

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET PANEL ON THE ENVIRONMENT

**MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
GERNON ROAD, LETCHWORTH GARDEN CITY
ON TUESDAY, 15TH OCTOBER, 2019 AT 7.30 PM**

MINUTES

Present: *Councillors Elizabeth Dennis-Harburg (Chairman), Steve Jarvis, Val Bryant, Ian Moody, Gerald Morris, Michael Muir, Claire Strong and Kay Tart.*

In Attendance: *Ian Fullstone (Service Director - Regulatory), Reuben Ayavoo (Policy and Community Engagement Manager), Kei-Retta Farrell (Trainee Policy Officer) and Hilary Dineen (Committee, Member and Scrutiny Manager).*

Also Present: *At the commencement of the meeting County Councillor David Barnard, District Councillor Paul Clark (Executive Member for Planning and Transport), District Councillor Ian Mantle (Deputy Executive Member) and approximately 25 members of the public, including registered speakers.*

13 APOLOGIES FOR ABSENCE

There were no apologies for absence.

14 CHAIRMAN'S ANNOUNCEMENTS

Audio recording – 1 minute 32 seconds

- (1) The Chair welcomed those present at the meeting, especially those who had attended to give a presentation;
- (2) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (3) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question;
- (4) The Chair advised that the dates of the Panel meetings for the rest of the Civic Year were now on the website;
- (5) The Chair advised that this meeting was about Planning and Transport;
- (6) The Chair welcomed County Councillor David Barnard and District Councillors Paul Clark and Ian Mantle who would be invited to comment throughout the meeting.

15 MINUTES - 11 SEPTEMBER 2019

Audio Recording – Start of Item – 1 minute 54 seconds

The Chair advised that the Minutes of the meeting held on 11 September 2019 would be presented to the next meeting of the Panel for approval.

16 DECLARATION OF INTEREST

Audio recording – 5 minutes 30 seconds

Before the commencement of any other business of the Panel Councillor Michael Muir declared a declarable interest in that he was a Member sitting on the Hertfordshire County Council Highways and Transport Committee.

17 PUBLIC PARTICIPATION - PRESENTATION OF A PETITION

Audio recording – 6 minutes 4 seconds

The Chairman formally acknowledged receipt of a petition which had been handed in to NHDC by the climate change protesters.

She reminded Members that a citizens forum was being provided through the Cabinet Panel on the Environment and asked for continued support and patience.

18 PUBLIC PARTICIPATION

Audio recording – 8 minutes 40 seconds

The Chair reminded those who wished to speak to register in advance of the meeting.

19 PUBLIC PARTICIPATION - CHRIS NICKOLAY

Audio recording – 13 minutes 17 seconds

Mr Chris Nickolay thanked the Chair for the opportunity to address the Panel as follows:

- He did not want to talk about climate change but felt he had to;
- He kept hearing that things could not go quickly;
- He made impassioned reference to trees burning in the Amazon and that his children had decided not to have children due to this emergency;
- It was important to acknowledge what was happening;
- He was running out of patience as the Council was not treating this as an emergency;
- The Council had not communicated the emergency.

The following Members asked questions and commented on the presentation:

- Councillor Elizabeth Dennis-Harburg;
- Councillor Kay Tart.

The Chair thanked Mr Nickolay for his presentation.

20 PUBLIC PARTICIPATION - PHILIP DEVONALD

Audio recording – 19 minutes 32 seconds

Mr Philip Devonald thanked the Chair for the opportunity to address the Panel as follows:

- The IPCC says there was just 10 years to combat the climate emergency;
- The Local Plan covered the next 10 years and there was a golden opportunity to amend it to address the issues;
- The Local Plan did not address climate change and the Council should start again;
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- The Council has never has a 5 year supply of land and therefore any concern about development applications was not a concern;
- By the time the emerging Local Plan expires it would be too late to have taken action and Members will not have done their moral or legal duty;
- The Local Plan was unlawful and the Council was acting unlawfully. This could result in the Council being judicially reviewed by them;
- Most officers were not aware that the Council had declared a climate emergency;
- It was time to stop the Local Plan process and start again from scratch;
- Ticking boxes would not do.

The following Members asked questions and commented on the presentation:

- Councillor Elizabeth Dennis-Harburg;

In response to questions Mr Devonald advised that:

- The carbon output of the Local Plan needed to be reviewed;
- The carbon output of every single output of the Local Plan needed to be analysed;
- Carbon reduction should run through every element;
- Targets and land allocations should be reviewed;
- Members needed to push back at resistant Officers.

Councillor Paul Clark, Executive Member for Planning and Transport commented as follows:

- He agreed about the concrete batching plant, the Secretary of State decided to take no action;
- The environmental impact of every planning application will be considered;
- The Design SPD would be considered in the new year;
- Developers were now saying that zero carbon housing could be built;
- He was talking to the CPRE regarding green belt and densities of developments;
- This was just the start;
- The Inspector now had control of the NHDC Local Plan;
- It was possible that, if NHDC started looking at the Local Plan from scratch, they could end up with a worse Plan.

The following Members asked questions and commented on the presentation:

- Councillor Elizabeth Dennis-Harburg;
- Councillor Claire Strong;
- Councillor Michael Muir;
- Councillor Steve Jarvis;
- Councillor Kay Tart.

In response to questions Mr Devonald advised that:

- That zero carbon housing could be achieved now;
- There were empty houses around the District that the Council could compulsory purchase;
- The Council needed to think about sustainable transport and sustainable employment when considering the Local Plan.

Members made the following suggestions:

- That all written submissions received from members of the public and organisations be put on the Council's website.

The Chair thanked Mr Devonald for his presentation.

21 PUBLIC PARTICIPATION - SOPHIE BARBER

Audio recording – 41 minutes 22 seconds

Ms Sophie Barber thanked the Chair for the opportunity to address the Panel regarding London Luton Airport as follows:

- We are in the midst of a climate crisis;
- The impact of the expansion of London Luton Airport would be devastating;
- There were currently 16 million passengers per year, this would soon increase to 18 million and there were plans to further increase to 38 million;
- The consequences would be air pollution, cars blocking roads and greenspaces built on;
- Business as usual would not make the crisis go away;
- Air pollution accounted for 70 million deaths worldwide;
- London Luton Airport created excessive amounts of pollution in North Herts;
- Poor air quality could cause the following problems:
 - Chronic respiratory, lung and heart issues;
 - Shattering noise;
 - Stress;
 - Other negative impacts on health;
- A new terminal would be built on green space and would require new roads;
- The Secretary of State was not calling in the application for expansion;
- NHDC, as a neighbouring Council, needed to stop all plans for expansion.

The following Members asked questions and commented on the presentation:

- Councillor Michael Muir;
- Councillor Elizabeth Dennis-Harburg.

Councillor Paul Clark, Executive Member for Planning and Transport, commented that:

- Traffic related to the airport was an issue;
- There were a number of regional airports that could take some of the proposed expansion;
- Technology could be used instead of taking flights for business.

Comments from Members included:

- That people needed to change their behaviour and consider whether they really needed to go abroad.

The Chair thanked Ms Barber for her presentation.

RESOLVED: That the Service Director – Regulatory be requested to inform Members of the Luton airport expansion consultation dates and locations.

22 PRESENTATION BY COUNCILLOR DAVID BARNARD

Audio recording – 57 minutes 22 seconds

Councillor David Barnard thanked the Chair for the opportunity to address the Panel regarding London Luton Airport as follows:

- London Luton Airport would publish its proposals to expand business from 18 million to 32 million passengers on 16 October 2019;
- They say they will use the existing runway;
- This excludes the natural growth in freight and personal aircraft movements;
- 35 percent of passengers travel through Hertfordshire by private means;
- There will be a massive increase in service trucks and vehicles to serve the new facility;
- The proposed new terminal and associated parking and community park would encroach into North Herts green belt;
- No trees or bushes would be allowed in the new development so as to discourage birds from roosting;
- Villages were flown over day and night, with the flight path widening;
- The road infrastructure to the east of Luton was antique;
- The A505 was already gridlocked in and out of Hitchin
- The local tiny lanes, used regularly by farm vehicles, were used as over congested rat runs;
- Luton had recently granted planning permission for two commercial and light industrial sites adjacent to North Herts, which alone will cause massive congestion
- The Local Plan proposed 2100 houses to meet Luton's unmet need;
- The Office of National Statistics had reduced Luton's housing requirement, but the Local Plan had not been amended;
- Luton had clearly stated that they have no intention of supporting road infrastructure improvements in Hertfordshire as it was not their responsibility;
- This would cause massive air pollution as well as gridlocked roads.

The following Members asked questions and commented on the presentation:

- Councillor Kay Tart;
- Councillor Michael Muir.

In response to questions Councillor Barnard advised that:

- The application for expansion would be considered as an application of national importance and as such Luton Borough Council would not be able to determine it.

The Chair thanked Councillor Barnard for his presentation.

23 DISCUSSION REGARDING PLANNING AND TRANSPORT

Audio recording – 1 hour 5 minutes 10 seconds

Local Plan

The following Members took part in the debate:

- Councillor Steve Jarvis;
- Councillor Elizabeth Dennis-Harburg;
- Councillor Val Bryant;
- Councillor Ian Mantle;
- Councillor Michael Muir;

- Councillor Gerald Morris;
- Councillor Claire Strong;
- Councillor Kay Tart;
- Councillor Ian Moody.

The issues discussed included:

- The Local Plan was the most significant issue with decisions having an impact on many aspects;
- Need to consider the carbon emission of homes as they are built;
- What scope was available in the Local Plan to affect carbon impact by considering issues such as materials used;
- What scope was available to consider the sustainability of locations identified for development;
- What scope was there to ensure that the more sustainable locations were developed first;
- The Council needs to recognise the concept of fuel poverty and how electricity will be paid for in the future;
- How robust would the Council be in respect of developers putting in applications for more housing in an area than is in the Local Plan;
- Affordable/Social housing allocations in rural locations are often not taken up by social landlords and end up being sold at market rates;
- That other Councils have a design and standards committee that sets standards that have to be followed by developers.

The Service Director Regulatory advised that:

- The quickest way forward to impose design standards would be to undertake a single policy review following adoption of the Local Plan;
- There was a consultation on Future Homes Standards in which one proposal was to limit Planning Authorities' ability to go over and above standards set out in building regulations;
- He strongly recommended that the public responded to the consultation;
- The increased design standards for the Norwich City scheme resulted as this was a site in the control of the Council ;
- Affecting home design standards and delivery on sites developed by private developers was more difficult;
- The Council's responses to consultations were published in the regular Strategic Planning report to Cabinet.

Councillor Paul Clark, Executive Member for Planning and Transport advised that:

- The approximate number of empty houses was 400-500;
- The densities quoted in the Local Plan were indicative rather than prescriptive;
- CIL and S106 monies should be used to provide services such as bus services.

London Luton Airport

In respect of transport and Luton Airport the Service Director – Regulatory advised that the current permission was for 18 million passengers per year. The process to increase to 32 million passengers would be that the Planning Inspectorate would consider the application, preceded by the statutory consultation.

Currently NHDC was liaising with other affected authorities and were appointing a consultant to put in a response to the consultation.

The following Members took part in the debate:

- Councillor Steve Jarvis;
- Councillor Paul Clark;
- Councillor Elizabeth Dennis-Harburg;
- Councillor David Barnard;
- Councillor Kay Tart;
- Councillor Michael Muir.

Issues discussed included:

- That, if the expansion of Luton Airport took place a strong travel plan should be put in place regarding public and other sustainable transport;
- The Council was very restricted in what could be done, but needed to make strong representations to consultations;
- That Members need to convene a cross party group to make a public statement against the expansion of Luton Airport.

Transport – Construction Routes

The following Members took part in the debate:

- Councillor Claire Strong;
- Councillor Gerald Morris;
- Councillor Steve Jarvis.

Issues discussed included:

- The safety of construction routes for development sites in rural areas with narrow road;
- There were not enough tools in the toolkit to challenge and defend unsuitable construction routes.

In response to issues raised the Service Director – Regulatory advised:

- The Key was that the planning committee could only consider the area within the application site;
- The Council has to take account of advice from Hertfordshire Highways in respect of construction routes.

RESOLVED:

- (1) That the Service Director – Regulatory be requested to circulate to the Panel and external parties the Future Homes Standards consultation;
- (2) That the Service Director – Regulatory be requested to circulate to the Panel details of Stirling Awards 2019 – The project for Norwich City Council;
- (3) That the Chair be requested to ensure re-iteration of NHDC's Climate Change Emergency through NHDC communication channels (Outlook, external website etc.);
- (4) That the Service Director – Regulatory and the Executive Member for Housing and Environmental Health, be requested to provide an update with regard empty dwellings within in the district and how, where appropriate, these can be brought back into use as homes.

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- (5) That the Executive Member for Planning and Transport be requested to consider the possibility of a Design Standards Committee;
- (6) That the Service Director be requested to explore whether there was an opportunity to identify, in the Local Plan, which sites were most sustainable and whether these could be developed first;
- (7) That Group Leaders and Members approach relevant local Council's to lobby them to speak against the expansion of Luton Airport;
- (8) That the Chair be requested to draft a letter on behalf of the Cabinet Panel on the Environment to other 10 Hertfordshire District Councils to express concerns regarding the proposed Luton Airport expansion.

NB – following the meeting it was advised that the Panel should request that the Executive Member for Planning and Transport undertake resolution 8.

24 INFORMATION NOTE - WORK PROGRAMME AND ACTION TRACKER 2019/20

Audio recording – 2 hours 15 minutes

The Policy and Community Engagement Manager presented the information note entitled Work Programme and Action Tracker together with the following appendix:

- Appendix A - Work programme and Action Tracker.

The following Members took part in the debate:

- Councillor Steve Jarvis.

RESOLVED: That the Policy and Community Engagement Manager be requested to put a link on the front page of the NHDC website to the Climate Panel webpage.

The meeting closed at 9.50 pm

Chairman