

**EXTRAORDINARY CABINET
02 NOVEMBER 2022**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: NORTH HERTFORDSHIRE LOCAL PLAN 2011-2031

REPORT OF: IAN FULLSTONE, SERVICE DIRECTOR - REGULATORY

EXECUTIVE MEMBER: CLLR RUTH BROWN, EXECUTIVE MEMBER FOR PLANNING & TRANSPORT

COUNCIL PRIORITY: PEOPLE FIRST / SUSTAINABILITY / A BRIGHTER FUTURE TOGETHER

1. EXECUTIVE SUMMARY

The purpose of this report is to provide Members with a summary of the Examination of the Local Plan and the Inspector's Report and to seek approval for the final version of the Local Plan to be presented to Full Council with a recommendation for its adoption.

2. RECOMMENDATIONS

That Cabinet recommends to Full Council that:

- 2.1. The outcomes of the examination set out in the Inspector's Report (IR), attached as Appendix 1, along with his recommended Main Modifications to the Plan, attached as Appendix 2, be noted.
- 2.2. The final version of the North Hertfordshire Local Plan 2011-2031 ('the Local Plan'), attached at Appendix 3, incorporating both the Inspector's Main Modifications and the proposed Additional Modifications, attached at Appendix 4, be adopted as part of the statutory Development Plan for the District.
- 2.3. The Policies Map, illustrated by Appendices 5a to 5g, is adopted in order to give geographical effect to the policies of the Local Plan.
- 2.4. The updated Local Development Scheme, attached at Appendix 6, be approved.
- 2.5. Delegated authority is granted to the Service Director – Regulatory in consultation with the Executive Member for Planning and Transport to make any minor non-material corrections (including but not limited to cosmetic additions or presentational alterations) to the adopted Local Plan or the adopted Policies Map as considered necessary for their publication and publicity in accordance with the relevant regulations.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To provide the District with an up-to-date Local Plan in accordance with the requirements of national legislation and policy.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. None. The Local Plan has completed all of the necessary legal, technical and procedural steps in its preparation and examination. The Secretary of State, through their appointed Inspector, has concluded that the Duty to Co-operate has been met and that, with the recommended main modifications set out in Appendix 2, the North Hertfordshire Local Plan 2011– 2031 satisfies the requirements referred to in Section 20(5)(a) of the 2004 Planning & Compulsory Purchase Act and is sound.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. Members, external organisations and the public have been consulted, engaged and kept informed throughout the Local Plan process:

- The Local Plan was subject to a number of public consultations prior to submission to the Secretary of State and has been subject to stakeholder and public engagement during the Examination process;
- Cabinet receives regular reports on Strategic Planning Matters within which updates are provided upon the Local Plan. Both the Full Council decision of April 2017 and the Cabinet decision of December 2018 on the proposed Main Modifications requested that Members be kept informed on the progress of the Examination in this way.;
- A Local Plan Project Board was set up in February 2016 to provide the necessary strategic guidance and direction for the production of the Local Plan within the Council; and
- The relevant Executive Members and Deputies (as applicable at the time) have been and are regularly kept up to date with regard the Local Plan at briefings throughout the process.

6. FORWARD PLAN

- 6.1 This report contains a recommendation on a key decision that was first notified to the public in the Forward Plan on 20 August 2021.

7. BACKGROUND

- 7.1. Members will be aware that the Local Plan has been developed over a number of years. A timeline of key events in relation to the Examination is set out below but is not exhaustive. Previous reports to Council and Cabinet are listed as background papers and, along with the Council website which contains full details of the Examination, should be referred to for any additional information.

- 7.2. Following several rounds of public consultation between 2013 and 2016, the Local Plan was presented to Full Council on 11 April 2017 seeking approval to submit it to the Secretary of State for Examination. The accompanying report provided an overview of key issues relevant to the Plan. This included, but was not limited to:

- Officers' opinion that the development requirements and sites in the Local Plan had been appropriately identified, were justified by the evidence and represented

an appropriate strategy for future development (Paragraph 8.12 of the April 2017 report);

- That it was appropriate to proceed on the basis of the identified housing target of 14,000 homes to meet North Hertfordshire's own housing needs (Paragraph 8.18);
- That the starting point of any examination is that the local planning authority has submitted a plan which it considers 'sound' and capable of adoption (Paragraph 9.9); and
- That, legally, the Council must submit a plan it considers ready for independent examination (Paragraph 10.3).

7.3. Following the subsequent resolution, the Local Plan was submitted to the Secretary of State – through the Planning Inspectorate (PINS) – in June 2017. The Secretary of State appointed Mr Simon Berkeley BA MA MRTPI to conduct the examination.

7.4. The purpose of the Examination is to determine whether the plan has met relevant legal requirements and is 'sound'. The National Planning Policy Framework (NPPF)¹ defines the tests of soundness as:

- **Positively prepared** – *the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development*
- **Justified** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence*
- **Effective** – *the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities*
- **Consistent with national policy** – *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework*

7.5. Examination hearing sessions into the legal compliance and soundness of the Plan were held between November 2017 and March 2018 over a total of 25 hearing days.

7.6. Following the hearing sessions, the Council submitted a wide range of additional papers and draft proposed Main Modifications addressing issues raised through the hearing sessions and identified as requiring further work by Mr Berkeley.

7.7. In November 2018, proposed Main Modifications to the Plan were published. Main Modifications are the mechanism by which the Inspector can fix or 'make sound' those parts of the Local Plan which he considers were not fit for purpose in the version of the Plan submitted for examination. These were reported to Cabinet on 10 December 2018 and approved for public consultation.

7.8. Consultation on the proposed Main Modifications took place between January and April 2019. The responses to the consultation were then returned to the Inspector for his consideration.

7.9. In July 2019, and following review of the responses, the Inspector wrote to the Council identifying a series of 'issues and reservations' with the Plan. This included questions on a series of key issues including housing need, Green Belt and the provision of homes to

¹ The Local Plan was examined against the original, 2012 version of the NPPF.

meet unmet needs from neighbouring Luton. The Inspector wrote a further letter to the Council in August 2019 setting out a range of additional questions. Responses to the Inspector's letters were prepared in consultation with the Local Plan Project Board and submitted to the Inspector in late 2019 for his consideration.

- 7.10. The Inspector reconfirmed his view – first suggested in the July 2019 letter – that further hearing sessions would be required. These were originally scheduled to take place in March 2020. However, following the emergence of Covid-19 and the associated pandemic, these were postponed.
- 7.11. In the Summer of 2020, the Inspector – along with the Inspectors for the examination of neighbouring Central Bedfordshire's new Local Plan – wrote jointly to both authorities asking for additional information following the publication of the new Government data on populations and households.
- 7.12. The hearing sessions were rearranged to commence on 28 September 2020. However, these were again postponed following the calling of an Extraordinary Council meeting to consider the information that had been produced in response to the Inspectors' request above.
- 7.13. The motion to reconsider the Council's position was not successful and the resumed hearings were rescheduled and held between 23 November 2020 and 2 February 2021 across a further 13 days of hearings.
- 7.14. Following the hearings, the Inspector issued a set of proposed Further Main Modifications to the Council. These were reported to Cabinet on 16 March 2021. Public consultation on these and associated supporting documents was held between May and June 2021.
- 7.15. The Inspector's Report (IR) was received by the Council and published on its website on 8 September 2022.

8. RELEVANT CONSIDERATIONS

The Inspector's report

- 8.1. There are three potential outcomes from a Local Plan examination. The first is that the Plan is found 'sound' and capable of adoption with no further modifications required.
- 8.2. The second is that the submitted plan is unsound, but that the Inspector can remedy this through recommending main modifications so that the plan (as modified) can be found sound.
- 8.3. The third outcome is that the plan is found unsound or legally non-compliant and the Inspector is unable to remedy this. In this instance, the Inspector will ask the local authority to withdraw the plan and / or issue a report setting out their findings.
- 8.4. The IR is attached as Appendix 1. The overall conclusion and recommendation is at the end of the report:

823. The Plan has a number of deficiencies in respect of soundness and legal compliance for the reasons set out above, which mean that I recommend non-

adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

824. The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that the Duty to Co-operate has been met and that with the recommended main modifications set out in the Appendix the North Hertfordshire Local Plan 2011–2031 satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

- 8.5. This conclusion is preceded by the Inspector's detailed consideration of procedural matters, legal compliance and 19 key issues of soundness. These range from significant matters of principle, such as overall housing provision and the release of land from the Green Belt, to detailed matters of policy relating to design or the natural environment. The Inspector's Report should be referred to for the full detail of his findings.
- 8.6. The Main Modifications recommended by the Inspector are attached as Appendix 2. These are substantively the same as those consulted upon during the two consultation periods referenced in paragraphs 7.8 and 7.14 above subject to:
- The removal of those potential modifications consulted upon in 2019 or 2021 which the Inspector concludes do not reach the threshold to be considered as Main Modifications (see paragraphs 8.10 to 8.12 below); and
 - A small number of alterations to the text of individual modifications which are specifically identified in the IR with his reasoning.
- 8.7. The Inspector summarises the main modifications as follows in the non-technical summary of the IR:
- *Reducing the objectively assessed need for housing in the district from 13,800 homes over the plan period to 11,500.*
 - *Reducing the Plan's requirement for new housing to meet the district's needs from 14,000 homes over the plan period to 11,600.*
 - *Introducing an updated housing trajectory.*
 - *Basing the calculation of the five-year supply of land for new housing on a three-stepped approach using the 'Liverpool' method.*
 - *Adding a new policy committing to a review of the whole Plan by the end of 2023 at the latest.*
 - *Introducing an additional tier to the settlement hierarchy.*
 - *Introducing a Key Diagram that properly represents the settlement hierarchy and the spatial distribution of development.*
 - *Requiring all strategic housing sites to create integrated, accessible and sustainable transport systems.*
 - *Removing from the Plan housing allocations where development has commenced or been completed.*
 - *Requiring strategic masterplans for the strategic housing sites (and some others).*
 - *Amending and clarifying the approach to, and requirements for, education provision.*
 - *Ensuring that a number of sites create 'defensible' Green Belt boundaries.*
 - *Setting out Garden City design principles against which developments in Letchworth should be considered.*
 - *Making numerous alterations to site-specific policies to ensure their effectiveness.*

- *Modifying numerous development management policies to ensure their effectiveness and consistency with national policy.*
- *A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.*

8.8. These changes reflect the outcomes of the hearing sessions and the information submitted to the Examination. Notwithstanding the number and scope of main modifications, the strategic direction and key principles of the Local Plan presented to Full Council in April 2017 are supported by the IR. These include, but are not limited to:

- That the Local Plan should meet the identified housing, employment and retail needs of the District in full and that the methods used to identify these needs are appropriate;
- That, in meeting the statutory Duty to Cooperate, the Local Plan should identify land to address the unmet housing and employment needs of neighbouring Luton and Stevenage respectively;
- That the proposed sites and allocations identified in the submitted Plan should be used to meet these aims (other than those where development had commenced or completed in the intervening period as above). Notwithstanding the decrease in the overall housing requirement, the Inspector's view is that all these sites are required to maintain supply and meet the housing requirement (including the need for affordable housing) over the plan period, particularly as a number of sites are now expected to only be partially complete by 2031;
- That the necessary 'exceptional circumstances' exist to justify the release of land from the Green Belt to achieve this and to set or amend adjusted Green Belt boundaries around many of the District's settlements;
- That the same 'exceptional circumstances' exist to justify (i) the designation of a significant new area of Green Belt within the District broadly between Hitchin, Luton, Kimpton and the A505 and (ii) the 'safeguarding' of land to the West of Stevenage for potential future development subject to a review of the plan;
- That detailed policy requirements should be set out, both for individual sites and the plan as a whole, to secure new social and green infrastructure to support new development, secure high-quality design and to help mitigate impacts.

The proposed adoption version of the North Hertfordshire Local Plan 2011-2031

8.9. Officers have updated the version of the Local Plan submitted for Examination in June 2017 to incorporate all of the Inspector's Main Modifications.

8.10. In addition to the Inspector's Main Modifications, a number of additional modifications are included in the Local Plan. Additional modifications are changes that can be made to the plan by the Local Authority following the examination and included in the adopted version of the Plan. Additional modifications must not materially affect the policies in the document and normally relate to factual information, the correction of identified errors in the text or other minor typographical changes.

8.11. As set out in paragraph 8.6 above, the Council consulted upon a number of potential modifications to the plan in 2019 and 2021 which the Inspector, in his final report, has concluded did not amount to main modifications (see Paragraph 6 of the IR). These are included as additional modifications instead along with other typographical, factual and

non-material changes. The additional modifications generally reflect information as it stood at the point of the Plan being examined to ensure consistency with the Inspector's findings.

- 8.12. The proposed adoption version of the Local Plan is attached as Appendix 3 with a schedule of the proposed additional modifications attached as Appendix 4.

Adoption

- 8.13. The Examination of the Local Plan closed on the day the report was issued to the Council. There is no further recourse to the Inspector. The Council now has a binary choice: to adopt the plan in line with the Inspector's recommendations and modifications, or to not adopt it.

- 8.14. The Council must not adopt the Plan unless they do so in accordance with the Inspector's recommended Main Modifications. There is no power for the Council to:

- adopt the Plan whilst rejecting any of the Main Modifications;
- promote and include any alternate main modifications;
- otherwise choose to only partially accept the Inspector's findings; or
- materially change the Plan from the version incorporating the Main Modifications.

- 8.15. Government Planning Practice Guidance is clear in its advice:

While the local planning authority is not legally required to adopt its local plan following examination, it will have been through a significant process locally to engage communities and other interests in discussions about the future of the area, and it is to be expected that the authority will proceed quickly with adopting a plan that has been found sound².

- 8.16. The Council is under a statutory duty to keep its local plan under review. The current local plan dates from 1996 and is severely out-of-date having originally been intended to cover the period to 2001. Its policies were only partially saved in 2007 following changes to the planning system. In March 2020, the Government set a deadline of December 2023 for all Councils to have up-to-date Local Plans in place.

- 8.17. The new, replacement Local Plan has completed all of the necessary legal, technical and procedural steps in its preparation and Examination. It has previously been approved by this Council to be submitted for Examination on the understanding that this would start from a position that the Council considers its plan 'sound' and capable of adoption (echoed in paragraph 3 of the IR).

- 8.18. The Secretary of State, through their appointed Inspector, has concluded that the Duty to Co-operate has been met and that, with the recommended main modifications the Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Planning & Compulsory Purchase Act and is sound.

² Planning Practice Guidance: What needs to be done to formally adopt a Local Plan?, Paragraph: 058 Reference ID: 61-058-20190315, <https://www.gov.uk/guidance/plan-making>

- 8.19. Upon adoption, the new Local Plan would form part of the statutory Development Plan and have full weight in the determination of planning applications. It would immediately supercede and replace the saved policies of the 1996 District Plan No.2 with Alterations.
- 8.20. In light of the above, professional officers' clear recommendation to Members is that the Plan is adopted.

The Policies Map

- 8.21. The Council is required to maintain an adopted Policies Map which details geographically how and where the policies in its plan have effect. A set of proposed Policies Maps were submitted to the examination alongside the plan. Potential changes to the maps, reflecting the proposed changes to the relevant written policies, were consulted upon in 2019 and 2021.
- 8.22. The Inspector has no formal powers to recommend modifications to, or adoption of, the Policies Map. However, his report is clear in his expectation that this will occur (Paragraphs 7 to 10 of the IR with the alterations included for completeness in the additional modifications at Appendix 4). The adoption Policies Map is illustrated by Appendices 5a to 5g. It is recommended these are approved alongside the new Local Plan.

Local Development Scheme

- 8.23. The Council is required to maintain a timetable for the production of its Local Plan, known as a Local Development Scheme (LDS). The Local Plan must be prepared in accordance with the LDS.
- 8.24. The LDS was last updated in April 2017 alongside the Full Council decision to submit the Local Plan for examination. Due to the extended period of the examination, the dates shown in the adopted 2017 LDS are incorrect.
- 8.25. A revised LDS has been prepared, and attached as Appendix 6 for approval, to reflect the final timetable for the production of the North Hertfordshire Local Plan 2011-2031. It also shows the commitment contained within the new Plan to conduct a review of the whole plan by the end of 2023 at the latest (see paragraph 8.7).
- 8.26. Every care has been taken to accurately transcribe all of the Main Modifications and additional modifications into the final version of the Local Plan. However, a delegated authority is requested for any final non-material amendments or corrections.
- 8.27. The delegation would also apply to the Policies Map. The Policies Map will not necessarily exist as a single 'fixed' or printed document and it may be necessary to present it in different configurations across different media; Members are being asked to approve the geographical extent of the various designations and policies rather than a fixed document. It may also be necessary to make minor corrections to ensure layers precisely follow property boundaries or features, particularly for (e.g.) online maps, land

searches or other digital formats where users can 'zoom in' to much smaller scales than are shown in the appended copies.

- 8.28. Some designations shown on the Policies Map, such as Conservation Areas or Areas of Outstanding Natural Beauty are set under different legislation and / or by organisations other than the Council. These may change as a result of separate processes or decisions that take place over the lifetime of the Plan. These would be updated as required with relevant policies of the Plan applying to their amended extent.

9. LEGAL IMPLICATIONS

- 9.1 The legal framework for the preparation, submission, examination and adoption of Development Plan Documents is set out in the Planning & Compulsory Purchase Act 2004 (as amended) (The Act). Detailed regulatory requirements are contained in the Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 9.2 Section 13 of the Act requires the local planning authority to keep under review the matters which may be expected to affect the development of their area or the planning of its development. Section 17 requires that local development documents (of which the Local Plan is one) must also be kept under review and set out the authority's policies relating to the development and use of land in their area
- 9.3 The powers of the Inspector to recommend modifications at the request of the Local Planning authority are established in Section 20 of the Act. The Council requested that the appointed Inspector exercise these powers when the Plan was submitted in June 2017.
- 9.4 Section 23 of the Act states that, where the Inspector recommends Main Modifications, the authority must not adopt the Local Plan unless they do so with those Main Modifications and any additional modifications which (taken together) do not materially affect the policies.
- 9.5 Section 38(3) of the Act sets out that the Development Plan consists of the development plan documents (taken as a whole) which have been adopted or approved in relation to that area along with any neighbourhood development plans which have been made. The associated regulations identify that a local plan is a development plan document.
- 9.6 Section 38(5) of the Act states that, in the event of conflict between policies in the Development Plan, the last document to be adopted takes precedence.
- 9.7 Section 38(6) of the Act states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 9.8 Upon adoption of the Plan, the Council must meet a number of regulatory requirements to publish the Plan and publicise its decision.
- 9.8 There would be a six-week period following any decision to adopt the Plan in which any party aggrieved by the decision could seek to launch a Judicial Review.

10. FINANCIAL IMPLICATIONS

- 10.1. The costs of preparing and examining the Local Plan has been funded through approved budgets set through the annual budget setting process. Where circumstances have meant that spend has been delayed the funding has been put in to a reserve, to then be released when it is needed. In addition to the approved budgets, a potential overspend of approximately £38,000 was estimated in the First Quarter Revenue Budget Monitoring report to Cabinet in September 2022. This is contingent on the final fees from the Inspectorate and parties supporting the Council. Overall since the Full Council decision in April 2017 the total expenditure to date on the Local Plan Examination has been £997k excluding officer time. Since the start of the plan process in 2012, total expenditure excluding officer time is in excess of £1.5 million.

11. RISK IMPLICATIONS

- 11.1. Officers preparing the report are bound by their professional code of conduct to provide their impartial professional judgement. For the reasons given above, officers do not consider there are any reasonable planning or technical grounds to recommend non-adoption or to explore this as a meaningful alternate course of action. Adoption of the Plan is the course of action that best mitigates and removes the risks faced by the Council, as well as providing the opportunities to best shape planning policy.
- 11.2. However, a brief summary of potential implications should Members be minded not to support the recommendation provided. Many issues were explained in depth in the report to Extraordinary Full Council in October 2020 and remain relevant. The following points are by no means exhaustive.
- 11.3. In the absence of an up-to-date plan, the Development Plan for decision-making would remain the saved policies of the 1996 District Plan Second Review with Alterations, (alongside the County Council's Waste & Minerals Plans and any made neighbourhood plans). The District Plan is significantly out-of-date having originally been intended to only cover the period to 2001.
- 11.4. Should the Council resolve to not adopt the Plan as recommended and consequently seek to start again on a replacement, it would not be possible to meet the Government deadline to have an up-to-date plan in place by the end of 2023; the entire evidence base would need to be updated in order to support any new proposals that would need to proceed once more through the statutory stages of preparation and examination. The Secretary of State retains a wide-ranging power to intervene in authorities' whose progress is considered inadequate.
- 11.5. Any replacement plan would need to be prepared against current requirements of national policy and legislation and over a longer period of time (to at least the late 2030s) likely resulting in a pressure to consider further development needs and potential sites to cover this longer period than have already been identified in the Plan as recommended.
- 11.6. The Council would continue to fail to meet key Government measures in relation to both housing supply and housing delivery and would be obliged to consider planning

applications for development favourably under the requirements of national planning policies.

- 11.7. Planning applications have been received on a number of sites proposed for inclusion in the Local Plan and it is officers' professional view that many of these – and potentially other developments in less sustainable locations - would be likely to succeed at appeal. As per 11.4 and 11.5 above, it would be some time before the Council could apply material weight to any replacement strategy. In allowing an appeal on Green Belt land at Heath Lane, Codicote in 2021, the Inspector was clear that the Council's record of housing delivery was "critically inadequate and deteriorating" to the extent that they considered the application was justified "irrespective" of the site's proposed allocation in this Plan as recommended. The costs of trying to resist developments are generally far higher than the cost of proactively negotiating developments with an up-to-date Local Plan.
- 11.8. Without the recommended Plan, the Council would not be able to apply the detailed policies it contains. These require (for example) the provision of up to 40% affordable housing on development sites – compared to the minimum 10% set out in national policy – nor apply detailed site-specific criteria aimed at mitigating potential impacts.
- 11.9. In pursuing Members' direction, Officers and consultants or other representatives would remain bound by their relevant, professional codes of conduct. Officers would objectively explore any matters but could not guarantee that they would ultimately be able to present any recommendations that differed significantly from the current contents and / or principles of the Plan.

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. An Equality Impact Assessment has been produced assessing the plan's compliance with relevant legislation and requirements. The Planning Inspectorate specifically requested that this document accompanied submission of the local plan.
- 12.3. No issues with the Equality Impact Assessment were raised by the Inspector. Paragraph 11 of the IR states:

I [the Inspector] have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including the provision of traveller sites to meet need and accessible and adaptable housing.

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. The Local Plan is subject to extensive, statutory environmental assessments which consider the social, economic and environmental implications of proposed policies and allocations.
- 14.2 Under the heading “Assessment of other aspects of legal compliance”, paragraphs 22 and 23 of the IR state:

22. The Council carried out a sustainability appraisal of the Plan, prepared a report of the findings of the appraisal, and published the report along with the Plan and other submission documents under Regulation 19. The appraisal was updated to assess the main modifications.

23. The Habitats Regulations Assessment (September 2018) [ED164] includes an Appropriate Assessment. This concludes that subject to main modifications – MM047, MM049 and MM185 – the likely significant effects of the Plan would be mitigated. The addendum to this Assessment supports those conclusions.

- 14.3 The environmental assessments which informed the examination are available through the website links provided in the background papers below.
- 14.4 A soon as practicable after adoption, the Council is required to publish and publicise the sustainability appraisal / environmental report.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 None, subject to acceptance of the recommendations. The final steps associated with the adoption and publication of the Plan and publicity would be completed by existing Council staff.

16. APPENDICES

- 16.1 Appendix 1 – North Hertfordshire Local Plan 2011-2031 Inspector’s Report, September 2022
- 16.2 Appendix 2 – North Hertfordshire Local Plan 2011-2031 Inspector’s Report, September 2022 Appendix – Main Modifications
- 16.3 Appendix 3 – North Hertfordshire Local Plan 2011-2031
- 16.4 Appendix 4 – Schedule of proposed Additional Modifications
- 16.5 Appendix 5 – Local Plan Policies Maps:
- Appendix 5a – Policies Map coverage and key
 - Appendix 5b – Policies Map A: Luton borders and Chilterns AONB
 - Appendix 5c – Policies Map B: Hitchin, Letchworth, Baldock and surrounds
 - Appendix 5d – Policies Map C: Knebworth and Southern areas
 - Appendix 5e – Policies Map D: Baldock and northern areas
 - Appendix 5f – Policies Map E: Great Ashby and rural areas
 - Appendix 5g – Policies Map F: Royston areas

16.6 Appendix 6 – North Hertfordshire Local Development Scheme, November 2022

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18. BACKGROUND PAPERS

18.1. [Report to Full Council 11 April 2017 - Submission of the Local Plan](#)

18.2. [Report to Cabinet 10 December 2018 - Main Modifications Consultation](#)

18.3. [Report to Extraordinary Full Council 8 October 2020 – Consideration of substantive motion regarding the Local Plan](#)

18.4. [Report to Cabinet 16 March 2021 – Further Main Modifications Consultation](#)

18.5. [North Hertfordshire Local Plan Examination Library](#)

18.6. [North Hertfordshire Local Plan Examination Documents](#)

18.7. [Draft Sustainability Appraisal of North Hertfordshire Proposed Submission Local Plan](#)

18.8. [Sustainability Appraisal Addendum – Proposed Main Modifications](#)

18.9. [Sustainability Appraisal Addendum – Proposed Main Modifications Appendices](#)

18.10. [Sustainability Appraisal Addendum – Further Proposed Modifications](#)

18.11. [Sustainability Appraisal Addendum – Further Proposed Modifications Appendices](#)

- 18.12. [Habitats Regulations Assessment 2018](#)
- 18.13. [Habitats Regulations Assessment 2018 – Appendix 5](#)
- 18.14. [Habitats Regulations Assessment – Addendum Note](#)

- 18.15. [National Planning Policy Framework 2012](#)
- 18.16. [National Planning Policy Framework 2021](#)
- 18.17. [Planning Practice Guidance on Local Plans](#)
- 18.18. [Planning Inspectorate Procedure Guide for Local Plan Examinations](#)