

**CABINET  
29 JUNE 2021**

**\*PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: STRATEGIC PLANNING MATTERS**

REPORT OF THE SERVICE DIRECTOR - REGULATORY

EXECUTIVE MEMBER: EXECUTIVE MEMBER FOR PLANNING & EXECUTIVE MEMBER FOR 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 and transport issues affecting the District.

**2. RECOMMENDATIONS**

- 2.1. That the report on strategic planning matters be noted.
- 2.2. That the correspondence in Appendices A to C be noted and endorsed by Cabinet.
- 2.3. That the use of the reserve from the additional planning income in 2017/18 be extended to include the delivery of the Local Plan as per paragraph 10.4

**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 Members for Planning and Transport and Deputies have been briefed on the relevant matters in this report. The Local Plan Project Board has been 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** – [Hearings on the Welwyn Hatfield Local Plan](#) resumed on Monday 22 February 2021 and ran until Thursday 18 March 2021. These covered a range of housing issues including objectively assessed need, Green Belt, housing supply and proposed allocations. Following the sessions, the Inspector issued 'round-up notes' setting out the additional information required and the potential ways forward for the examination.
- 8.2. Any further modifications to the Plan arising from these sessions, including any matters which might impact upon North Hertfordshire such as housing sites close to the shared administrative boundary, will require consultation.
- 8.3. **Central Bedfordshire** – [Consultation on proposed Main Modifications](#) to the Plan following the examination hearing sessions was held between 19 March and 5 May 2021. The proposed modifications incorporated a number of suggested changes to the Plan made by this Council. As the consultation closed during the pre-election period, an officer response to the consultation was prepared and submitted. This is attached at Appendix A to this report.

### *North Hertfordshire Local Plan*

- 8.4. Consultation on the further proposed Main Modifications to the Plan (and associated evidence to the examination) began on Wednesday 12 May 2021 and closes on Thursday 24 June 2021. Any initial information about the level of response to the consultation will be reported verbally to the Cabinet meeting if available.
- 8.5. Following the consultation, which is administered by the Council, all responses will be sent to the examining Inspector who will determine the next steps.

### *Neighbourhood Plans*

- 8.6. The [Baldock, Bygrave and Clothall Neighbourhood Plan](#) is subject to a separate report to this meeting.

- 8.7. Consultation on the Regulation 16 (pre-examination) version of the [Ashwell Neighbourhood Plan](#) closed on 15 April 2021. As the consultation closed during the pre-election period, an officer response to the consultation was prepared and submitted. This is attached at Appendix B to this report. A copy of all responses to the consultation, which is administered by the Council, have been provided to the Parish Council. Officers will liaise with the Parish Council as to the (timing of the) next steps, which are normally to appoint an independent examiner.
- 8.8. Consultation on the Regulation 16 (pre-examination) version of the [Knebworth Neighbourhood Plan](#) closed on 09 June 2021. A response to the consultation was prepared in consultation with the Executive Member and deputy and submitted under delegated powers. This is attached at Appendix C to this report. A copy of all responses to the consultation, which is administered by the Council, will be provided to the Parish Council. Officers will liaise with the Parish Council as to the (timing of the) next steps, which are normally to appoint an independent examiner.
- 8.9. The Charlton Society Neighbourhood Forum has applied to the Council for designation as a neighbourhood planning forum and for a neighbourhood planning area to be designated for the area of Charlton, which forms part of the unparished area of Hitchin. As the area covered by this application is unparished, it does not benefit from automatic designation. [Consultation on the proposed designation](#) of this area is underway, closing on 21 July 2021. A report on the consultation and recommended way forward will be presented to July Cabinet for consideration.

#### ***Hertfordshire Growth Board and North-East-Central (NEC) Hertfordshire***

- 8.10. Any updates will be reported verbally to the meeting.

#### ***Government announcements***

- 8.11. The Government has announced a new form of affordable housing – First Homes. First Homes are discounted market sale housing which:
- must be discounted by a minimum of 30% against the market value;
  - are sold to a person or persons meeting the First Homes eligibility criteria (see below);
  - on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,
  - after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).
- 8.12. Under the Government's transitional arrangements, the Council will not have to specifically reflect this new tenure in the new Local Plan currently being examined. However, it would fall under the Plan's requirement that 35% of secured affordable homes should be other forms than rented housing.
- 8.13. For decision-making, the requirement to secure first homes will not be mandatory before 28 December 2021 but local authorities should allow developers to introduce First Homes into their tenure mix if they wish to do so ahead of this.

- 8.14. Planning and housing officers will monitor any further information released about first homes and consider how best to reflect this in any evidence or guidance produced for or by the Council.

***Other transport, planning and infrastructure matters***

- 8.15. An interim update on the **Council's five-year housing land supply position** has been [published on the Council website](#). The requirement to maintain a five-year supply of housing is a key element of Government planning policy. This Council has been unable to demonstrate a five-year supply for a number of years. The latest figures demonstrate a 1.5-year supply of deliverable sites pending the resolution of the Local Plan examination. Decision makers must have regard to the broad magnitude of any shortfall against the five-year supply requirement when determining applications and considering the weight to be applied to the benefits and harms of individual applications.
- 8.16. Officer meetings regarding the **proposed expansion for London Luton Airport (LLA)** are continuing. 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.
- 8.17. **LCWIP (Local Cycling and Walking Infrastructure Plan)** – NHDC and HCC are currently in the process of producing an LCWIP for the District; LCWIP's were identified in the DfT's first Cycling and Walking Investment Strategy (2017) as a new strategic approach to identifying cycling and walking improvements at a local level. By having an adopted LCWIP this will enable both NHDC and HCC to be in a stronger position to bid for any future Government funding opportunities. Work commenced in December 2020 and it is anticipated to be completed in Autumn 2021, with an officer working group meeting fortnightly.
- 8.18. **Active Travel Fund** – HCC are currently consulting on proposals for a new cycle way scheme in Stevenage that partly comes into North Hertfordshire, the location being between Stevenage Old Town and Graveley Road. If completed this is likely to see a new separated cycleway along the route connecting with the wider cycleway network in Stevenage.
- 8.19. **Hitchin Intalink Feasibility Study** – as part of the Intalink Enhanced Partnership, which was launched in April 2020, HCC via the Intalink Partnership commit to undertaking three feasibility studies per year to identify bus priority measures either in town centres or corridors. In 2020/21 Watford, St. Albans and Stevenage were chosen; for 2021/22 Hitchin has been one of the locations chosen. Each study is anticipated to last for three-four years, with scheme improvements identified in the first year, with subsequent years covering design and delivery. HCC has established a working group for the Hitchin feasibility study and NHDC officers recently met with them to discuss outline proposals prior to the commencement of more detailed work.

- 8.20. **DfT Rural Mobility Fund** – the DfT shortlisted the application for a new DRT (Demand Responsive Transport) bus service that was submitted by HCC, in partnership with NHDC, East Herts. District Council and Stevenage Borough Council. The service is due to commence in September 2021 with a pre-marketing and publicity campaign starting in August 2021. The service will provide a step change in local bus provision for a large number of villages and hamlets in the proposed area of operation across North and East Hertfordshire, currently served either by limited bus services or none at all.
- 8.21. **Sustainable Travel Towns** – the officer working group's for both the Letchworth Garden City and Royston Sustainable Travel Town's schemes led by HCC are continuing to meet on a fortnightly basis to develop high level action plans that will be submitted to HCC for final approval later in the year.

## **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. Claims have been submitted for 2020/21. Guidance is awaited on the arrangements for 2021/22.

- 10.4 In December 2017, Cabinet resolved that: *(2) That a financial risk be built into the Budget regarding any urgent resources required to supplement the work of the Planning Policy Team on other emerging matters.....* At January 2018's Cabinet this was modified to *as at the end of November 2017, it was forecast that planning income would exceed the current budget by £137,000 (excluding the impact of the 20% increase in planning fees). It was proposed that this be put into a reserve to provide the funding (e.g. additional officer resource, consultants) to be able to respond to and influence the plans, policies, strategies and proposals that impacted upon the District.* Given the increased workload upon the planning teams as a result of master planning it is proposed that the use of this reserve from the 2017/18 surplus planning income, currently circa £436k, is extended to support the planning teams delivery of the Local Plan including master planning. Going forward the use of planning agreements will also be used to seek contributions to the master planning process from developers.

## **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.
- 11.2. Following the issuing of the further proposed Main Modifications for consultation and the approval by Cabinet in March 2021 of the broad approach to the masterplanning and delivery of the largest proposed sites in the District, officers will undertake a review of the existing risks for planning and development to be included in the Q2 update.

## **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. Two members of the Strategic Planning team are currently informally seconded to the Development Management team on a part-time basis to assist with determining planning applications.

## **16. APPENDICES**

- 16.1. Appendix A – NHDC response to Central Bedfordshire Main Modifications consultation
- 16.2. Appendix B – NHDC response to Ashwell Neighbourhood Plan consultation
- 16.3. Appendix C – NHDC response to Knebworth Neighbourhood Plan consultation

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**18. BACKGROUND PAPERS**

18.1 None