CABINET
15 DECEMBER 2020

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: STRATEGIC PLANNING MATTERS - DRAFT

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 responses to the Ashwell and Barkway Neighbourhood Plans and the Government's Planning White Paper consultation at Appendices A to F are 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. **Welwyn Hatfield** – The Inspector examining the Local Plan issued interim conclusions and advice in October 2020. These note the 'principal shortcoming' in the Plan as being its failure to meet the identified need for housing in full with a shortfall of 3,200 homes identified. Although significant work has been undertaken, to date, no additional sites have been put forward to the examination to address this.

8.2. The Inspector's preliminary conclusion is that *exceptional circumstances* exist to justify reviewing the Green Belt to meet housing needs in full. He has presented the Council with two options:

- To identify sufficient sites to meet housing needs in full that could be proposed or main modifications; or
- To withdraw the Plan from examination.

8.3. He has requested that the Council decides on which of these two courses of action it wishes to pursue by 30 November. Should the Council wish to proceed they have been given a deadline of 31 December 2020 to submit all relevant information or evidence. Should this not be received, the Inspector will recommend the non-adoption of the Plan.

8.4. An update will be included in the final report if available. Any further update will be provided verbally to Cabinet.

8.5. **St Albans** – The Inspectors examining the Local Plan wrote to St Albans City and District Council in September setting out their concerns that the duty to co-operate had not been met in terms of housing allocations and a proposed Strategic Rail Freight Interchange. The Inspectors concluded that there were two options available to the council, either for the local authority to withdraw the plan or for the Inspectors to write their report recommending that the plan should not be adopted because the duty to cooperate had not been met. St Alban's City and District Council agreed to withdraw the Local Plan at a meeting on 19 November 2020.

8.6. **Central Bedfordshire** – Resumed hearings into the Plan will begin on 7 December 2020. This will include consideration of a number of matters including sites they are proposing to address unmet needs from Luton and the future of the RAF Henlow site to the north of Hitchin and Ickleford. Any verbal update will be provided at Cabinet.

North Hertfordshire Local Plan

8.7. Following the Extraordinary Full Council meeting in September, the hearing sessions were rescheduled to run over three weeks beginning on Monday 23 November. These hearings are scheduled to have completed by the time of the Cabinet meeting.

8.8. In light of further evidence provided by the Council regarding its proposal to delete Site BK3 from the Local Plan and to review the settlement hierarchy of Barkway village, the Inspector has responded advising that he will not discuss Barkway or Site BK3 at these hearing sessions and will arrange for an entirely separate hearing session focusing on the modifications the Council is proposing in the new year, in January or February. Both the Council's note (ED210) and the Inspectors response (ED211) are on the examination webpage at:
https://www.north-herts.gov.uk/planning/planning-policy/local-plan/local-plan-examination/examination-documents

8.9. A verbal update on the hearing sessions will be provided at Cabinet.

Neighbourhood Plans

8.10. Consultation on a draft neighbourhood plan for Ashwell was undertaken by the Parish Council in the summer. A response was provided to Ashwell Parish Council and is attached as Appendix A. The Parish Council will consider the representations and will work towards preparing a submission version of the neighbourhood plan in due course.

8.11. Consultation on a draft neighbourhood plan for Barkway and Nuthampstead ended on 23 November 2020. A response was sent to the Parish Council and is attached as Appendix B.

8.12. Following the examiner's report to the Baldock, Bygrave and Clothall Neighbourhood Plan, consultation is continuing on the limited proposed modifications to the neighbourhood plan. The consultation period will finish in December 2020.

Government announcements

Planning for the Future White Paper

8.13. The Council's response to the Planning for the Future White Paper (August 2020) was submitted in October 2020 and is attached at Appendix C. The Council's response raises a number of concerns over the proposals. A copy of the Council's response was also sent to the Local MP's.

8.14. The Council also agreed, through the Hertfordshire Infrastructure and Planning Panel (HIPP) to a joint response from the Hertfordshire Growth Board, attached as Appendix D.

London Luton Airport

8.15. Officer meetings regarding the proposed expansion for Luton Airport and the Luton Airport Regional Forum have recommenced after being placed on hold during the Covid-19 pandemic. As previously advised, LLAL continue to state on their website that they are expecting to submit their Development Consent Order (DCO) application to the Planning Inspectorate in 2021. In addition officers have responded to a pre-application consultation (application anticipated later this year/early next year), to increase the current capacity of the airport from 18 to 19 million passengers per annum. To allow for the delay in the DCO application coming forward.

Other transport, planning and infrastructure matters

8.16. **Intalink Submissions for towns/areas feasibility studies 2021/22** – Hertfordshire County Council have confirmed that Hitchin has been selected for one of three feasibility studies to be undertaken during 2021/22, the others being Hemel Hempstead and the A10 bus corridor. Officers are waiting to receive further details from HCC going forward.

8.17. **England's Economic Heartland draft Transport Strategy consultation –** EEH undertook a 12-week consultation on its draft Transport Strategy which closed on 6th October. The Council submitted a response which is attached at Appendix E.

8.18. **Department for Transport, (DfT) Emergency Active Travel Fund –** the DfT have confirmed that HCC have been allocated £6,791,000 funding for Trance 2 funding. This is for longer-term projects which must be completed by Spring 2021.

8.19. NHDC officers submitted several cycle way schemes to HCC for consideration, including for Hitchin, Letchworth Garden City, Baldock and Royston, we are currently waiting to hear from HCC if any have been shortlisted

8.20. In addition, as part of the Trance 1 funding NHDC was invited by HCC to submit proposals for new cycle stands in high street/town centre locations. New cycle stands have now been installed in Hitchin, Letchworth Garden City, Baldock and Royston town centres.

8.21. **Transport Forum –** the next meeting of the Transport Forum will be in January, (date to be confirmed). The topic covered will community transport and bus services in the District and operators will be invited to attend to provide an update on the services they operate.

8.22. **90/91/127 bus service amalgamation project** – work has recommenced on the 91/91/127 bus services amalgamation project following a pause during the summer due to the Covid-19 pandemic. Working in partnership with HCC, Cambridgeshire County Council and the Cambridgeshire & Peterborough Combined Authority this will see improvements to the bus service between Letchworth and Royston via villages in the adjoining area of South Cambridgeshire. The new service is expected to commence in April 2021.

8.23. **Luton Transport Strategy consultation** – Luton Borough Council recently undertook a public consultation on council's latest draft Local Transport Strategy, closing date for submissions was the 15 November. NHDC had been granted an extension of time for our comments which is subject to Senior Officer and Exec Member sign off. A copy of the Council's officer response is attached at Appendix F.

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 - Ashwell Neighbourhood Plan consultation response

16.2. Appendix B - Barkway and Nuthampstead Neighbourhood Plan consultation response

16.3. Appendix C – Copy of NHDC Response to the Planning for the Future White Paper

16.4. Appendix D – Copy of Hertfordshire Growth Board Response to the Planning for the Future White Paper

16.5. Appendix E – Copy of NHDC Response to EEH draft Transport Strategy.

16.6. Appendix F- Copy of NHDC Response to Luton BC draft Transport Strategy

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18. BACKGROUND PAPERS

18.1 None