

**CABINET
17 DECEMBER 2019**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: STRATEGIC PLANNING MATTERS

REPORT OF THE SERVICE DIRECTOR - REGULATORY

EXECUTIVE MEMBER: 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 in Appendix A be noted by Cabinet.

2.3 That Cabinet endorse the use of Conservation Area Character Statements for Ashwell, Barkway, Barley, Bendish, Codicote, Croft Lane, Ickleford, Norton, Reed, Roe Green, Rushden, Sandon, Southern Green, Wallington, Whitwell, Therfield as listed in paragraph 8.4.2 of this report as material considerations in decision making for planning applications and in the preparation of Neighbourhood Plans.

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 have been briefed on the matters set out above. The Local Plan Project Board is regularly consulted and updated upon matters affecting the Examination.

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. As with previous reports, 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 **Central Bedfordshire** – A number of letters have been sent between the Inspectors examining the [Central Bedfordshire Plan](#) and the local authority. As verbally reported to the last Cabinet meeting, the first two of these raised concerns over the assessment of alternatives to the Plan's proposed allocation north of Luton, identified several sites that should be removed from the Plan and advised that the Inspectors had yet to determine whether to continue the examination or recommend the withdrawal of the Plan. This has had implications for this Council's assessment of the issues raised in our own Inspector's letters (see below).
- 8.1.2 In a third letter issued last month, the Inspectors have requested that the Council prepare a schedule of actions and timetable for additional work going forward once planning permission for the proposed M1-A6 link road has been granted.
- 8.1.3 **South Cambridgeshire** – Cambridge City Council and South Cambridgeshire District Council are working together to prepare a [joint Local Plan for the Greater Cambridge area](#). One of the first stages of the new joint Local Plan is an Issues and Options consultation. This is due to begin on Monday 13 January 2020. This is a change from the anticipated late-November start reported to the last Cabinet meeting.
- 8.1.4 **Stevenage** – The examiner considering the introduction of a [Community Infrastructure Levy \(CIL\) for Stevenage](#) has issued his report. The reports concludes that the Council's proposed CIL rates of between £40 and £100 per square metre are "realistic and suitably cautious" and "will achieve a reasonable level of income to fund required infrastructure".
- 8.1.5 The decision on whether to implement CIL is due to be considered by Stevenage's Executive on 16 December. They will make a recommendation to the Full Council meeting due to be held in January 2020.
- 8.1.6 **Welwyn Hatfield** – Further [hearing sessions](#) are to be held on one of the Plan's proposed strategic allocations and new evidence work on housing and employment in the week beginning 16 December 2019.

8.1.7 **St Albans** – First stage examination [hearing sessions](#) are due to begin on Tuesday 21 January 2020. These will consider strategic matters including legal compliance, Green Belt and the proposed broad locations for development.

8.1.8 This Council submitted a response to the pre-submission consultation that was [reported to, and endorsed by, Cabinet in December 2018](#). Officers consider that these representations are sufficient to convey this District's concerns at this stage and have not requested to appear at the first stage Hearing Sessions.

8.2 North Hertfordshire Local Plan

8.2.1 Responses to the Inspector's letters of 9 July and 9 August 2019 were submitted for his consideration on 29 November 2019. A verbal update will be provided at the meeting.

8.3 Neighbourhood Plans

8.3.1 The Examiner's report into the Preston Neighbourhood Plan has been received and is subject to a separate report to this meeting.

8.4 Conservation Area Character Statements

8.4.1 Reasons for the production of Conservation Area Character Statements were given in section 8.4 of the Strategic Planning Matters Report to Cabinet on 31st October 2019 when the first group of Character Statements were endorsed. The report also stated that when other Character Statements were completed by the appointed consultants these would be reported to future Cabinet meetings.

8.4.2 As previously reported, work on the 33 Conservation Area statements is being carried out in 8 phases. This report relates to phases 2, 3, 4 & 5 and Cabinet is therefore asked to note that the Conservation Area Character Statements for Ashwell, Barkway, Barley, Bendish, Codicote, Croft Lane, Ickleford, Norton, Reed, Roe Green, Rushden, Sandon, Southern Green, Wallington, Whitwell, Therfield have been completed and to endorse their use as material considerations in decision making and neighbourhood planning. These statements are available to view on the [Council's website](#).

8.5 Government Announcements

8.5.1 The Government has launched a new [£10m capacity fund](#) to generate proposals for new business-backed development corporations and similar delivery models. Officers are exploring this opportunity further in the context of the joint work with the Hertfordshire authorities reported at the last meeting.

8.6 London Luton Airport

8.6.1 [Statutory consultation](#) commenced on 16 October 2019 for eight weeks ahead of formal submission of a Development Consent Order (DCO) for the proposed expansion of the airport to the Planning Inspectorate in 2020. The consultation formally closes on 16 December 2019.

8.6.2 North Hertfordshire District Council has entered into a Planning Performance Agreement (PPA) with the host authorities, i.e. Luton Borough Council, Hertfordshire County Council and Central Bedfordshire Council and LLAL. The PPA seeks to provide:

- a collaborative project management framework for the Programme;
- commitments from the Parties to constructively engage with the Programme and the proposed Development throughout the pre-application and examination stages associated with the Application; and
- agreement to adhere to any deliverables, milestone dates and standards to be agreed between the Parties under any Works Order(s), such as commissioning consultants to prepare technical responses to the application on behalf of the 4 host authorities.

This does not fetter or preclude each local authority from submitting their own comments to the application at any stage. The PPA includes dedicated funding and resource costs for consultant fees and officer time involved in meetings.

8.6.3 Officers have been submitting comments to the appointed consultants to prepare a joint technical response to the current statutory consultation on behalf of the host authorities. A copy of the response will be appended to a future Cabinet report. Due to the delay in signing the PPA the four host authorities requested and have had accepted a request to extend their deadline for comments until 24 December 2019, approximately one week after the formal consultation deadline above.

8.7 Other transport, planning and infrastructure matters

8.7.1 **England's Economic Heartland (EEH) Outline Transport Strategy consultation -** Following the release of the National Infrastructure Commission's report on opportunities presented by the Oxford-Cambridge Arc- including the potential to double its economy, the Government made the region a national priority. As part of this process, the Sub-national Transport Body for the EEH is responsible for preparing an overarching Transport Strategy for the region. The strategy will provide the basis for identifying the long-term management, operation and investment needs for the transport system across the region over the next 30 years.

8.7.2 The EEH's [Outline Transport Strategy](#) was consulted on from 16 July to 31 October 2019. This document sought initial views from local communities and businesses as to how the regions transport system needs to develop over the next 30 years. Views from this consultation will then be used to develop the EEH's draft Transport Strategy which will be the subject of a formal consultation in early 2020. Officers have prepared a response supporting the comments submitted by Hertfordshire County Council. See copy attached at appendix A.

- 8.7.3 **Annual Monitoring Report** – The Council’s [Annual Monitoring Report](#) (AMR) for the financial year 2018/19 has been published. This sets out a range of information on development in the District and other matters influencing planning. As reported to Cabinet in September, the AMR report confirms that the Council does not have a five-year housing land supply. This will continue to be a relevant factor in planning decisions.

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 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.
- 9.3 Section 69 of the Planning (Listed Buildings and Conservation) Act 1990 sets out statutory requirements for the designation and review of Conservation Areas.

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 five 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.
- 10.5 The Conservation Area work identified in Section 8.4 above is funded through an existing, approved revenue budget. Any bids to support future work, including any consequential Conservation Area Reviews (or similar) recommended by the appointed consultant, will be considered through the budget-setting process for 2020/21 (and beyond). Any formal Conservation Area reviews would be subject to public consultation.

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. Workload and vacancies are monitored on an on-going basis. Following a temporary internal secondment there are currently no vacancies within the Strategic Planning team with one officer on maternity leave.

15. APPENDICES

- 15.1 Appendix A – NHDC response to EEH Outline Transport Strategy Consultation

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17. BACKGROUND PAPERS

- 17.1 None