

CABINET
21 July 2020

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: STRATEGIC PLANNING MATTERS

REPORT OF THE SERVICE DIRECTOR - REGULATORY

EXECUTIVE MEMBER: EXECUTIVE MEMBER FOR PLANNING & TRANSPORT

COUNCIL PRIORITY: RESPOND TO CHALLENGES TO THE ENVIRONMENT / ENABLE AN ENTERPRISING AND CO-OPERATIVE ECONOMY / SUPPORT THE DELIVERY OF GOOD QUALITY AND AFFORDABLE HOMES

1. EXECUTIVE SUMMARY

- 1.1 This report identifies the latest position on key planning issues affecting the District.

2. RECOMMENDATIONS

- 2.1. That the report on strategic planning matters be noted.
- 2.2. That the submission in Appendix A be noted and endorsed by Cabinet.

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 Transport and Deputy have been briefed on the matters set out above. The Local Plan Project Board is regularly consulted and updated upon matters affecting the ongoing Local Plan Examination.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a Key Executive decision and has therefore 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. As with previous reports, only those matters where there has been substantive new information or change are reported upon.

8. RELEVANT CONSIDERATIONS

Other Plans and Examinations

- 8.1. **Central Bedfordshire** – A [consultation on additional evidence](#) began on 18 June 2020, running for a period of eight weeks to 12 August 2020. The consultation documents include technical papers on housing, transport and employment and an updated sustainability appraisal. Officers will review the consultation material and, if required, prepare a consultation response in consultation with the Executive Member. Any response will be reported to the September meeting of Cabinet.

North Hertfordshire Local Plan

- 8.2. There have been no formal updates from the Inspector regarding a possible future timetable for the resumption of hearing sessions or the progression of the Local Plan Examination. At the time of writing, no response has been received from the Secretary of State to the Executive Member's letter of June 2020 reported to the last meeting.
- 8.3. New household projections were released by the Office for National Statistics on 29 June 2020. The latest projections for the period 2011-2031 show a marked reduction when compared to those currently underpinning the Plan. If past trends were to continue, it is now estimated that approximately 6,400 additional households would form over the plan period. This compares to the Council's latest proposal that the Plan should include an overall requirement of 14,000 dwellings, which includes a contribution towards unmet housing needs from Luton (see Paragraph 8.5 below).
- 8.4. Housing projections are not a forecast or a Government target. They do not take account of (potential) future housing policy, economic conditions or issues such as housing affordability or 'pent-up' demand for new homes. They show what would happen if past trends were replicated in the future. Changes in methodology between releases can also have a significant impact. However, given the scale of change, further work is being carried out to understand the potential implications for the Plan. This will be reported to the Local Plan Project Board in the first instance.
- 8.5. The latest projections for Luton are also significantly different from past releases. This could have implications for the Local Plan's proposals for development to the East of Luton to address housing need which cannot be physically accommodated in Luton Borough.

- 8.6. Officers are also considering the impact that Covid-19 may have upon the future delivery of new homes in the District. Following the lifting of 'lockdown' restrictions monitoring visits have taken place. These show 318 net additional new homes were built in the District over the 12-months to 1 April 2020. These figures will be used to update the Council's five-year housing supply position.

Neighbourhood Plans

- 8.7. An examiner has been appointed for the Baldock, Bygrave and Clothall Neighbourhood Plan. He has requested, and been provided with, copies of key material and the responses to the latest consultation. The next steps are in the hands of the examiner.
- 8.8. A screening opinion has been issued to Ashwell Parish Council stating that the latest proposed draft of their Neighbourhood Plan would not require a formal Strategic Environmental Assessment / Sustainability Appraisal to take place.

Government Announcements and measures relating to Covid-19

- 8.9. In response to the Covid-19 pandemic, the Government has announced a range of further proposed changes to planning requirements and regulations. These include, but are not limited to:
- Allowing a wider range of commercial buildings to change to residential use without the need for a planning application;
 - Permitting shops to permanently change use to cafes or offices;
 - Taking proposals to demolish and rebuild vacant and redundant residential commercial buildings for new homes outside of the normal planning application regime;
 - Allowing certain forms of upward development, such as additional storeys on blocks of flats, under permitted development or fast-track approval process; and
 - Launching a planning policy paper later this month setting out proposals for comprehensive reform of the planning system.
- 8.10. With the exception of the last point, these planning changes are due to come into effect by September. Further information is anticipated on these measures and will be reported to Cabinet.

London Luton Airport

- 8.11. Officer meetings regarding the proposed expansion for Luton Airport and the Luton Airport Regional Forum had been placed on hold during the Covid-19 pandemic, it is anticipated that officer meetings will recommence shortly. LLAL have [stated on their website](#) that they will be now submitting their Development Consent Order application in 2021.

Other transport, planning and infrastructure matters

- 8.12. **Intalink Submissions for towns/areas feasibility studies 2021/22** – Hertfordshire County Council have invited Intalink partnership members to nominate a town or area for feasibility studies for 2020/21 for bus priority measures. As part of the Enhanced Partnership, HCC are committed to undertaking feasibility studies in three towns and/or areas per-annum. Hemel Hempstead has already been identified, so HCC are looking for 2 further areas. Officers have nominated Hitchin, with an additional proposal to include Letchworth Garden City and Baldock as well.
- 8.13. **England's Economic Heartland draft Transport consultation** – EEH will commence a 12-week consultation on its [draft Transport Strategy](#) on 14th July.
- 8.14. **Highways Agency A428 Black Cat to Caxton Gibbet improvements consultation** – the Highways Agency launched a [public consultation](#) on 24 June on planned improvements of the A428 Black Cat to Caxton Gibbet roundabouts:
- 8.15. **Other matters** – The Ministry for Housing, Communities and Local Government (MHCLG) wrote to the Council on 11 June 2020 requesting further information on the [Article 4 Direction covering certain employment areas](#) within the District. A response has been submitted and is attached at Appendix A.
- 8.16. The Council's Statement of Community Involvement and Developer Contributions SPD are subject to separate reports to this meeting.

9. LEGAL IMPLICATIONS

- 9.1. Under the Terms of Reference for Cabinet, the Constitution states that it may exercise the Council's functions as Local Planning Authority and receive reports on strategic planning matters, applications for, approval/designation, consultation/referendums revocations (or recommend revocation) of neighbourhood plans and orders, (except to the extent that those functions are by law the responsibility of the Council or delegated to the Service Director: Regulatory).
- 9.2. The preparation of statutory plans is guided by a range of acts and associated regulations including the Planning and Compulsory Purchase Act 2004 (as amended) and the Localism Act 2011. All local planning authorities are bound by a statutory Duty to Co-operate on cross-border planner matters.

10. FINANCIAL IMPLICATIONS

- 10.1. There are no new financial implications arising from this report. The costs of preparing the Local Plan and running the examination are reviewed on a regular basis, and are reported through the quarterly revenue monitoring reports to Cabinet.

- 10.2. The general costs of preparing Supplementary Planning Documents, responding to consultations on neighbouring authorities' Plans, neighbourhood plans and Government consultations and the other activities identified in this report are met through existing revenue budgets or benefit from external funding or other arrangements to recover costs.
- 10.3. In previous financial years, funding has been available for local planning authorities (LPAs) in respect of neighbourhood planning. LPAs could claim £20,000 once a date has been set for a referendum following a successful examination. The [Government has announced](#) it will allow local planning authorities to submit claims for new burdens grants at an earlier point in the neighbourhood planning process in 2020/21. Claims will be able to be made when the Council announces its decision to send the plan to referendum.
- 10.4. The financial risks associated with planning were reviewed and updated as part of the budget-setting cycle for 2020/21. Risks are identified in relation to potential additional costs associated with progressing the Plan or any future challenge to it.

11. RISK IMPLICATIONS

- 11.1. Sustainable Development of the District and the Local Plan are both Corporate 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.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their 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. There are not considered to be any direct equality issues arising from this report. Future individual schemes or considerations may well be subject to appropriate review to ensure they comply with latest equality legislative need. Any risks and opportunities identified will also be subject to assessment for impact on those that share a protected characteristic.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and "go local" requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1. There are no new human resource implications arising from the contents of this report. Workload and vacancies are monitored on an on-going basis.

16. APPENDICES

- 16.1. Appendix A – Response to MHCLG on Article 4 Direction (excluding appendices)

17. CONTACT OFFICERS

- 17.1 Ian Fullstone, Service Director of Regulatory
01462 474480 ian.fullstone@north-herts.gov.uk

Contributors

- 17.2 Nigel Smith, Strategic Planning Manager
01462 474847 nigel.smith@north-herts.gov.uk
- 17.3 Louise Symes, Strategic Projects & Infrastructure Manager
01462 474359 louise.symes@north-herts.gov.uk
- 17.4 Clare Skeels, Senior Planning Officer
01462 474424 clare.skeels@north-herts.gov.uk
- 17.5 Daniel Washington, Transport Policy Officer
01462 474368 daniel.washington@north-herts.gov.uk
- 17.6 Hollie Hawkins, Graduate Planning Officer
01462 474425 hollie.hawkins@north-herts.gov.uk
- 17.7 Nurainatta Katevu, Property & Planning Lawyer
01462 474364 nurainatta.katevu@north-herts.gov.uk
- 17.8 Ian Couper, Service Director of Resources
01462 474243 ian.couper@north-herts.gov.uk
- 17.9 Kerry Shorrocks, Corporate Human Resources Manager
01462 474224 kerry.shorrocks@north-herts.gov.uk
- 17.10 Reuben Ayavoo, Policy and Community Engagement Manager
01462 474212 reuben.ayavoo@north-herts.gov.uk

18. BACKGROUND PAPERS

- 18.1 None