

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: STRATEGIC PLANNING MATTERS

REPORT OF THE SERVICE DIRECTOR - REGULATORY

EXECUTIVE MEMBER FOR PLANNING & TRANSPORT

COUNCIL PRIORITY : ATTRACTIVE AND THRIVING / PROSPER AND PROTECT

1. EXECUTIVE SUMMARY

1.1 This report identifies the latest position on key planning issues affecting the District

2. Recommendations

2.1 That the report on strategic planning matters be noted.

2.2 That the submission(s) in Appendices A, C and D be noted and endorsed by Cabinet.

2.3 That the submissions in Appendices B, E and F be noted by Cabinet.

3. REASONS FOR RECOMMENDATIONS

3.1 To keep Cabinet informed of recent development 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 and Transport and deputy has been briefed on the matters set out above.

6. FORWARD PLAN

6.1 This report does not contain a recommendation on a key decision and has 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.

- 7.2 A comprehensive update was provided in the report to Cabinet of June 2019. Only those matters where there has been substantive new information or change are reported upon.

8. RELEVANT CONSIDERATIONS

8.1 Other Plans and Examinations

- 8.1.1 **Welwyn Hatfield** – As previously reported, a consultation on potential additional sites took place, ending on Tuesday 18th June 2019. A response was prepared in consultation with the Executive Member and is attached as Appendix A.
- 8.1.2 **St. Albans** – The Inspector's examining St Albans plan have requested further information on the Plan's proposed approach to Green Belt matters. As a result of the issues raised they consider that the provisional dates for hearings in October 2019 may no longer be feasible.

8.2 North Hertfordshire Local Plan

- 8.2.1 The Inspector wrote to the Council on 9 July 2019 identifying some "issues and reservations". These relate to five main issues:
- The objective assessment of housing need
 - The Green Belt Review Update
 - The proposed 'East of Luton' sites
 - Safeguarded land to the West of Stevenage; and
 - The main modifications proposing to allocate new land for development
- 8.2.2 The Inspector's letter has been published on the Council's website and is also attached to this report as Appendix B. Officers in consultation with relevant Members are currently considering how best to address the Inspector's requests.

8.3 Neighbourhood Plans

- 8.3.1 Following consideration of the Wymondley Neighbourhood Plan at the previous Cabinet meeting, the referendum has been scheduled for Thursday August 29 2019. If a simple majority vote in favour of the Plan, it will be 'made' by the Service Director – Regulatory in consultation with the Executive Member for Planning and Transport under delegated powers and will form part of the statutory Development Plan for determining planning applications.
- 8.3.2 Consultation on the draft Baldock, Bygrave and Clothall Neighbourhood Plan took place in May and June 2019. A response was prepared in consultation with the Executive Member and is attached as Appendix C.

8.4 Government Announcements

- 8.4.1 None to report

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 in Spring 2020. Officers are meeting regularly with the LLAL together with the other affected authorities.
- 8.5.2 Work is reaching a conclusion 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. Officers have secured funding from the applicant to obtain specialist external legal advice with regard the PPA.
- 8.5.3 LLAL are proposing to run their statutory consultation of their expansion proposals from 16 October 2019 to the 11 December 2019. As part the process leading up to this statutory consultation a Statement of Community Consultation (SoCC) has been prepared which will set out how consultation will take place for the Development Consent Order. A response has been prepared in consultation with the Exec Member. See attached at Appendix D.

8.6 Other transport, planning and infrastructure matters

- 8.6.1 **A505 Transport Corridor Joint Study** – Following completion of the Stage 1 evidence gathering, officers from North Hertfordshire together with Luton, Central Bedfordshire and Hertfordshire County Council have agreed to proceed with Stage 2 of the study. This will examine existing and future pressures on the transport network
- 8.6.2 **M1 to A6 link road** - A response supporting the objection by HCC to the Central Bedfordshire Planning application to provide a road connecting the M1 to the A6 north of Luton was prepared and submitted to CBC, setting out our concerns regarding potential traffic impacts on the villages of Lilley and Hexton in connecting to the A505 and also the A505 / Pirton Road junction in Hitchin, which is already operating close to capacity. Reference is also made to the two AQMAs in Hitchin. A copy of the response is attached at appendix E.
- 8.6.3 **Aviation 2050: The Future of UK Aviation- Consultation:** sets out the Governments specific policy proposals for inclusion in the final aviation strategy, to be published later in the year. NHDC have submitted a response supporting the comments submitted by Hertfordshire County Council. See copy attached at Appendix F. The consultation document can be viewed at: <https://aviationstrategy.campaign.gov.uk/>
- 8.6.4 **Strategic planning in north-east Hertfordshire** – Work continues with the other authorities in the area (Broxbourne, East Hertfordshire, Hertfordshire County, Stevenage and Welwyn Hatfield) to explore the potential for joint approaches to the future strategic planning of the area beyond the current round of local plans.

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 There are no new legal implications arising from this report. 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.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no new financial implications arising from this report. 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 for 2019/20 that funding is available for local planning authorities (LPAs) in respect of neighbourhood planning. LPAs can claim £20,000 once a date has been set for a referendum following a successful examination. Area designation funding has not been available for the last years to the Council as it has already designated more than 5 areas.
- 10.4 The financial risks associated with planning were reviewed and updated as part of the budget-setting cycle for 2019/20. Risks are identified in relation to potential additional costs associated with progressing the Plan or any future challenge to it.

11. RISK IMPLICATIONS

- 11.1 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 The Social Value Act and "go local" policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 There are no new human resource implications arising from the contents of this report. A number of appointments have been made within the planning service since the implementation of the directorate restructure in 2018. Workload and vacancies are monitored on an on-going basis. There are currently two vacancies within the Strategic Planning & Enterprise team.

15. APPENDICES

- 15.1 Appendix A Response to Welwyn Hatfield promoted sites consultation
- 15.2 Appendix B Inspector's letter re. Examination of the North Hertfordshire Local Plan 2011-2031
- 15.3 Appendix C Response to Baldock, Bygrave and Clothall Reg 16 consultation
- 15.4 Appendix D – Response to Luton SoCC
- 15.5 Appendix E – Copy of response to Central Bedfordshire Planning Application for M1 to A6 Link road
- 15.6 Appendix F – Copy of response to Aviation 2050: The Future of UK Aviation-Consultation

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17. BACKGROUND PAPERS

- 17.1 None