

Three Rivers District Council

# Committee Report

Date: 11<sup>th</sup> September 2023

## POLICY AND RESOURCES COMMITTEE

### PART I

#### 7. CONSULTATION RESPONSES AND ENDORSEMENT OF AN AMENDED VISION AND OBJECTIVES FOR THE SOUTH WEST HERTS JOINT STRATEGIC PLAN (ADEIP)

##### Summary

- 1.1 Consultation on the first formal Regulation 18 stage of the South West Hertfordshire Joint Strategic Plan (JSP) was undertaken in autumn 2022. This consultation sought feedback on a number of themes, a draft vision and objectives for the Plan, and a series of potential growth types that could be considered for the future. Officers have now considered all of the responses received and prepared a draft consultation report. This report provides a high level summary of the number and nature of these responses and seeks the endorsement of a series of changes to the draft vision and objectives to take account of feedback received. It also seeks agreement to a number of changes to the Sustainability Appraisal Scoping Report which was consulted on in parallel.

##### Details

###### Role and Scope of the JSP

- 2.1 The South West Hertfordshire authorities (Dacorum Borough Council, St. Albans City and District Council, Watford Borough Council, Hertsmere Borough Council and Three Rivers District Council, with the support of Hertfordshire County Council) have agreed to work together to produce the South West Hertfordshire Joint Strategic Plan (JSP). This will provide an integrated strategic planning framework and supporting evidence base to support sustainable growth in the area to 2050.
- 2.2 The JSP will be a statutory planning document, prepared under Section 28 of the Planning and Compulsory Purchase Act 2004 (as amended). The Plan will identify the overall quantum of housing and economic growth within South West Hertfordshire to be planned to 2050 and its broad distribution across the area. The plan will identify strategic allocations and priorities, as well as the strategic infrastructure necessary to deliver the spatial strategy.
- 2.3 The JSP will focus on climate resilience, infrastructure delivery, strategic housing and employment. However, it will be about more than planning and will help create a framework for investor confidence in SW Herts.
- 2.4 The benefits of a JSP include:
- Increased potential for unlocking infrastructure investment from Government;
  - Creating a bigger canvas to make decisions about future growth;
  - Allowing an infrastructure-led approach; not 'planning by numbers'; and
  - Enabling a coordinated approach to investment and delivery of infrastructure giving priority to strategic solutions.
- 2.5 All five local planning authorities will retain 'sovereignty' over the JSP process, with the plan following essentially the same process as individual Local Plans. It will therefore need approval from each of the partner authorities at each key

stage of its preparation and final adoption.

#### Relationship of the JSP to district Local Plans

- 2.6 Each of the South West Hertfordshire authorities is in the process of updating their individual Local Plans, which currently run to between 2031 and 2041. The JSP will not affect the content of this current round of Local Plans. Rather these Local Plans will help inform the JSP by establishing the medium-term planning strategy for the area. The Joint Strategic Plan will then look further ahead in a more co-ordinated way, to 2050, to help provide a longer-term framework for the area. When each authority comes to review their Local Plan again, they will be able to frame those new policies in the context of the jointly developed policies in the Joint Strategic Plan. The next round of Local Plans will also add more detail to the policies of the Joint Strategic Plan and facilitate their delivery. Working in the context of the jointly developed Joint Strategic Plan policies, these more detailed Local Plan policies will be more effective in delivering the overall policy aims for the South West Hertfordshire area.

#### Content of the Issues and Options document

- 2.7 The Planning and Compulsory Purchase Act 2004 (as amended) and associated regulations leave matters such as the number and nature of consultations undertaken at the Regulation 18 stage very much to the discretion of authorities involved. It has however been agreed through the Statement of Common Ground signed by the five district authorities and county council in 2021, that engagement on the JSP will involve two Regulation 18 (R18) stages. The first will be an 'Issues and Options' document, focusing on establishing a clear vision and set of objectives for the plan. The second R18 stage will comprise a draft 'Spatial Options' document. The recent consultation was on the first of these documents – entitled 'Realising Our Potential.'
- 2.8 This consultation document set out the long-term planning issues that are expected to face the SW Herts area to 2050, and suggested some broad principles that could be used to develop a plan to address these issues. It also began a high level discussion on the types of future growth that could be considered for the area.
- 2.9 The document was intentionally high level at this first formal consultation stage. Importantly, it did not include any indicative housing or employment targets or suggest any locations where growth may occur. This is because:
- (a) It is unclear at the present time what any future housing and employment targets for the area will be on a long-term basis; and
  - (b) Technical work to inform any decisions on the appropriate scale and location of growth has not been completed.
- 2.10 Feedback was sought through a series of yes/no questions, with the opportunity for respondents to explain the reasons for their answers.
- 2.11 All of the SW Herts authorities agreed the 'Realising Our Potential' document and associated Sustainability Appraisal Scoping Report for consultation during meetings in June and July 2022.

#### Sustainability Appraisal

- 2.12 As required by the Strategic Environmental Assessment Directive and Government Guidance on Sustainability Appraisal as set out in the Planning

and Compulsory Purchase Act 2004 and associated Regulations, the Issues and Options document is accompanied by a Sustainability Appraisals Scoping Report. This was prepared by Land Use Consultants Ltd on behalf of the SW Herts authorities. The principal role of this Scoping Report is to set out a suggested framework against which future iterations of the plan could be assessed to establish its likely social, economic and environmental impacts. It also included a high level initial assessment of the proposed vision and objectives and growth types, to help ensure these are comprehensive and that any potential social, environmental and economic impacts are highlighted at an early stage in the plan-making process.

2.13 As the JSP progresses, the Sustainability Appraisal work will be extended to reference the conclusions of a separate process relating to the Habitats Regulations Assessment which must also accompany the later stages of a statutory plan. This will be particularly important considering the recent report prepared into the impact of visitor numbers, air pollution etc on the Chiltern Beechwoods Special Area of Conservation (SAC) within Dacorum Borough: the impact of which extends beyond the borough boundary.

2.14 As required by the regulations, feedback was sought on this Sustainability Appraisal Scoping Report as part of the R18 engagement.

#### Approach to consultation

2.15 As with Local Plans, there is a legal requirement to undertake public consultation on statutory Joint Strategic Plans. The broad arrangements for engagement in plan-making are set out in the Statement of Community Involvement (SCI), which was adopted by all the SW Herts authorities in July 2022. This SCI was supplemented by an updated Communications and Engagement Plan, prepared by specialist engagement consultants Icenl and the JSP Communications Officer, in liaison with Communications Officers at each of the participating SWH authorities.

2.16 The consultation was largely funded through a 'Proptech' grant from the Department for Levelling Up, Housing & Communities (DLUHC) which enabled the JSP team to deploy an innovative approach to engagement using a variety of social media platforms, as well as develop a bespoke engagement website - [www.swhertsplan.com](http://www.swhertsplan.com). The approach to engagement was influenced by the lessons learned from a successful informal engagement 'SW Herts – Your Future' carried out in early 2020.

2.17 As set out in Part 1 of the Consultation Report (see Appendix 1), the engagement employed a range of tools and approaches to raise awareness and increase response rates to the consultation material, including:

- An interactive consultation document hosted on the SW Herts website, with supporting material.
- A linked social media based campaign, supported by short videos and graphics, utilising a shortened version of the full R18 document, with simplified questions.
- Paper copies of consultation material and response forms issued to all libraries and deposit points within the SW Herts area.
- An introductory video hosted on SW Herts website.

- Direct notification letters / emails to all key consultation bodies listed in the Statement of Community Involvement, plus other groups and individuals on JSP consultation database.
- Articles in district / county e-newsletters / newsletters / magazines as timing permitted.
- The signposting of the consultation website via the SWH partner authority websites.
- Press release(s) – co-ordinated by JSP team and issued by each authority.
- Business cards with QR code information on the consultation distributed to colleges, libraries and deposit points in the SW Herts area.
- Posters provided for display at libraries and deposit points.
- An updated 'Frequently asked Questions' on website.
- Dedicated briefings for Town and Parish Councils.
- A workshop event held for sixth form students.

2.18 As this engagement took place over the summer period, it was extended from the usual six weeks to eight weeks (as per paragraph 2.12 of the Statement of Community Involvement), running from 5<sup>th</sup> September until 4<sup>th</sup> November 2022.

2.19 The social media focussed element of the engagement, ran for a more limited time period (5 to 28 September inclusive), as the results had to be reported to Government (DLUHC) by the end of September to meet the conditions of the PropTech grant. Having a shorter consultation period for the social media based element of the consultation was not problematic, as the consultants who ran this element of the engagement advised that three weeks was the optimum period for the poll to remain live and as summarised out below, the response rate achieved was very high.

#### Level of feedback received

2.20 As Part 2 of the Consultation Report (see Appendix 2) illustrates, the consultation is considered to have been very successful. The table below shows how responses were received via the online survey, social media hosted poll, email and letter – equating to over 3,400 responses in total. The online survey and poll alone this provided over 27,300 individual pieces of feedback. Awareness of the consultation was also very high, with the social media adverts released via the Councils' social media accounts being seen by almost 45,500 people and the website visited more than 8,700 times over the course of the consultation period.

2.21 The participation levels for the poll compare very well with the 'Your Future' poll the JSP programme carried out in early 2020. This earlier poll had 3,291 voters, casting 15,042 votes and leaving 2,082 pieces of written feedback.

Method of response	Respondees	Individual pieces of feedback
Online survey	204	2,569
Give My View poll	3,122	24,734 (including 5,198 pieces of written feedback)
Email	138	Not assessed
Letter	1	Not assessed
<b>TOTAL</b>	<b>3,465</b>	<b>N/A</b>





2.24 As recommended in Appendix 3, no specific changes are proposed as a result of the majority of these general responses, as the text to which they relate will not be directly taken forward to future iterations of the plan. However, some comments have resulted in recommended changes to the draft vision and objectives (see below). The information received will also be reflected in updates to the JSP Topic Papers, passed to consultants carrying out relevant technical studies and used to inform future iterations of the plan.

*Feedback on the Vision and Objectives*

2.25 Gaining feedback on the draft vision and associated objectives for the JSP was a key element of the 'Realising Our Potential' consultation. One of the recommendations of this report is to endorse this revised vision - subject to any further amendments required to respond to feedback received. This will enable the agreed vision and objectives to be used to inform ongoing technical work and also provide a platform from which to take forward the next stage of the JSP. This is programmed to be another Regulation 18 stage looking at potential spatial options for growth.

2.26 The majority of those who responded to the questions on the vision, pillars and associated objectives supported these, although a lot of amendments to the detailed wording were put forward for consideration. Many of the issues that were flagged as missing from one set of objectives were however picked up through the wording of another – as a lot of issues cut across the six thematic pillars.

2.27 A number of changes are recommended to the vision and associated objectives as a result of the feedback received. In addition, a minor amendment is suggested to the overarching vision statement. This is to include specific reference to the word 'health' and to ensure it is clear that the future being planned for must benefit both people and the environment. The recommended revised vision statement is as follows:

**Realising our Potential**

*“South West Herts will realise its full potential of being globally connected, nationally recognised and locally cherished. Known for its creative spirit, collaborative working and willingness to accelerate positive change, it will be a place where sustainable growth provides a better and healthy future for ~~everyone~~ both people and the environment.”*

2.28 As set out in Appendix 3 some amendments are also recommended to the objectives that sit below the six thematic pillars. This includes amendments to existing objectives and the inclusion of some new ones, to improve clarity and ensure the following key issues are fully reflected:

- Historic environment;
- Both urban and rural employment sectors;
- Protection of water resources; and
- Air quality.

2.29 Two minor changes to phraseology are also proposed to ensure consistency of wording across the text.

### *Feedback on Growth Types*

- 2.30 Another key aim of the consultation was to obtain feedback on potential growth options that will help inform the next stage of the JSP. The consultation asked for views on the following (albeit inter-related) typologies:
- (a) Growth within existing large settlements;
  - (b) Outward growth of existing large settlements;
  - (c) New settlements;
  - (d) Growth of groups of settlements;
  - (e) Growth along sustainable transport corridors;
  - (f) Growing the best connected places; and
  - (g) Scattered growth.
- 2.31 The views expressed through the consultation feedback varied depending on the category of respondent and also between the poll, survey and email responses. Many individuals expressed a strong desire to protect green spaces and the Green Belt, and some considered there should be no further growth in the area at all. Unsurprisingly, responses from developers and landowners were often influenced by the location of the site(s) they were promoting – although some did offer more balanced observations about the relative sustainability of the options suggested. ‘Growth of existing large settlements’ was generally the preferred growth type, although clear caveats were expressed with regard to density, additional infrastructure needs and the protection of greenspaces.
- 2.32 In response to the question ‘*Are there any other growth types we have not mentioned that you think should be considered*’, no realistic alternative options were put forward. Many suggestions were outside the scope of what planning can influence, or were relevant to all growth types i.e. making best use of previously developed land and considering densification. It was also correctly noted that not all of the options put forward within the consultation were necessary alternatives – as many overlap with one another.
- 2.33 As a result, no changes are recommended to the growth types that will be considered as the JSP progresses. However, the consultation responses have been passed to consultants advising the JSP programme on potential spatial strategies, as the information is very helpful in articulating the likely pros and cons, and the broad acceptability or otherwise, of the different approaches.

### *Feedback on the Sustainability Appraisal Scoping Report*

- 2.34 Feedback received on the Sustainability Appraisal Scoping Report are summarised in Appendix 4. It is recommended that many of the suggested changes are not taken forward, as they related to feedback from landowners seeking a more favourable assessment of the growth type which most closely reflected their particular site(s) interest. Other comments related to the technical nature of the document, which is unfortunately hard to overcome in a report that needs to comply with specific regulatory requirements.
- 2.35 A number of changes are however recommended. These will be taken forward when the revised Scoping Report is issued later this year. The majority of these changes involve adding additional text as suggested by key organisations such as Natural England and the Environment Agency. The proposed changes to the vision and objectives will also need to be assessed by the consultants in due course.



## Post-Decision Implementation

- 2.36 The other SW Herts authorities are being asked to consider the same recommendations as set out in this report. Provided all of the authorities support these recommendations, the JSP team will prepare an amended version of the vision and objectives for publication, together with an updated Sustainability Appraisal Scoping Report. The arrangements for signing off both documents will be delegated to the JSP Strategic Planning Members Group (of which Cllr White is Chair), supported by the JSP Steering Group.

## Options and Reasons for Recommendations

- 3.1 *Option 1:* To leave the wording of the plan vision and objectives and Sustainability Appraisal Scoping Report unchanged from that consulted upon. Whilst the vision and objectives and Sustainability Appraisal Scoping Report were generally supported by the consultation feedback, the responses received highlighted a limited number of key issues that were omitted. The proposed amendments set out in this report seek to ensure that these are included and should ensure that the vision and objectives for the JSP, and the associated Sustainability Framework against which future policies and proposals are assessed, are clearer and more comprehensive as a result.
- 3.2 *Option 2:* To await agreement of the vision and objectives until the next formal stage of the JSP is progressed. Early endorsement of the JSP vision and objectives will allow them to be reflected with additional weight when preparing technical work that will inform the plan and provide a clear platform upon which Officers can progress the next iteration of the JSP.

## Policy/Budget Reference and Implications

- 4.1 The recommendations in this report are within the Council's agreed policy and budgets

## Financial Implications

- 5.1 Work on the JSP is carried out by the JSP team, supported by input from Three Rivers Officers as required. The Council currently contributes £40k annually to the JSP programme which is paid out of the Local Plan budget. The R18 consultation on the JSP was funded through a PropTech grant from DLUHC.

REVENUE IMPLICATION	Current Year 2021/22 £	2022/23 £	2023/24 £	Future Years per annum £
Revenue				
Expenditure	40k	40k	40k	40k
Income/savings	0	0	0	0
Net Commitment	40k	40k	40k	40k

## Legal Implications

- 6.1 No direct legal implications. The process of preparing the Issues and Options document for the Joint Strategic Plan has been carried out in accordance with Planning and Compulsory Purchase Act 2004 (as amended), Localism Act 2011, The Town and Country Planning (Local Planning) (England) Regulations 2012

(as amended), The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020. The preparation of the Sustainability Appraisal Scoping Report has been carried out in accordance with the relevant regulations referenced above.

### **Staffing Implications**

- 7.1 Work on the JSP is carried out by the JSP team, supported by input from Three Rivers Officers as required and as agreed through the agreed South West Hertfordshire Joint Strategic Plan Statement of Common Ground.

### **Equal Opportunities Implications**

- 8.1 The decision made on this report will have no direct effect on equality and diversity. The requirement to undertake formal Equalities Impact Assessment (EqIA) of development plans was introduced in the Equality Act 2010 but was abolished in 2012. Despite this, authorities are still required to have regard to the provisions of the Equality Act, namely the Public Sector Duty which requires public authorities to have due regard for equalities considerations when exercising their functions. As a result the sustainability appraisal objectives set out in the Sustainability Appraisal Scoping Report address equality issues. This SA Scoping Report has been carried out independently of the councils by Land Use Consultants Ltd as part of a wider Sustainability Appraisal (see below). There is currently insufficient information within the consultation document to undertake a full impact assessment. The assessment will however be extended and updated as the JSP progresses through the statutory stages, when recommendations will be made in relation to how the equality-related impacts of the JSP can be optimised as the options are developed into detailed policies and broad locations for development.

### **Climate Change and Sustainability Implications**

- 9.1 None in the context of this report. A full Sustainability Appraisal (SA) Scoping Report, which incorporated Strategic Environmental Assessment (SEA), was prepared to accompany the Regulation 18 consultation:  
<https://www.swhertsplan.com/sustainability-appraisal-scoping-report>
- 9.2 Some changes to this report are proposed as a result of the feedback received. These changes are set out in Appendix 4.

### **Community Safety Implications**

- 10.1 None in the context of this report.

### **Public Health implications**

- 11.1 None in the context of this report.

### **Customer Services Centre Implications**

- 12.1 None in the context of this report.

### **Communications and Website Implications**

- 13.1 None in the context of this report. The JSP has a stand-alone website that is managed and updated by the JSP team: <https://www.swhertsplan.com>. The

Three Rivers website has a simple webpage that cross references this site at: <https://www.threerivers.gov.uk/services/planning/planning-policy/south-west-herts-joint-strategic-plan>

- 13.2 Consultants Icen currently provide communications support to the JSP team. Any necessary communications activity, i.e. a press release, following endorsement of the vision and objectives will be prepared in liaison with communications officers at Three Rivers Council.

### Risk and Health & Safety Implications

- 14.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.
- 14.2 The subject of this report is covered by the (Planning Policy and Conservation) service plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s). A separate risk assessment is available for the JSP which is a standing agenda item for each Steering Group and Strategic Planning Members Group meetings.

Nature of Risk	Consequence	Suggested Control Measures	Response (tolerate, treat, terminate, transfer)	Risk Rating (combination of likelihood and impact)
This Council or another of the participating Councils does not endorse the amended vision and objectives for the JSP	Endorsement of the JSP vision and objectives would be delayed and it would carry less weight when used to inform future work on the JSP.	Liaison through the SW Herts Strategic Planning Members Group, Steering Group and Officers Group.	Treat	4

- 14.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

<b>Very Likely</b> Likelihood	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12

	<b>Low</b> 2	<b>Low</b> 4	<b>Medium</b> 6	<b>High</b> 8
	<b>Low</b> 1	<b>Low</b> 2	<b>Low</b> 3	<b>Low</b> 4
	<b>Impact</b>			
	Low		Unacceptable	

#### Impact Score

- 4 (Catastrophic)
- 3 (Critical)
- 2 (Significant)
- 1 (Marginal)

#### Likelihood Score

- 4 (Very Likely (≥80%))
- 3 (Likely (21-79%))
- 2 (Unlikely (6-20%))
- 1 (Remote (≤5%))

- 14.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

### Recommendations

- 15.1 That the Committee:
- (1) Note the feedback received on the SW Herts Joint Strategic Plan Regulation 18 consultation (as summarised in Appendices 1 and 2);
  - (2) Endorse the revised Vision and Objectives for the Plan, incorporating changes recommended as a result of the consultation responses (see Appendix 3);
  - (3) Agree the recommended changes to the Sustainability Appraisal Scoping Report (see Appendix 4); and
  - (4) Delegate authority to the Head of Planning Policy and Conservation in consultation with the Lead Member for Planning Policy to finalise and publish:
    - (a) a document setting out the revised Vision and Objectives; and
    - (b) an updated Sustainability Appraisal Scoping Report.

Report Prepared by: Marko Kalik, Head of Planning Policy and Conservation

### APPENDICES / ATTACHMENTS

- 1(a) South West Herts JSP Consultation Report Part 1: What we did
- 1(b) South West Herts JSP Consultation Report Part 1: What we did (Appendices)
- 2(a) West Herts JSP Consultation Report Part 2: What you said (Appendices)
- 2(b) West Herts JSP Consultation Report Part 2: What you said (Appendices)
- 3 Extract - Recommended changes to the vision and objectives

- 4 Extract - Schedule of recommended changes to the Sustainability Appraisal Scoping Report

**Other relevant documents:**

Regulation 18 document 'Realising Our Potential' (September 2022)	<a href="https://www.swhertsplan.com/foreword">https://www.swhertsplan.com/foreword</a>
Sustainability Appraisal Scoping Report (September 2022)	<a href="https://www.swhertsplan.com/sustainability-appraisal-scoping-report">https://www.swhertsplan.com/sustainability-appraisal-scoping-report</a>
Topic Papers	<a href="https://www.swhertsplan.com/key-documents">https://www.swhertsplan.com/key-documents</a>
Statement of Community Involvement	
Regulation 18 Communications and Engagement Plan	



