

**CABINET
29 JANUARY 2019**

PUBLIC DOCUMENT

TITLE OF REPORT: STRATEGIC PLANNING MATTERS

REPORT OF THE SERVICE DIRECTOR - REGULATORY
EXECUTIVE MEMBER: COUNCILLOR DAVID LEVETT
COUNCIL PRIORITY: PROSPER AND PROTECT

1. EXECUTIVE SUMMARY

1.1. The purpose of this report is to inform Members of the current positions regarding:

- Other Local Plans and Examinations
- North Hertfordshire Local Plan
- Neighbourhood Plans
- Government announcements
- Strategic Planning

2. RECOMMENDATIONS

2.1 That the report on strategic planning matters be noted.

2.2 That the submission in Appendix A is 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 Member for Planning, Enterprise and Transport has been kept informed on the matters set out above.

6. FORWARD PLAN

- 6.1 This report does not relate to an item on the Council's 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.

8. RELEVANT CONSIDERATIONS

Due to the Christmas and New Year break there has been no substantive progress on a number of issues since the last report to Cabinet in December 2018. Only those issues where there has been change since the last report are included.

8.1 Other Plans and Examinations

- 8.1.2 **Uttlesford District Council** – Uttlesford are carrying out further work on the environmental assessment of their plan. This follows the findings of the Inspector examining plans in north Essex (which also proposed a series of new settlements). The Council's website states that they intend to submit the Plan for examination in early 2019.

- 8.1.3 **Welwyn Hatfield Borough Council** – A new call for sites has been launched running until 4 February 2019. This will inform whether there is any scope for additional housing sites to be identified to meet the objectively assessed need for housing. Following the call for sites, any submissions will be considered along with a review of the sites already proposed for allocation. The findings will be presented to Members in Summer 2019 with any changes or additional sites then submitted to the Local Plan Inspector.

- 8.1.4 **St. Albans City & District Council** –The Council intend to submit their plan for examination in March 2019. This follows consideration of the representations received to the proposed submission consultation last year.

- 8.1.5 **Hertfordshire County Council (waste & minerals)** – Consultation on the proposed submission Minerals Local Plan will be held between 14 January and 22 March 2019. Officers will review the contents of the Plan and, if required, prepare a response in consultation with the Executive Member. This will be reported to a future meeting.

8.1.6 **Chilterns AONB Management Plan** – a response to the Chilterns Conservation Board consultation on their draft Management Plan 2019 – 2024 was prepared and submitted under delegated powers. This is attached at Appendix A. The response is generally supportive of the Management Plan and its intentions. The main concern expressed is in relation to the potential conflict between encouraging more visitors into the AONB without having the supporting sustainable infrastructure to cope with this potential increase, which may put pressure on other issues such as the rural economy, social well-being and the landscape that they are trying to conserve and enhance. It is noted that there appears to be little supporting evidence to justify how the Conservation Board proposes to address sustainable transport measures through the Management Plan. Officers are part of the Chilterns Planning Forum and will continue to provide input to the Plan where possible as it moves through the process.

8.2 North Hertfordshire Local Plan

8.2.1 Cabinet considered the Inspector's Main Modifications and approved consultation on them in December 2018. Following a delay in the publication of the relevant decision notice, consultation will now run until Monday 4 March 2019. Members, consultees and the public were previously advised the consultation would close on Thursday 14 February 2019. The revised consultation dates will be publicised. It is not considered that this delay will have a substantive bearing on the overall timetable for the Plan's examination.

8.3 Neighbourhood Plans

8.3.1 An exploratory meeting to consider the Wymondley Neighbourhood Plan will be held by the examiner, Deborah McCann, on Wednesday 30 January. This is a meeting in public and will be held in the Council's Committee Rooms. Any outcomes will be reported to a future meeting.

8.4 Government Announcements

8.4.1 No updates reported

8.5 London Luton Airport

8.5.1 London Luton Airport Limited (LLAL) are continuing to work towards a submission to the Planning Inspectorate of a Development Consent Order (DCO) for the proposed expansion of the airport. Current timescales envisage that feedback on the 2018 non-statutory consultation will be reported in early 2019, a preferred masterplan option published mid 2019 with submission of a DCO application spring 2020.

8.5.2 Officers are meeting regularly with the LLAL together with the other affected authorities. Work is on-going in seeking to secure a Planning Performance Agreement (PPA) so that costs associated with the Council's representations on the scheme can be reimbursed in total or part.

8.7 Other transport and infrastructure matters

8.7.1 **A505 Transport Corridor Joint Study** – as previously reported, North Hertfordshire is working together with Luton, Central Bedfordshire and Hertfordshire County Council in have commissioned AECOM to undertake a study to investigate and understand the transport infrastructure implications of the significant planned and future housing and economic growth within Bedfordshire and Hertfordshire and in particular along the A505 corridor. The first stage of the project is expected to be completed and signed off by the Steering Group later this month. Updates on the next stages of the project will be reported to future meetings of Cabinet.

9. LEGAL IMPLICATIONS

9.1 Under the Terms of Reference for Cabinet Paragraph 5.6.18 of the Constitution states that the Cabinet 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 plans, up to and including the approval of the proposed submission documents are Cabinet matters. Submission of the draft Local Plan to the Secretary of State for Examination and final adoption of Local Plan documents shall be a matter for Full Council.

9.3 Section 110 of the Localism Act 2011 sets out (by amendment to the Planning & Compulsory Purchase Act 2004) the duty to co-operate between local planning authorities and other prescribed bodies, to maximise the effectiveness in the preparation of development plan and other local development plan documents, so far as they relate to a strategic nature. These bodies should consider if they are able to work together jointly on such matters and must have due regard to any guidance given by the Secretary of State.

9.4 The Localism Act 2011 provided a new statutory regime for neighbourhood planning. The Neighbourhood Planning (General) Regulations 2012 (as amended) make provisions in relation to that new regime. It does amongst other things set out the Council's responsibility (as the Local Planning Authority) in assisting communities in the preparation of neighbourhood development areas, plans and order and to take plans through a process of examination and referendum.

- 9.5 The provisions for planning obligations are set out under Section 106 of the Town and Country Planning Act 1990 (as amended).

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. The Quarter 2 monitor showed forecast spend of £306k in 2018/19, an overspend of £115k against the working budget.
- 10.2 The general costs of preparing Supplementary Planning Documents and responding to consultations on neighbouring authorities' Plans, neighbourhood plans and Government consultations are met through existing revenue budgets. A financial risk has been included for 2018/19 for any further work on Neighbourhood Planning that is not covered by the current reserve or future grants.

11. RISK IMPLICATIONS

- 11.1 No direct risk implications from this report but Sustainable Development of the District and the Local Plan are both Cabinet Top 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.

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 As the recommendations made in this report do not constitute a public service contract, the measurement of 'social value' as required by the Public Services (Social Value) Act 2012 need not be applied, although equalities implications and opportunities are identified in the relevant section at Paragraph 12.

14. HUMAN RESOURCE IMPLICATIONS

14.1 There are no new human resource implications arising from the contents of this report.

15. APPENDICES

15.1 Appendix A – NHDC Response to Chilterns AONB draft Management Plan 2019-2024 consultation

16. CONTACT OFFICERS

16.1 Ian Fullstone, Service Director of Regulatory
01462 474480 ian.fullstone@north-herts.gov.uk

Contributors

16.2 Nigel Smith, Strategic Planning Manager
01462 474847 nigel.smith@north-herts.gov.uk

16.3 Louise Symes, Strategic Infrastructure & Projects Manager
01462 474359 louise.symes@north-herts.gov.uk

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

16.8 Ian Couper, Service Director of Resources
01462 474243 ian.couper@north-herts.gov.uk

16.9 Kerry Shorrocks, Corporate Human Resources Manager
01462 474224 kerry.shorrocks@north-herts.gov.uk

17. BACKGROUND PAPERS

17.1 None