

**HITCHIN AREA COMMITTEE**  
**8 January 2013**

**\*PART 1 – PUBLIC DOCUMENT**

**AGENDA ITEM No.**

**7**

**TITLE OF REPORT: HITCHIN POST OFFICE DEVELOPMENT BRIEF**

REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL

**1. SUMMARY**

- 1.1 This report presents the findings of the second round of public consultation on the draft development brief for the former Royal Mail Delivery Office site at 90 Hermitage Road, Hitchin. A second round of consultation on the same draft brief was held between 20 November 2012 and 24 December 2012, to try and overcome certain technical problems with the first consultation, as outlined in paragraph 7.1 of this report. A copy of the revised draft development brief is included as Appendix B to this report.

**2. RECOMMENDATIONS**

- 2.1 That the Hitchin Committee notes the draft Hitchin Post Office Development brief which will be presented to Cabinet and Full Council for approval and formal adoption.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 The recommendation contained within paragraph 2.1 is in order to raise awareness of the forthcoming decisions required at Cabinet and Full Council on the development brief within the town of Hitchin.
- 3.2 If the Hitchin Committee wishes to make any specific comments on the draft brief for Cabinet and Full Council to take into account, these may be formulated as additional resolutions.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The consultation draft brief included two alternative arrangements of hotel and residential accommodation on the site. The revised draft brief has refined this to one proposed option following the public consultation. Other potential land uses are also discussed in the brief, with reasons as to why the chosen uses have been preferred.

## **5. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS**

- 5.1 The Portfolio Holder for Planning, Transport and Enterprise is aware of the preparation of the brief. Hitchin Committee discussed the consultation draft brief on 17 July 2012, and saw a response to the first round of public consultation on 13 November 2012.

## **6. FORWARD PLAN**

- 6.1 This report contains a recommendation on a key decision that was first notified to the public in the Forward Plan on 1 July 2012.

## **7. BACKGROUND**

- 7.1 Members will be aware of the background regarding this development brief from the report presented on 13 November 2012. At that meeting, members raised concerns regarding the Statement of Consultation. This noted that for representations submitted online, there were certain questions (primarily those with a yes/no answer) where a problem with the website meant that people's responses were not recorded, and therefore not included in the analysis.
- 7.2 Following the discussion at the 13 November 2012 meeting, officers were tasked with investigating the extent of that problem. In discussion with the developers and their agents (who managed the consultation process), it was established that the issue only affected specific questions, namely 1, 2a, 2c, 3, 5, 7 and 8. Therefore, people's answers to all other questions were recorded and analysed accordingly. Moreover, the problem only applied to representations received online, which was 23 responses, representing one third of the total response to the first consultation. Therefore, for all those responses submitted by other means the answers to those questions had been analysed. However, there was no way of retrieving the answers received online to those particular questions.
- 7.3 In light of this and taking into account the concerns raised at the 13 November 2012 meeting, the developers agreed to re-open the public consultation. The consultation was therefore re-opened between 26 November 2012 and 24 December 2012. The cost of running this additional round of consultation has been borne by the developer and their agents, not North Hertfordshire District Council. Local newspapers publicised the re-opened consultation, as did the Council's website.

## **8. ISSUES**

- 8.1 The re-opened round of consultation garnered 15 responses (compared to 69 responses to the initial consultation). An additional question on the re-opened consultation asked whether people had also commented on the first consultation; four had. There were therefore 11 completely new responses and 4 responses from people who had also commented on the initial consultation. Of the 15 responses received to the second consultation, 13 were submitted online. In total therefore, 80 individuals or organisations responded across the two consultations.
- 8.2 The Statement of Consultation (attached as Appendix A) has been updated to reflect both rounds of consultation. There is still 'missing' data for the online responses to the particular questions received to the first consultation. However, the analysis does

cover all responses received to those questions from the second consultation, as well as those received by means other than online to the first consultation. Of the overall total of 84 responses therefore, 61 have been fully analysed, and 23 partially analysed.

- 8.3 The opportunity has also been taken to revise the Statement of Consultation, which now includes a dedicated section (starting at paragraph 5.42 of the statement) detailing and responding to the points raised by local interest groups and societies. A further appendix has been added to provide a transcript of all the answers to the questions that were given across both consultations.
- 8.4 Having analysed the revised consultation responses across both rounds of consultation, it is clear that the issues raised are essentially the same as had been identified following the analysis of the first round of consultation. The proposed amendments to the draft brief therefore remain the same as those which were presented to the 13 November 2012 Hitchin Committee. The revised draft brief that will be presented to Cabinet and Full Council for adoption is therefore the same as was presented to Hitchin Committee on 13 November 2012. The 13 November 2012 Hitchin Committee Report is attached at Appendix D.

## **9. LEGAL IMPLICATIONS**

- 9.1 The Terms of Reference for the Hitchin Area Committee include the power to act as a forum for discussion on matters of local interest and to provide input into centrally determined specifications for all services.
- 9.2 Part 2 of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008) allows the local planning authority to produce Supplementary Planning Documents, which can include development briefs, to provide more detail on the interpretation of existing policy. The process for the preparation of Supplementary Planning Documents is set out in Part 5 of the Town and Country Planning (Local Planning)(England) Regulations 2012. Full Council is responsible for the approval and adoption of Development Plan documents.

## **10. FINANCIAL IMPLICATIONS**

- 10.1 Both public consultation exercises were run by the developer at their own expense. The cost of the Council's input in terms of officer time liaising with the developer is covered within existing budgets and work programmes.
- 10.2 Failure to deliver a development brief for the site will reduce the public's ability to influence the form of development on the site.
- 10.3 Business and retail use on the site should contribute to the overall viability of the town centre. It would generate additional business rates, a percentage of which (from 1<sup>st</sup> April 2013), will be retained by NHDC. The development of housing provision would attract New Homes Bonus that is payable for six years following completion. Central Government provide New Homes Bonus funding for six years on the basis of the national Band D Council Tax average. Currently this is split 80% to the District Council and 20% to the County Council, with an additional £350 per year to the District for each affordable home. In broad terms this would generate annually approximately £1,200 per dwelling to NHDC at current averages.

## **11. RISK IMPLICATIONS**

- 11.1 The Council has identified Hitchin Town Centre as a Top Risk. Within the description of this risk the development proposals for the Post Office site is identified as having a potential impact on the development of Churchgate. However, the brief requires that new development of this site should "...take into account, complement and not inhibit the Churchgate Development Brief..." (paragraph 3.20). The position will also need to be considered at the planning application stage in light of the circumstances which may exist at that time.

## **12. EQUALITIES IMPLICATIONS**

- 12.1 In line with the Public Sector Equality Duty, a public body 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.
- 12.2 The consultation has accorded with the Council's compliance under the Equality Duty, existing equalities legislation, and Statement of Community Involvement. The specific uses of areas within the plan, and needs of any users for any resulting development will be considered under separate equality analysis at the time of consideration of any subsequent application for development.

## **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 paragraphs 12.

## **14. HUMAN RESOURCE IMPLICATIONS**

- 14.1 The officer time involved in preparing the brief is identified as part of the Council's service plan for the Strategic Planning and Enterprise.

## **15. APPENDICES**

- 15.1 Appendix A: Statement of Consultation
- 15.2 Appendix B: Post-consultation revised development brief
- 15.3 Appendix C: Schedule of changes between consultation version of brief and post-consultation revised development brief
- 15.4 Appendix D: 13 November 2012 Hitchin Area Committee report on Hitchin Post Office Development Brief

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