

Dacorum Site Allocations DPD

Matters, Issues and Questions

Matter 1 – Legal compliance, including duty to co-operate

1. Overall, has the Plan been prepared in accordance with relevant legal requirements, including the 'Duty to Cooperate' imposed by Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended)? Has the duty to co-operate been met? What has been the nature of the co-operation and on what issues? How is the 'Duty to Co-operate' work of the various planning authorities co-ordinated?
2. Has the Plan been prepared in accordance with the Council's Statement of Community Involvement and met the minimum consultation requirements in the Regulations?
3. Having regard to the scope of the adopted Core Strategy (CS) and the Council's intentions, as set out in the Local Development Scheme, are there any obvious omissions, in terms policy guidance, from the submitted Plan?
4. Is the Plan based on a sound process of sustainability appraisal? Does it test reasonable alternatives? Does it represent the most appropriate strategy in the circumstances? Does the final report set out the reasons for rejecting earlier options?
5. What were the main findings of the Habitat Regulations Assessment (HRA) that was carried out in relation to this Plan?

Matter 2 – General matters

Changes Modifications

1. Are the Council proposing any Main Modifications, in addition to the focused changes that are being considered as part of this examination?
2. Are any further ones likely to be advanced during the examination? Is there a separate schedule of Minor Changes?

Coverage and approach

3. Where is the Council up to with the partial early review of the CS? What are the anticipated timescales between now and examination of that Plan?
4. Why does this Plan not contain its own monitoring framework? Should it?

5. What alternatives to the sites in the Plan have been considered?
6. Is it clear from the Plan what supplementary planning documents are to be prepared? What are they, their status and purpose, and what is the programme for their preparation? Are important decisions that should be made in the Plan being delegated to these documents?
7. Are policies flexible enough?
8. Has the Plan had regard to heritage assets, including the statutory test set out in S66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990?
9. Paragraph 18.31 of the CS says that the Water Cycle Study Scoping Report, which was prepared to support the CS, concluded that further work would be necessary in relation to a number of matters. It also advises that the local authorities and stakeholders involved will continue to plan for the necessary upgrades and that this will be progressed with the Site Allocations DPD. Has this work been undertaken. If so, what were the findings? If not, why not and is the Plan capable of being found sound in the absence of this information?
10. What work has been undertaken to assess the likely impact of proposed development on the Chilterns Area of Outstanding Natural Beauty?
11. Has the principle of removing land from the Green Belt already been established in the CS? If so, does this Plan deviate from principles set out in the CS in this regard?
12. What is the latest position with the Grovehill Neighbourhood Plan? Are there any other emerging neighbourhood plan
13. Where necessary, do policies make it clear that their geographic application is illustrated on the policies map?

National Planning Policy

14. Are there any policies in the Plan that do not accord with the Framework or advice in Planning Practice Guidance?
15. Are there any gaps in policy coverage? Have other policies been considered and discounted?

Evidence base

16. Is the evidence base relating to such matters as housing, employment, retail, and flood risk up-to-date and relevant?

17. Are there any important developments/changes since the submission of the Plan, for instance in terms of planning permissions/completions? Is the SHLAA and SHMA up-to-date and robust?
18. Does the Council have a programme for reviewing the key evidence base?
19. Has sufficient regard been paid to infrastructure and flood risk? Are any of the infrastructure providers or the Environment Agency opposed to the principle of the development of any of the allocated sites? If so should these sites be deleted from the Plan?
20. Have the highway authority accepted that the scale and location of development in the Plan will not cause significant problems?

Matter 3 – Gypsies & Travellers

1. Does the Council's approach in relation to traveller sites generally conform with the expectations of the CS and Planning Policy for Traveller Sites (August 2015)? If not, why not?
2. Paragraph 6.2 of the Dacorum Borough Council and Three Rivers District Council Traveller Needs Assessment - January 2013 (GTAA), says that the owner of the Timber Yard, Water Lane, Bovingdon wishes to convert the site which currently contains Showmen plots to residential use. Can you provide any more up to date information on this situation?
3. Figure 13 on page 32 of the GTAA shows that in Dacorum Borough there is a need for 7 extra pitches in the period 2012-2017, 8 pitches between 2017 and 2022 and then one pitch in each of the following 5 year periods. The Plan seeks to provide 5 pitches on site LA5, which is available for immediate development and 12 pitches on 2 other new 'local allocation' sites that will be permitted to come forward from 2021 (unless they are needed earlier to secure a 5 year supply of deliverable housing land). The likely development/release of the traveller sites allocated under policies LA1, LA3 and LA5 does not correlate with figure 13 of the GTAA. It would appear that there is likely to be a lag in their provision compared to when they are likely to be required. Is it expected that some other private sites will come forward and be approved to fill this void? Could, if necessary, the traveller site element of these allocated sites come forward early (in advance of the rest of the development) or would the whole of the allocation be required to be developed comprehensively?

Matter 4 - Housing

1. Is the overall amount of housing provision and its distribution in the Plan consistent with the CS? How has the actual number of dwellings allocated been arrived at? Why the buffer? Should it be greater as suggested by some representors?
2. Specifically, should more housing be allocated and if so would this be possible prior to the completion of the Green Belt review?
3. In the light of Government's stated objective in paragraph 47 of the National Planning Policy Framework of boosting significantly the supply of housing, should the Council be seeking to constrain the release of the Local Allocations? If so, what is the rationale for this?
4. Is it assumed that all sites, both commitments and allocations, will be developed during the Plan period? Are all of these sites likely to be developed? What account is taken of windfalls? What rate of windfall development is anticipated over the Plan period?
5. I have looked at the housing trajectory in the CS and the most recent Annual Monitoring Report (AMR). The level of housing completions in the AMR technical appendix (table 7.1) appears to be lower than those projected in the housing trajectory in the CS, produced a few years ago. Is there an explanation for this? Are there any signs of improvement? Is the early partial review taking account of this ongoing shortfall? Does the Council have a strategy for remedying this? Is the housing trajectory in the Plan realistic?
6. Where are the existing housing commitments? What form do they take – large or small site? Is their distribution in accordance with the CS?
7. If sites are deleted from the Plan it seems likely that others will have to be found? If so, is the Council putting forward any additional sites?
8. What is the current position with regard to housing supply? Is there a 5 year supply? Is there a 5% buffer? Is there any justification for a 20% buffer?
9. What are the main findings of the Viability Study? Has this work indicated that any sites or uses are likely to be unviable? What are the implications? Is more work necessary?
10. How have site densities been determined? How rigid are these figures?
11. At what stage is an allocation considered to be implemented? Given this should any of the site allocations be taken out of the Plan?

12. What is the threshold for the inclusion of sites and why?
13. What are the targets for the provision of affordable housing? What has been achieved in recent years?
14. Is the type and size of housing provided/planned meeting/likely to meet the needs of the area?
15. Are the allocations based on a robust assessment of infrastructure requirements and their deliverability, including expected sources of funding?
16. In assessing the speed at which development will come forward on certain sites, has full regard been had to the proposed East Hemel Hempstead Relief Road?
17. Overall, does the Plan deal adequately with uncertainty? Is sufficient consideration given to monitoring and triggers for review?

Matter 5 - Employment & Retail

Employment

1. What are the key employment land and jobs targets? What is their origin and are they justified? Is the overall amount of employment provision and its distribution in the Plan consistent with the CS?
2. Are there sufficient employment sites available of the appropriate nature and in the right place to meet anticipated needs? Where are the main sites? Are all of these to be safeguarded?
3. How much land will be lost from employment use as a result of allocations in the Plan? Is it anticipated that other employment land will be lost to other uses over the Plan period?
4. How much of the land allocated for employment uses has already been built out? What are the implications of this going forward?
5. Are there any committed employment sites in the District that have not yet been developed?
6. How many of the Plan allocations contain employment elements? Where are they located and what contribution will they make to job creation?

Retail

7. Is the evidence on retail provision up-to-date and robust? How do current retail proposals fit within the overall strategy for retail development?

8. What is the basis for the retail allocations? Is there evidence that this is the appropriate amount for Dacorum?
9. Is the proposed amount location and distribution of additional retail consistent with the CS and the Framework?

Matter 6 – General Site Specific Issues

1. Are the allocated sites appropriate and deliverable, having regard to the provision of the necessary infrastructure, affordable housing and other facilities, and taking account of environmental constraints?
2. Are the detailed requirements for each of the allocations clear and justified? Have site constraints, development mix and viability considerations been adequately addressed? Are the boundaries and extent of the sites correctly defined?
3. If there is a need to identify additional land for housing, are the alternative proposals that have been put forward in representations appropriate and deliverable? Have they been subject to sustainability appraisal compatible with that for the Site Allocations DPD and to public consultation?

Inspector's Note: Representors seeking to promote additional sites are asked to demonstrate that the tests set out in this question are satisfied.

Additional issues relating to specific allocations:

Policy SA2: Major Developed Sites in the Green Belt

1. Are the boundaries on the policies map appropriate?
2. Have all potential sites in the Green Belt being considered for inclusion based on clear criteria?

Matter 7 - Policy LA1: Marchmont Farm, Hemel Hempstead

1. Is a reference to the Conservation Area needed within the policy?
2. Is a wider planted buffer necessary along the western boundary of the site and if so is reference to this necessary in the policy?
3. Is the site viable with the provision of a traveller site?
4. Should the site come forward prior to 2021 if it is available?

Matter 8 - Policy LA2: Old Town, Hemel Hempstead

1. Should the policy be more restrictive in terms of setting building heights?
2. Will drainage issues be likely to affect the delivery of the site?
3. Should the site come forward prior to 2021 if it is available?

Matter 9 - Policy LA3: West Hemel Hempstead

1. Is the policy wording in relation to the submission of an outline planning application sufficiently flexible?
2. Should the policy reflect the developer of the site will only be required to carry out upgrading of the drainage infrastructure directly related to the site?
3. Has full consideration been given to the increase in traffic associated with the development and the pressure on existing schools and healthcare facilities?
4. Should the site come forward prior to 2021 if it is available?
5. Is a reference needed in the policy to ecology and the link to Shrub Hill Common Local Nature Reserve?
6. Is the site viable with the provision of a traveller site?

Matter 10 - Policy LA4: Hanburys, Shootersway, Berkhamsted

1. Is compensation necessary for the loss of species rich grassland?
2. Should the site come forward prior to 2021 if it is available?

Matter 11 - Policy LA5: Icknield Way, West of Tring

1. Has the Green Belt boundary been correctly defined?
2. Has the effect of the proposed cemetery, play area and traveller site on the AONB been fully considered?
3. Is the employment allocation of sufficient size?
4. Is the site viable with the inclusion of the a traveller site?

Matter 12 - Policy LA6: Chesham Road and Molyneaux Avenue, Bovingdon

1. Should the site come forward prior to 2021 if it is available?

Matter 13 - Proposal L/4: Dunsley Farm, London Road, Tring

1. Are there better sites available for this purpose – have other sites been considered?
2. Has consideration been given in relation to the loss of agricultural land?
3. Is the site within the Green Belt and if so would the proposal accord with the advice in the National Planning Policy Framework in relation to Green Belts?
4. Does the policy need amending to make reference to the need to protect living conditions at nearby residential properties?

Matter 14 - Proposal C/2: Amaravati Buddhist Monastery, St Margarets Lane, Great Gaddesden

1. Should the policy wording include reference to the Chilterns Conservation Board given that they are not a statutory consultee?

Matter 15 - Proposal S/1: Jarman Fields, St Albans Road, Hemel Hempstead

1. Should the retail floorspace be higher e.g. 10,000sqm, as suggested by a representor?
2. Has planning permission been granted for this proposal and if so how much retail floorspace was permitted?

Louise Crosby

Inspector

27 July 2016