

CABINET

15 DECEMBER 2015

*PART 1 – PUBLIC DOCUMENT

AGENDA ITEM No.

7

TITLE OF REPORT: STRATEGIC PLANNING MATTERS

REPORT OF THE STRATEGIC DIRECTOR OF PLANNING AND ENTERPRISE
EXECUTIVE MEMBER: COUNCILLOR DAVID LEVETT

1. SUMMARY

- 1.1 This report informs Members of the current positions regarding:
- Luton and Central Bedfordshire progress on Local Plans;
 - Uttlesford Local Plan
 - Government Announcements;
 - North Hertfordshire Local Plan.
 - Neighbourhood Plans

2. RECOMMENDATIONS

- 2.1 That the report on strategic planning matters be noted.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To keep Cabinet informed of recent developments on strategic planning matters and progress on the North Hertfordshire Local Plan.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 The Executive Member for Planning and Enterprise has been kept informed on the matters set out above.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 Members will be aware of, and familiar with, many of the issues surrounding the strategic planning matters referred to in paragraph 1.1 above. This report is intended to provide Members with the current positions on these matters.

8. ISSUES

Luton and Central Bedfordshire progress on Local Plans

- 8.1 As previously reported, Central Bedfordshire have now formally advised (20 November 2015) that their Council has decided to withdraw their Development Strategy and start work on a new Local Plan for the area.
- 8.2 Luton Borough and Central Bedfordshire Councils have now finalised their updated Strategic Housing Market Assessment (SHMA), and is now published as background evidence alongside Luton's Pre-submission draft Local Plan. As previously reported the latest housing figure for Luton is unchanged at 17 800, however the numbers for Central Bedfordshire have increased from 25 600 to 29 500 over the plan period 2011 to 2031. Luton in their Pre-submission draft Local Plan state that they can only accommodate up to 6,700 dwellings within their borough which leaves a shortfall of 11,100 dwellings to be accommodated within the Housing Market Area (HMA). The study commissioned by Luton, Bedford, Central Bedfordshire, Milton Keynes, Aylesbury Vale, Stevenage and North Hertfordshire councils to re-examine the housing market areas (HMAs) which function across this area is nearing completion. In terms of North Hertfordshire, there is no change in the eastern section of the district which falls within the Luton and Central Bedfordshire HMA. The outcome of the SHMA and the HMA reports will help frame our discussions under the duty to co-operate with Luton and Central Bedfordshire as to how the needs of Luton may be best addressed.
- 8.3 An extension of time until early January 2016 for submission of comments from NHDC on the Luton Borough Pre-submission draft Local Plan 2011-31 is being sought with Luton. There are a number of issues in their plan that requires further investigation in terms of how this authority may choose to respond. The duty to co-operate, and the unresolved issue of meeting Luton's unmet housing need is of concern. A response will be prepared and agreed under the executive member's delegated powers. A copy of the response will be appended to the next Strategic Planning Matters Cabinet report.

Uttlesford District Council – Local Plan – Issues and Options

- 8.4 As reported to Cabinet on 10 November 2015, Uttlesford consulted on their Local Plan Issues and Options from 22 October to 4 December 2015. The consultation document was the first stage in the local plan process, identifying key strategic issues for Uttlesford. The document did not contain much which was of relevance to North Hertfordshire owing to the small shared boundary. We have supported their intension to meet the Objectively Assessed Need and committed to work together through the Duty to Cooperate should further iterations of the plan identify strategic cross boundary issues. (A copy of the NHDC response is attached at Appendix A)

Government Announcements

- 8.5 The Housing & Planning Bill had its second reading in the House of Commons on 2 November and has been sent to the Public Bill committee (PBC) that will scrutinise the bill line by line. The first sitting of the PBC is expected to report by 10 December 2015. Any update will be verbally reported at the Cabinet meeting.
- 8.6 As previously reported to Cabinet, all aspects of the Bill once it becomes a statutory document and subsequent regulations will need to be implemented in terms of delivery by the Local Plan/ Planning Services.

North Hertfordshire Local Plan

- 8.7 A separate report on this agenda sets out the next steps in the preparation of the Local Plan and seeks Cabinet endorsement of a draft timetable (the Local Development Scheme) for the preparation of the Local Plan, which needs approval by Full Council to take effect.

Neighbourhood Plans

- 8.8 To date, nine neighbourhood planning areas have been designated for Pirton, Kimpton, Ashwell, Codicote, Barkway and Nuthampstead, Ickleford, St Ippolyts, St. Pauls Walden and Wymondley.
- 8.9 The Pirton Neighbourhood Plan Steering Group are well advanced in their work towards a pre-submission consultation plan for the Pirton Neighbourhood Plan which is the first formal step in the preparation of a neighbourhood plan. Work is also progressing towards a pre-submission consultation plan for Barkway and Nuthampstead. Officers continue to meet and offer guidance to the neighbourhood planning steering groups during the preparation of their plans.

9. LEGAL IMPLICATIONS

- 9.1 Under the Terms of Reference for Cabinet Paragraph 5.6.18 of the Constitution states that the Cabinet should exercise the Council's functions as Local Planning Authority except where functions are reserved by law to the responsibility of the Council or delegated to the Strategic Director of Planning, Housing and Enterprise. Final approval of Local Plan documents shall be a matter for Full Council.
- 9.2 Section 110 of the Localism Act 2011 sets out the duty to co-operate between local planning authorities and other prescribed bodies, to maximise the effectiveness in the preparation of development plan and other local development plan documents, so far as they relate to a strategic nature. These bodies should consider if they are able to work together jointly on such matters and must have due regard to any guidance given by the Secretary of State.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no direct financial implications arising from this report.

11. RISK IMPLICATIONS

- 11.1 No direct risk implications from this report but Sustainable Development of the District and the Local Plan are both Cabinet Top Risks. The Sustainable Development of the District has a sub-risk that covers the risks arising from the duty to co-operate with neighbouring authorities. The risks and opportunities arising from the Housing and Planning Bill will be formally identified and assessed.

12. EQUALITIES IMPLICATIONS

- 12.1 The Equality Act 2010 came into force on the 1st October 2010, a major piece of legislation. The Act also created a new Public Sector Equality Duty, which came into force on the 5th April 2011. There is a General duty, described in 12.2, that public bodies must meet, underpinned by more specific duties which are designed to help meet them.

- 12.2 In line with the Public Sector Equality Duty, public bodies must, in the exercise of its functions, give **due regard** to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.3 There are not considered to be any direct equality issues arising from this report although individual schemes or considerations hereafter will be subject to appropriate review to ensure they comply with latest equality legislative need. The latest national guidance on traveller sites, and specifically defining those who retain a 'nomadic' lifestyle, must also be considered alongside the protections afforded to some travellers by virtue of their ethnicity under the Equality Act 2010.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 As the recommendations made in this report do not constitute a public service contract, the measurement of 'social value' as required by the Public Services (Social Value) Act 2012 need not be applied, although equalities implications and opportunities are identified in the relevant section at Paragraph 12.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 There are no new human resource implications arising from the contents of this report. Temporary staff have been brought in to assist processing the representations on the Local Plan. A successful recruitment process has been completed with regard the vacant Principal Strategic Planning Officer post. Recruitment for the vacant Senior Planning Officer Post is underway.

15. CONTACT OFFICERS

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16. APPENDICES

Appendix A: NHDC Response to Uttlesford District Council Local Plan Issues and Options.