

CABINET
21 September 2021

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: STRATEGIC PLANNING MATTERS

REPORT OF: *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 D 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 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** – Welwyn Hatfield have written to their Inspector setting out that they will not be in a position to meet his September 2021 deadline to identify additional sites, including any required Green Belt sites, in order to ensure their Plan meets the authority's housing needs in full. They have proposed an alternate timetable which would see a Full Council decision in November 2021 with any consultation on proposed modifications following thereafter.
- 8.2. **Central Bedfordshire** – Following the completion of the main modifications consultation (reported to Cabinet in June), [Central Bedfordshire's Local Plan](#) has been found sound by the examining Inspectors and was adopted on 22 July 2021.
- 8.3. There were no further substantive changes made to the Plan between the modifications that were consulted upon and the final report. The modifications previously agreed between Central Bedfordshire and North Hertfordshire to ensure the proper assessment of cross-border transport impacts are included in the final plan.
- 8.4. The Inspectors' report – available via the link above – set out their conclusions on a number of issues and principles that are also under consideration in the District Council's own Local Plan examination (see below). This includes the approach to dealing with unmet housing needs arising from Luton and the release of land from the Green Belt to address this.
- 8.5. **Bedford** – Bedford Borough Council have carried out an early-stage consultation (regulation 18) on strategy options and draft policies for their new Local Plan 2040. An officer response was submitted to the consultation and is attached at Appendix A to this report.
- 8.6. The response requests that the any future plan for Bedford allows for consideration of any further requests from Luton to assist in meeting its housing needs.

North Hertfordshire Local Plan

- 8.7. Consultation on the further proposed Main Modifications to the Plan closed on 24 June 2021. The representations are available to view [online](#) and have been sent to the Inspector. The Council has been informed that depending on the issues raised in the representations that it is his intention to issue his final report to the Council in the autumn. At the time of writing there is no update from the Inspector. Any update will be reported at the meeting.

Neighbourhood Plans

- 8.8. Consultation on the Regulation 16 (pre-examination) versions of the [Ashwell Neighbourhood Plan](#) and the [Knebworth Neighbourhood Plan](#) closed earlier in the year. The representations to both neighbourhood plans have been published and are available to view [online](#). Officers are working with both Parish Councils to appoint an independent examiner to examine each neighbourhood plan. Any updates will be reported verbally at the meeting.
- 8.9. The Charlton Society Neighbourhood Forum 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. Consultation on the applications ended on 21 July 2021. A report on the applications was considered by Cabinet in July 2021 with a recommendation that the applications should be determined within the statutory timescale and delegated authority granted to the Service Director – Regulatory.
- 8.10. Following the provision of further information, the applications for the neighbourhood planning area and the neighbourhood planning forum were supported and determined on 31 August 2021.

Hertfordshire Growth Board (HGB) and North-East-Central (NEC) Hertfordshire

- 8.11. The next meeting of the HGB is on 07 September 2021, an update will be reported verbally to the meeting.

Government announcements

- 8.12. The Government have published an update to the [National Planning Policy Framework \(NPPF\)](#) and a final version of the National Model Design Code. The key changes in the revised NPPF include:
- Measures to improve design quality, including a new requirement for councils to produce local design codes;
 - A new emphasis on using trees in new development;
 - The presumption in favour of sustainable development remains in the NPPF but it has been updated to include a requirement to improve the environment and mitigate climate change;
 - Development plan policies for new settlements should have a 30-year timescale, rather than 15 years;
 - The guidance on the use of Article 4 Directions has been updated to emphasise that these should be used in as small an area as possible and to reflect the changes made to permitted development rights;
 - An expectation that 10% of all major housing schemes should comprise affordable home ownership properties; and
 - The policies for improving biodiversity have been strengthened.

Other transport, planning and infrastructure matters

- 8.13. Officer meetings regarding the **proposed expansion for London Luton Airport (LLA)** are continuing. As part of the Development Consent Order (DCO) process, LLAL have prepared

a draft Statement of Community Engagement where under Section 47 of the Planning Act they are required to consult with host local authorities before it is published. The consultation period is for 28 days from 7 August to 17 September 2021. Officers are in the process of preparing a response in consultation with the Executive Members and their Deputies. The Exec Member and Deputy for Community Engagement and the Shadow Members for Transport and for Community Engagement have also been consulted. The final response will be signed off by the Exec Member for Enterprise, the Arts and Transport and a copy will be reported to a future meeting of Cabinet.

- 8.14. LLAL are yet to formally publish their revised timetable for the submission of their DCO application to the Planning Inspectorate. At the time of writing LLAL [state on their website](#) that they remain committed to engaging with local communities and intend to undertake a further period of consultation before submitting their DCO application. Any updates on the timetable will be reported verbally to the meeting.
- 8.15. The Council commissioned consultants to prepare a response on behalf of NHDC to the **London Luton Airport S73 proposed planning conditions amendment** to allow for an increase from 18 to 19 million passengers per annum. The response sets out the Council's concerns regarding noise, traffic and air quality impacts, climate change and carbon reduction concerns as well as other environmental and economic concerns. A response was prepared in consultation with the Executive Members and their Deputies for Planning and for Enterprise, the Arts and Transport. A copy of the response is attached at Appendix B.
- 8.16. **LCWIP (Local Cycling and Walking Infrastructure Plan)** – The first Stakeholder Workshop was held in July to which Parish & Town Councils, as well as well as community groups were invited to attend. Hosted by the County Council (HCC) and WSP, (HCC's consultants) with NHDC officers in attendance, the workshop provided the opportunity for WSP to share the initial cycling and walking routes that have been identified for prioritisation in the four main towns across the District and Knebworth. The workshops provided the opportunity for those in attendance to comment and provide feedback. The next stage of the LCWIP will see route audits undertaken by WSP during September of the prioritised routes to identify improvements required with the results to be shared in a second round of stakeholder workshops which are due to be held in October. The officer working group has been continuing to meet fortnightly, the LCWIP is still expected to be completed by the end of December 2021.
- 8.17. **Active Travel Fund** – HCC undertook a public consultation on the Active Travel Fund cycling schemes during July 2021, this included the 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. The current proposed scheme design is for a new separated cycleway along the route connecting with the wider cycleway network in Stevenage. An on-line officer response to the consultation was submitted by NHDC which is broadly supportive of the proposal.
- 8.18. **Hitchin Intalink Feasibility Study** – as previously reported, 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.

- 8.19. **DfT Rural Mobility Fund** – HCC have confirmed that the new DRT (Demand Responsive Transport) bus service, branded Herts Lynx is due to commence on 19th September 2021. Ahead of the launch date HCC undertook a series of roadshow events in town centres in North Hertfordshire, East Herts and Stevenage, in addition details for the new service are now available on the [Intalink website](#), including information on fares and how passengers can book journeys. Details of the new service have also been circulated to NHDC councillors and Parish and Town Councils. There will be a VIP press launch on 16th September 2021 at County Hall, Hertford to which both Executive and Deputy Executive Member's for Enterprise, the Arts & Transport have been invited to attend.
- 8.20. **GTR East Coast Timetable and LNER consultation** GTR and LNER conducted a public consultation on the proposed East Coast Mainline May 2022 timetable from 11th June to 5th August 2021. Only the GTR proposals will affect train services calling at stations in the District, (currently no LNER services call at any stations in North Herts). These proposals include seeing a reduction in the overall number of train services and the loss of direct services to stations between Stevenage and Potters Bar, (with the exception of Welwyn North) for passengers travelling from Royston, Ashwell & Morden and Baldock. The Executive Member for Enterprise, the Arts & Transport on behalf of NHDC provided a response to the consultation highlighting these and related matters and expressing the Council's view that the proposals are unacceptable. A separate officer response was provided to the LNER consultation requesting that consideration be given to some LNER services calling at Hitchin. Copies of these responses are attached at Appendices C and D. Following the closing date of the consultations, updates were received from both GTR and LNER explaining that the proposed new timetable has been postponed until 2023 with no substantial changes to happen before then.
- 8.21. **Sustainable Travel Towns** – the officer working group's for both the Letchworth Garden City (made by the Heritage Foundation) and Royston (made by the Town Council) Sustainable Travel Town's schemes led by HCC are continuing to meet on a fortnightly basis to develop Outline Plans for each town, to be agreed by all parties prior to submission. The intention is to submit these Plans to HCC for final approval later in the year. Inclusion in the full STT programme is dependent on the completion of an acceptable Outline Plan. The purpose of the Outline Plan is to demonstrate that it will be possible to develop a package of measures that can deliver a significant switch to sustainable transport. Entry into the full programme will initiate wider stakeholder engagement and lead to the development of a final programme of measures.

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. The Government has confirmed that funding is available for local planning authorities in respect of neighbourhood planning for 2021/22. A claim will be made for the designation of a neighbourhood planning forum for Charlton.
- 10.4. Cabinet agreed at its meeting on 16 June 2021 that the use of the reserve from the additional planning income in 2017/18 be extended to include the delivery of the Local Plan including master planning. The use of planning agreements will also be used to seek contributions to the master planning process from developers going forward.

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 master planning 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 Bedford Local Plan 2040 consultation

16.2. Appendix B – NHDC response to LLA S73 Planning Condition Amendment to increase passengers from 18 to 19 mppa.

16.3. Appendix C – NHDC response to GTR East Coast Timetable May 2022 Consultation

16.4. Appendix D – NHDC response to LNER May 2022 Timetable Consultation

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

17.6 Daniel Washington, Transport Policy Officer
01462 474368 daniel.washington@north-herts.gov.uk

17.8 Nurainatta Katevu, Property & Planning Lawyer
01462 474364 nurainatta.katevu@north-herts.gov.uk

- 17.9 Ian Couper, Service Director of Resources
01462 474243 ian.couper@north-herts.gov.uk
- 17.10 Jodie Penfold, Group Accountant
01462 474332 jodie.penfold@north-herts.gov.uk
- 17.11 Jo Keshishian, Human Resources Services Operations Manager
01462 474314 Jo.keshishian@north-herts.gov.uk
- 17.12 Reuben Ayavoo, Policy and Community Engagement Manager
01462 474212 reuben.ayavoo@north-herts.gov.uk

18. BACKGROUND PAPERS

- 18.1 None