Green Belt site south west of this village and redevelopment for mixed use, including more housing. After public consultation and discussion with the landowner, the Council concluded that a scheme which amalgamated the two options, containing new offices and a mix of other uses and involving no Green Belt land, would be preferable.   | Option 2 stemmed from discussion at the Markyate Place Workshop. The two options were taken subject to public consultation at Emerging Core Strategy Stage. Despite differing views, public opinion generally supported a scheme to regenerate Hicks Road (ref Volume 4 and 6).  |
| <b>Tring</b>    | Five locations were specifically assessed <sup>2</sup> , although others had also been considered earlier and rejected. Table 3.1 (p.151) in the Emerging Core Strategy listed specific reasons for rejecting development locations to the north west beyond Icknield Way, to the north and to the south/south west in the Chilterns Area of Outstanding Natural Beauty. Two options were considered more suitable than the others – i.e. land at Icknield Way (Option 1) and land at Dunsley Farm (Option 2). Option 1 was considered more self-contained and deliverable: the impact on the Green Belt and green gateway to the town would be more limited. Although Option 2 is closer to the station, the town centre, main grocery store and secondary school, there were concerns about its impact on the farm/green gateway and Green Belt. Option 1 adjoins the general employment area and is reasonably accessible to facilities: it became the preferred option. Options for land adjoining Longbridge Close (Waterside Way), land adjoining Station Road and the Tring Sports Forum proposal for Dunsley Farm and land to the east were carefully assessed and rejected. Waterside Way would represent a significant breach of a clear Green Belt boundary (i.e. Icknield Way), affecting the compact character of the town and adjacent AONB. The location of a site at Station Road would extend the town in a more linear fashion and have a significant impact on the Green Belt countryside and compactness of the town. The scale and complexity of the Tring Sports Forum proposal raised serious planning and delivery issues. | <p>The promoters of Waterside Way and Tring Sports Forum provided some support for their proposals, though local public opinion generally supported the rejection of development locations listed in Table 3.1 in the Emerging Core Strategy. The Tring Place Workshop had strongly rejected potential development north west of Icknield Way (ref Volume 3).</p> <p>Options 1 and 2 were opposed at Emerging Core Strategy stage, there being an especially vigorous campaign to prevent the loss of farmland under Option 2 (ref Volume 4). If however there was to be some Green Belt Land used for local housing, Option 1 appeared to be preferred.</p> <p>There was relatively little objection to Option 1 at Consultation Draft stage (ref Volume 6). Close examination of the comments at this stage shows the main objections (out of 25) being to any development in the Green Belt at all, or from landowners promoting sites elsewhere.</p> |

Notes:

1 A simple overview is given. Reference should also be made to the more detailed analyses.

2 Assessment of Local Allocations and Strategic Sites – see conclusions in particular

3 Assessment of Alternatives Growth Scenarios for Hemel Hempstead – see conclusions in particular

4 See the full Report of Consultation on the Core Strategy, particularly Volumes 3, 4 and 6.