

Hertsmere Local Plan

Site Allocations and Development Management Policies Plan



Adopted November 2016

Hertsmere
Borough Council



Policy SADM3 - Residential Developments

Proposals which would result in the net loss of satisfactory residential units or accommodation will not

be permitted. Replacement residential unit(s) will be required where existing housing is to be

demolished as part of any redevelopment scheme for alternative uses.

The redevelopment of sites for residential use will be permitted in existing urban areas, subject to the

requirements of relevant development plan policies. In particular, development within residential areas

must be of a scale and design which respects its immediate surroundings including the local pattern of

development, not result in a tandem development layout and as far as possible improve the quality of

the area.

Proposals which would result in the net loss of affordable housing units will not be permitted. Where

exceptionally a net reduction in units is demonstrated to be unavoidable, applications should

(i) provide at least an equivalent floorspace of affordable housing; and

(ii) achieve an appropriate mix of housing types and tenures in line with local housing need.

For any development which provides a new flat or flats, the following principles will apply:

(i) each flat should be self-contained with access direct from a street frontage or a common entrance

hall;

(ii) each flat should provide a good standard of accommodation and internal space; and

(iii) suitable communal or private garden provision should be made for each flat.

Where planning permission is required, the conversion of existing homes, offices or other buildings, to

- smaller self-contained units or

- houses or buildings in multiple occupation (Use Class C4 or sui generis)

will be refused planning permission if:

(i) there would be insufficient off-street parking provision (in line with the Parking Standards SPD)

and the potential effect on the adjoining highway would be unsatisfactory;

(ii) the size of garden space would be inadequate or access to it would be difficult;

(iii) there would be inadequate provision for the storage and collection of waste, or

(iv) there would be more than 1 in 5 conversions in a defined row of houses.

All development should be consistent with Hertsmere's Planning and Design Guide SPD (and any

successor document).

Policy SADM8 - Strategically Important Business Locations and Loss of Office

Accommodation

Where planning permission is required, change of use to residential use will not be permitted in the

following Strategically Important Business Locations:

(i) Employment Areas listed in Policy CS8;

(ii) the Key Employment site in Policy CS8;

(iii) Local Significant Employment Sites listed in Policy CS9, and

(iv) Existing office buildings (or parts of buildings) elsewhere in the Borough which exceed 500 square

metres floorspace unless it can be demonstrated that the premises are no longer suitable for and

have been marketed effectively for continued B1(a) use.

Policy SADM10 - Biodiversity and Habitats

Sites of Special Scientific Interest (SSSI), Regionally Important Geological Sites (RIGS), Local Nature

Reserves (LNR) and Local Wildlife Sites are identified on the Policies Map.

Development that would adversely affect any such site or a protected species (UK or European Law, or

identified for conservation by the Hertfordshire Biodiversity Action Plan) will not normally be

permitted in accordance with legislation and planning policy guidance.

The Council will expect developers to avoid significant harm to sites of importance for ecology,

geology and biodiversity by relocating their proposed development

(i) on an appropriate alternative site, or

(ii) elsewhere within the same site (where the harm would be avoided).

Where this cannot be achieved, planning permission will be refused unless:

(i) adequate mitigation measures can be employed, which will outweigh the harm caused; or, as a

last resort

(ii) adequate compensatory measures will be provided and the benefits of the development are

clearly shown to outweigh the harm to the natural environment.

The acceptability of any development proposal will further be assessed with regard to:

(i) the level of impact that the development proposal would have on the ecological interest of the

habitat concerned and the wider ecological network;

(ii) the opportunity available to create, incorporate, enhance, or restore habitats or biodiversity as

part of the development;

(iii) arrangements for the future maintenance and management of the wildlife or habitat affected by

the proposal;

(iv) the detailed design of the proposal including its conformity with the Biodiversity, Trees and

Landscape SPD.

The Council will work in partnership with the Hertfordshire Local Nature Partnership, Hertfordshire

Environmental Records Centre, the Wildlife Trust and Natural England to minimise the impacts on

biodiversity, habitats and geodiversity in Hertsmere.

Policy SADM11 - Landscape Character

Development will be managed to help conserve, enhance and/or restore the character of the wider

landscape across the borough.

Individual proposals will be assessed for their impact on landscape features to ensure that they

conserve or improve the prevailing landscape quality, character and condition, including as described in

the Hertfordshire Landscape Character Assessments. The location and design of development and its

landscaping will respect local features and take opportunities to enhance habitats and green

infrastructure links. Landscaping schemes should use native species which are appropriate to the area.

Policy SADM12 - Trees, Landscaping and Development

Planning permission will be refused for development which would result in the loss, or likely loss, of:

(i) healthy, high quality trees subject to a Tree Preservation Order; or

(ii) any healthy, high quality trees and/or hedgerows that make a valuable contribution to the

amenity or environment of the area in which they are located.

If development is approved which would result in the removal of trees and/or hedgerows, equivalent

and appropriate replacement planting will be required.

All development affecting trees, hedgerows and other plants or landscaping should be consistent with

the Biodiversity, Trees and Landscape SPD and BS5837 (or any subsequent guidance). This includes the

requirement for appropriate landscaping schemes and, if necessary, replacement trees.

Where possible, the Council will make additional Tree Preservation Orders to ensure that existing trees,

or groups of trees, which are healthy and contribute to the amenity of the area, are retained and

protected.

Policy SADM13 - The Water Environment

The natural environment of watercourses and areas of water will be improved wherever possible

through Policy SADM16. Watercourses, including culverts, land adjacent to rivers, functional

floodplains and flood storage areas should be restored to their natural state.

New built development will normally be directed to Flood Zone 1, in preference to Flood Zones 2 or 3

as shown on the Policies Map. New development will not be permitted in Flood Zone 3b, as defined by

the Strategic Flood Risk Assessment, and redevelopment of previously developed land in Zone 3b will

only be permitted if the proposals are for a compatible use.

Reservoirs and water attenuation areas which help reduce flood risk downstream will be retained.

Development will support the effective use of sewerage infrastructure and water supply in accordance

with Policy SADM17.

Development that would be likely to pollute the aquifer or unduly affect the water table will not be

granted permission. Where there may be a risk to groundwater the criteria adopted will be as

described in the Environment Agency's publication 'Groundwater protection: Principles and practice

(GP3)' (as amended).

Policy SADM14 - Flood Risk

The risk of flooding will be avoided and reduced by:

(i) locating development within areas of lower flood risk through the application of the sequential

test and then applying an exception test in line with the National Planning Policy Framework

(NPPF); and

(ii) ensuring that development proposals in flood risk areas actively manage and reduce flood risk by

applying the sequential approach at site level.

Where new development is proposed in a flood risk area, a site specific Flood Risk Assessment will be

required. This must take into account the risk associated with all types of flooding.

Development must satisfy the following principles:

(i) It must not increase the risk of flooding elsewhere.

(ii) Within sites at risk of flooding, the most vulnerable parts of the proposed development should be

located in areas of lowest flood risk, unless there are overriding reasons to prefer different

locations.

(iii) Floor levels of development in Flood Zones 2 and 3 should be situated above the 1% (1 in 100

years) plus climate change predicted maximum water level, plus a minimum watertight depth of

300mm above the normal water level.

- (iv) Development at risk from any form of flooding should be flood resilient and resistant, with safe access and escape routes: it should also be demonstrated that residual risks can be safely managed.
- (v) Development should incorporate appropriate flood resilient features and flood mitigation measures.
- (vi) Where possible the footprint of existing buildings should be reduced.
- (vii) Any necessary flood protection or mitigation measure should not have an undue impact on nature conservation, landscape character, recreation or other important matter.
- (viii) There should be no net loss in flood storage on site.
- (ix) Flood flow routes should be preserved.
- (x) Where possible, flood storage should be maximised through the use of green infrastructure and sustainable drainage systems.
- (xi) The risk from all types of flooding should be reduced as a consequence of development, wherever possible.
- Where necessary, planning permission will be conditional upon flood protection and/or runoff control measures being operative before other site works.

Policy SADM15 - Sustainable Drainage Systems

The design of new development should include sustainable drainage measures.

In particular, the Council will require the introduction of sustainable drainage (SuDS) on all major

developments (as defined in the Town and Country Planning (Development Management Procedure)

(England) Order 2015 and any subsequent order). The drainage scheme should provide the most

sustainable option from the SuDS hierarchy. Measures should attenuate water runoff at source (e.g.

through attenuation ponds, filter strips, swales) and achieve multiple benefits (including management

of flood risk and surface water pollution, amenity and biodiversity). The drainage scheme will:

- (i) achieve the green field runoff rate, or as close to it as practicable;
- (ii) provide a 1 in 100 year attenuation taking into account climate change;
- (iii) provide arrangements for future maintenance and management.

Policy SADM16 - Watercourses

Development on sites that contain a watercourse or are situated next to a watercourse will comply

with the following principles:

(i) Development will not culvert a watercourse nor build over a culverted watercourse.

(ii) The natural environment of the watercourse and areas of water will be conserved or improved.

(iii) A minimum 9m wide undeveloped buffer zone will be provided from the top of the bank of any

watercourse.

(iv) Opportunities should be provided to support river restoration and enhancement within the

catchment of the watercourse.

(v) The opportunity to refurbish and/or renew existing assets (e.g. bridges, culverts and river walls)

should be provided to ensure their lifetime is commensurate with the lifetime of the development

(an assessment of the condition of the assets will be required).

(vi) A Water Framework Directive (WFD) assessment will be required for proposals involving works

which would have a direct impact on a river (e.g. re-alignment of a river or work to bridges).

Policy SADM17 - Water Supply and Waste Water

Development proposals must take into account the demand for off-site water service infrastructure.

In particular, developers will be required to demonstrate that there is adequate waste water capacity

on and off the site to satisfactorily serve the development.

Development proposals will be permitted where:

- (i) sufficient infrastructure capacity already exists; or
- (ii) extra capacity can be provided in time to serve the development.

Water efficiency measures should be incorporated into the development. For residential development,

efficiency measures should enable a maximum potable water usage of 110 litres per person per day to

be achieved. The design of non-residential building development should enable achievement of the

BREEAM 'Excellent' standard or the best practice level of the Association for Environment Conscious

Building Water Standards or equivalent.

Policy SADM19 - Waste Storage in New Development

Adequate provision for the storage of waste (which includes recycling facilities) will be fully integrated

within the design and layout of new development.

New development will be permitted where:

- (i) full provision is made within the curtilage of the development site;

(ii) waste storage areas are readily accessible by occupiers and by local waste collection agencies

allowing easy removal and replacement of bins;

(iii) waste storage areas would not obstruct pedestrian, cyclist or driver sight lines;

(iv) the siting or design of waste storage areas would not result in any adverse impacts to the amenity

of occupiers; and

(v) the conditions of the Planning and Design Guide SPD and the Technical Note for Waste Storage

Provision Requirements for New Residential Developments are satisfied.

Policy SADM20 - Environmental Pollution and Development

Development should not result in any adverse impact to public health or wellbeing, or significantly add

to contamination or pollution, taking into account the situation following any mitigation and

remediation measures. Development proposals will be judged against the principles below and any

future Contaminated Land, Air Quality or Noise and Vibration SPD.

Air

(i) Development which would significantly exacerbate poor air quality in Air Quality Management

Areas will not be permitted.

(ii) Sensitive development that is proposed to be located in or adjacent to Air Quality Management

Areas will be permitted provided:

i) the impacts of poor air quality will not result in an undue impact on health; and

ii) satisfactory mitigation measures are included alongside the application.

Land

(i) Development on land that is known to be or suspected to be contaminated (or polluted) will only

be permitted where a contaminated land assessment shows that the proposed development

would not be likely to result in a threat to the health of the future users or occupiers of the site

after any remediation measures are taken into account.

(ii) The use of the site must be considered compatible with the level of pollution or contamination

that is present or would be present after remediation measures are taken into account.

(iii) Remediation measures should, where necessary, identify provision for the Environmental Health

Department to monitor the site.

Noise and vibration

(i) New residential development should not be exposed to existing significant sources of noise

pollution, unless it can be shown that mitigation measures would be successful in reducing noise

impacts to an acceptable level.

(ii) Development which would create increases in background noise levels should be sited away from

noise-sensitive development as far as possible: in addition, noise mitigation measures should be

taken to ensure there is no increase in background noise levels beyond the site boundary.

(iii) The Council will use the more detailed criteria and guidance in Appendix A to interpret these

principles.

Light

(i) Lighting installations should be appropriate for the area in which they are situated and not harm

the amenity of residents or the natural environment.

(ii) Well-designed lighting installations are considered to be those that use the minimum lighting

intensity and hours of operation for security purposes, minimise light spillage and glare and do

not cause harm to local ecology or dazzle drivers.

Odour

Development which potentially could create polluting odours should be designed with appropriate

controls to ensure that there would be no odour detectable beyond the site boundary.

Policy SADM21 - Hazardous Substances

In determining applications under the Planning (Hazardous Substances) Act 1990 and associated

regulations particular regard will be paid to the following:

(i) the means of transporting any hazardous material to and from the application site;

(ii) the level and type of any pollution likely to be caused;

(iii) the impact on adjoining occupiers and other land uses in the vicinity;

(iv) the need to ensure that no long term land contamination takes place which could prevent an

acceptable after use of the site; and

(v) the relationship of the site to existing undertakings in the vicinity where the storage of hazardous

materials takes place or is permitted, or where hazardous industrial processes are undertaken.

Policy SADM29 - Heritage Assets

Planning applications will be considered in accordance with the NPPF.

When applications are submitted for proposals affecting any heritage asset the applicant must clearly

explain what the proposal is for and provide sufficient detail to allow for an informed decision to be

made.

When assessing proposals, the Council will have regard to the significance of the heritage asset and

the potential harm to it.

The Council will not permit development proposals which fail to protect, conserve or where possible

enhance the significance, character and appearance of the heritage asset and its setting. The scale,

design, use and character of the proposal will be taken into account, as well as the detailed provisions

following.

Conservation Areas

In Conservation Areas the Council will seek to:

- (i) retain buildings, structures and historic features;
- (ii) retain important open spaces and views;
- (iii) avoid the cumulative effect of smaller scale proposals harming the area; and
- (iv) obtain improvements which enhance the area.

In particular, proposals resulting in the loss of buildings and structures in Conservation Areas will not

be permitted unless:

- (i) the building or structure is beyond economic repair; or
- (ii) its removal and replacement would be beneficial to the character or appearance of the area.

The Council will also take into account any additional guidance provided by a Conservation Area

Appraisal including buildings identified as making a positive contribution to the Conservation Area.

Listed Buildings

The Council will not permit development proposals which would materially harm the setting or

endanger the fabric of a listed building. Listed Building Consent will not be granted for alterations or

extensions that would be detrimental to the special architectural or historic character of a listed building.

Archaeology

The Council expects features of known or potential archaeological interest to be identified, assessed,

surveyed, recorded and wherever possible retained. Developers will therefore be required to

undertake an archaeological field assessment and submit a report on the findings before the Council

will grant planning permission. Where a proposal would affect archaeological remains and it is

considered acceptable for the development to proceed, conditions will be imposed to ensure that the

remains are properly recorded, and where practicable, preserved and enhanced, and the results

analysed and published.

List of Locally Important Buildings

Development proposals affecting a building included on this list will be expected to maintain or

improve the appearance and character of the building, and its setting. The demolition of buildings on

the list will not therefore be supported.

Historic Parks and Gardens

Proposals relating to registered or locally important historic parks and gardens should:

(i) avoid any harm to the historic asset; and

(ii) where possible, enhance its significance, character, appearance and setting.

The scale, design, character and materials of the proposed development must respect the appearance

and landscape of the park and garden.

Battlefield

Development on or affecting the setting of the site of the Battle of Barnet (1471) will not be permitted.

Policy SADM30 - Design Principles

Development which complies with the policies in this Plan will be permitted provided it:

- (i) makes a positive contribution to the built and natural environment;
- (ii) recognises and complements the particular local character of the area in which it is located, and
- (iii) results in a high quality design.

In order to achieve a high quality design, a development must:

- (i) respect, enhance or improve the visual amenity of the area by virtue of its scale, mass, bulk, height, urban form; and
- (ii) have limited impact on the amenity of occupiers of the site, its neighbours, and its surroundings in terms of outlook, privacy, light, nuisance and pollution.

Major development proposals will be permitted provided they also:

- (i) retain, enhance or create a high quality public or semi-public realm, in line with Hertsmere's

Streetscape Manual or successor document;

- (ii) enhance legibility through the spatial pattern of development;
- (iii) create a sense of place by complementing the local character, pattern of development or distinctiveness of its surroundings; and
- (iv) ensure an appropriate degree of functionality in terms of internal space, accessibility for users, facility provision and waste storage.

Advertisement proposals will not be permitted unless they:

- (i) are sensitively located within the street scene;

(ii) are well designed and relate carefully to the scale, design and architectural features of any

building on which they are placed;

(iii) include only illumination which is well designed and appropriate to the character, scale and

design of the building on which it is placed and the area in which it is situated; and

(iv) will not have a detrimental impact on public safety.

All development should be consistent with Hertsmere's Planning and Design Guide SPD (and any

successor document).

Policy SADM34 - Open Space, Sports and Leisure Facilities

Where appropriate all development affecting open space and sports and leisure facilities should seek

to improve the quality, quantity, and/or accessibility of the space/facility through appropriate financial

contribution and/or direct provision.

As a minimum, development must not exacerbate existing deficits of open space and sports and leisure

facilities in the locality and within the Borough. Proposals which will result in the loss of, or negatively

impact upon the designated open space/facility, will only be considered appropriate where:

(i) The development proposal is a small scale ancillary use which supports or enhances the quality

and/or accessibility of the provision; or

(ii) Equivalent or improved provision can be created in the most appropriate and accessible location

available; or

(iii) There is substantiated evidence of significant surplus of provision within the catchment of the

existing space/facility, both quantitatively and qualitatively.

Any development on a designated open space/facility should not cause significant harm to the

character, appearance and visual amenity of the local area. Development will not be supported where

it would cause significant harm to the integrity of the green infrastructure network.

Policy SADM37 - New and Improved Open Spaces

Developments in excess of 50 residential units or 2,500 sq.m gross external floorspace, or where a

specific need has been identified by the Council, are required to provide open space on site. This shall

be provided in addition to private amenity space and landscaping; it shall be fully accessible without

any restrictions and maintained in perpetuity unless otherwise agreed with the Council. If open space

cannot be provided on site or the required amount cannot be provided on site in full, and where the

proposal has over-riding planning benefits, a financial contribution may be sought towards the

provision of new open space or enhancements to existing spaces as an alternative.

Open space provision must maximise biodiversity benefits. New or improved open space shall

incorporate areas of biodiversity habitat complementing surrounding habitats and supporting the

Hertfordshire Biodiversity Action Plan. Species chosen for planting across the space must maximise the

biodiversity benefit. Open space must also provide local land drainage benefits and may include a

Sustainable Drainage System.

Open space should normally be an area of green open space, such as a public park. Areas of new

and/or improved hard landscaped open space, such as civic space, may be considered appropriate

instead of green open space, particularly in town centres. In such cases it must be demonstrated that

the provision of green open space is not possible or appropriate. Biodiversity benefits should be

maximised where appropriate for civic spaces and other hard landscaped open space.

Policy SADM38 - The Road Hierarchy

The road hierarchy is shown on the Policies Map. All new development will be directed to the

appropriate category of road in the road hierarchy based on the amount of traffic generated and its

effect on safety and the environment.

The traffic generated from new development must be compatible with the location, design and

capacity of the current and future operation of the road(s) within the road hierarchy. In reaching a

judgement, the Council will have regard to:

(i) any planned improvements on the road;

(ii) the cumulative effects of incremental developments;

(iii) advice from the local highway authority, including guidance on the relative priorities given to

particular types of traffic and/or modes of transport; and

(iv) the protection of rural character.

The type and nature of accesses will be controlled according to the category of road. In particular, new

access will not be permitted on to a Primary Trunk Road or a Main Distributor Road.

Policy SADM39 - Transport Development Areas

In accordance with policy CS24, major trip generating development should be focused principally on

town centres and on the Transport Development Areas at Borehamwood and Potters Bar which are

shown on the Policies Map.

Policy SADM40 - Highway and Access Criteria for New Development

Development will be permitted where:

(i) it can be accessed by a range of transport modes including, where appropriate, public and other

sustainable transport modes;

(ii) it provides safe and convenient links through the site and within the site and enables access to

adjoining routes and services for all users;

(iii) it will not harm the safety of any users of the highway network, cause or add significantly to road

congestion or unduly harm the flow of vehicles;

(iv) the proposed design and layout give priority to pedestrians, cyclists and other non-vehicle users

and provide for safe and convenient:

a) movement, circulation, parking, manoeuvring and picking up or dropping off;

b) accommodation of larger vehicles including emergency and servicing vehicles and/or coaches where required and

c) site access for all users (including adequate visibility splays);

(v) off-street car and cycle parking is provided in accordance with Core Strategy Policy CS25 and is

consistent with the Parking Standards SPD; and

(vi) for major trip generating schemes, the applicant provides a Transport Statement or Transport

Assessment (prepared in compliance with guidance issued by the Council and local highway

authority), which demonstrates that the scheme accords with the policies in the Local Plan.

Where development may be expected to have negative impacts, appropriate mitigation measures will

be required at the developer's expense.

Policy SADM42 - Town and District Centres

The boundaries of town and district centres are shown on the Policies Map i.e:

- Borehamwood Town Centre
- Potters Bar Darkes Lane Local Town Centre
- Potters Bar High Street District Centre
- Radlett Watling Street District Centre
- Bushey High Street District Centre
- Bushey Heath High Road District Centre

The Council will support proposals to improve the facilities, functions and environment of these

centres whenever appropriate. Specific proposals are identified on the Policies Map as follows:

Ref.	Address	Proposal	Planning requirements
TC1	29-59 Shenley Road and 61-71 Shenley Road, Borehamwood	Mix of town centre uses	Active frontages on ground floor fronting Shenley Road, consistent with the range of uses sought in secondary frontages in Policy CS28 and Policy SADM44. Upper floor(s) may be residential and/or office. Design should respect the existing pattern of development along Shenley Road. A general building height of 3 storeys is appropriate. New retail and commercial units should be serviced from the rear. Car parking should also be provided at the rear.
TC2	Radlett Service Station/Regency House, Former Fire Station and Burrell & Co	Mix of town centre uses	Retail/commercial uses on ground floor fronting Watling Street. Community uses required on part of the site to replace former community use, subject to the provisions of Core Strategy Policy CS19 Key Community Facilities. Upper floor(s) may be residential and/or office. Comprehensive redevelopment is preferred, though the site could come forward in stages. Building should not exceed two storeys fronting Watling Street, though it may be possible to utilise roof voids and/or basement space. Design should respect the character and enhance the setting of the adjacent Conservation Area. Consistent and co-ordinated design required across the whole site. Flood risk assessment required. Noise mitigation measures required for residential (and any other noise sensitive) use.

New development must also accord with Policy CS27 in the Core Strategy, including the need for

impact assessments. In particular the Council will require the submission of an impact assessment for

retail, office and leisure proposals in excess of:

- a) 2,500 square metres on the edge of Borehamwood Town Centre;
- b) 1,000 square metres elsewhere in Borehamwood; and
- c) 500 square metres on the edge of a Local Town Centre, or District Centre or anywhere else in the

Borough.

Policy SADM44 - Secondary Frontages

In the secondary shopping frontages (defined on the Policies Map) the Council will seek to maintain

and encourage class A1 (retail shops), A2 (financial and professional services) and A3 (restaurants and cafes) uses in ground floor units.

Changes of use which result in any loss of class A1 (retail shops), A2 (financial and professional

services), or A3 (restaurants and cafes) uses will only be permitted where it can be demonstrated that

the development proposal does not undermine the overall retail character of the secondary frontage.

Proposals for other main town centre uses, including A4 (drinking establishments), A5 (hot food

takeaway) and D2 (assembly and leisure) will be permitted where they would not harm the vitality or

viability of the frontage and the centre generally, and would not lead to an over-concentration of such

uses. New uses will be expected to maintain an active frontage at street level.

Development proposals will not be permitted if they will result in an over-concentration of betting

shops and pay-day loan shops within any secondary frontage.

Policy SADM49 - Shop Fronts

Permission will be granted for well-designed shop fronts which respect the street scene and follow the

guidance set out in the Planning and Design Guide SPD.