
Examination of the Watford Local Plan

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Matters, Issues and Questions

M1. Legal and Procedural Requirements and other General Matters

The duty to cooperate¹

The Council's *Duty to Cooperate Statement of Compliance²*, and response to PQ1, set out the strategic matters³ that the Council considered during the preparation of the Plan and how it addressed them through working with other local authorities and relevant prescribed bodies during the preparation of the Plan.

Q1.1. Is there any substantive evidence to demonstrate that, during the preparation of the Plan, the Council failed to undertake effective and on-going joint working with relevant bodies on strategic matters that affect other local planning authority areas?

Public consultation and engagement

The Council published its *Statement of Community Involvement* in July 2017 and updates in November 2019 and October 2020⁴. The Council's *Regulation 22(1)(C) Statement* and *Consultation Summary⁵* set out how it involved residents and other stakeholders in preparing the Plan, including through three consultation exercises relating to issues and options, first draft plan, and final draft plan.

Q1.2. Is there any substantive evidence to demonstrate that the public consultation carried out during the plan-making process failed to comply with the Council's *Statement of Community Involvement* or legal requirements?

¹ Section 33A of the *Planning and Compulsory Purchase Act 2004* ("the 2004 Act").

² ED3 and SUB16.

³ "Strategic matters" are defined in section 33A(4) of the Act and include sustainable development or use of land that has or would have a significant impact in at least two planning areas.

⁴ SUP2, SUP4 and SUP5.

⁵ SUB12 and SUB14.

Sustainability appraisal

The Council carried out a sustainability appraisal during the preparation of the Plan and published a report along with appendices and a non-technical summary in 2021⁶.

Q1.3. Is there any substantive evidence to demonstrate that the sustainability appraisal failed to meet the relevant legal requirements⁷?

Q1.4. Did the sustainability appraisal consider and compare reasonable alternatives as the Plan evolved? Was the Plan informed by the findings of the sustainability appraisal?

Habitat regulations assessment

The Council's *Habitat Regulations Assessment Screening Report*⁸ concludes that the Plan is not likely to give rise to negative impacts on any relevant protected sites and that an appropriate assessment can therefore be screened out.

Q1.5. Does the Council's habitat regulations assessment screening report comply with relevant legal requirements⁹, and is there any substantive evidence to indicate that its conclusions are incorrect?

Equalities

The Council's *Local Plan Equalities Impact Analysis 2020*¹⁰ sets out how the Council considered the effect that the Plan would have on different sectors of the community including people who share a "protected characteristic"¹¹. The Council's response to PQ4 summarises how it considers the Plan will affect people from those different groups and the other two aims of section 149(1) of the *Equality Act 2010*.

Q1.6. Is there any substantive evidence to indicate that the Plan would have significant effects on equalities, and in particular on groups with protected characteristics, that have not been identified in the Council's analysis?

Climate change

⁶ SUB3 to SUB9.

⁷ Sections 19(5) and 39 of the 2004 Act, and the *Environmental Assessment of Plans and Programmes Regulations 2004*.

⁸ SUB10.

⁹ *Conservation of Habitats and Species Regulations 2018* (as amended).

¹⁰ SUB11.

¹¹ *The Equality Act 2010* defines "protected characteristics" as: age; disability; gender reassignment; marriage and civil partnerships; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

The Council's *Climate Emergency Topic Paper 8*¹² and response to PQ3 describe how the Plan aims to ensure that the development and use of land in the Borough contribute to the mitigation of, and adaptation to, climate change including through the overall spatial strategy (policy SS1.1) and specific requirements in policies CC8.1 to CC8.5, NE9.1 to NE9.8 and ST11.1 to ST11.6.

Q1.7. Is the Plan consistent with national planning policy relating to the mitigation of, and adaptation to, climate change¹³?

Strategic policies and neighbourhood Plans

Local plans are required to make explicit which policies are strategic policies having regard to national policy and guidance¹⁴.

The Plan identifies various policies as being strategic. These include SS1.1 (spatial strategy), CDA2.1 to CDA2.3 (strategic development areas), SA13.1 (site allocations), and the first policy in each of the thematic chapters 3 to 12.

Any neighbourhood plans in the Borough will need to be in general conformity with the Plan's strategic policies and should not undermine them or promote less development¹⁵.

Q1.8. Does the Plan appropriately identify strategic policies and set an appropriate framework, and allow an appropriate role, for any neighbourhood plans that may be prepared in the Borough?

Types and amounts of development proposed in Plan policies and on allocated sites

Policy SA13.1 states that the sites listed in Tables 13.1 to 13.4 as shown on the Policies Map are allocated for residential, mixed use development, employment uses, education use and any other uses specified, and that planning permission will be granted if the stated requirements are met. Tables 13.1 to 13.4 set out for each allocation: site size; timescale; indicative yield (numbers of dwellings and/or non-residential floorspace); and development requirements and considerations.

The Council has proposed modifications to Tables 13.1 to 13.4 and the thematic chapters to clarify the uses proposed in certain policies and on specific sites with reference to terminology and classes in the Use Classes

¹² ED18.

¹³ Section 19(1A) of the 2004 Act.

¹⁴ NPPF 20 to 23 and PPG ID:41-076-20190509.

¹⁵ NPPF 29.

Order. A modification is also proposed to paragraph 13.4 to clarify the process for determining, and the purpose of specifying, the indicative yields for each allocation.

Q1.9. Are the proposed modifications to Chapter 13 and other parts of the Plan to clarify the uses proposed in thematic policies and on allocated sites, and to explain the indicative yields, necessary to make the Plan sound? If so, would they be effective in so doing?

Development requirements and considerations for allocated sites

In addition to modifications to clarify the uses proposed (as referred to above), the Council has also proposed modifications to the development requirements and considerations in Tables 13.1 to 13.4 in relation to various housing, mixed use, employment and education allocations. Those, and other, allocations are considered below under subsequent issues relating to the Strategic Development Areas and housing land supply.

Documents not forming part of the statutory development plan

The Council's response to PQ8 advises that the intention is that any requirements in the Plan relating to supplementary planning documents, masterplans and development briefs are to "have regard to".

Q1.10. Is it necessary to modify the Plan to ensure that all requirements relating to supplementary planning documents, masterplans, development briefs or other documents that are not part of the statutory development plan are consistent with national policy?

The Plan and the Policies Map

Regulation 9 requires the Policies Map to illustrate geographically the application of the policies in the Plan.

The Council's response to PQ9 suggests modifications to various policies to clarify that they relate to specific sites or areas in the Borough as defined on the Policies Map.

The Council's responses to PQ10, PQ11 and PQ12 suggest modifications to various parts of the Plan to clarify the status and purpose of the maps in the Plan, including Figures 8.1 and 9.1.

Q1.11. Is it necessary to modify the Plan as suggested in the Council's responses to PQ9 to PQ12 to clarify which policies apply to specific sites or areas shown on the Policies Map, and to clarify the status and purpose of various maps included in the Plan?

Viability

The Council's *Local Plan Viability Assessment 2021*¹⁶ provides evidence about the economic viability of development proposed in the Plan.

Q1.12. Is the Plan informed by a proportionate and up to date assessment of viability that takes into account all relevant policies, and local and national standards?¹⁷

Q1.13. Does the viability evidence demonstrate that the policies in the Plan are realistic, and that the cumulative cost of all relevant policies will not undermine deliverability of the Plan?¹⁸

M2. Amount of development needed in the Borough

Plan period

The submitted Plan covers the period 2018 to 2036, and the amount of housing and economic development identified as being required is calculated accordingly. However, the Council has proposed a main modification to policy SS1.1 and other parts of the Plan on the basis that it should cover the period 2021 to 2037.

Q2.1. Is the Plan period 2018 to 2036 consistent with national policy¹⁹ or otherwise justified? If not, would the Council's proposal to modify the Plan so that it relates to the period 2021 to 2037 make it sound?

Household growth and housing requirements

Paragraph 3.1 states that 14,274 homes (793 per year) are required to meet local housing need as determined using the government's standard method. Policies SS1.1 and HO3.1 state that provision will be made for 14,988 new homes between 2018 and 2036.

The Council's proposed modifications suggest that the plan period be changed to 2021 to 2037, that local housing need for that period based on the government's standard method is 12,544 homes (784 per year), and that the Plan makes provision for 13,171 dwellings over that 17 year period.

The Council's response to PQ15 clarifies that whilst the submitted Plan refers to need calculated using the standard method being 793 homes per

¹⁶ VIA1.

¹⁷ NPPF 31 and 34 and PPG ID:10-001-20190509.

¹⁸ PPG ID:10-002-20190509.

¹⁹ NPPF 22.

year, at the time that it was submitted that had changed to 784 per year based on the most recent data used to inform the standard method.

Q2.2. Does the submitted Plan clearly set out a housing requirement figure that is justified and consistent with national policy? If not, how should the Plan be modified?

Additional industrial, warehouse and office floorspace

Policy SS1.1 states that the Plan makes provision for 11,500 jobs between 2018 and 2036. The Council has proposed a modification to refer to 9,900 jobs between 2021 and 2037.

Paragraph 4.4 in the Plan states that there is a need for a total of 188,000 sqm of additional office floorspace and 481,500 sqm of additional industrial floorspace in South West Hertfordshire. The table on page 3 of the Council's *Employment Topic Paper* identifies a requirement for 37,000 sqm of additional office floorspace and 98,400 sqm of additional industrial floorspace in Watford. Those figures seem to be based on the *South West Hertfordshire Economic Study Update* (Hatch Regeneris 2019)²⁰ and relate to the period 2018 to 2036.

Q2.3. Is the Plan based on up-to-date and proportionate evidence about economic growth and the amount of additional industrial, warehouse and office floorspace needed in the Borough?

Q2.4. Is it necessary to modify (a) the reference to additional jobs in policy SS1.1 as proposed by the Council and (b) paragraph 4.4 to specify the amounts of additional industrial, warehouse and office floorspace required in the Borough (rather than only South West Hertfordshire)?

M3. Spatial strategy

The spatial strategy is described in policy SS1.1 and illustrated on the Key Diagram (Figure 1.2).

Spatial strategy (policy SS1.1)

Q3.1. Is the approach of accommodating 80% of development in the Core Development Area an appropriate strategy having regard to reasonable alternatives? In particular, would it be effective in ensuring that the identified need for housing and other development can be met?

Q3.2. Is the approach of only supporting development on greenfield land in exceptional circumstances justified and consistent with national policy?

²⁰ EMP3.

Q3.3. Is the approach towards development in the Green Belt consistent with national policy relating to inappropriate development and very special circumstances?

Green Belt

Paragraph 1.18 states that 19% of land in the Borough is designated as Green Belt, and the Council carried out Green Belt assessments during the preparation of the Plan²¹. The Council's response to PQ13 advises that the detailed boundaries of the Green Belt have been changed in five locations in the Plan, includes maps showing those changes, and describes the justification for the changes.

Q3.4. Are the changes to the Green Belt in five locations proposed in the Plan, as described in the Council's response to PQ13, justified by exceptional circumstances as required by national policy²²?

M4. Watford Gateway Strategic Development Area (policy CDA2.1)

The Council has proposed a number of modifications to policy CDA2.1 and the reasoned justification.

Q4.1. Is the proposal in policy CDA2.1 to create a mixed-use urban quarter of high quality design and place making with excellent connectivity and a mix of housing, employment and other subsidiary land uses and community orientated facilities an appropriate strategy for the Watford Gateway Strategic Development Area?

Design, density and approach to tall buildings

Policy SS1.1 refers to the scale of change being transformational in places. Paragraph 6.23 in the Plan explains that meeting the need for new homes and jobs in the Borough will require higher density development and new buildings that are taller than existing prevailing heights. The *Watford Taller Building Study*²³ was carried out to inform the preparation of the Plan.

Policy QD6.5 sets out additional design requirements (to those defined in other policies including QD6.1 to QD6.4) that proposals for buildings that exceed base building heights in each of the three Strategic Development Areas and outside the Core Development Area would have to meet. The base building heights for the Watford Gateway Strategic Development

²¹ ENV4 and ENV5.

²² NPPF 140-141.

²³ HER19 (2021).

Area defined in Figure 6.3. are up to 8 storeys on a street frontage stepping up to 10 storeys to the rear.

Historic England consider that development proposed in the Watford Gateway Strategic Development Area has the potential to impact on heritage assets and suggest that heritage impact assessments be carried out to consider the suitability of two allocations in the area (MU05 and MU06) to consider their suitability, determine their extent and capacity, and inform any development criteria.

Q4.2. Are the base building heights and approach to the scale and height of buildings in the Watford Gateway Strategic Development Area set out in policy CDA2.1 part (b) and policy QD6.5 / Figure 6.3 justified? Would the approach be effective, when applied with other policies in the Plan, in achieving high quality design and protecting heritage assets whilst also ensuring that the identified need for new homes and jobs can be met?

Existing employment floorspace and redevelopment

The Council has proposed a modification to policy CDA2.1 part (j) relating to the loss of existing employment floorspace, and a modification to add an additional clause to policy CDA2.1 relating to employment redevelopment proposals and a transition towards increased mixed-use schemes and supporting infrastructure in the second part of the plan period.

Q4.3. Is the requirement in policy CDA2.1 part (j) for no net loss of employment floorspace justified and will it be effective in encouraging mixed use redevelopment? Are the proposed modifications to policy CDA2.1 part (j) and the additional clause relating to employment redevelopment and transition towards increased mixed use schemes and supporting infrastructure necessary to make the Plan sound. If so, would they be effective in so doing?

Concrete batching plant and rail aggregates depot

The Council has proposed modifications to policy CDA2.1 part (m) and other relevant parts of the Plan (including the development requirements for mixed use sites MU06, MU07 and EM05) relating to the existing concrete batching plant and rail aggregates depot. The Council has also proposed a change to the Policies Map to define the batching plant and depot.

Q4.4. Are the proposed modifications to policy CDA2.1 part (m) relating to the existing concrete batching plant and rail aggregates depot necessary to make the Plan sound? If so, would they be effective in so doing when applied along with other proposed modifications, including

those relating to sites MU06, MU07 and EM05, and proposed changes to the Policies Map?

Transport infrastructure

The Council has proposed modifications to policy CDA2.1 parts (g) and (h) and Appendix C relating to the provision of a pedestrian and cycle bridge over the Abbey railway line and the route for a pedestrian and cycle bridge to enable access to Watford Junction station via Penn Road.

Q4.5. Are the proposed modifications to policy CDA2.1 parts (g) and (h) and Appendix C relating to the provision of pedestrian and cycle bridges necessary to make the Plan sound? If so, would they be effective in so doing when applied along with other proposed modifications, including those relating to sites MU06 and MU07?

Primary school

The Council has proposed a modification to policy CDA2.1 part (c) to specify that sites for primary schools should be provided within allocations MU05 and MU06.

Q4.6. Is the proposed modification to policy CDA2.1 part (c) to specify that sites for primary schools should be provided within allocations MU05 and MU06 necessary to make the Plan sound? If so, would they be effective in so doing when applied along with other proposed modifications, including those relating to sites MU06 and MU07?

Allocations in the Watford Gateway Strategic Development Area

The following allocations listed in Tables 13.2 and 13.3 are in the Watford Gateway Strategic Development Area:

- MU05 94-98 St Albans Road*
- MU06 Watford Junction*
- MU07 Astral House
- MU08 22-28 Station Road
- MU09 Police Station
- EM01 Cassiobury House, 11-19 Station Road
- EM05 Colonial Way / Clive Way

* Historic England suggest a heritage impact assessment should be carried out for these sites to consider their suitability, determine their extent and capacity, and inform any development criteria.

In addition to modifications to clarify the uses proposed (as referred to above), the Council has proposed modifications to Tables 13.2 and 13.3

relating to the following allocations in the Watford Gateway Strategic Development Area:

- MU05 (St Albans Road) – clarification of expected floorspace for commercial and education uses, and additional requirement for a traffic impact assessment.
- MU06 (Watford Junction) – extension to site area, and revised and additional requirements relating to primary school, childcare facility, existing concrete batching plant and rail aggregates depot, vehicular access, pedestrian and cycle bridge, traffic impact assessment, and noise assessment.
- MU07 (Astral House) – expected timing of development and indicative yield (6,600sqm of industrial floorspace rather than 131 dwellings), and revised and additional requirements relating to loss of office and industrial floorspace, existing concrete batching plant and rail aggregates depot, vehicular access, pedestrian and cycle bridge, and noise assessment.
- EM01 (Cassiobury House) – indicative yield increased (5,135sqm of office and commercial floorspace and 6,165 sqm of hotel floorspace).
- EM05 (Colonial Way / Clive Way) – mixed use rather than industrial, timing of development, and additional requirements relating to residential development, noise assessment, and water and waste water infrastructure.

Q4.7. Are the indicative yields and development requirements for each of the mixed use and employment allocations in the Watford Gateway Strategic Development Area set out in Tables 13.2 and 13.3 justified and would they be effective in helping to achieve sustainable development? In particular, are the proposed modifications relating to sites MU05, MU06, MU07, EM01 and EM05 necessary to make the Plan sound and, if so, would they be effective in so doing?

M5. Town Centre Strategic Development Area (policy CDA2.2)

The Council has proposed a number of modifications to policy CDA2.2 and the reasoned justification.

Strategy for the area Town Centre Strategic Development Area

The Council has proposed a modification to policy CDA2.2 part (f) to refer to a new transport hub at the southern end of High Street and a modification to add a clause to refer to the provision of a new primary school in the area.

Q5.1. Is the proposal in policy CDA2.2 to create a vibrant town centre including through intensifying town centre uses, increasing the number of people living in the town centre, improving the public realm, and

providing active frontages to the ring road to reduce vehicle dominance
an appropriate strategy for the Town Centre Strategic Development Area?

Design, density and approach to tall buildings

Policy SS1.1 refers to the scale of change being transformational in places. Paragraph 6.23 in the Plan explains that meeting the need for new homes and jobs in the Borough will require higher density development and new buildings that are taller than existing prevailing heights. The *Watford Taller Building Study*²⁴ was carried out to inform the preparation of the Plan.

Policy QD6.5 sets out additional design requirements (to those defined in other policies including QD6.1 to QD6.4) that proposals for buildings that exceed base building heights in each of the three Strategic Development Areas and outside the Core Development Area would have to meet. The base building heights for the Town Centre Strategic Development Area defined in Figure 6.3. are up to 5 storeys on the High Street, stepping up to 8 storeys to the rear. The Council has proposed a modification to paragraph 2.52 to accurately reflect this.

Historic England consider that development proposed in the Town Centre Strategic Development Area has the potential to impact on heritage assets.

Q5.2. Are the base building heights and the approach to the scale and height of buildings in the Town Centre set out in policy QD6.5 / Figure 6.3 justified? Would the approach be effective, when applied with other policies in the Plan, in achieving high quality design and protecting heritage assets whilst also ensuring that the identified need for new homes and jobs can be met?

Transport hub

Q5.3. Is the modification proposed by the Council to refer to a new transport hub at the southern end of High Street necessary to make the Plan and, if so, would it be effective in so-doing?

Primary school

Q5.4. Is the modification proposed by the Council relating to the provision of a new primary school in the area necessary to make the Plan sound and, if so, would it be effective in so-doing?

Allocations in the Town Centre Strategic Development Area

²⁴ HER19 (2021).

The following allocations listed in Tables 13.1 and 13.2 are in the Town Centre Strategic Development Area:

- HS14 14-29 Upton Road
- HS15 80 Cassio Road
- HS19 Crown Passage car park
- MU10 125-127 The Parade
- MU11 23-37 The Parade
- MU12 19-21 Clarendon Road
- MU13 Sainsbury's
- MU14 Wellstones car park

In addition to modifications to clarify the uses proposed (as referred to above), the Council has proposed a modification to Table 13.2 relating to the mixed use allocation MU11 23-37 The Parade to require the provision of a quality, active ground floor frontage.

Q5.5. Are the indicative yields and development requirements for each of the housing and mixed use allocations in the Town Centre Strategic Development Area set out in Tables 13.1 and 13.2 justified and would they be effective in helping to achieve sustainable development? Is the proposed modification to the development requirement for mixed use allocation MU11 necessary to make the Plan sound and, if so, would it be effective in so doing?

M6. Colne Valley Strategic Development Area (policy CDA2.3)

The Council has proposed a number of modifications to policy CDA2.3 and the reasoned justification.

Strategy for the area Colne Valley Strategic Development Area

Q6.1. Is the proposal in policy CDA2.3 to facilitate transformative and coordinated change around the River Colne and Lower High Street area to produce a sustainable and mixed use urban quarter an appropriate strategy for the Colne Valley Strategic Development Area?

Design, density and approach to tall buildings

Policy SS1.1 refers to the scale of change being transformational in places. Paragraph 6.23 in the Plan explains that meeting the need for new homes and jobs in the Borough will require higher density development and new buildings that are taller than existing prevailing heights. The *Watford Taller Building Study*²⁵ was carried out to inform the preparation of the Plan.

²⁵ HER19 (2021).

Policy QD6.5 sets out additional design requirements (to those defined in other policies including QD6.1 to QD6.4) that proposals for buildings that exceed base building heights in each of the three Strategic Development Areas and outside the Core Development Area would have to meet. The base building heights for the Colne Valley Strategic Development Area defined in Figure 6.3. are up to 6 storeys. The Council has proposed a modification to paragraph 2.72 to accurately reflect this.

Historic England consider that development proposed in the Colne Valley Strategic Development Area has the potential to impact on heritage assets and suggest that heritage impact assessments be carried out to consider the suitability of three allocations in the area (HS21, MU15 and MU16) to consider their suitability, determine their extent and capacity, and inform any development criteria.

Q6.2. Are the base building heights and the approach to the scale and height of buildings in the Colne Valley Strategic Development Area set out in policy QD6.5 / Figure 6.3 justified? Would the approach be effective, when applied with other policies in the Plan, in achieving high quality design and protecting heritage assets whilst also ensuring that the identified need for new homes and jobs can be met?

Office, retail and other main town centre uses

Q6.3. Is the requirement in policy CDA2.3 part (a) for the re-provision of retail uses in the redevelopment of retail and commercial land to not exceed existing retail floorspace justified, and will it be effective in promoting mixed use redevelopment?

Riverwell mixed use allocation and Watford General Hospital

The Council has proposed modifications to policy CDA2.3 to refer to the redevelopment of Watford General Hospital and the provision of a multi-storey car park with approximately 1,450 spaces. Modifications are proposed to the reasoned justification to add two new paragraphs relating to the redevelopment of the hospital in multiple phases.

The Council has proposed a modification to mixed use allocation MU21 Riverwell (and a change to the Policies Map) to increase the site area to include Watford General Hospital, and include additional requirements relating to transport assessment, pedestrian and cycle access, heritage assets, tall buildings, and infrastructure provision

Q6.4. Are the Council's proposed modifications to policies CDA2.3 and MU21 (Riverwell) necessary to make the Plan sound and, if so, would they

be effective in so doing? Are the indicative yield and development requirements for allocation MU21 justified?

Other allocations in the Colne Valley Strategic Development Area

The following allocations listed in Tables 13.1 and 13.2 are in the Colne Valley Strategic Development Area:

- HS20 Lower Derby Road
- HS21 Waterfields Retail Park*
- HS22 252-272 Lower High Street
- HS23 247 Lower High Street
- HS28 Wiggshall Dezpot
- HS30 Chalk Hill car park
- HS31 Bushey Station
- MU15 Watford Field Road*
- MU16 Tesco, Lower High Street*
- MU18 Colne Valley Retail Park
- MU21 Riverwell
- MU22 Colne Bridge Retail Park
- EM02 South of Wiggshall industrial estate

* Historic England suggest that a heritage impact assessment is required for these sites to consider their suitability, determine their extent and capacity, and inform any development criteria.

In addition to modifications to clarify the uses proposed on these allocations and the proposed modification to MU21 (Riverwell) referred to above, the Council has proposed modifications to Tables 13.1 and 13.2 relating to the following allocations in the Colne Valley Strategic Development Area:

- HS31 (Bushey Station) – expected timing of development (years 6-15)
- MU16 (Tesco) – revised and additional requirements relating to primary school and traffic impact assessment.
- MU18 (Colne Valley Retail Park) - additional requirements relating to traffic impact assessment and overhead electricity lines.

Q6.5. Are the indicative yields and development requirements for each of the housing and mixed use allocations in the Colne Valley Strategic Development Area set out in Tables 13.1 and 13.2 justified and would they be effective in helping to achieve sustainable development? In particular, are the proposed modifications relating to sites HS31, MU16, MU18, and MU21 (along with proposed extension to the Riverwell allocation) necessary to make the Plan sound and, if so, would they be effective in so doing?

M7. Housing land supply

Policy HO3.1 states that provision will be made for 14,988 new homes in the Borough for the period 2018 to 2036. Figure 3.1 indicates that this is expected to be delivered through 8,748 homes on allocated sites, 4,145 on commitments and completions, and 2,095 on windfalls. Appendix B sets out a housing trajectory for the period 2018 to 2036.

The Council has proposed modifications to policy HO3.1, reasoned justification, Figure 3.1, and the housing trajectory (Appendix B) to set out the housing supply for the period 2021 to 2037 taking account of the latest available information about the expected type, amount and timing of development on each site.

The Council's proposed modified supply would comprise 8,619 homes on allocated sites, 2,507 on commitments, and 2,045 on windfalls giving a total of 13,171 homes for the 17 year period between 2021 and 2037.

Q7.1. Is it necessary to modify the Plan to set out the housing supply for the period 2021 to 2037 (rather than 2018 to 2036) as proposed by the Council?

Commitments

The Council's proposed modifications indicate that a total of 2,507 homes will be built on commitments (sites with extant planning permission) between 2021 and 2037.

Q7.2. Is there a reasonable prospect that a total of 2,507 net additional homes will be provided by 31 March 2037 on sites that had planning permission on 1 April 2021?

Windfalls

Paragraph 3.3 refers to an historic average windfall rate of 70 homes per year, and states that it is expected that windfalls will contribute 116 homes per year. However, the housing trajectory in Appendix B seems to include a windfall allowance of 139 homes per year from 2021. The Council's proposed modifications to paragraph 3.3 and the housing trajectory refer to a windfall allowance of 157 homes per year between 2024 and 2037 (ie a total of 2,045).

Q7.3. Is there compelling evidence to justify the inclusion of a windfall allowance in the Plan? If so, what allowance would represent a reliable source of supply and what period should it be applied to?

Housing allocations (including mixed use where this includes residential)

The Council's proposed modifications reduce the number of homes that the Plan assumes will be built on housing and mixed use allocations from 8,748 to 8,619 between 2021 and 2037.

The housing and mixed use allocations in the Core Development Area were considered above under matters 4 to 6. The Council's proposed modification relating to site MU07 (Astral House, in the Watford Gateway Strategic Development Area) would reduce the indicative yield from 131 residential units to no new dwellings in the plan period.

Historic England suggest that a heritage impact assessment is required for site HS18 (Vicarage Road / Exchange Road) to consider its suitability, determine their extent and capacity, and inform any development criteria.

In addition to the modifications to clarify the types of development proposed referred to above, the Council has also proposed modifications to Tables 13.1 and 13.2 relating to the following allocations outside the Core Development Area:

- HS01 (Lych Gate) – additional requirement relating to nearby recycling centre and waste transfer station
- HS06 (Russell Lane)– amended requirement relating to provision of compensatory improvements to remaining Green Belt
- HS12 (Queens Road) – expected timing of development (years 6-15)
- HS24 (Brightwell Road) – indicative yield (5 rather than 4 dwellings)
- HS33 (Kingsfield Court) – indicative yield (5 rather than 4 dwellings)
- MU23 (Asda) – additional requirement for a traffic impact assessment

Q7.4. Are the indicative yields and development requirements for each of the housing and mixed use allocations outside the Core Development Area set out in Tables 13.1 and 13.2 justified and would they be effective in helping to achieve sustainable development? In particular, are the proposed modifications relating to sites HS01, HS06, HS12, HS24, HS33 and MU23 necessary to make the Plan sound and, if so, would they be effective in so doing?

Q7.5. Is there a reasonable prospect that a total of 8,619 net additional homes will be provided by 31 March 2037 on the sites allocated for residential or mixed use in policy SA13.1 and listed in Tables 13.1 and 13.2?

Overall housing supply for the plan period (policy HO3.1)

Q7.6. Is the Council's proposed modification to policy HO3.1 to state that a total of 13,171 additional homes will be provided between 2021 and 2037 justified, having regard to assumptions about commitments, allocations and windfalls?

Five year housing land requirement

The Council's revised response to PQ18 advises that the current five year requirement based on the housing requirement in the submitted Plan (14,274 dwellings in the period 2018 to 2036 or 793 per year) is 6,500 dwellings. This takes account of shortfalls in delivery between 2018 and 2021 and includes a 20% buffer as required by national policy²⁶.

The Council's response to PQ18(b) advises that, based on the proposed modification to change the requirement to 12,544 dwellings for the period to 2021 to 2037 (784 per year), the current five year requirement (including 20% buffer) is 4,704 dwellings.

Q7.7. Does the Council's revised response to PQ18 correctly set out the five year requirement based on (a) the Plan as submitted and (b) the Council's proposed modification to the plan period and housing requirement?

Five year housing land supply

The Council's response to PQ19 advises that, based on the housing trajectory included in the submitted Plan, the five year supply on 1 April 2021 was 6,714 dwellings. This is made up of 3,531 dwellings on sites with full planning permission, 2,488 dwellings on allocations without permission, and 695 windfalls.

The Council's response to PQ19 advises that, based on its latest evidence and updated trajectory, the five year supply on 1 April 2021 was 5,253 dwellings. This is made up of 3,531 dwellings on sites with full planning permission, 1,504 dwellings on allocations without permission, and 218 windfalls.

The Council's "clear evidence"²⁷ for the assumptions about the contribution towards the current five year supply from allocations without planning permission is summarised in its response to PQ20 with details set out in its *Housing Supply Statement 2021* parts A and B published on 25 October 2021²⁸.

Q7.8. Based on the latest evidence as required by national policy and guidance, what was the five year supply of deliverable housing sites on 1 April 2021?

²⁶ PPG ID:68-031-20190722.

²⁷ NPPF Glossary and PPG ID: 68-007-20190722

²⁸ ED27A and ED27B.

Q7.9. In order to be effective and justified, should the Plan be modified to set out what the five year housing requirement and supply was on 1 April 2021?

M8. Housing development requirements and meeting the housing needs of different groups in the community

Small sites, and custom and self-build housing (policy HO3.7)

Policy HO3.7 requires 10% of homes on sites of 50 or more dwellings (excluding affordable homes) to be provided as self-build plots. The Council's responses to PQ33 and PQ34 advise that this requirement is intended to apply only to "houses", and not flats which are expected to represent the vast majority of new homes in the Borough over the plan period²⁹. The requirement is likely to only apply to one allocation in the Plan: HS06 Russell Lane which has an indicative yield of 93 units. Given the limited opportunities there are expected to be for non-flatted residential development, and the nature of the demand on the self-build register, the Council considers the 10% requirement to be justified.

Q8.1. Is the requirement in policy HO3.7 for 10% of homes on sites of 50 or more dwellings to be provided as self-build plots justified? To ensure effectiveness, is it necessary to modify the Plan to clarify the types of residential development that the requirement applies to?

Housing mix and density (policy HO3.2)

Paragraph 3.11 states that a high proportion of demand for new homes will be generated by households with one or two dependent children. The Council's response to PQ21 advises that in the 2011 census, 32.5% of households had one or more dependent children and that this proportion is expected to increase over the plan period.

Policy HO3.2 requires at least 20% of the total number of residential units being family-sized (at least 3 bedrooms). The Council has proposed a main modification to policy HO3.2 to clarify that the requirement relates to developments of five or more dwellings. The Council's response to PQ23 clarifies that this requirement applies to all forms of residential development, including flats.

Q8.2. Is the requirement for all residential developments to provide at least 20% of homes suitable for families with one or more dependent children justified? Is the Council's proposed modification to clarify that it relates to developments of five dwellings or more necessary to make the Plan sound?

²⁹ 96% of dwellings on sites with planning permission and 98% on allocations without planning permission.

Affordable housing (policy HO3.3)

Policy HO3.3 requires all residential development of ten or more homes to provide at least 35% affordable housing. The last part of policy HO3.3 refers to late-stage review mechanisms being required where it is demonstrated that it would not be viable to meet that requirement. The Council has proposed a modification to paragraph 3.17 to state that in exceptional circumstances a viability assessment may be submitted in support of a planning application to demonstrate that the affordable housing requirement in policy HO3.3 is not achievable.

The Council's response to PQ24 advises that the total number of affordable homes expected to be needed in the Borough during the plan period is 913 per year. In other words, a greater number than housing need calculated using the standard method and the overall housing requirement in the Plan.

The Council's response to PQ28 indicates that policy HO3.3 is expected to deliver 4,349 affordable homes. The Council's response to PQ25 clarifies that, whilst policy HO3.3 will not secure sufficient affordable housing to meet identified needs, the 35% requirement is based on viability evidence. The Council considers that the approach, which (subject to the proposed modification to paragraph 3.17) allows for lower levels of provision if justified by site specific viability evidence, will maximise delivery of affordable housing in all parts of the Borough. 80% of new homes are expected to be in the central part of the Borough where viability is generally strongest. The Council considers that setting a lower requirement in the less viable areas in the north of the Borough would result in unnecessary complex policy given the lack of allocated sites in that area.

The Council's response to PQ26 advises that the reference in policy HO3.3 to "at least 35%" reflects the acute level of need for affordable homes, makes clear that it is a threshold that all proposals are expected to achieve, and supports proposals that deliver a greater proportion of affordable homes.

The Council's response to PQ27 advises that the approach of expressing the 35% affordable housing requirement in terms of habitable rooms is to provide flexibility and increase the supply of affordable homes with three or more bedrooms (to address the growing need amongst families with dependent children). A modification has been proposed to the reasoned justification aimed at explaining the approach of basing affordable housing provision on habitable rooms.

The Council's response to PQ24 indicates that around 72% of the total affordable housing need is expected to be for homes to rent, and 28% for units to buy. The response to PQ29 advises that the requirement in policy HO3.3 for 60% of affordable homes to be for social rent is consistent with NPPF as it will allow at least 10% of the total number of dwellings on major developments to be available for affordable home ownership. A modification has been proposed to the reasoned justification to clarify that.

Q8.3. Is the 35% affordable housing requirement in policy HO3.3 justified and will it be effective in helping to maximise the provision of affordable housing and not undermining the deliverability of the Plan?

Q8.4. Is requiring affordable housing provision in residential institution developments justified by evidence relating to need and viability?

Q8.5. Is the approach to calculating affordable housing provision based on habitable rooms (rather than dwelling units) justified and will it be effective in helping to meet need identified needs for affordable homes including by families with children? Is the proposed change to the reasoned justification necessary?

Q8.6. Is the requirement for late stage review mechanisms for schemes that provide less than 35% affordable housing justified and consistent with national policy³⁰?

Q8.7. Is the proposed modification to paragraph 3.17 to refer to viability assessments in support of planning applications necessary to make the Plan sound and, if so, would it be effective in so doing?

Internal space standards (policy HO3.10)

Policy HO3.10 requires all new homes to meet or exceed the nationally described internal space standards.

The Council's response to PQ37 advises that part of the need for a policy on space standards stems from a select few developments, which primarily occurred through permitted development rights, resulting in homes that are below the nationally described space standards. The response goes on to say that the Council's viability evidence shows that the standards would not have any significant impact on viability.

³⁰ PPG ID: 10-009-20190509.

Q8.8. Is the requirement in policy HO3.10 for all new homes to meet or exceed the nationally described internal space standards justified by evidence relating to need and viability as required by national policy³¹?

Accessible and adaptable homes (policy HO3.10)

Policy HO3.10 requires all new homes to be designed and built to comply with M4(2) of the building regulations (accessible and adaptable dwellings) unless they are built to comply with M4(3) (wheelchair adaptable). Developments of 10 or more homes are required to provide at least 10% of homes to M4(3) standard.

The Council's response to PQ35 refers to various sources of data indicating a growing need for homes suitable for people with impaired mobility both amongst the working age population and the elderly. It states that there has not been an adequate supply of accessible homes coming forward.

The Council's response to PQ36 refers to a need for 4% of new homes to be wheelchair accessible. It explains that policy HO3.10 sets a higher standard of 10% of new homes to meet the M4(3) requirements and be wheelchair adaptable as the plan period is to 2036 but new homes are likely to have a lifespan of over 75 years.

The Council advises that the additional costs associated with meeting the M4(2) and M4(3) standards were factored into the viability assessment and are shown to be achievable.

Q8.9. Are the requirements of policy HO3.10 relating to the provision of homes that comply with M4(2) (accessible and adaptable) and M4(3) (wheelchair user) of the building regulations justified by evidence relating to need, viability and site specific factors?

Homes designed for living with dementia (policy HO3.10 and Figure 3.3)

Q8.10. Is the requirement for developments of 50 homes or more to provide 2% of dwellings designed to support someone living with dementia justified? Will the design considerations set out in Figure 3.3 be effective in helping to secure appropriately designed dwellings?

Private and communal outdoor amenity space (policy HO3.11)

The Council has proposed a modification to the last part of policy HO3.11 to require the provision of communal outdoor amenity space of a least 50

³¹ PPG ID: 56-020-20150327.

sqm in flatted developments that are more than 400 metres walking distance from a public green space of 0.1 hectares in size.

Q8.11. Are the requirements for private and communal outdoor amenity space set out in policy HO3.11 justified? Is the proposed modification to the last part of the policy relating to communal outdoor space in flatted developments that are more than 400 metres walking distance from a public green space of 0.1 hectares necessary to make the Plan sound?

Sustainable construction and resource management (policy CC8.3)

Policy CC8.3 sets out a phased approach to improve the energy efficiency of new homes. This includes all residential development being designed so that they can be adapted to be net zero carbon, and to achieve minimum percentage improvements for carbon emissions compared to building regulations requirements (19% up to 2025 and 35% thereafter). If this is not feasible due to exceptional circumstances, a financial contribution towards a carbon offset fund would be required.

NPPF 154(b) states that any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards. Guidance states that local plan policies can set energy performance standards for new housing that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes (this is approximately 20% above current Building Regulations across the build mix)³².

The Council's response to PQ38 advises that the proposed 35% improvement over current building regulations is intended to help future proof the policy and deliver the Council's objective to be carbon neutral by 2030. If the requirement is not in place the opportunity to deliver higher energy efficiency will be missed particularly given the number of new homes proposed in the Plan.

Q8.12. Are the energy efficiency requirements set out in policy CC8.3 consistent with national planning policy or otherwise justified?

Build to rent (policy HO3.4)

Policy HO3.4 states that build for rent developments should provide affordable housing in accordance with policy HO3.4, or discounted market rent at genuine affordable rents established against the most up to date local housing market needs assessment and capped at a level equivalent to the local housing allowance. The Council has proposed a modification

³² PPG ID: 6-012-20190315

to policy HO3.4 and the reasoned justification to clarify that at least 35% of build to rent homes would be required to be discounted market rent, unless a site specific viability assessment demonstrated that this is not achievable.

The Council has proposed modifications to delete the reference in paragraph 3.20 to a discount of 26%-34% to market rents, and to paragraph 3.22 to clarify that the allocation of discounted market rent properties would be in a manner agreed between the operator and the local authority in order to be consistent with national policy³³.

- Q8.13. Are the requirements of policy HO3.4 relating to build to rent sound? In particular:
- a) Establishing genuinely affordable rents against the most up to date local housing needs assessment.
 - b) The proposed modification to clarify that at least 35% of homes would need to be provided as discounted market rent (as an alternative to providing at least 35% affordable homes in accordance with policy HO3.3).
 - c) The proposed modification to paragraph 3.22 relating to the allocation of discounted market rent properties.
 - d) The clawback mechanism to recoup additional affordable housing contributions.

Specialist housing and care homes (policy HO3.5)

- Q8.14. Are the requirements of policy HO3.5 relating to specialist housing and care homes sound? In particular:
- a) The references to meeting the standards set out in Hertfordshire County Council guidance.
 - b) Specialist housing being located within 400m of a district or local centre and public transport.
 - c) The requirement for specialist housing and care homes that are provided at market value to provide affordable housing in accordance with policy HO3.3.

Gypsy and traveller accommodation (policy HO3.8)

Paragraph 3.35 refers to a need for two additional pitches for gypsies and travellers up to 2036. Paragraph 3.37 refers to a site being allocated adjacent to the existing site at Tolpits Lane to meet this need. However, this allocation is not referred to in policy HO3.8, nor is it defined on the Policies Map.

³³ www.gov.uk/guidance/build-to-rent [ID: 60-009-20180913]

The Council has proposed main modifications to policy HO3.8 and other relevant parts of the Plan, and a change to the Policies Map, to allocate a site at Tolpits Lane, south of Epsom Road for two gypsy and traveller pitches.

Q8.15. Would the Council's proposed modifications to HO3.8 and other parts of the Plan, along with changes to the Policies Map, ensure that the identified need for additional accommodation for gypsies and travellers can be met as required by national policy³⁴?

M9. Economic development

Strategic approach to protecting and providing new industrial, warehouse and office floorspace (policy EM4.1)

Q9.1. Is the aim to prevent the net loss of industrial floorspace in the Borough justified and consistent with national policy relating to making efficient use of land³⁵? If so, would policies EM4.1, EM4.2 and EM4.4 be effective in achieving that aim?

Q9.2. Is the aim to prevent the net loss of office floorspace in the Borough justified and consistent with national policy relating to making efficient use of land³⁶? If so, would policies EM4.1, EM4.3 and EM4.4 be effective in achieving that aim?

Designated industrial areas and allocations (policy EM4.2 and Table 13.3)

The table on page 3 of the Council's *Employment Topic Paper* identifies a requirement for 98,400 sqm of additional industrial floorspace in Watford.

Table 4.1 summarises the amount of additional industrial floorspace that the Plan proposes be provided between 2018 and 2036:

- Allocations 17,035 sqm
- Commitments 23,724 sqm
- Total 40,759 sqm

The Council has proposed a modification to table 4.1 (and paragraph 4.4) so that it relates to 2021 to 2037 and increases the amount of industrial floorspace to be provided on allocations:

- Allocations 24,835 sqm
- Commitments 23,724 sqm
- Total 48,559 sqm

³⁴ *Planning Policy for Traveller Sites* (2015) policy B.

³⁵ NPPF 122

³⁶ NPPF 122

Q9.3. Does the Plan identify suitable sites with sufficient capacity to allow the development of a total of 48,559 sqm of additional industrial floorspace between 2021 and 2037?

Q9.4. Is the amount of land proposed in the Plan for industrial development justified and consistent with national policy, having regard to the identified need for additional industrial floorspace in the Borough and wider functional economic area?

Reach Printing Services Ltd, St Albans Road

According to a representation submitted by Lichfields, the site occupied by Reach Printing Services Ltd on St Albans Road south of the A41 / north of Asda, which includes a locally listed building, is used for storage, distribution and office uses as part of a printing business. The site is included as part of a larger industrial area designated on the Policies Map meaning that it is subject to policy EM4.2. The representation suggests that the site is largely segregated from the rest of the industrial area by retail uses and the railway line, that industrial uses could harm the setting of the locally listed building, and therefore the site should be excluded from the industrial designation. It is suggested that it could be included in the adjoining mixed use allocation (MU23) or alternatively undesignated.

Q9.5. Is the inclusion of the site occupied by Reach Printing Services Ltd as part of an industrial area designation subject to policy EM4.2 justified? In particular, would the designation allow the site to be used effectively, help to meet identified development needs, and safeguard the locally listed building and its setting?

Office development and allocations (policy EM4.3 and Tables 13.2 and 13.3)

The table on page 3 of the Council's *Employment Topic Paper* identifies a requirement for 37,000 sqm of additional office floorspace in Watford.

Table 4.2 summarises the amount of additional office floorspace that the Plan proposes between 2018 and 2036:

- Allocations 38,672 sqm
- Commitments 72,503 sqm
- Total 111,175 sqm

The Council has proposed a modification to table 4.2 (and paragraph 4.4) so that it relates to 2021 to 2037 and decreases the amount of office floorspace assumed to be provided on allocations:

- Allocations 29,686 sqm
- Commitments 72,503 sqm

- Total 102,189 sqm

Paragraph 4.16 states that the vast majority of new office floorspace can be met at Clarendon Road which is close to Watford Junction railway station and the town centre, and defined in policy EM4.3 as the primary office location in the Borough. Policy EM4.3 requires impact assessments for office developments outside the Clarendon Road primary office location with reference to the hierarchy of locations set out in Figure 4.3. The Council has proposed a modification to policy EM4.3 to increase the threshold for those impact assessments from 250 sqm to 2,500 sqm

Q9.6. Does the Plan identify suitable sites with sufficient capacity to allow the development of 102,189 sqm additional office floorspace? Is that amount of office development justified, having regard to the identified need for additional office floorspace in the Borough and wider functional economic area?

Q9.7. Is the office development hierarchy set out in Figure 4.3, and the requirement for impact assessments for office development proposals comprising more than 250 sqm outside the Clarendon Road primary office location, justified and consistent with national policy relating to main town centre uses? If not, would the Council's proposed modification to increase the threshold to 2,500 sqm make the requirement sound? Should the town centre be treated as sequentially equal to Clarendon Road?

M10. Town centres and main town centre uses

Retail hierarchy (Figure 5.1 and Table 5.1)

Q10.1. Is the retail hierarchy defined in Figure 5.1 and Table 5.1 of Watford town centre, St Albans Road district centre, and the named local centres justified and consistent with national policy?

Supporting vibrant retail centres (policy VT5.1)

Policy VT5.1 directs main town centre use development to the town, district and local centres providing the use is appropriate for the scale and function of each centre. A limited amount of retail development is allowed on strategic sites outside the town centre to provide for the new community and subject to the sequential test, good accessibility, and no adverse impact on the vitality and viability of the defined centres. The development requirements for a number of mixed use allocations set out in Table 13.2 seek to ensure that any retail re-provision does not exceed existing retail floorspace.

The Council has proposed a modification to policy VT5.1 to refer to a requirement for impact assessments for any additional town centre floorspace over 2,500 sqm outside the town centre.

Q10.2. Is the approach to main town centre use development outside town centres, including the limit on any re-provision of retail floorspace on mixed use allocations, justified and will it be effective in encouraging the effective use of land?

Q10.3. Is the "sequential test" set out in the blue box on page 65 of the Plan consistent with national policy? In particular, should "local centres" be listed as being lower sequentially than "edge of centre locations", bearing in mind that "local centres" are defined as town centres in Figure 5.1, policy VT5.1 and Table 5.1?

Q10.4. Is the Council's proposed modification to policy VT5.1 to require impact assessments for any additional town centre floorspace over 2,500 sqm outside the town centre necessary to make the Plan sound? If so, would it be consistent with national policy relating to impact assessments for retail and leisure developments?

Hot food takeaways (policies VT5.2 and VT5.3)

The Council has proposed a modification to policy VT5.3 part (f) relating to hot food takeaways. The reference to 400 metres walking distance from primary schools would be deleted and a requirement added for Rapid Health Impact Assessments where proposals are likely to have significant health effects especially among adolescents of nearby schools, colleges, and youth centres.

Q10.5. Are the requirements relating to proposals for hot food takeaways in policies VT5.2 and VT5.3 justified and effective? In particular:

- The requirement in Watford town centre to retain a separation of at least 4 units between each hot food takeaway unit?
- Is policy VT5.3 part (f) intended to apply to all locations outside Watford town centre, or only to locations within the district and local centres?
- Is the Council's proposed modification to policy VT5.3 part (f) necessary to make the Plan sound and, if so, would Rapid Health Impact Assessments provide sufficient clarity for decision makers?

M11. Climate change, energy development, flood risk, surface water management, and pollution

Mitigating climate change and reducing carbon emissions (policy CC8.1)

Q11.1. Is the requirement in policy CC8.1 (and policy CC8.3) for a sustainability statement to be submitted with all planning applications, that demonstrates positive contributions in relation to carbon neutrality, sustainable construction, resource efficiency, reducing pollution, microclimates, and low carbon and renewable energy, justified and consistent with national policy?

Wind energy development

National policy³⁷ sets out different approaches towards renewable and low carbon energy development within and outside areas defined as “suitable” in a local plan. Figure 8.1 in the Plan identifies “wind generation” opportunity areas on a map. The Council’s response to PQ11 states that Figure 8.1 is not required to allow any policies in the Plan to be implemented or intended to define areas suitable for wind energy development. The Council has proposed a main modification to paragraph 8.3 to refer to applicants considering the opportunities for wind and heat energy generation shown in Figure 8.1.

Q11.2. Is Figure 8.1 necessary to provide reasoned justification for any policies in the Plan, and does it set out an unambiguous approach for applicants and decision makers? If not, would the Council’s proposed modification to paragraph 8.3 ensure that it does?

Sustainable construction standards for non-residential development (policies CC8.2 and CC8.3)

Policy CC8.2 sets out sustainable construction standards for all non-residential development, including a requirement for major developments to achieve BREEAM excellent standard.

The council has proposed a modification to the requirement in policy CC8.3 relating to water efficiency in non-residential development and achieving relevant BREEAM standards.

Q11.3. Are the requirements in policy CC8.2 for all non-residential major development to achieve BREEAM excellent standard, and for pre-assessments and compliance certificates, justified and consistent with national policy?

Q11.4. Is the proposed modification to policy CC8.3 relating to water efficiency standards in non-residential development necessary to make the Plan sound? If so, is the proposed requirement justified?

Site allocations and flood risk

³⁷ NPPF 155(b), 158(b) and footnote 54.

The Council carried out level 1 and level 2 strategic flood risk assessments during the preparation of the Plan. Paragraph 9.19 states that sites designated for development in the Plan have been put through the sequential and exception test relating to flood risk. The Council's response to PQ42 advises that 8 allocations are partially or wholly in flood zone 3.

Q11.5. Do the allocations in the Plan steer development to areas with the lowest risk of flooding from any source based on an appropriate strategic flood risk assessment and a sequential approach as required by national policy?

Flood risk and mitigation (policy NE9.4)

Policy NE9.4 requires proposals in areas identified as being at risk of flooding to demonstrate how appropriate and effective mitigation measures have been integrated into the scheme including management of residual flood risk. The Council has proposed changes to the Policies Map to define the parts of the Borough that are in flood zones 1, 2 and 3.

The Council's response to PQ42 advises that the development requirements in chapter 13 of the Plan include reference to site specific flood risk assessments and surface water drainage strategies for relevant allocations.

The Council has proposed a modification to policy NE9.4 to refer to risks to controlled waters and to clarify the requirements relating to infiltration soakaways in source protection zone 1.

Q11.6. Will policy NE9.4 be effective in ensuring that development on allocated sites and in other locations (windfalls) would be safe for its lifetime without increasing flood risk elsewhere?

Q11.7. Is the proposed modification to policy NE9.4 relating to controlled waters and infiltration soakaways necessary to make the Plan sound and, if so, is it justified and effective?

Surface water management (policy NE9.5)

The Council has proposed a modification to policy NE9.5 to add a requirement to protect and enhance water quality.

Q11.8. Is the proposed modification to require the protection and enhancement of water quality necessary to make the Plan sound and, if so, is it justified and effective?

Managing air quality (policy CC8.4)

The Council has proposed a modification to the first paragraph of policy CC8.4 to delete reference to “where possible”, and to add a reference to encouraging the provision of electric vehicle charging points.

Q11.9. Is the proposed modification to the first paragraph of policy CC8.4 necessary to make the Plan sound, bearing in mind that policy ST11.5 sets out requirements for electric vehicle charging infrastructure?

Managing the impacts of development (policy CC8.5)

The Council has proposed three modifications to policy CC8.5 relating to the agent of change principle, noise sensitive development, and groundwater source protection zones.

Q11.10. Are the proposed modifications to policy CC8.5 relating to the agent of change principle, noise sensitive development, and groundwater source protection zones necessary to make the Plan sound and, if so, are they justified and effective?

M12. Transport

Strategic highway network

The Council’s response to PQ40 describes the transport modelling that was used to inform the preparation of the Plan, and summarises various elements of the Plan intended to minimise the number of vehicle trips on the road network and encourage greater use of sustainable modes of transport. It advises that developer contributions alone will not be sufficient to deliver the transport mitigation measures that will be necessary to support the development proposed in the Plan as identified in the Infrastructure Delivery Plan³⁸ and therefore other funding sources will be sought, including from Government and the Local Enterprise Partnership.

The Council’s response to PQ40 advises in-principle agreement has been reached with Hertfordshire County Council, the local highways authority, in relation to assessment of the allocations in the Plan and the supporting transport and highways infrastructure.

Highways England’s representation states that, based on the evidence available at the time the Plan was published for consultation, it is unclear whether it will be possible to sufficiently mitigate the impact of the development proposed on the strategic highway network or whether the

³⁸ TIF4.

impact will be too great to feasibly ensure that the network operates within capacity at the end of the plan period. Particular concern is raised about a number of specific proposals in proximity to M1 junction 5.

Q12.1. Is there a reasonable prospect that significant impacts (in terms of capacity, congestion and safety) from development proposed in Plan on the strategic road network, including the M1 motorway, can be cost effectively mitigated to an acceptable degree

Sustainable travel town (policy ST11.1)

The Council has proposed modifications to policy ST11.1 to refer to links to High Street Station in part (g) and include an additional requirement for developments to enhance pedestrian and cycling facilities at key junctions with the ring road.

Q12.2. Are the proposed modifications to refer to links to High Street Station in policy ST11.1 part (g) and include an additional requirement for developments to enhance pedestrian and cycling facilities at key junctions with the ring road necessary to make the Plan sound? If so, are they justified and effective?

Protecting and enhancing future public transport routes and Watford Junction Station Area as a transport hub (policy ST11.2 and Figure 11.3)

The Council's response to PQ41 explains why the disused former Croxley rail line, the current Ebury Way cycle path, and the in-use Abbey rail line are protected by policy ST11.1 from development that would compromise their ability to prioritise public transport and active travel routes.

The Council's response to PQ41 advises that neither the current and planned cycle routes, nor the planned mass rapid transit routes, referred to in policy ST11.2 parts (d) and (e) have yet been defined. None of those routes are, therefore, shown on the Policies Map. The Council has suggested a modification intended to clarify the policy requirements relating to these potential routes.

Q12.3. Is the protection of undefined future cycle routes and mass rapid transit routes by policy ST11.2 parts (d) and (e) justified and consistent with national policy³⁹?

The Council has proposed modifications to policy ST11.2 part (h) and the reasoned justification in paragraph 11.15 relating to road access from Colonial Way to the proposed Watford Junction sustainable transport hub and access to the concrete batching plant and rail aggregates depot.

³⁹ NPPF 106(c).

Q12.4. Are the proposed modifications to policy ST11.1 part (h) relating to road access from Colonial Way to the proposed Watford Junction sustainable transport hub and access to the concrete batching plant and rail aggregates depot necessary to make the Plan sound? If so, are they justified and effective?

Providing sustainable transport infrastructure for major development (policy ST11.3, Figure 11.3 and Appendix C)

Policy ST11.3 requires major developments to observe a number of defined principles and to support specific infrastructure schemes listed in Appendix C (where locationally relevant).

The Council has proposed modifications to policy ST11.3 and the reasoned justification in paragraph 11.21 relating to the "former Metropolitan Line Extension corridor" in the Riverwell area.

Q12.5. Are the requirements for major developments to observe the principles set out in policy ST11.3 and support the infrastructure schemes set out in Appendix C justified?

Q12.6. Are the proposed main modifications relating to the "former Metropolitan Line Extension corridor" in the Watford Riverwell Area necessary to make the Plan sound and, if so, are they justified and effective? Should the reference be to the "disused former Croxley rail line" to be consistent with policy ST11.2?

Walking and cycling infrastructure (policy ST11.4 and Appendix D)

Policy ST11.4 requires all development to provide secure on-site cycle parking facilities in line with the standards set out in Appendix D. Appendix D sets out the number of long and short term cycle parking spaces required for different types of development in the "high sustainability area" and in other parts of the Borough.

The Council has proposed a modification to policy ST11.4 to refer to "convenient" cycle parking facilities.

Q12.7. Are the cycle parking standards set out in Appendix D justified by proportionate evidence including about existing and potential levels of use and viability?

Q12.8. Is the proposed modification to refer to "convenient" cycle parking facilities necessary to make the Plan sound and, if so, is it justified and effective?

Electric vehicles, car parking and car clubs (policy ST11.5 and Appendix E)

Policy ST11.5 sets out requirements for car parking provision including maximum standards for different types of development in the Core Development Area and other parts of the Borough (Appendix E); the provision of spaces for disabled persons, car club use, and powered two wheelers; and the installation of active and passive charging infrastructure for electric vehicles.

The Council has proposed main modifications to the car parking standards for general industrial (B2) and storage or distribution (B8) developments in Appendix E (spaces per 150sqm rather than 1,500sqm).

Q12.9. Are the requirements for car parking provision set out in policy ST11.5 justified and consistent with national policy? In particular:

- a) The maximum standards set out in Appendix E (subject to the Council's proposed modification relating to general industrial and storage or distribution developments).
- b) The approach to the provision of spaces for disabled persons in residential and non-residential development.
- c) The requirement for 20% of parking spaces to have active charging infrastructure for electric vehicles and all other spaces to have passive provision.

M13. Infrastructure

Integrated infrastructure delivery (policy IN10.1)

Policy IN10.1 seeks to achieve an integrated approach to the delivery of development and infrastructure. Part (c) requires development proposals to safeguard land to deliver area-wide or site-specific infrastructure as identified in site allocations and/or other policies in the Plan, but also (any other) infrastructure identified in the Watford Infrastructure Delivery Plan.

The Council has proposed a modification to policy IN10.1 to require developers to participate in early pre-application engagement with the Council and infrastructure providers and to demonstrate that there is sufficient infrastructure capacity on and off site to support the development from commencement.

Q13.1. Is the requirement in policy IN10.1 part (c) for development proposals to safeguard land to deliver area-wide or site-specific infrastructure as identified in the Watford Infrastructure Delivery Plan justified and consistent with national policy?

Q13.2. Are the additional requirements proposed as a modification to policy IN10.1 relating to pre-application engagement and demonstrating sufficient infrastructure capacity from commencement of development necessary to make the Plan sound? If so, are they justified and effective?

Providing infrastructure to support development (policy IN10.2)

The Council has proposed three modifications to policy IN10.2 to add requirements relating to the use of planning conditions, water supply and waste water, and the provision of digital facilities in residential areas.

Q13.3. Are the additional requirements relating to the use of planning conditions, water supply and waste water, and the provision of digital facilities in residential areas necessary to make the Plan sound? If so, are they effective and justified?

Development contributions (policy IN10.3)

The Council has proposed a modification to policy IN10.3 part (d) relating to off-site highway works to add reference to the provision of cycling and walking.

Q13.4. Is the additional reference to the provision of cycling and walking in off-site highway works necessary to make the Plan sound, bearing in mind the requirements of policy ST11.4? If so, is it justified and effective?

M14. Design of development

Strategic approaches to design in different parts of the town (policy QD6.1)

Policy QD6.1 sets out different requirements for the design of development in the Core Development Area, Established Areas, and Protected Areas. Those areas are indicated on Figure 6.2, and are based on specific designations defined on the Policies Map (Protected Areas being conservation areas, open space, and areas of green infrastructure).

Q14.1. Are the strategic design requirements relating to the Core Development Area, Established Areas, and Protected Areas justified and consistent with national policy?

Design principles (policy QD6.2)

The Council has proposed a modification to policy QD6.2 to include an additional design principle relating to sustainability with reference to reducing the use of resources including energy, water and waste, and

incorporating soft measures such as green roofs, green walls and multifunctional green spaces.

Q14.2. Is the proposed a modification to policy QD6.2 to include an additional design principle relating to sustainability necessary to make the Plan sound? If so, would it be effective in so doing?

Building design (policy QD6.4)

The Council has proposed three modifications to policy QD6.4: part (e) to clarify the requirement relating to providing primary access for ground floor units directly onto the street; part (h) to clarify the requirement relating to internal cores serving no more than 8 units; and an additional requirement for buildings to promote the use of stairs and provide secure cycle parking in easily accessible locations.

Q14.3. Is the proposed modification to part (e) to require buildings to promote the use of stairs necessary to make the Plan sound and is it unambiguous?

Q14.4. Is the proposed modification to part (h) to clarify the requirement relating to internal cores serving no more than 8 units necessary to make the Plan sound? If so, would it be effective in so doing?

Q14.5. Is the proposed modification to include an additional criteria relating to cycle parking necessary, given that policy ST11.4 requires cycle parking to be provided in line with standards set out in Appendix D.

Building height (policy QD6.5)

Paragraph 6.23 explains that meeting the need for new homes and jobs in the Borough will require higher density development and new buildings that are taller than existing prevailing heights. The *Watford Taller Building Study*⁴⁰ was carried out to inform the preparation of the Plan.

Policy QD6.5 sets out additional design requirements (to those defined in other policies including QD6.1 to QD6.4) that proposals for buildings that exceed base building heights in each of the three Strategic Development Areas and outside the Core Development Area would have to meet. The base building heights are defined in Figure 6.3.

The approaches to the design of tall buildings in each of the three Strategic Development Areas were considered under matters 4 to 6.

⁴⁰ HER19 (2021).

Q14.6. Are the additional design requirements in policy QD6.5 for buildings that exceed the base building heights justified and would they be effective in achieving high quality design and protecting heritage assets whilst also ensuring that the identified need for new homes and jobs can be met?

M15. Historic environment

Historic England's representation states that there is a lack of detailed and proportionate evidence about the historic environment to inform the Plan, and raises concern about the impact that a number of specific proposals could have on designated heritage assets and/or their settings. The specific proposals for the three Strategic Development Areas and allocated sites were considered under earlier matters, including with regard to impacts on heritage assets.

Strategic approach to the historic environment (policy HE7.1)

The Council's response to PQ48 advises that modifications may be required to policy HE7.1 in light of further work being carried out in liaison with Historic England.

Q15.1. Is policy HE7.1 consistent with national planning policy relating to the historic environment and would it be effective in helping to protect and enhance the Borough's heritage assets and their settings?

Designated heritage assets (policy HE7.2)

The Council has proposed a modification to policy HE7.2 to replace the first paragraph to set out a presumption in favour of preserving and enhancing, and strongly resisting substantial harm to or loss of, designated heritage assets.

Q15.2. Is policy HE7.2 consistent with national planning policy relating to the historic environment and would it be effective in helping to protect and enhance the Borough's designated heritage assets and their settings? If not, would the Council's proposed modification ensure that it is?

Non-designated heritage assets (policy HE7.3)

The Council's response to PQ49 advises that policy HE7.3 is intended to apply to all non-designated heritage assets including those identified by the Council's own research or during the preparation of a neighbourhood plan, conservation area appraisal, or the assessment of a planning

application⁴¹, not only those that are on “Watford’s local list”. The Council has proposed a modification to paragraph 7.16 to clarify this.

The Council has proposed a main modification to add two additional paragraphs to policy HE7.3 relating to monuments and sites with places and landscapes of heritage value.

Q15.3. Is policy HE7.3 consistent with national planning policy relating to the historic environment and would it be effective in helping to protect and enhance the Borough’s non-designated heritage assets and their settings, including those that are not on the local list? If not, would the Council’s proposed modifications to policy HE7.3 and paragraph 7.16 ensure that it is?

Archaeology (policy HE7.4)

The Council has proposed a modification to paragraph 7.20 to describe arrangements for storing reports of archaeological investigations and making them publicly available.

Q15.4. Is policy HE7.4 consistent with national planning policy relating to the historic environment and would it be effective in helping to protect the Borough’s archaeological remains? Is the Council’s proposed modification to paragraph 7.20 necessary to ensure that policy HE7.4 is justified?

M16. Natural environment and green infrastructure

Natural environment (policy NE9.1)

The Council has proposed a modification to amend the detailed wording of parts of policy NE9.1 in relation to the mitigation hierarchy, flood risk, the Water Framework Directive, and assessing the natural environment with planning applications.

The Council has proposed modifications to Figure 9.1 so that the title refers to blue infrastructure as well as green infrastructure.

Q16.1. Are the Council’s proposed changes to the detailed wording of parts of policy NE9.1 and the title of Figure 9.1 necessary to make the Plan sound and, if so, are they justified and effective?

Biodiversity (policy NE9.8)

The Council has proposed a modification to policy NE9.8 to clarify the approach to achieving an overall net gain in biodiversity including through

⁴¹ PPG ID: 18a-040-20190723.

additional requirements relating to long term monitoring and maintenance plans, and ecological surveys and assessment reports.

The Council has proposed a modification to paragraph 9.33 to add reasoned justification for policy NE9.8 to refer to liaison with Natural England about the potential need for habitat regulations assessments in relation to Special Areas of Conservation and Special Protection Areas outside the Borough.

Q16.2. Is the proposed modification to the approach to achieving an overall net gain in biodiversity set out in policy NE9.8 necessary to make the Plan sound. If so, is it justified and effective?

Q16.3. Is the proposed modification to paragraph 9.33 necessary to provide reasoned justification for policy NE9.8?

Green infrastructure network and protecting open space (policies NE9.2 and NE9.6)

Policy NE9.2 requires development proposals to demonstrate how they will appropriately conserve, restore, expand or enhance the green infrastructure network. The Council's response to PQ9 advises that the green infrastructure subject to policy NE9.2 is as defined on the Policies Map.

Policy NE9.6 states that open space and ancillary facilities will be protected, unless an up to date assessment demonstrates the space is surplus to need. The Council has proposed modifications to policy NE9.6 to clarify that the open space and ancillary facilities to be protected are defined on the Policies Map, and to refer to adverse impacts on the community and environment being taken into account in the needs assessment.

The Council has proposed changes to the "open space and green infrastructure" designations on the Policies Map (and consequential modifications to Figure 6.2 and Figure 9.1) relating to land at Blackwell Drive; Kytes Drive; Alban Wood school; and Callowland allotments.

The Council has proposed a modification to the second paragraph of policy NE9.2 relating to the protection and replacement of trees, woodlands and hedgerows, and introduce additional requirements relating to native and non-native species.

Q16.4. Are the proposed changes to the open space and green infrastructure designations at Blackwell Drive; Kytes Drive; Alban Wood school; and Callowland allotments (as defined on the Policies Map)

necessary to make the Plan sound and, if so, are they justified and effective?

Q16.5. Are the proposed changes to policy NE9.2 relating to the protection and replacement of trees, woodlands and hedgerows, and additional requirements relating to native and non-native species, necessary to make the Plan sound? If so, are they justified and effective?

Q16.6. Is the proposed modification to policy NE9.6 relating to assessment of needs and adverse impacts on the community and environment necessary to make the Plan sound and, if so, is it justified and effective?

Blue infrastructure network (policy NE9.3)

The Council has proposed a modification to policy NE9.3 to introduce requirements relating to development adjacent to watercourse, buffer zones, light pollution, invasive non-native species, and culverting watercourses.

Q16.7. Are the proposed additional requirements in policy NE9.3 relating to development adjacent to watercourses, buffer zones, light pollution, invasive non-native species, and culverting watercourses necessary to make the Plan sound and, if so, are they justified and effective?

Providing new open space (policy NE9.7)

Policy HO3.11 sets out requirements for private and communal outdoor amenity space in residential development. The Council has proposed a modification to that policy to require the provision of at least 50 sqm of communal outdoor amenity space in all flatted developments that are more than 400 metre walking distance (260 metre straight line) from a public green space of 0.1 hectares.

Policy HC12.1 requires major developments to support the provision of accessible open space that offers appropriate opportunities for outdoor physical activity to meet local needs.

Policy NE9.7 expects developments to contribute to the provision, enhancement and maintenance of open space, either by on-site provision or through developer contributions (obligations*). Developments of ten dwellings or more are required to provide publicly accessible open space if they are located in an area where there is an identified deficiency set out in an up to date needs assessment.

*The Council has proposed a modification to the first paragraph of policy NE9.7 to refer to developer obligations (rather than contributions).

Q16.8. Are the requirements of policy NE9.7 justified and are they consistent with the requirements of policies HO3.11 (as modified) and HC12.1 relating to the provision of open space?

M17. Health and community facilities

Healthy communities (policy HC12.1)

The Council has proposed a modification to the third paragraph of policy HC12.1 to require all development (rather than major development) to promote active design by adhering to ten principles set out by Sport England

Q17.1. Is the requirement of policy HC12.1 for all major developments to support the provision of accessible open space that offers appropriate opportunities for outdoor physical activity to meet local needs justified, and is it consistent with policies HO3.11 (as modified) and NE9.7?

Q17.2. Is the proposed modification to require all development (rather than major development) to promote active design necessary to make the Plan sound and, if so, is it justified and effective?

Health impact assessments (policy HC12.2)

Policy H12.2 requires health impact assessments to be submitted in support of planning applications for developments of 100 or more homes; major transport improvements; and other locally or nationally significant infrastructure project.

The Council has proposed modifications to the reasoned justification for policy HC12.2 in paragraphs 12.4, 12.5 and 12.6 relating to health impact assessments.

Q17.3. Are the requirements in policy HC12.2 for health impact assessments justified and consistent with national policy?

Q17.4. Are the proposed modifications to paragraphs 12.4, 12.5 and 12.6 necessary to provide reasoned justification for policy HC12.2 relating to health impact assessments?

Built cultural and community facilities (policy HC12.3)

Policy HC12.3 supports the provision of new, extended or improved cultural and community uses in accessible locations and seeks to prevent the loss of existing community and cultural venues unless it can be

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demonstrated that they are no longer needed or they can be re-provided of a higher quality in an equally accessible location. Appendix F sets out marketing requirements.

The Council has proposed a modification to the development requirement in Table 13.4 relating to playing field provision on allocation ED01 (former Meriden School). A change is also proposed to the Policies Map to reduce the site area of allocation ED01.

Q17.5. Is the approach to protecting existing community and cultural venues set out in policy HC12.3 justified and consistent with national policy, and will it be effective both in retaining valuable facilities but also making effective use of land and existing buildings? Should the policy or reasoned justification refer to the marketing requirements in Appendix F?

Q17.6. Are the proposed modification to the development requirement and change to the Policies Map for site ED01 (former Meriden School) necessary to make the Plan sound? If so, would they be effective in so doing.

End of annex 2