

CABINET
14 JANUARY 2025

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: STRATEGIC PLANNING MATTERS

REPORT OF: IAN FULLSTONE, SERVICE DIRECTOR - REGULATORY

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

COUNCIL PRIORITY: THRIVING COMMUNITIES / ACCESSIBLE SERVICES / RESPONSIBLE GROWTH / SUSTAINABILITY

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 - D are 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 September 2024.

8. RELEVANT CONSIDERATIONS

Updated National Planning Policy Framework 2024

- 8.1. The Government published a revised and updated version of the [National Planning Policy Framework \(NPPF\)](#) in December 2024. The NPPF sets out the Government's planning policies. It is a material consideration when deciding planning applications. It also guides how we produce policy documents such as the Local Plan, Neighbourhood Plans and Supplementary Planning Documents. The policies and requirements of the NPPF are identified, as applicable, in officer reports and recommendations to Planning Control Committee, Cabinet and Full Council.
- 8.2. The revised NPPF follows consultation on the proposals which took place between July and September 2024. Full Council debated the suggested changes at its meeting in September 2024. This informed the Council's response to the consultation.
- 8.3. The letter setting out the key elements of this Council's response is attached at Appendix A. A copy of the full response, including the technical appendix referenced in the attached letter, was provided to the Planning Executive and Shadow Executive Members for each Group.
- 8.4. The new NPPF contains significant changes, particularly in relation to housing and Green Belt policy:
 - Policies on housing supply have been tightened up. These mean we have lost some of the protection that was afforded to us by our Local Plan. We cannot demonstrate a "five-year land supply" under the new rules and will now need to consider all relevant planning applications in that context;
 - Indicative housing figures have been released, which will set the expectation for the Local Plan Review. These give North Herts' figure as 1,018 homes per year, marginally higher than those set out in the consultation. This figure will be regularly updated. This is because it is partially based on a measure of how affordable (or not) housing is considered to be in the District.
 - Green Belt policy has been updated. The new NPPF explicitly states that an inability to meet development needs "through other means" represents "Exceptional Circumstances" with a presumption that authorities should then review GB boundaries. There is a separate expectation that authorities will work together where development needs cannot be accommodated within authority boundaries.
 - The definition of 'grey belt' is more generous than was proposed in the consultation and could now apply to more land in North Hertfordshire. More guidance on this is to be published in the New Year.
- 8.5. [A guide to the key changes](#) has been produced by the Local Government Association.

- 8.6. Many of the issues contained in the Full Council resolutions and our consultation response to Government have not been included in the revised Framework. These included the requests to not increase our housing requirement, to retain the 'urban uplift' that directed growth to cities and to retain references to 'beauty'.
- 8.7. As a result of the new NPPF, officers are:
- Reflecting the new policies and requirements in relevant reports to Planning Control Committee and delegated decisions on planning applications
 - Updating our land supply position (last published in May 2024) to reflect the new rules as well as more recent information on planning permissions and completions. We previously concluded the Council could demonstrate 3.9 years' supply based upon rules in the previous NPPF. We expect the new rules will see this figure fall slightly. It will also apply in more circumstances. Previous appeal decisions and case law have advised that decision-takers should have regard to the 'broad magnitude' of any shortfall against the five-year requirement.
 - Reviewing and updating the Council's Green Belt Review (GBR). The Council's last study dates from 2018 and informed the current Local Plan. Its findings were based upon Green Belt coverage as it was at the time. This was prior to the adoption of the current plan which both released land from and added land to the Green Belt. It also does not reflect the new language of the NPPF in terms of grey belt and the identification of areas making a 'less than strong' contribution to certain Green Belt purposes. In this context, officers consider that the 2018 GBR is not an appropriate basis for deciding whether land in the District might meet the new 'grey belt' definition.
 - Progressing the review and update of our Local Plan. This is subject to a separate report to this meeting.

Proposed Expansion of Luton Airport

- 8.8. 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.
- 8.9. The SoS deadline for the decision was extended by way of a Written Ministerial Statements to 4 October 2024 and then to the 3 January 2025. The SoS has further extended the deadline for the decision to 3 April 2025 by issuing the following Written [Ministerial Statement](#). This is to allow the newly appointed SoS appropriate time to fully consider the application before making a final determination.
- 8.10. In the interim period officers have responded to requests for further information or clarifications from the SoS. 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 - Project information](#).

Strategic Sites

- 8.11. 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). Further work exploring options for secondary education has taken place through 2024. The masterplan is expected to be submitted to the Council for consideration in early 2025.
SP15: North of Letchworth	The masterplan for this site was adopted as a material consideration for any future planning applications by Full Council in July 2024.
SP16: North of Stevenage	The masterplan for this site was adopted as a material consideration for any future planning applications by Full Council in November 2024. An outline planning application is under consideration (Council application reference 23/02935/OP). A draft design code is being prepared for the site.
SP17: Highover Farm, Hitchin	Outline planning permission for this site was granted in November 2024 following completion of the s106 legal agreement following a resolution to grant permission by the Planning Committee in October 2023. Reserved matters applications have recently been received for infrastructure and the first phases of new homes, along with a proposed Design Code for the site.
SP18: North-east of Great Ashby	The masterplan for this site was adopted as a material consideration for any future planning applications by Full Council in November 2024. An outline application is expected in early 2025.
SP19: East of Luton	The Full Council meeting to consider adoption of the masterplan for this site has been re-arranged for 15 th January 2025.

- 8.12. 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-in-current-applications)).

Other Local Authorities' Local Plans

St. Albans

- 8.13. Draft Local Plan 2041 (Reg 19) consultation closed in November. We provided a response centred around housing growth figures (based on previous standard method/NPPF), secondary school provision (where it impacts North Herts residents in the area of Blackmore End) and sustainable transport provision. This was followed by a positive duty to cooperate meeting (1st Nov.). A Statement of Common Ground was subsequently agreed and signed.
- 8.14. The consultation ran from 26th September to 8th November. Our response to the consultation and the SoCG can be found in Appendix B and C respectively.

Uttlesford

- 8.15. Uttlesford consulted us on the Regulation 19 version of the Uttlesford Local Plan 2021 – 2041. A formal response to the consultation was sent in October and is attached as Appendix D.

Stevenage

- 8.16. Stevenage are currently consulting on their Reg 19 of a partial review of their Local Plan - [Have Your Say Today - Stevenage Local Plan Reg19 - Commonplace](#), concentrating on elements including
 - Climate change
 - Trees and woodland
 - Sustainable drainage and flood risk
 - Station Gateway
 - House of multiple occupancy
 - Use Class Order changes.
- 8.17. The consultation runs from 21 November 2024 to 29 January 2025. A formal response will be prepared and submitted as part of the consultation.

Luton

- 8.18. Luton is currently consulting on their Reg 18 Issues and Options paper for their Local Plan - [New Local Plan for Luton](#).
- 8.19. Consultation runs from 12 December 2024 to 7 February 2025. A formal response will be prepared and submitted as part of the consultation.

Neighbourhood Plans

- 8.20. The Codicote Neighbourhood Plan was submitted to the Council in October 2024 for public consultation. Public consultation is taking place on the submission version of the Neighbourhood Plan and will continue until 28 January 2025. Officers are working with the Parish Council and the Communications Team to publicise the consultation period. A formal response will be prepared and submitted as part of the consultation.
- 8.21. The examination of the Barkway and Nuthampstead Neighbourhood Plan is ongoing. As part of the examination, the examiner has asked a number of questions of clarification for both the Council and the Parish Councils. The examiner's final report is expected imminently. The report will be considered by both the Council and the Parish Council and we anticipate that a further report will be made to Cabinet in March 2025.

Other matters

North, East & Central Herts Authorities Strategic Planning

- 8.22. Since 2019 North Herts together with East Herts, Stevenage, Welwyn Hatfield, Broxbourne and Hertfordshire County Council along with the help of consultants, have been working together on the strategic planning of the area. This included establishing a Vision and a Growth Study for NEC Herts. The intention of the Growth Study is to create a key piece of initial evidence to support the preparation of a joint strategic plan for the area and inform the next round of Local Plans from the 2030s to 2050.
- 8.23. In early 2024 it was agreed that the next steps in the engagement programme, post tailored workshops whose participants included elected members from across the Councils (including Leaders, Portfolio Holders), Chief Executive Officers and Managing Directors, Heads of Planning and key stakeholders (such as invited members of the community, key businesses, organisations and youth representatives) would be to broaden the engagement with more people, to promote the vision and to hear back from residents in a 'tell us what you think' campaign. An agreed engagement package has been developed, including a narrative explaining the relationship between the Vision, Growth Study, (prospective) Joint Strategic Plan and existing local planning arrangements. The engagement runs from 13 December 2024 to 31 January 2025. The consultation can be found here: [North East Central Hertfordshire Vision 2050 - Consultation](#).
- 8.24. As part of the process all Member briefings have been offered to enable councillors to answer any questions from constituents and to engage with the process. These were undertaken on 10 and 11 December 2024 and 13 January 2025.

Chilterns National Landscape proposed extension

- 8.25. Members will be aware of the draft proposals to consider extending the boundary of the Chilterns National Landscape (formerly AONB), within the District. Natural England will be holding a public consultation in the Spring of 2025 to consider the extent of the proposals. This will include sessions for Members and also public sessions in the areas of the proposed extension.
- 8.26. The Council will respond to the consultation and representations from stakeholders and individuals should be directed to Natural England themselves.

Chilterns National Landscape Management Plan

- 8.27. The Chilterns Conservation Board is currently consulting on the Management Plan for the Chilterns National Landscape. Details of the consultation are available online [Consultation on proposed changes to the management plan | Chilterns National Landscape](#) and can also be found as hard copy in the DCO reception.
- 8.28. The Council will respond to the consultation and representations from stakeholders and individuals should be directed to Natural England themselves.

North Herts Draft Town Centre Strategy

- 8.29. Officers presented an overview of the Town Centre Strategy and the findings from the Lichfields Retail and Town Centre Study to the Strategic Planning Board in October. The Board members acknowledged receipt of the presentations and the comprehensive work undertaken by the Consultants, Lichfields on the Town Centre Evidence base and officers in preparing the Town Centres Strategy. A number of queries and points were raised by the Board at the meeting which has resulted in officers having to undertake further work.
- 8.30. It was agreed that the Strategy should be an overarching document covering all four town centres together with clear policy guidance for each town centre included within the same document. This would help speed up the process and provide the necessary policy guidance for each town centre while the Local Plan is under review, rather than complete individual strategies per town with the longer timeframe as set out in the adopted Local Plan.
- 8.31. Therefore, in following this approach and considering the additional work to be undertaken it was agreed that the draft strategy should be reviewed and presented back to the Project Board prior to it being submitted to Cabinet, as soon as is practicable to a 2025 Cabinet 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 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 were successfully advertised and filled across the planning service during 2024. However, some of these were vacant for some time before being (re-)occupied which has resulted in certain workstreams being delayed. There is presently one vacancy in the Strategic Planning Team. Some projects rely on capacity in other service areas. Additional capacity is currently provided by agency staff and consultants. Some of these costs are recovered through agreements associated with individual projects.

16. APPENDICES

Appendix A – Council response to NPPF 2024 consultation

Appendix B – St Albans Reg 19 Consultation response

Appendix C – St Albans SoCG

Appendix D - Uttlesford Reg 19 Consultation response

17. CONTACT OFFICERS

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