

3 Policy Context

Introduction to Policy

- 3.1 The purpose of this section of the SPD is to identify key policy issues to be addressed and any relevant site specific policies.
- 3.2 In considering the potential development of the Site regard should be had to Section 38 of the Planning and Compulsory Purchase Act which states *'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'*
- 3.3 The relevant Development Plan therefore comprises the following:
- Hertfordshire Structure Plan 1998; and
 - Dacorum Borough Local Plan 1991-2011 (adopted April 2004)
 - Regional Planning Guidance for the South East (RPG9) (as the interim Regional Spatial Strategy (RSS))
- 3.4 These plans are 'saved plans' under the Planning and Compulsory Purchase Act 2004.
- 3.5 The Hertfordshire Structure Plan was adopted in April 1998 by Hertfordshire County Council. It sets the strategic framework and provides key planning policies for the period 1991 to 2011.
- 3.6 In 2003 the County Council placed on Deposit a draft Structure Plan to cover the period up to 2016. However, GoEast advised the County Council that an Examination In Public into the deposit Structure Plan should be put on hold.
- 3.7 The Dacorum Borough Council Local Plan 1991-2011 was adopted on the 21st April 2004.
- 3.8 The Hertfordshire Structure Plan 1998 and Dacorum Borough Local Plan 1991-2011 will therefore form the basis of the review process and highlights the key policy consideration in the development of the DBA. However regard should also be had to Dacorum Borough Supplementary Planning Guidance.
- 3.9 Regional Planning Guidance for the South East (RPG9), was published in March 2001 and covers the period up to 2016.
- 3.9 Following a change in the boundary the County now falls within the East of England region. Once the draft RSS (East of England Plan) is adopted this will become the relevant RSS for the Borough.
- 3.10 The following are considered to be the main policy considerations associated with the DBA. These are not exhaustive and any proposals for the DBA should be read alongside the prevailing Development Plan as well as any other material considerations. Appendix 3 contains further details on the current policy context.

Appropriate Town Centre Uses

- 3.11 The DBA falls within the town centre boundary, as set out in the Local Plan as shown on the extract from the Local Plan Proposal Map at Figure 6.
- 3.12 Regional Planning Guidance 9 advises that larger town centre should be the focus for major retail, leisure and office developments to support an urban renaissance, promote social inclusion and encourage more sustainable patterns of development. In addition the Draft RSS (East of England Plan) advises at Policy SS5 that thriving, vibrant and attractive town centres are fundamental to the sustainable development of the East of England and they will continue to be the focus for investment, environmental enhancement and regeneration.
- 3.14 Local Plan policies encourage appropriate new development in existing centres as well as the retention of existing shopping facilities. The following uses are considered acceptable uses for the Town Centre:
- Shopping (including financial and professional services and catering establishments);
 - Compatible leisure uses (including indoor recreation and leisure);
 - Business use, including offices;
 - Residential
 - The mixed use of individual buildings is generally encouraged.
 - Social and community uses, e.g. library and education
 - Hotels
 - Car parking.
- 3.14 Shopping and business development will be controlled, however, to enable a broad range of uses to be maintained or achieved. Shopping and business development will not be permitted where it would prevent the provision of other appropriate uses, or result in an unacceptable loss of diversity within the centre.
- 3.15 A high density of development, linked to the achievement of transport objectives, is generally supported.
- 3.16 Consequently, the Council will consider favourably development proposals for the above uses within the town centre in order to achieve their aims and objectives as set out in section 1 above provided that they accord with the Development Plan.
- 3.17 Furthermore, the Council will not grant permission for major development unless the appropriate agencies have been consulted to consider the need to provide integral social and community facilities. The Council will therefore seek, where appropriate, commensurate contributions towards achieving appropriate social and community facilities within the DBA.

Quality of Developments

- 3.18 The quality of the design and layout of buildings will be of importance when considering proposals within the DBA.

3.19 Any development taking place within the Town Centre should be at an appropriate scale to the centre and should be compatible with its size and function and historic / architectural character. The height, massing and activity generation of any proposal should not significantly exceed that of the surrounding pattern of buildings and uses.

3.20 Policy 111 of the Local Plan makes it clear that buildings of 3 storeys will be permitted provided that they harmonise within the character of the surrounding area. Higher buildings will be permitted within the town centre provided that it can be demonstrated that there is no harm to:

- The character of the area and the site's surroundings
- The character of open land
- View of open land, countryside and skylines: and
- The appearance and setting of conservation areas and listed buildings.

3.22 Higher buildings will be expected to make a positive contribution to the townscape. The height of buildings in the DBA will need to respect the changing character across the site, the uses, features and buildings, adjacent and used effectively with open areas to create a high quality development. The heights of buildings should take into account the shading impact on the ecology of open spaces and water courses.

3.23 The Council requires that all development proposals must be of a high standard and comply with Policy 11 of the Local Plan. Development proposals will only be permitted provided that, amongst other things, the following are met:

Development should

- Retain and supplement important trees and shrubs, and where relevant includes measures to enhance the local landscape;
- Respect the townscape, density and general character of the area in which it is set;
- Avoid harm to the surrounding neighbourhood and adjoining properties;
- Retain and where appropriate enhances important landscape, natural, ecological, historical or architectural features;
- Not compromise the safe and free flow of traffic on the existing road network nor have a detrimental impact on the safety of other road users or on the amenity of the area;
- Provide sufficient parking and space for servicing;
- Meet the reasonable requirements for access by people with disabilities; and
- Avoid harm arising from pollution in all its forms, including air, water, noise and light pollution. In particular there should be no detrimental effect on air quality in sensitive areas (especially where traffic related air pollution problems arise);

Housing

3.24 To accord with the tenets of the Local Plan, housing proposals should:

- As a larger scheme in relation to the Local Plan policy, seek to achieve a target rate of 35% affordable housing. The final affordable housing provision

will be assessed taking into account the latest housing needs surveys assessments and strategy statements;

- Exceed 30 dwellings per hectare net with densities over 50 dwellings per hectare being sought in urban areas well served by public transport, such as town centres;
- Make provision for a range of size and type of dwellings;
- Consider the inclusion of live / work units; and
- Provide appropriate open space

Tourism and Leisure

- 3.25 The Council will encourage proposals for intensive leisure developments, such as hotels, theatres, and cinemas.

Transport

- 3.26 Any development proposals should seek to achieve, amongst other things, the following:

- A good relationship between homes, jobs, services and passenger transport accessibility;
- A reduction in traffic volume and impact particularly at peak periods;
- A restriction of the main volume of traffic to primary road networks;
- Discouragement of the use of the private car;
- Encouragement of the use of alternative modes of transport; and
- Provision and enhancement of a bus station

Car Parking

- 3.27 The Council takes a proactive approach to the management of car parking as a means of controlling and reducing dependence on the private car. Consequently, the minimum level of car parking provision will be sought for developments by adopting maximum demand based standards of provision. Any new commercial car parking proposed as part of any scheme within the DBA will be subject to management arrangements to ensure that its use is consistent with the Borough's Parking Strategy.

- 3.28 In terms of car parking provision, proposals should accord with the maximum car parking standards contained within SPG. As the DBA falls within Zones 1 and 2 (see the Local Plan for further details) the following car parking requirement will be required:

Zone Type	Car Parking Provision Allowed
1	0 – 25% of maximum demand-based standard
2	25 – 50% of maximum demand-based standard

Heritage and Conservation Area

- 3.29 The DBA abuts the Hemel Hempstead High Street Conservation Area. Consequently proposals for development close to the conservation area boundary should pay particular attention to the intrinsic character of this area of acknowledged importance. Further guidance on the character and appearance

of the conservation area is contained within the Hemel Hempstead High Street Conservation Area Character Appraisal and Policy Statement.

3.30 Schemes taking place adjacent to the Conservation Area will be expected to

- Respect established building lines, layouts and patterns. In particular, infilling proposals will be carefully controlled;
- use materials and adopt design details which are traditional to the area and complement its character;
- be of a scale and proportion which is sympathetic to the scale, form, height and overall character of the surrounding area;
- in the case of alterations and extensions, be complementary and sympathetic to the established character of the building to be altered or extended.

3.31 The following elements of the zone's historic environment are recorded in the County's Historic Environment Record;

- The site of the former post medieval watercress bed
- The site of the former nineteenth century waterworks and public baths
- The surviving nineteenth century Wesleyan Methodist Chapel and Sunday School
- The surviving 1950s Water Gardens designed by J A Jellicoe as a centrepiece to the New Town's civic centre.

3.32 Due to Hemel Hempstead's history the civic centre is considered to be of particular historic design interest. As such the building should not be altered without first being fully recorded to 'preserve by record'. In addition works within the Civic Zone should ensure that they do not inadvertently cause negative impacts on the Water Gardens.