

CABINET
10 September 2024

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: STRATEGIC PLANNING MATTERS

REPORT OF: IAN FULLSTONE, SERVICE DIRECTOR - REGULATORY

EXECUTIVE MEMBER: CLLR DANIEL ALLEN, EXECUTIVE MEMBER FOR PLANNING & TRANSPORT

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

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 documents at Appendices A, C and D are endorsed.

2.3. That the revised Terms of Reference for the Strategic Planning Project Board at Appendix B are noted and endorsed.

3. REASONS FOR RECOMMENDATIONS

3.1. To keep Cabinet informed of recent developments on strategic planning matters.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1. None

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1. The Executive Member has been briefed on the relevant matters in this report. Where appropriate these have also been reported to the Council's internal, informal Strategic Planning Project Board. This includes cross-party representation from all political groups. The Project Board is chaired by the Executive Member for Planning & Transport. Local ward members have been invited to participate in relevant meetings of the Board

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 the following key matters where there has been substantive change since the report in July 2024.

8. RELEVANT CONSIDERATIONS

Consultation of NPPF 2024

- 8.1. The Ministry of Housing, Communities and Local Government (MHCLG) is seeking views on how they might revise national planning policy to support the wider objectives of the new Labour Government.
- 8.2. The [consultation](#) seeks views on the proposed approach to revising the National Planning Policy Framework (NPPF) in order to achieve sustainable growth in the planning system. They are also seeking views on a series of wider policy proposals in relation to:
- increasing planning fees,
 - local plan intervention criteria and
 - appropriate thresholds for certain Nationally Significant Infrastructure Projects.
- 8.3. The consultation began on 30th July 2024 and runs for eight weeks until 24 September 2024.
- 8.4. A briefing note has been produced by the Strategic Planning Team and has been circulated to Members and the MPs, and is attached to this report in Appendix A.
- 8.5. The Planning Department will be formulating a response to the consultation and submitting following consultation with the Executive Member for Planning and Transport.
- 8.6. Hertfordshire Infrastructure Planning Partnership (HIPP) comprised of Executive members for Planning across Hertfordshire will be submitting a response on behalf of Hertfordshire Authorities, however, their response is not available to us at present and will be signed off by them at their next meeting on 18 September.

Project Board Terms of Reference

- 8.7. Cabinet will be aware of the informal Strategic Planning Project Board from previous reports. Following the Full Council meeting at which the first masterplans (North of Letchworth and North of Stevenage) were considered, members of the Project Board reviewed the Project Boards Terms of Reference and considered that amendments were required to aid decision making going forward.

- 8.8. The amendments are shown at Appendix B as tracked changes to the terms of reference endorsed by Cabinet at its meeting in June 2023. In summary the changes seek:
- To reinforce that Board Members should feedback the views of their Group to the Board to aid decision making.
 - To invite councillors from adjacent Wards where appropriate to meetings.
 - To increase the representation by Councillors by making the Executive Member for Environment, Leisure and Green Spaces a full Board member. Shadow Executive Members are also Board members.
 - To reinforce the sending of substitutes where Board members are unable to attend meetings.
 - To offer all-member briefings on masterplans.
 - Use of an Executive Summary, together with a more visual report for Cabinet and Full Council.
 - Reports to cover the integration of masterplan sites into the existing settlements.
 - Attendance by applicant's team at Cabinet and Full Council is an expectation.
 - Use of 'special' meetings to be considered, considerations are the likely time spent on debate, if more than one masterplan is to be presented the 'balance' of the applications and the impact they may have upon each other, although ideally only one MP per meeting.

Proposed Expansion of Luton Airport

- 8.9. As previously reported to Cabinet in July, following the completion of the Examination of the Development Consent Order (DCO) application for the expansion of Luton Airport on 10 February 2024, the Examining Authority submitted a report and recommendations of its findings and conclusions on the application to the Secretary of State (SoS) for Transport on 10 May 2024. The Statutory deadline for the decision was extended by way of a written [Ministerial Statement](#) to 4 October 2024.
- 8.10. On the 2 August the SoS for Transport wrote to the Applicant and relevant parties by way of [consultation](#) including the Hertfordshire Host Authorities seeking updates and further clarification on specific issues. For the Hertfordshire Host Authorities this included providing an update on whether an agreement had been met regarding the final design of the Hitchin Junctions at the A505 and off-site mitigation works between the Applicant and the Hertfordshire County Council, and if an agreement had been met on the monitoring of traffic along rural roads within the vicinity of the airport in North Hertfordshire and in other areas in Hertfordshire around Harpenden. Responses were to be submitted to SoS by 19 August. The Hertfordshire Host Authorities [responded](#) setting out our position regarding the Hitchin junctions and willingness to enter into a side agreement with the Applicant for the monitoring of rural traffic.
- 8.11. On 23 August the SoS wrote to the Applicant and all interested parties affording them the opportunity to provide any comments on the [representations received](#) to the 2 August consultation. Comments are to be submitted to SoS by 6 September 2024. Officers are currently reviewing the representations and will come to a view with the other Host Authorities, (i.e. with Hertfordshire County Council, Dacorum, Luton and Central Beds councils) as to whether to submit any further comments.

- 8.12. Full details of all documents submitted as part of the Examination process and updates can be viewed on the PINS website at: [London Luton Airport Expansion - All project updates \(planninginspectorate.gov.uk\)](https://planninginspectorate.gov.uk)

Strategic Sites

- 8.13. The Strategic Planning Project Board continues to meet regularly. The status of work on the six, largest Strategic Sites in the Local Plan is summarised below:

Policy SP14: North of Baldock	Pre-application masterplan being prepared under a Planning Performance Agreement (PPA). Public consultation carried out on the proposed draft masterplan in late 2023. Further work is ongoing to explore options for education provision and funding in further detail with the intention of finalising the masterplan for presentation later in the year.
SP15: North of Letchworth	This masterplan was adopted as a material consideration for any future planning applications by Full Council in July 2024.
SP16: North of Stevenage	Full Council resolved <u>not</u> to adopt this masterplan at its meeting in July 2024. An update was presented to the Council's internal Project Board in September 2024 who considered further information was required before the masterplan can be pre-presented to members. Work is ongoing to consider the issues raised in the Full Council debate and by the Project Board. These principally relate to vehicular access and connections with the adjoining development in Stevenage Borough.
SP17: Highover Farm, Hitchin	Work is ongoing to complete the s106 legal agreement following a resolution to grant permission by the Planning Committee in October 2023. A Design Code is currently being prepared for the site.
SP18: North-east of Great Ashby	Pre-application masterplan being prepared under PPA. Public consultation on a draft layout took place in May 2024 along with an independent Design Review of the emerging proposals. A draft masterplan document has been provided for officer review. Feedback will inform a final version to be presented to Members, most likely in the Autumn. The timing will be influenced, in part, by any next steps taken in relation to the North of Stevenage scheme detailed above.

SP19: East of Luton	Allocation-wide masterplan being prepared under PPA. Public consultation took place in January and February 2024 with further public engagement on intended changes in July 2024. A draft masterplan document has been provided for officer review. Feedback will inform a final version to be presented to Members, most likely in the Autumn. Luton Borough Council have confirmed their view that they are “still very much reliant on development coming forward on allocated sites in North Hertfordshire and Central Bedfordshire to help meet our housing needs”.
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- 8.14. Other masterplans for significant sites are being progressed through a variety of PPAs, pre-application discussions and current planning applications lodged with the Council ([Masterplans in current applications | North Herts Council \(north-herts.gov.uk\)](https://www.north-herts.gov.uk/masterplans)).

Consultations with other Local Authorities

Uttlesford

- 8.15. We have signed a Memorandum of Understanding (MoU) with Uttlesford in relation to their Regulation 19 Consultation. The MoU can be found in Appendix C.
- 8.16. Uttlesford have consulted us on their Reg 19 Consultation. Officers will be reviewing the consultation and sending a response to their consultation in due course. The consultation runs from 8th August to 3rd October 2024.

Stevenage

- 8.17. Stevenage are undertaking a partial review of their Local Plan, concentrating on elements including
- Climate change
 - Trees and woodland
 - Sustainable drainage and flood risk
 - Station Gateway
 - House of multiple occupancy
 - Use Class Order changes
- 8.18. The consultation runs from 5th July to 15th August. Our response to the consultation can be found in Appendix D.
- 8.19. We are also in the process of agreeing a MoU with Stevenage in relation to their Regulation 18 Consultation.

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 and supporting documents 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.
- 9.3. Under the Council's Constitution (14.6.10 (b) vii B) all functions relating to National Infrastructure Planning including co-ordination of the Council's response to any consultation, examination or other any other matter concerned with major infrastructure projects, is delegated to the Service Director Regulatory.

10. FINANCIAL IMPLICATIONS

- 10.1. The general costs of activities identified in this report are met through existing revenue budgets or benefit from external funding or other arrangements to recover costs.
- 10.2. £20k has been set aside in the 2024/25 budget for any additional work associated with the London Luton Airport DCO application following the conclusion of the Examination from the SoS and any ongoing work arising from a positive decision from the Inspectorate, such as implementing monitoring levels and the enforcement of the approved scheme.

11. RISK IMPLICATIONS

- 11.1. Good Risk Management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.
- 11.2. Delays to the publishing of secondary legislation relating to Local Plans poses risks to the progression of the Local Plan update. However, we will keep this under review.

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. Several of the schemes noted at section 8 will have considerable impact on the environment as they come to fruition. Many of these will be subject to their own statutory requirements for environmental assessment such as Sustainability Appraisal or Environmental Impact Assessment. The need for further assessment, for example where there is no statutory requirement, is considered on a case-by-case basis.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1. Several posts have recently been successfully advertised and filled across the planning service. However, some of these were vacant for some time before being (re-)occupied which has resulted in certain workstreams being delayed. Additional capacity is currently provided by agency staff and consultants. Some of these costs are recovered through agreements associated with individual projects. The budget for 2024/5 includes further investment bids to ensure sufficient capacity across the planning service.

16. APPENDICES

Appendix A – Member Briefing – NPPF 2024 Consultation

Appendix B – Project Board Terms of Reference

Appendix C – MoU with Uttlesford, Reg 19

Appendix D – Regulation 18 response to SBC partial review consultation

17. CONTACT OFFICERS

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