

**CABINET**  
**21 December 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 and information in Appendices A to C 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. Executive Members and Deputies have been briefed on the relevant matters in this report. The Local Plan Project Board has been 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 paused the process of identifying additional sites [to seek clarity from the Department for Levelling Up, Housing & Communities \(DLUHC\)](#) on the Prime Minister’s Party Conference speech which suggested a potential policy change on greenfield development sites.
- 8.2. Welwyn Hatfield [received a response](#) from the Housing Minister, Christopher Pincher MP, which reiterates that the government’s priority for ensuring local plans are in place by 2023 has not changed, and that plan makers should continue to work under the existing guidelines.
- 8.3. The [Inspector has now written to Welwyn Hatfield](#) setting out that, now they are in receipt of a response, the Council should progress swiftly. If this cannot be achieved, the Inspector will issue a brief report explaining the main areas of unsoundness but pointing out that given the history of this Examination, he no longer has confidence that a sound plan can be achieved within a reasonable period of time and that consequently the examination should close.
- 8.4. **Greater Cambridgeshire** – Consultation on [First Proposals for the new Local Plan](#) (produced jointly by South Cambridgeshire and Cambridge City Councils) opened in November 2021 and closes on 13 December 2021.
- 8.5. Officers have reviewed the consultation material. The main development proposals for the period to 2041 are, at this stage, focused to the west, north and east of Cambridge. None of the [sites put forward for development near the administrative boundary](#) with North Hertfordshire have been included with the exception of a small proposed allocation in Melbourn.
- 8.6. A response to the consultation has been prepared and will be included in January’s report to Cabinet.

### ***North Hertfordshire Local Plan***

- 8.7. It was [reported to September Cabinet](#) that the anticipated receipt of the Inspector's report had been delayed from "early Autumn" to November. In November [officers contacted the Programme Officer](#) seeking clarification on the likely timetable.
- 8.8. [The Inspector responded](#) to state that he was still preparing the report. Once ready it would need to go through internal peer review at the Planning Inspectorate and provided to DLUHC for information prior to being issued to the Council for fact checking. The Inspector stated he was not going to be drawn into any further forecasting about when the report would be completed.
- 8.9. Officers are aware that the Programme Officer is advising examination participants that this will now not be until the New Year, reflecting the outstanding steps above.
- 8.10. Notwithstanding these delays, Officers and Members are continuing to take steps to ensure the outcomes of the examination can be successfully implemented. In line with [the Cabinet resolutions of March 2021](#), an internal Strategic Sites and Masterplanning Project Board is being established to guide the implementation of strategic and significant housing sites in line with emerging Policy SP9. Masterplan briefs are being prepared for individual development sites supported by Planning Performance Agreements to secure the resources and input required to deliver these. A further update will be provided in the January 2022 Cabinet report.

### ***Neighbourhood Plans***

- 8.11. The Ashwell Neighbourhood Plan is subject to a separate report to this meeting.
- 8.12. An independent examiner, Nigel McGurk, has been appointed to examine the [Knebworth Neighbourhood Plan](#). This examination is ongoing and the examiner has issued his clarification questions for the Parish Council to respond to. Any further update will be reported verbally to the meeting.

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

- 8.13. The minutes of the September HGB meeting are [available from the Growth Board website](#) including items on the work programme, Growth and Housing Prospectus, an update on the County Deal, establishing the Hertfordshire Infrastructure and Development Board and NEC Growth Corridor work programmes.

### ***Government announcements***

- 8.14. In 2020, DLUHC temporarily suspended legal requirements to make certain planning documents available for physical inspection as part of their response to Covid-19. These will expire on 31 December 2021. From the New Year, it will be necessary to make relevant documents available on request at the Council offices and other relevant locations (such as libraries). Officers will review the implications of this in terms of the Inspector's report and any final decision on adoption of the new Local Plan.

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

- 8.15. Officer meetings regarding the **proposed expansion for London Luton Airport** (LLA) are continuing. As part of the Development Consent Order (DCO) process, London Luton Airport Limited (LLAL) prepared a draft Statement of Community Engagement to which Officers in consultation with the with Exec Members for Planning, Transport and Community Development submitted a response. A copy of the response is attached at Appendix A.
- 8.16. LLAL, rebranded as Luton Rising are yet to formally publish their revised timetable for the submission of their DCO application to the Planning Inspectorate. It is anticipated that they will undertake a formal statutory consultation exercise on their revised scheme early in the new year before submitting their DCO application. Any updates on the timetable will be reported verbally to the meeting.
- 8.17. The Council commissioned consultants to prepare a response on behalf of the Council to the London Luton Airport S73 proposed planning conditions amendment to allow for an increase from 18 to 19 million passengers per annum. The application was presented to the Luton Borough Council Development Management Committee(DMC) on 30 November. Permission was granted. NHDC supported a letter submitted by HCC to Luton Borough Council expressing the view that the published report to the DMC on 30<sup>th</sup> November did not form a sufficiently robust basis to enable the Committee to come to a properly informed view and decision on the planning application before them. Following grant of permission HCC are now submitting a letter to Secretary of State for Levelling Up, Housing and Communities to call in the application predominantly on noise grounds. Any further updates will be reported at the meeting.
- 8.18. **LCWIP (Local Cycling and Walking Infrastructure Plan)** – A second Stakeholder Workshop was held on 29 November and 1 December to which Parish Councils, Royston Town Council, Members as well as other key organisations and 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 their revised cycling and walking routes in the four main towns and Knebworth following the outcome of their on-site audits. The workshops provided the opportunity for those in attendance to comment and provide feedback. All comments will be analysed and will assist in reviewing and prioritising the proposed network and infrastructure improvement plans before the LCWIP is completed. It is anticipated that the LCWIP will be completed early in the new year and will undergo a 4-week consultation period prior to its adoption.
- 8.19 **Sustainable Travel Towns** – as previously reported, Outline Plans for both Letchworth and Royston were prepared and agreed by all parties, i.e. being the Letchworth Garden City Heritage Foundation (who made the initial Letchworth STT application), the Royston Town Council (who made the initial Royston STT application) and North Herts for submission to the HCC Highways and Transport Cabinet Panel meeting on 4 Nov 2021 for inclusion in the full STT programme.
- 8.20 The purpose of the Outline Plans is to demonstrate that it will be possible to develop a package of measures that can deliver a significant switch to sustainable transport. Both plans have been successful and were agreed by the Panel to proceed to the full programme. This approval will now enable wider engagement and further development work to take place with

key stakeholders and local organisations in preparing a more detailed Implementation Plan for Letchworth and Royston. Copies of the Letchworth and Royston STT Outline Plans are attached at Appendix B and C respectively for information.

- 8.21 HCC are leading on the project and they are yet to contact the LGCHF, Royston town Council and officers at North Herts Council to start work on the Implementation Plans. It is anticipated that this work will commence in the new year where a programme of work will be formulated including agreeing the process for key partner and wider stakeholder engagement. Any updates will be reported verbally to the 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.
- 9.3. The setting of discretionary fees and charges for planning services are delegated to the Service Director: Regulatory in consultation with the Executive Member for Planning.

## **10. FINANCIAL IMPLICATIONS**

- 10.1. 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 of £5k for the designation of the Charlton Neighbourhood Forum, [reported to Cabinet in September](#), will be submitted before the end of the month.
- 10.4. As previously reported, Planning Performance Agreements will also be used to seek contributions to the master planning process from developers going forward. The principles and approach that will be used to determine fees for any Planning Performance Agreements are being finalised. Further information will be included in the January 2022 update to Cabinet.

- 10.5. The draft 2022/23 Budget is subject to a separate report to this meeting. This sets out the proposed approach to funding of growth bids for the strategic planning service including the use of existing planning reserves.

## **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. An initial review of the existing risks for planning and development has been undertaken. It was concluded that it was best to revisit these risks once the Inspector's report has been received and / or any final decision on adoption of the new Local Plan has been taken.

## **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. As above, the planning service's proposals for the draft 2022/23 budget are subject to a separate report.

## **16. APPENDICES**

- 16.1. Appendix A – NHDC Response to Draft SoCC
- 16.2. Appendix B – Copy of Letchworth STT Outline Plan
- 16.3. Appendix C – copy of Royston STT Outline Plan

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## **18. BACKGROUND PAPERS**

18.1 [Local Plan Implementation – Report to Cabinet 16 March 2021](#)