

CHAPTER 2: GREEN BELT AND COUNTRYSIDE

2.1 Introduction.

- 2.1.1 Although Broxbourne contains a densely developed urban corridor which follows a north-south axis for the full extent of the Borough along its eastern part, the majority of its 54.6 sq. km (20 sq. mile) area lies within the Metropolitan Green Belt. Much of this green belt countryside provides valuable habitats for a wide variety of wildlife, as evidenced by the habitat survey undertaken by The Herts & Middlesex Wildlife Trust. It is also very important for residents of the urban parts of the Borough, affording opportunities for access to the countryside and countryside pursuits. For these reasons, the Council considers its green belt land to be its most important asset and one which merits very careful husbandry and protection from unwarranted urbanising influences. At the same time, however, the Council recognises that the community and development needs of its existing population throughout the period covered by this Plan (to 2011) cannot be met without some further use of green belt land, albeit now on a more modest scale than previously envisaged in the First Deposit Version of the Second Local Plan Review published in April 2001. This chapter therefore identifies those areas of land where the Council proposes a change to green belt boundaries to meet development needs, or to address existing anomalies whilst setting out policies aimed at protecting the vast majority of the countryside which will continue to be afforded full protection from inappropriate development.
- 2.1.1a It should not be forgotten that the rural parts of Broxbourne are also important in terms of the local economy, albeit that the use of the land for food production is now much reduced due largely to changes in the market gardening industry in the Borough. Central government has recognised that the rural economy and the agricultural industry continue to undergo major changes and is encouraging farm diversification through The England Rural Development Plan and the Rural White Paper. The Council is aware of these changes and will encourage appropriate development aimed at diversifying the rural economy through the Local Plan.
- 2.1.2 Much of the Borough's open countryside is also of high landscape value. This includes at Broxbourne Woods part of a Special Area of Conservation (SAC) affording the Woods international recognition under Article 4 of the European Council Directive on the Conservation of Natural Habitats and Wild fauna and Flora (1992/43/EC.) This is an area of ancient woodland, of predominately oak and hornbeam. which has developed over the centuries, interspersed with old grazing pastures, former hay meadows and remnants of common land. Collectively, a mosaic of woodland, grassland and scrub has been created which has been identified by The Herts and Middlesex Wildlife Trust as being the single richest area for biodiversity in the county. Other areas of the Borough have been designated by The Nature Conservancy Council for England (English Nature) as SSSI's (Sites of Special Scientific Interest) under The Wildlife and Countryside Acts of 1981 and 1985, and as National Nature Reserves (NNRs). These are described more fully in the section 2.6

- 2.1.3 The central block of Wormley Wood is thought to be the oldest long-standing high forest woodland in the county. A history of forest enclosure and clearance over millennia has given rise to the patchwork of small pastures so characteristic of the fringes of Wormley Wood, as at the western end of Hammondstreet Road and on the edge of the Borough at Wormley West End. Both localities even now have substantial areas of important old grassland. Cattle grazing and, in more recent times, horse grazing, has been their main use. In ecological terms, they are important as an adjunct to the woodland habitats of the Broxbourne Woods themselves, offering foraging areas for a wide range of woodland wildlife, without which the biological diversity of the woodlands would decline. Old grasslands also occur north of Goff's Oak where a complex of ancient pastures has survived agricultural 'improvement' through having been associated with the glasshouse industry.
- 2.1.3a Whilst the Council is particularly concerned that nationally designated sites are affordable the necessary degree of protection, there are in the region of 100 other sites which have been identified by The Herts and Middlesex Wildlife Trust as of local significance, the majority of which are located within the rural area. Each of these sites is identified on The Proposals Map. The Council's approach to the determination of development proposals affecting such sites is set out in section 2.8.
- 2.1.4 The Lee Valley Corridor, along the eastern edge of the Borough, provides a second valuable wildlife habitat. Although the historic wetlands of the flood plain have been severely disturbed by mineral excavation, some of the basic wetland characteristics of open water, fen swamp and riverine woodland have regenerated to give a complex of wetland habitats scarcely equalled in Hertfordshire. In addition to the protection afforded by normal green belt restraint policies, a key objective of the Lee Valley Regional Park Authority is to afford protection and seek to enhance the natural bio-diversity of the area. Turnford and Cheshunt Gravel Pits are included within the Lee Valley. A Special Protection Area (SPA) and RAMSAR site due in part to the importance of the area for birdlife.
- 2.1.4a Finally, it should not be forgotten that it is important to protect and, indeed, seek to enhance the appearance of the countryside in order to derive maximum value from it as a visual amenity. Hence this chapter also addresses the issue of landscape protection and enhancement.

2.2 Green Belt policy objectives.

- 2.2.1 Having regard to the above, the Council's objectives for its green belt countryside are thus:
- (I) to protect the countryside from unnecessary or inappropriate development;
 - (II) to protect and enhance the appearance of the countryside and conserve and positively manage important landscape features
 - (III) to increase and promote public access to the countryside;
 - (IV) to afford appropriate degrees of protection to nationally and locally designated wildlife sites.

- (V) to provide a robust policy framework for tackling any remaining, or future, areas of dereliction; and
- (VI) to ensure that any development which is considered appropriate in the green belt is carefully assimilated into the countryside by means of its siting, its very careful design and its good quality landscaping.

2.3 Principles underlying Green Belt and Countryside policies.

2.3.1 Central government policy in respect of green belts is set out in PPG2 Green Belts. This states that the most important attribute of a green belt is its openness, and that the fundamental aim of policy for green belts is to keep land included within them permanently open. Once the general extent of a green belt has been approved, it should be altered only in exceptional circumstances. The guidance note continues by stating 5 purposes for including land within a green belt, vis:-:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

2.3.2 The continuous sprawl of development which occurred in the early decades of the 20th century along the Lee Valley corridor in response to communications improvements, before the advent of Town and Country Planning legislation, provides ample testimony to the importance of the first two of the five criteria listed above. The Council has been mindful of these criteria when carefully selecting the areas where revisions are proposed to the green belt boundary in Broxbourne.

2.3.3 Government guidance also seeks to promote a positive role for green belt land in fulfilling the following stated objectives:

- to provide opportunities for access to open countryside for the urban population;
- to provide opportunities for outdoor sport and outdoor recreation near urban areas;
- to retain attractive landscapes and enhance landscapes near to where people live;
- to improve damaged and derelict land around towns;
- to secure nature conservation interests; and
- to retain land in agricultural, forestry and related uses.

2.3.4 Policy 5 of The Adopted Hertfordshire Structure Plan Review 1991 to 2011 seeks to maintain a green belt about 12-15 miles deep around London, with limited radial extensions along key transport axes. It is for the relevant Borough and District Councils to define the precise boundaries of the green belt within their administrative areas. This may include changes to the green belt as currently defined around towns when required for the purpose of providing for limited peripheral development, as allowed for by policy 7 of the Structure Plan. This sets

out the main development strategy for the county for the period to 2011. It contains a clear emphasis on planned regeneration as the preferred vehicle for bringing development forward and the Council has been mindful of this in allocating future development sites. However, it is recognised that there will be many instances throughout Hertfordshire where planned regeneration alone will not adequately cater for the development needs of the next decade.

2.3.5 Adopted Structure Plan Review policy 7 provides for three instances when limited peripheral development will be acceptable, vis:-

- I) where planned regeneration opportunities have been fully explored; and
- II) where limited peripheral development can provide demonstrable sustainability benefits to the town; and
- III) where such limited peripheral development is planned within the context of the town as a whole.

2.3.6 A further requirement of the Structure Plan is that the Borough's proposals for limited peripheral development must be based upon sustainability principles, as set out in the Structure Plan and examined in the first chapter of this Plan.

2.3.7 The Structure Plan also reiterates central government's policy objectives for green belt land and states that any development which is allowed within the green belt should aim to contribute to these objectives. It is a legal requirement that the policies advanced in this Local Plan be in generally conformity with both central government and Structure Plan policies. Hence the Borough Council's objectives for its green belt policies reiterate those included in PPG2 and in Structure Plan Policy 4. Policies designed to fulfil these objectives are set out in this chapter, grouped into four categories, vis:-

- Policy relating to the green belt boundary
- Policy for development in the green belt
- Policy for landscape enhancement and promoting public access to the countryside : and
- Policy for nature conservation.

2.4 Metropolitan Green Belt Boundary.

2.4.1 The Green Belt boundary proposed in this Plan has been redefined to:

- ensure that green belt protection continues to be afforded to land which meets the five stated purposes for including land within a green belt;
- protect the Borough's most important landscapes and wildlife habitats;
- be readily recognisable on the ground by following natural features or clear demarcation lines wherever possible;
- meet the development needs of the Borough to 2011 where these cannot be met elsewhere from land within the urban area.

- 2.4.2 Consideration of the Borough's development needs, particularly in the context of the findings of the most recent (January 2002) Urban Capacity Study, has enabled the Council to promote a reduced number of amendments to the existing green belt boundary, compared with First Deposit. These amendments are listed in policy GBC1, and defined on the Proposals Map, with the rationale for the proposed revisions being examined in more detail in the relevant chapters of this Plan.

GBC1 REVISIONS TO GREEN BELT BOUNDARY

TO PROVIDE FOR THE DEVELOPMENT NEEDS OF THE BOROUGH AS SET OUT IN POLICIES 5 AND 7 OF THE ADOPTED HERTFORDSHIRE STRUCTURE PLAN REVIEW 1991 - 2011, AND TO ENSURE A CLEARLY IDENTIFIABLE AND DEFENSIBLE GREEN BELT BOUNDARY ON THE GROUND, THE COUNCIL IS MAKING REVISIONS TO THE EXISTING GREEN BELT BOUNDARY TO EXCLUDE THE FOLLOWING:

- (I) LAND ADJACENT TO THE NORTH BANK OF THE RIVERS LYNCH AND LEE AT HODDESDON, SOUTH OF ESSEX ROAD. (EMPLOYMENT AND EDUCATION CHAPTER)
- (II) LAND AT HERTFORD REGIONAL COLLEGE, TURNFORD. (SEE EMPLOYMENT AND EDUCATION CHAPTER)
- (III) LAND AT CHESHUNT SCHOOL, COLLEGE ROAD, CHESHUNT. (SEE EMPLOYMENT AND EDUCATION CHAPTER)
- (IV) LAND AT WHITEHAVEN, BURTON LANE AND PRIMROSE COTTAGE, ST JAMES. (TO ENSURE A CLEARLY IDENTIFIABLE AND DEFENSIBLE BOUNDARY)

THE RESULTANT BOUNDARY OF THE GREEN BELT IS DEFINED ON THE PROPOSALS MAP.

WITHIN THE GREEN BELT THERE WILL BE A PRESUMPTION AGAINST DEVELOPMENT OTHER THAN THAT DEFINED IN POLICY GBC2.

2.5 Development within the Metropolitan Green Belt.

- 2.5.1 In accordance with central government policy and the fundamental objective of maintaining the openness of the green belt, development within it will continue to be tightly controlled and inappropriate development strongly resisted. Thus, there will be a presumption against all but appropriate development, in contrast with the general presumption in favour of development which applies within the urban areas of the Borough. Since most development is promoted by private landowners/developers, the Council's role in protection of the green belt is largely reactionary. However, and in accordance with policy 7 of the Structure Plan, the Council will seek to ensure that development which is acceptable in principle within the green belt does not harm its overall objectives for the green belt as set

out in paragraph 2.2.1 above. Since many buildings already exist within the countryside their reuse, in appropriate circumstances, should not materially impinge upon openness. Because of changes that have taken place, and seem likely to continue to occur, within the agricultural industry (in the case of Broxbourne, primarily in horticulture) and the commitment of central government to farm diversification, the reuse of existing buildings of permanent construction for new enterprises will be encouraged where it complies with other policies for this Plan. This is explored fully in paras 2.5.16. 2.5.16a and 2.5.16b and in policy GBC14.

- 2.5.2 The Council does have a role in providing land for cemetery use, and this may impact upon the green belt. PPG2 indicates, however, that cemeteries do not conflict with the purposes of including land within a green belt since they should preserve openness. Planning permission exists for an extension to Bury Green cemetery in the south of the Borough, on green belt land, on land east and north of Lieutenant Ellis Way at Bury Green. However, additional land is required in association with Hoddesdon cemetery. It is important to residents that burial space should be available local to their own communities. Hence, the Council is actively seeking additional green belt land in the north of the Borough for development as a cemetery to meet local needs. Consultation will be undertaken with The Environment Agency over the choice of a site or sites which should be well located in relation to public as well as private transport and designed to incorporate landscape enhancement measures together with opportunities for quiet countryside recreation. The Council will also participate in an assessment of the need for burial space with adjacent authorities.

GBC2 DEVELOPMENT WITHIN THE METROPOLITAN GREEN BELT

IN ORDER TO PRESERVE OPENNESS WITHIN THE METROPOLITAN GREEN BELT, AS DEFINED ON THE PROPOSALS MAP, PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT OTHER THAN:

- (I) THE CONSTRUCTION OF NEW BUILDING(S) FOR THE FOLLOWING PURPOSES:
 - (a) AGRICULTURE OR FORESTRY;
 - (b) ESSENTIAL SMALL SCALE FACILITIES ASSOCIATED WITH OUTDOOR SPORT OR OUTDOOR RECREATION AND FOR CEMETERIES;
 - (c) OTHER USES OF LAND WHICH PRESERVE THE OPENNESS OF THE GREEN BELT AND DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND WITHIN IT;
 - (d) LIMITED EXTENSIONS TO, ALTERATION OR REPLACEMENT OF, EXISTING DWELLINGS SUBJECT TO THE REQUIREMENTS OF POLICIES GBC11 AND GBC 13

(II) THE RE-USE OF AN EXISTING BUILDING SUBJECT TO FULFILMENT OF THE REQUIREMENTS OF POLICY GBC15.

(III) MINERALS EXTRACTION WHICH ACCORDS WITH THE ADOPTED MINERALS PLAN.

2.5.3 Agriculture (which includes horticulture) remains an important user of green belt land despite the decline in the number of individual farms and nurseries. The glass house industry, in particular, suffered serious decline in the 1980's, as a result of which many glasshouses fell into dereliction. This was a key issue which was addressed by the 1986 Structure Plan Review, and resulted in the adoption of policy 54. This stated that "In the area between Flamstead End and Goffs Oak, a local plan will be prepared to guide the long term development of the area. Some land will be excluded from the green belt but existing stretches of open land penetrating the area will be retained". Furtherance of this policy led ultimately to the adoption of former West Cheshunt policies WC1, WC2 and WC3 (St James' Village) and to large scale residential development accommodating in the region of 1100 dwellings. As a consequence of redevelopment, most of the earlier dereliction has now been substantially cleared. The Council is of the view that a good, but delicate, balance has been achieved in West Cheshunt between development and retained countryside, in accordance with the stated aim of policy 54 of the 1986 Adopted Structure Plan to retain stretches of open land penetrating the area. It therefore intends to resist further development over and above the level provided for by the 1986 Structure Plan within the West Cheshunt area.

2.5.3a Where a genuine need can be demonstrated for new building in the green belt related to agriculture or forestry, applications will be assessed against policy GBC3. The assessment of need should include reference to existing buildings on the holding and their suitability for continued or reuse for agricultural or forestry purposes, either in their existing form or in an adapted form.

GBC3 AGRICULTURAL AND FORESTRY BUILDINGS

THE COUNCIL WILL REQUIRE ALL PROPOSALS FOR NEW BUILDING CONNECTED WITH AGRICULTURE OR FORESTRY, AND FOR WHICH PLANNING PERMISSION IS REQUIRED, TO DEMONSTRATE A NEED RELATED TO THE CONTINUED VIABILITY OF THE ENTERPRISE; AND TO INCORPORATE MEASURES TO MINIMISE THEIR ENVIRONMENTAL IMPACT.

2.5.4 Viable horticultural and agricultural businesses occasionally give rise to a need for a new dwelling notwithstanding that residential development is inappropriate within the green belt. It is important that the promoters of such development recognise that it is proof of the needs of the enterprise which will dictate the success of such proposals and not personal or other circumstances. However, given the relative decline of bona fide agriculture within the Borough, the Council wishes it to be understood that any applications for new dwellings in the green belt associated with agriculture will be subject to very rigorous scrutiny with the onus being placed firmly upon the applicant to justify a proposal. Applications for new dwellings

associated with agriculture or forestry will be assessed on the basis of the advice contained within Annex I to PPG7 having regard to the following policy.

GBC4 AGRICULTURAL AND FORESTRY DWELLINGS

(I) APPLICATIONS FOR NEW DWELLINGS CONNECTED WITH AGRICULTURE OR FORESTRY WILL BE REFUSED UNLESS IT CAN BE DEMONSTRATED THAT:

(a) IN THE CASE OF TEMPORARY ACCOMMODATION - THERE IS A FUNCTIONAL NEED RELATED TO AN ENTERPRISE WHICH IS ALREADY ESTABLISHED ON THE HOLDING AND FOR WHICH A BUSINESS PLAN HAS BEEN PROVIDED TO COVER THE PERIOD FOR WHICH THE TEMPORARY PERMISSION IS SOUGHT. THE BUSINESS PLAN SHOULD DEMONSTRATE THAT THE ENTERPRISE HAS BEEN PLANNED ON A SOUND FINANCIAL BASIS SUCH THAT LONGER TERM VIABILITY IS LIKELY TO BE ACHIEVED. CONFIRMATION WILL BE SOUGHT THAT THE BUSINESS PLAN HAS BEEN AGREED WITH THE RELEVANT FUNDING BODY.

(b) IN THE CASE OF PERMANENT ACCOMMODATION - THERE IS A CLEARLY ESTABLISHED EXISTING FUNCTIONAL NEED WHICH RELATES TO A REQUIREMENT FOR A FULL TIME WORKER; THE ENTERPRISE HAS BEEN ESTABLISHED FOR AT LEAST THREE YEARS, IS CURRENTLY FINANCIALLY SOUND AND HAS A CLEAR PROSPECT OF REMAINING SO.

(c) IN ALL CASES, THE FUNCTIONAL NEED CANNOT BE FULFILLED BY ANOTHER DWELLING ON THE HOLDING, OR BY ANY OTHER EXISTING ACCOMMODATION IN THE AREA WHICH IS SUITABLE AND AVAILABLE FOR OCCUPATION BY THE WORKER(S) CONCERNED.

(d) THE SIZE AND FORM OF CONSTRUCTION OF THE DWELLING IS COMPATIBLE WITH THE FUNCTIONAL REQUIREMENT OF THE HOLDING.

(II) THE COUNCIL WILL IMPOSE A RESTRICTIVE OCCUPANCY CONDITION TO ENSURE THAT SUCH DWELLINGS ARE RETAINED AND UTILISED FOR THE PURPOSE FOR WHICH THEY ARE ALLOWED.

2.5.5 Over the years, and as an exception to normal green belt policy, a number of agriculturally restricted dwellings have been built in locations where housing would not normally be acceptable, to meet a specific recognised need. In some instances, circumstances may have changed and it may be that the continuation of a restriction on occupancy becomes inappropriate. However, because of the

benefit which was originally conferred by the grant of a planning permission, restrictive conditions will only be removed when it has been proven conclusively to the satisfaction of the Council that a benefit would no longer accrue to the wider community by maintaining the restriction. The Council will judge applications for the removal of restrictive occupancy conditions against Policy GBC5.

GBC5 REMOVAL OF AGRICULTURAL OCCUPANCY CONDITIONS

APPLICATIONS TO REMOVE RESTRICTIVE OCCUPANCY CONDITIONS FROM AGRICULTURAL DWELLINGS WILL NEED TO DEMONSTRATE THAT THERE IS NO REASONABLE LIKELIHOOD OF THE DWELLING BEING OCCUPIED AGAIN IN CONNECTION EITHER WITH THE HOLDING WHICH IT WAS ORIGINALLY GRANTED TO SERVE, OR WITH ANY OTHER AGRICULTURAL OR FORESTRY ENTERPRISE IN THE LOCALITY, OR IN CONNECTION WITH OTHER PREDOMINANTLY OPEN USES OF GREEN BELT LAND.

THE COUNCIL WILL REQUIRE COMPELLING EVIDENCE OF A FUNDAMENTAL CHANGE IN THE AGRICULTURAL CIRCUMSTANCES OF THE HOLDING AND EVIDENCE OF A LACK OF NEED IN THE AREA GENERALLY FOR DWELLINGS TO SERVE AGRICULTURAL/FORESTRY HOLDINGS OR OTHER SPECIFIC GREEN BELT RELATED USES BEFORE BEING MINDED TO APPROVE SUCH APPLICATIONS.

- 2.5.6 There are several other uses, in addition to agriculture or forestry, which can be undertaken on land in a green belt and maintain its openness. Principal amongst these in the Borough are outdoor sport and recreation (including golf courses, horse riding activities, parks and sports pitches) and cemeteries. Because such uses potentially cover large tracts of land, impact on the local landscape will be a particularly important consideration. Applications for planning permission for such uses will be judged against policy GBC 6.

GBC6 PROPOSALS FOR NON-AGRICULTURAL USES OF GREEN BELT LAND

- (I) APPLICATIONS FOR THE USE OF LAND (AS OPPOSED TO BUILDINGS) WITHIN THE GREEN BELT FOR NON AGRICULTURAL PURPOSES WILL BE ASSESSED AGAINST THE FOLLOWING CRITERIA:
- (a) LAND THAT IS OF THE HIGHEST QUALITY AND MOST VERSATILE SHOULD ONLY BE DEVELOPED IN EXCEPTIONAL CIRCUMSTANCES. WHERE A NEED IS NEVERTHELESS DEMONSTRATED, AND THERE IS A CHOICE BETWEEN SITES OF DIFFERENT GRADES, DEVELOPMENT WILL BE DIRECTED TOWARDS LAND OF THE LOWEST GRADE;

- (b) CHANGES OF USE SHOULD INCLUDE MEASURES TO PROTECT POSITIVE QUALITIES OF THE EXISTING LANDSCAPE TOGETHER WITH LANDSCAPE ENHANCEMENT MEASURES;
 - (c) IT MUST BE DEMONSTRATED THAT THE LOCAL HIGHWAY NETWORK CAN SATISFACTORILY ACCOMMODATE THE TRAFFIC GENERATED BY THE PROPOSAL.
 - (d) THE DEVELOPMENT SHOULD NOT GIVE RISE TO ANY MATERIAL ADVERSE ENVIRONMENTAL EFFECTS EXCEPT WHERE OTHER SUSTAINABILITY CONSIDERATIONS INDICATE OTHERWISE
- (II) IN THE CASE OF HORSE RELATED ACTIVITIES, IT WILL ALSO BE NECESSARY TO DEMONSTRATE THAT:
- (a) THE AMOUNT OF HORSE RELATED ACTIVITY WHICH IS LIKELY TO RESULT WOULD NOT HAVE A SIGNIFICANTLY ADVERSE IMPACT UPON THE ECOLOGY AND MANAGEMENT OF AREAS OF NATURE / WILDLIFE INTEREST;
 - AND
 - (b) SAFE AND CONVENIENT ACCESS IS AVAILABLE TO THE BRIDLEWAY NETWORK AND CONFLICT WILL NOT BE CAUSED BETWEEN HORSES AND VEHICULAR TRAFFIC.

2.5.7 Even uses which preserve the openness of the green belt may necessitate some modest form of building to provide basic incidental facilities such as changing rooms/toilets etc. or in the case of horse related activities, stabling. Proposals for buildings required in association with acceptable uses of green belt land will be judged in accordance with policy GBC 7 . Conditions may be imposed to ensure that any such buildings are retained for purposes directly related to the approved land use.

GBC7 BUILDINGS REQUIRED IN ASSOCIATION WITH PREDOMINANTLY OPEN USES OF GREEN BELT LAND

- (I) ESSENTIAL SMALL SCALE FACILITIES REQUIRED IN ASSOCIATION WITH THE PREDOMINANTLY OPEN USE OF GREEN BELT LAND WILL BE CONSIDERED AGAINST THAT THE FOLLOWING CRITERIA:
 - (a) WHETHER THE BUILDING WOULD BE PROMINENT IN VIEWS FROM LOCAL VANTAGE POINTS HARM THE APPEARANCE OF THE AREA;
 - (b) WHETHER THE EXISTING LANDSCAPE FEATURES ARE RETAINED AND REINFORCED.
 - (c) WHETHER THE BUILDING IS ACCEPTABLE IN TERMS OF OTHER PLANNING REQUIREMENTS.

- (II) IN THE CASE OF BUILDINGS REQUIRED IN CONNECTION WITH HORSE KEEPING, THE PROPOSAL ACCORDS WITH THE APPROPRIATE STANDARDS OF THE COUNTRYSIDE COMMISSION BOOKLET "HORSES IN THE COUNTRYSIDE" OR WITH THE STANDARDS OF A SIMILARLY RECOGNISED AUTHORITY.

2.5.8 Occasionally, an open use of land may give rise to the need for residential accommodation. There exists a strong presumption against the erection of any form of new dwelling in the green belt, unless very special circumstances are proved to exist. As with agriculturally related dwellings, the very special circumstances must relate to the proven needs of the enterprise and not to the personal requirements of the operator. The Council will judge such applications against GBC8, and will impose restrictive occupancy conditions to ensure that such dwellings are retained for the purpose(s) for which they are allowed.

GBC8 ANCILLARY DWELLINGS IN THE GREEN BELT

- (I) THE COUNCIL WILL NOT GRANT PERMISSION FOR A DWELLING ANCILLARY TO AN APPROPRIATE GREEN BELT ACTIVITY UNLESS VERY SPECIAL CIRCUMSTANCES ARE DEMONSTRATED. THE FOLLOWING CRITERIA WILL APPLY:
- (a) IT MUST BE DEMONSTRATED THAT IT IS ESSENTIAL, IN THE INTERESTS OF THE PROPER FUNCTIONING OF THE ACTIVITY, FOR THERE TO BE A PERMANENT PRESENCE ON THE SITE;
 - (b) THE FUNCTIONAL NEED CANNOT BE FULFILLED BY AN EXISTING DWELLING CLOSE BY WHICH IS SUITABLE AND IS, OR COULD BECOME, AVAILABLE FOR OCCUPATION BY THE WORKER CONCERNED;
 - (c) THE SIZE AND FORM OF CONSTRUCTION OF THE DWELLING IS COMPATIBLE WITH THE FUNCTIONAL REQUIREMENT OF THE PRIMARY USE WHICH JUSTIFIES THE PROVISION OF ACCOMMODATION;
- (II) THE COUNCIL WILL IMPOSE A RESTRICTIVE OCCUPANCY CONDITION TO ENSURE THAT THE DWELLING IS RETAINED FOR THE PURPOSE FOR WHICH IT IS ALLOWED.

2.5.9 As with agriculturally tied dwellings, there will be a strong presumption against the removal of restrictive occupancy conditions from dwellings which have been allowed only because of the existence of very special circumstances. The Council will apply GBC9 in considering any such applications.

GBC9 REMOVAL OF RESTRICTIVE (NON AGRICULTURAL) OCCUPANCY CONDITIONS

APPLICATIONS TO REMOVE RESTRICTIVE OCCUPANCY CONDITIONS ON DWELLINGS WHICH ARE TIED TO A USE OF GREEN BELT LAND WILL NEED TO DEMONSTRATE THAT THE ASSOCIATED USE IS NO LONGER VIABLE, AND THAT THERE IS NO DEMAND FROM ANY OTHER GREEN BELT USE WITHIN THE LOCALITY FOR THE ACCOMMODATION.

- 2.5.10 There are other uses which, because of the scarcity of suitable urban land within the Borough, have been allowed to become established within its green belt area despite the fact that they include an element of residential use. These are sites for Travelling Showpeople and sites for Gypsies.
- 2.5.11 There are currently two permanent sites for Travelling Showpeople, both sited on the south side of Goffs Lane in West Cheshunt. The larger of the two, located at the junction of Goffs Lane and Lieutenant Ellis Way, includes provision for a total of 12 families together with an area for storage and a building for the maintenance of fairground equipment etc. The smaller site lies to the west of Lafiya House at 579 Goffs Lane and accommodates 4 families plus maintenance of fairground equipment within an existing building and on a defined part of the site. There is an third group of show people who have regularly resided in and resorted to the Borough for in excess of thirty years but who have so far been unable to find a site suitable for permanent occupation. The Council considers that the area of Borough best suited for such a site lies within North-East Hoddesdon on land opened up for development, once the Essex Road Improvement Scheme has been implemented.
- 2.5.11a It continues to be important however, to ensure that the existing sites (and any new site provided in the future) are not developed for other purposes, thereby giving rise to a need for additional provision elsewhere. Policy GBC10 is accordingly intended to prevent redevelopment. In the event that either group of showpeople chose to vacate either of the existing sites during the period of this plan, normal green belt policies will be applied to future uses of these sites.

GBC10 TRAVELLING SHOWPEOPLE

- (I) THE COUNCIL WILL SUPPORT THE PROVISION OF A SUITABLE SITE FOR PERMANENT OCCUPATION BY TRAVELLING SHOWPEOPLE IN NORTH-EAST HODDES DON TO ACCOMMODATE A GROUP WHO HAVE REGULARLY RESIDED IN THE BOROUGH.
- (II) THE COUNCIL WILL RESIST REDEVELOPMENT OF EXISTING SHOWPEOPLE'S SITES AND ANY NEW SITE WHICH MAY BE APPROVED, UNLESS IT CAN BE CONCLUSIVELY DEMONSTRATED THAT A REQUIREMENT FOR ALTERNATIVE PROVISION FOR SHOWPEOPLE NORMALLY RESIDENT IN THE BOROUGH WILL NOT ARISE. ANY PROPOSALS FOR REDEVELOPMENT WILL BE CONSIDERED IN ACCORDANCE WITH OTHER RELEVANT GREENBELT POLICIES IN THIS CHAPTER.

- 2.5.12 Provision of accommodation for Gypsies is the responsibility of the County Council. There is one permanent Gypsy site within the Borough, at Halfhide Lane. The possible redevelopment of that site together with the issue of re-location of its occupants is considered in the Greater Brookfield chapter of this Plan. The Borough Council is not aware of any identified need for any additional accommodation for Gypsies.
- 2.5.13 Despite the fact that the residential use of green belt land has long been held to be inappropriate, many houses exist within the green belt for historic reasons. As with dwellings within the urban area, these need to be able to adapt to changes over time. However, the cumulative impact of even relatively modest changes to existing dwellings can result in a loss of openness and it is therefore important that the Council continues to exercise a tight degree of control. The focus of that control will be on the impact of the proposed extensions/alterations on the size and appearance of the dwelling as originally built, and on the appearance of the area. All proposals to extend or alter dwellings in the green belt will be expected to be sympathetic to the character and appearance of the dwelling and to designed to be integral with, and subordinate to, the existing dwelling or the dwelling as originally constructed, if it has been extended previously. Proposals which seek to rectify deficiencies in existing properties, in terms of lack of basic modern amenities, or poor standards of construction and insulation, are likely to be more favourably received. As with dwellings in the urban area, this policy also covers proposals for incidental buildings within the curtilage of a dwelling where there is a need for a formal planning permission. Further assistance with understanding of the Council's policy towards extensions to properties in the green belt is provided in Supplementary Planning Guidance.

GBC11 EXTENSION AND ALTERATION OF EXISTING DWELLINGS IN THE GREEN BELT (INCLUDING FREE STANDING BUILDINGS WITHIN THE RESIDENTIAL CURTILAGE.)

- (I) THE EXTENSION OR ALTERATION OF A DWELLING IN THE GREEN BELT WILL NOT BE PERMITTED IF IT WOULD RESULT IN DISPROPORTIONATE ADDITIONS OVER AND ABOVE THE SIZE OF THE DWELLING AS ORIGINALLY BUILT.
 - (II) EXTENSIONS AND ALTERATIONS WHICH WOULD RESULT IN DEVELOPMENT INTRUDING INTO VISUALLY IMPORTANT OPEN SPACES OR GAPS TO THE DETRIMENT OF THE CHARACTER OF THE LOCALITY WILL NOT BE PERMITTED.
 - (III) THE COUNCIL WILL PAY DUE REGARD TO THE EFFECT OF THE PROPOSED EXTENSION AND/OR ALTERATIONS ON THE OPENNESS AND APPEARANCE OF THE GREEN BELT.
- 2.5.14 Applications are sometimes made to the Council to extend the residential curtilage of a dwelling, that is, the area of land directly associated with the dwelling (normally its garden) into adjoining open land. Such proposals can adversely affect

the character and openness of the countryside and will therefore normally be resisted.

GBC12 EXTENSION OF RESIDENTIAL CURTILAGE

THE EXTENSION OF THE CURTILAGE OF A RESIDENTIAL PROPERTY WHICH INVOLVES AN INCURSION INTO OPEN COUNTRYSIDE WILL NOT BE PERMITTED.

- 2.5.15 No part of the green belt within Broxbourne is far removed from facilities or an urban centre. In accordance with the principles established in PPG2, the Council therefore does not wish to prevent the replacement of existing dwellings which are reaching the end of their useful life, subject to compliance with the primary objective of its green belt policies, namely the preservation of openness. Applications for replacement dwellings will be considered against GBC13. Where the original dwelling has previously been extended, and the volume of any such extension has been taken into account in determining the size of the replacement dwelling, permitted development rights for extensions may be removed from the replacement dwelling.

GBC13 REPLACEMENT DWELLINGS IN THE GREEN BELT

THE REPLACEMENT OF A DWELLING IN THE GREEN BELT WILL NOT BE PERMITTED IF IT WOULD RESULT IN A NEW DWELLING MATERIALLY LARGER AND OF MATERIALLY GREATER VISUAL IMPACT THAN THE DWELLING WHICH IT REPLACES

- 2.5.16 The local decline in the agricultural sector, and especially in horticulture, combined with changes in operating practices, have resulted in a number of buildings in the countryside no longer being required for their original purpose. Such a trend is not, of course, unique to Hertfordshire. Central government has recognised the need to encourage farm diversification nation-wide. Reform of the European Common Agricultural Policy (CAP) is changing the direction of agriculture with greater emphasis being given to environmental aims. The England Rural Development Programme(ERDP) redirects CAP funds to support the new approach.
- 2.5.17 Whilst the Council wishes to be supportive of well conceived farm diversification schemes, the situation in the Borough is somewhat different from the norm because of the previous importance of horticulture. Hence, redundant agricultural buildings in Broxbourne, are more likely to be glass structures which cannot readily be adapted for new uses, rather than the more traditional brick and tile or modern concrete block buildings, commonly found on farms. Many derelict glasshouses were cleared during the 1990's by the redevelopment programme which took place in West Cheshunt. Whilst the Council is aware that some problem areas remain, it is not prepared to countenance further redevelopment as previously included in the First Local Plan Review adopted in 1994, because of the irrevocable harm which would be caused to the character and appearance of the Green Belt. Furthermore, redevelopment cannot be conceived of as being diversification of the economy of a rural business. However, the Council may

accept diversification of horticultural business into activities which are compatible with the rural environment and which can be undertaken from existing structures on nurseries.

2.5.18 Where existing buildings which are considered worthy of retention can be utilised, complying with the criteria in parts (I) (a) of GBC15 the Council will be supportive of well conceived farm diversification schemes for business purposes which are consistent in their scale with their rural location. Levels of commercial traffic generation on rural roads, will be an important consideration in terms of assessing the acceptability of proposals. Farm diversification schemes will be assessed against Policy GBC14. Applications for new buildings and uses in connection with farm diversification projects should be accompanied by a Business Plan to demonstrate the viability of the project.

GBC 14 RURAL DIVERSIFICATION

FARM DIVERSIFICATION SCHEMES WILL BE PERMITTED WHERE:

- (I) THE PROPOSAL RETAINS EXISTING, OR PROVIDES ADDITIONAL EMPLOYMENT;
- (II) THE PROPOSAL IS COMPLEMENTARY TO THE AGRICULTURAL OPERATION AND WILL BE OPERATED IN SUPPORT OF THE FARM HOLDING AND IN ASSOCIATION WITH CONTINUING FARMING ACTIVITIES;
- (III) THE SCALE AND CHARACTER OF THE USE IS APPROPRIATE TO THE RURAL LOCATION AND THE AMOUNT OF ACTIVITY ASSOCIATED WITH IT WILL NOT MATERIALLY EXCEED THAT TRADITIONALLY ASSOCIATED WITH THE HOLDING;
- (IV) THE PROPOSAL UTILISES EXISTING BUILDINGS WHICH FULFIL THE CRITERIA OF (a) OF PART (I) OF POLICY GBC15;
- (V) THE PROPOSAL WILL NOT RESULT IN A MATERIAL INCREASE IN COMMERCIAL TRAFFIC ON RURAL ROADS;
- (VI) THE PROPOSAL WILL NOT HAVE A MATERIALLY GREATER IMPACT IN TERMS OF THE LOCAL ENVIRONMENT, RESIDENTIAL AMENITY, ARCHAEOLOGICAL OR ECOLOGICAL INTERESTS.

NEW BUILDINGS WILL ONLY BE PERMITTED WHERE:

- (I) IT IS CONCLUSIVELY DEMONSTRATED THAT THE FORM(S) OF DIVERSIFICATION PROPOSED ARE THE ONLY VIABLE OPTION(S) FOR THE HOLDING;

- (II) EXISTING BUILDINGS ON THE HOLDING ARE NOT SUITABLE, OR ARE NOT CAPABLE OF BEING MADE SUITABLE, THROUGH ADAPT ION OR EXTENSION TO MEET THE REQUIREMENTS OF THE PROPOSED DIVERSIFICATION SCHEME;
 - (III) BUILDINGS ARE OF THE MINIMUM SIZE NECESSARY TO FULFIL THE NEEDS OF THE NEW ENTERPRISE AND ARE LOCATED WITHIN OR ADJACENT TO, THE EXISTING COMPLEX OF FARM BUILDINGS;
 - (IV) EVIDENCE OF THE INTENTION TO ESTABLISH THE NEW BUSINESS ON A SOUND FINANCIAL BASES IS PROVIDED;
 - (V) REMAINING BUILDINGS AND STRUCTURES ON THE HOLDING WHICH ARE SUPERFLUOUS TO THE REQUIREMENTS OF THE EXISTING FARM BUILDING AND THE NEW BUSINESS ARE DEMOLISHED WITHIN AN AGREED TIME FRAME RELATED TO THE ESTABLISHMENT OF THE NEW BUSINESS;
- AND
- (VI) APPROPRIATE LANDSCAPING WHICH FOSTERS LOCAL LANDSCAPE CHARACTER IS UNDERTAKEN

2.5.16c As well as farm and horticultural buildings, there will also be other buildings within the rural area which over time may require a new use. Some, though not all, of these buildings make a worthwhile contribution to the character and appearance of the countryside and the Council is accordingly supportive of their reuse in order to secure their future. There are 2 key facets to an assessment of such proposals: Firstly, whether the building(s) make a positive contribution to the character and appearance of the area such as to warrant retention; in its own right; and secondly whether the use proposed is the most suitable for the building(s) concerned having regard to minimising the effects of changes to both the fabric of the building and its immediate environs. The Council will therefore have regard to the following detailed points, as set out in GBC15, in assessing applications.

GBC15 RE-USE OF EXISTING RURAL BUILDINGS

- (I) APPLICATIONS FOR THE RE-USE OF RURAL BUILDINGS WILL NEED TO DEMONSTRATE THAT ALL OF THE FOLLOWING CRITERIA ARE SATISFIED BEFORE THE COUNCIL WILL CONSIDER THE GRANT OF PLANNING PERMISSION:
 - (a) IN RESPECT OF THE BUILDING,
 - (i) IT IS OF PERMANENT CONSTRUCTION AND CAPABLE OF RE-USE WITHOUT MAJOR RECONSTRUCTION, ALTERATION OR EXTENSION;
 - (ii) THE BULK, FORM, MATERIALS OF CONSTRUCTION AND GENERAL DESIGN OF THE BUILDING ARE IN KEEPING WITH

ITS SURROUNDINGS SUCH THAT THE BUILDING DOES NOT HAVE A NEGATIVE IMPACT ON THE AREA;

AND

- (iii) THE PROPOSED CONVERSION IS SYMPATHETIC TO THE CHARACTER AND APPEARANCE OF THE BUILDING AND ITS LOCALITY;

(b) IN RESPECT OF USES,

- (i) THE PROPOSAL REPRESENTS A SUSTAINABLE USE FOR BOTH THE BUILDING AND THE LOCATION CONCERNED; IN THE CASE OF PROPOSALS FOR RESIDENTIAL USE, BUSINESS, COMMUNITY OR TOURIST USES, OR CONVERSION TO AFFORDABLE HOUSING, HAVE BEEN SHOWN TO BE EITHER INAPPROPRIATE IN PLANNING TERMS OR OTHERWISE IMPRACTICAL

- (ii) UNDUE DETRIMENT WILL NOT BE CAUSED TO THE AMENITY OF NEARBY RESIDENTS;

- (iii) THE LEVEL OF TRAFFIC GENERATED BY THE PROPOSED USE IS APPROPRIATE TO THE LOCATION, AND CAN BE SAFELY ACCOMMODATED BOTH BY ROADS LEADING INTO THE SITE AND BY THE SITE ACCESS;

AND

- (iv) THE PROVISION OF ANY HARD STANDINGS, MEANS OF ENCLOSURE OR OTHER FEATURES REQUIRED IN CONNECTION WITH THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE APPEARANCE OR OPENNESS OF THE SURROUNDING COUNTRYSIDE.

- (II) THE COUNCIL WILL REQUIRE FULL DETAILS OF THE WORKS NECESSARY TO EFFECT CONVERSION TO BE SUBMITTED WITH THE APPLICATION FOR PLANNING PERMISSION, TOGETHER WITH A STRUCTURAL SURVEY OF THE BUILDING.

WHERE PLANNING PERMISSION IS GRANTED FOR THE RE-USE OF A RURAL BUILDING, THE COUNCIL MAY IMPOSE A CONDITION TO WITHDRAW ANY PERMITTED DEVELOPMENT RIGHTS WHICH WOULD OTHERWISE ACCRUE FROM IMPLEMENTATION OF THE PLANNING PERMISSION.

2.6 Landscape enhancement.

- 2.6.1 Whilst it is acknowledged that the quality of the landscape is not relevant to the inclusion of land within a green belt or to its continued protection, the Council nevertheless wishes to promote the enhancement of the character and

appearance of the Borough's remaining countryside wherever possible, and to increase public access to it. Although there is an area of common land at West Cheshunt, public access to it is restricted. Within much of the rural area on the western side of the Borough, public access is limited to public footpaths and bridleways and to parts of Broxbourne woods, though the Lee Valley Park provides wide expanses of open countryside on the eastern edge of Broxbourne.

- 2.6.1a Sustainable development seeks to maintain the distinctive character of various landscapes and to enhance the environmental quality of the countryside whilst accommodating appropriate development. This is compatible with the positive role which central government has identified for green belts, with planning policy guidance notes, and strategic planning advice and Structure Plan policy.
- 2.6.2 Over two thirds of the borough comprises open countryside. Hertfordshire County Council has commissioned a detailed assessment of the characteristics of the County's landscape in furtherance of the process begun by the Countryside Agency in producing Natural Area profiles for the whole of England. Whilst the Natural Area profiles highlighted the distinctive ecology of rural areas, HCC's study analysed landscape character in broad brush terms via an assessment of physical influences, buildings and settlements, land cover and landscape changes. The Landscape Character Map of England showed Hertfordshire as lying within five character areas whereas HCC's more detailed study has broken these down into 93 discrete landscapes in the southern half of the County alone. Of these 93, eight discrete landscape character areas, fall within Broxbourne. These are defined on supporting map and listed below:

Area 55 THEOBALDS ESTATE

Complex layers of history are evident in the cultural pattern of the landscape, in which mixed farmland and parkland are a dominant feature. A strong pattern of discrete woodland blocks and medium to large open arable fields create an unusual patchwork of ecologically rich and sterile patches across the undulating landform. Low managed hedgerows allow long views across the arable slopes to the M25 in the south. Small farms are scattered across the estate.

Area 56 CHESHUNT COMMON

Open arable farmland squeezed between two urban areas and linking two areas of former parkland – Ponsbourne to the north and the Theobalds estate to the south. The local topography is very noticeable, swooping down from the north and made more obvious by the lack of woodland, hedges and settlements

Area 57 THUNDERFIELD RIDGES

Very rural area dominated by wave-like landform and opportunity for extensive long-range views. A small-scale mixture of woodland and pasture with limited 19th and 20th-century development. From the northern edge of Hammondstreet, a distinctive pattern of fields and woodland can be seen at Wormley West End

Area 58 WORMLEYBURY & CHESHUNT PARK

An area with modified remains of ancient oak/hornbeam woodlands in parkland settings with 18th and 19th-Century mixed plantations added. A complex mixture of

land uses almost masks this area's history, but clear traces of a medieval deer park and later parklands are evident. These are now covered by arable farmland, pasture with parkland and recreational uses.

Area 59 LEA VALLEY MARSHES

This is a wetland landscape of unified character, with nature conservation and recreation dominant. The Lea Valley Regional Park designation covers this whole area. The western edge is very crisp, the urban settlement held in by the railway, while the eastern edge is softer and more rural, with extensive woodland west of the B194 and mixed farmland and nursery production further north. Within the Park, there are a range of sub-character areas, including savannah, orchid meadow, birchwood and canal towpath.

Area 60 MIDDLE LEA VALLEY SOUTH

Less 'watery' than either of the two areas of the southern Lea Valley, due to greater areas of dry land and the difficulties of gaining access to the river or waterbodies. A complex and varied mix of industrial, commercial, urban and rural land uses, with glasshouses along its eastern flank and extensive operational and derelict minerals sites. The railway combines with housing development to provide a strong urban edge to the west.

Area 61 BROXBOURNEBURY

This area is now a mix of parkland, converted parkland and mixed farmland, with small areas of woodland scattered throughout.

Area 62 BROXBOURNE WOODS COMPLEX

Dense and extensive hornbeam coppice and forestry plantations in a linked series of woodlands on strongly undulating terrain. A very unified landscape with few other features. The north-south line of the ancient Ermine street through the woodland is a strong historic feature

- 2.6.3 The Council is also concerned to promote general enhancement of the landscape throughout the Borough's countryside. It will accordingly seek the incorporation of landscape enhancement measures whenever development is permitted within its green belt countryside in order to improve the appearance of the landscape. Within the constraints of available finance, the Council will support ecologically sound Landscape Enhancement measures and projects to restore visually damaged land and in appropriate circumstances, will address problems of dereliction which give rise to visual damage to the countryside through the use of powers conferred by the Planning and Building Acts to serve notices requiring the clearance of affected sites.

GBC16 LANDSCAPE CHARACTER AREAS AND ENHANCEMENT

- (I) THE COUNCIL EXPECTS ALL DEVELOPMENT PROPOSALS AFFECTING LAND WITHIN THE METROPOLITAN GREEN BELT TO INCORPORATE APPROPRIATE LANDSCAPE ENHANCEMENT MEASURES APPROPRIATE TO THE LOCAL CONTEXT.

- (II) DEVELOPMENT LIKELY TO SERIOUSLY DETRACT FROM THE CHARACTER OR APPEARANCE OF THE COUNTRYSIDE WILL BE RESISTED.

2.7 Public access to the countryside.

- 2.7.1 The Council will continue to investigate opportunities as they arise to provide improved public access to the countryside, both in connection with the extension of existing open spaces and elsewhere, in accordance with its Leisure and Facilities Strategy. Meanwhile, protection will continue to be afforded to existing rights of way and all development proposals must take full account of the need to protect and enhance the public right of way network (footpaths, bridleways, RUPPs etc) in accordance with policy 18. Hertfordshire County Council has developed and adopted a good practice guide which sets out principles and standards for the treatment of public rights of way. This should be consulted before proposals are put forward for development which affects the public rights of way network.

GBC 17 PROTECTION AND ENHANCEMENT OF PUBLIC RIGHTS OF WAY

- (I) PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH ADVERSELY AFFECTS ANY PUBLIC RIGHT OF WAY UNLESS THE PROPOSAL INCLUDES DIVERSION OF THE PUBLIC RIGHT OF WAY TO A ROUTE WHICH IS NO LESS SAFE AND CONVENIENT FOR PUBLIC USE. DEVELOPMENT ADJOINING OR OTHERWISE AFFECTING AN EXISTING PUBLIC RIGHT OF WAY WILL BE EXPECTED TO DEMONSTRATE THAT CONSIDERATION HAS BEEN GIVEN TO THE EXISTENCE OF THE RIGHT OF WAY IN THE DESIGN OF THE DEVELOPMENT.
- (II) IN ASSOCIATION WITH THE COUNTY COUNCIL AND OTHER ORGANISATIONS, THE COUNCIL WILL SEEK TO ENSURE THAT EXISTING RIGHTS OF WAY ARE MAINTAINED AND ENHANCED WHEREVER POSSIBLE.

2.8 Nature conservation.

- 2.8.1 As highlighted in the introduction to this chapter, the Borough of Broxbourne contains some very valuable wildlife habitats despite its image as a predominantly urban area. These include a Special Area of Conservation (SAC) affecting Broxbourne Woods and a Special Protection Area (SPA) at Turnford and Cheshunt Gravel Pits with-in the Lee Valley, both of which are afforded protection by international legislation which includes a strong presumption against any form of development. The Council supports the protection afforded to these sites and will subject proposals for development which may affect a European Site, a proposed European Site or a RAMSAR site to rigorous examination in accordance with Policy GBC 18.

GBC 18 PROTECTION OF INTERNATIONALLY IMPORTANT WILDLIFE SITES

DEVELOPMENT THAT WOULD HARM THE NATURE CONSERVATION OR GEOLOGICAL INTEREST OF AN INTERNATIONALLY IMPORTANT WILDLIFE SITE WILL NOT BE PERMITTED UNLESS:

- (I) IT IS REQUIRED IN CONNECTION WITH THE MANAGEMENT OR CONSERVATION OF THE SITE; AND
- (II) THERE IS A CLEAR NEED TO SUPPORT THE DEVELOPMENT IN THE PUBLIC INTEREST; AND
- (III) THERE IS NO LESS ENVIRONMENTALLY DAMAGING SOLUTION

2.8.2 Within the Borough there are also several Sites of Special Scientific Interest (SSSIs) as well as approximately 100 individual areas of land which have been identified "Local Wildlife Sites". These are all defined on the Proposals Map and meet the guidelines set down in PPG9. Local wildlife sites are selected on the basis of agreed scientific criteria for important habitats and species in Hertfordshire. They are defined by English Nature, the Hertfordshire Biological Records Centre and the Herts and Middlesex Wildlife Trust. A formal ratification committee meets annually to review their status. Current wildlife sites as at 2004 and sites whose status is subject to ratification are shown on the proposals map. Any additions or deletions will be shown in Borough-wide Supplementary Planning Guidance.

2.8.3 Given that SACs, SPAs and SSSIs are all designated because of their international or national significance, the Council will also oppose any development on or adjacent to such sites which is considered likely to adversely affect their ecological and scientific value. Advice will be sought from English Nature, the Environment Agency and non government organisations as appropriate. The Council will also seek to protect, as far as practically possible (having regard to other policies and objectives in this Plan,) the "Local Wildlife Sites" identified in the Borough.

GBC19 PROTECTION FOR SITES OF WILDLIFE AND NATURE INTEREST

- (I) DEVELOPMENT WILL NOT BE PERMITTED IF IT WOULD HAVE AN ADVERSE EFFECT ON:
 - (a) SPECIAL AREAS OF CONSERVATION
 - (b) SPECIAL PROTECTION AREAS (spas)
 - (c) SITES OF SPECIAL SCIENTIFIC INTEREST (SSSI)
 - (d) LOCAL WILDLIFE SITES
 - (e) LOCAL NATURE RESERVESUNLESS THE NEED FOR THE DEVELOPMENT OUTWEIGHS ITS NATURE CONSERVATION OR GEOLOGICAL VALUE.

- (II) WHERE NECESSARY, ANY ENVIRONMENTAL IMPACT ASSESSMENT (EIA) SHOULD IDENTIFY THE EXTENT OF ANY HARM TO THE NATURE CONSERVATION OR GEOLOGICAL INTEREST OF THE SITE AND ANY REMEDIAL MEASURES TO MITIGATE THE IMPACT OF DEVELOPMENT,

AND THE MEANS OF IMPLEMENTATION OF SUCH MEASURES THROUGH PLANNING CONDITIONS AND/OR PLANNING OBLIGATIONS

- 2.8.4 In addition to affording protection to the above, the Wildlife and Countryside Act 1981 states that the presence of a protected species is a material consideration in the determination of a development proposal which might result in harm to the species or its habitat. The Council will accordingly apply the following policy to all development proposals potentially affecting species protected by the 1981 Act, wherever they may be found.

GBC20 PROTECTED SPECIES

- (I) PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD HAVE A MATERIAL ADVERSE IMPACT ON ANY SPECIES AFFORDED PROTECTION BY THE WILDLIFE AND COUNTRYSIDE ACT 1981 AS AMENDED.

- (II) WHERE DEVELOPMENT IS PERMITTED WHICH MAY HAVE AN IMPACT ON A PROTECTED SPECIES, THE COUNCIL WILL IMPOSE PLANNING CONDITIONS TO:
 - (a) FACILITATE THE SURVIVAL OF INDIVIDUAL MEMBERS OF THE SPECIES;
 - (b) REQUIRE DISTURBANCE TO HABITATS TO BE MINIMISED;
 - (c) PROVIDE ADEQUATE ALTERNATIVE HABITATS TO SUSTAIN CURRENT LEVELS OF POPULATION.