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NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, District Council Offices, Gernon Road,
Letchworth
on Tuesday, 8th November, 2022 at 7.30 pm

PRESENT: Councillors: Councillor Sam North (Chair), Councillor Daniel Allen (Vice-Chair), Ian Albert, Amy Allen, David Barnard, Clare Billing, Judi Billing, Simon Bloxham, Ruth Brown, Sam Collins, Adam Compton, George Davies, Elizabeth Dennis-Harburg, James Denselow, Morgan Derbyshire, Jean Green, Chris Hinchliff, Terry Hone, Keith Hoskins, Steve Jarvis, David Levett, Chris Lucas, Ian Mantle, Ian Moody, Gerald Morris, Ralph Muncer, Michael Muir, Lisa Nash, Sean Nolan, Tom Plater, Sean Prendergast, Adem Ruggiero-Cakir, Carol Stanier, Claire Strong, Mandi Tandi, Richard Thake, Tamsin Thomas, Tom Tyson, Phil Weeder, Alistair Willoughby and Val Bryant

IN ATTENDANCE: Anthony Roche (Managing Director), Ian Fullstone (Service Director - Regulatory), Nurainatta Katevu (Legal Regulatory Team Manager and Deputy Monitoring Officer), Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources), Melanie Stimpson (Democratic Services Manager), James Lovegrove (Committee, Member and Scrutiny Manager), Louis Mutter (Committee, Member and Scrutiny Officer), Nigel Smith (Strategic Planning Manager), Louise Symes (Strategic Infrastructure and Projects Manager), Deborah Coates (Principle Strategic Planning Officer) and Abigail Hamilton (Committee, Member and Scrutiny Officer)

ALSO PRESENT: At the commencement of the meeting approximately 25 members of the public, including registered speakers and press. Suzanne Ornsby K.C. was also in attendance.

153 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 39 seconds

Apologies for absence were received from Councillors Kay Tart, Terry Tyler, Tony Hunter, Raj Bhakar, Nigel Mason and Faye Frost.

Councillors Juan Cowell and Michael Weeks were absent.

154 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minutes 28 seconds

There was no other business notified.

155 CHAIR'S ANNOUNCEMENTS

Audio recording – 2 minutes 36 seconds

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded.

- (2) Members were reminded that this Council had declared a Climate Emergency. This was a serious decision and meant that, as this was an emergency, all of us, officers and Members had that in mind as we carried out our various roles and tasks for the benefit of our District.

(At this point of the meeting Councillor Sam Collins entered the Chamber at 19.34)

- (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.

The Monitoring Officer provided an overview of advice given and dispensations provided. There was general dispensation given to all District Councillors regarding the Council's own interests in certain sites, County Councillors and, for example, to Councillors who sat on outside bodies, such as the Letchworth Garden City Heritage Foundation (LGCHF), and the following Members advised they had been granted dispensation for this item:

- Councillor Judi Billing – County Councillor
- Councillor Jean Green – property interest
- Councillor Adem Ruggiero-Cakir – partner works for the Council, however had not been involved in the Plan process or estates
- Councillor Ian Mantle – LGCHF
- Councillor Terry Hone – County Councillor and LGCHF Board Member
- Councillor David Barnard – County Councillor and family affected by the east of Luton site, but stated he would not vote for or against
- Councillor Michael Muir – County Councillor
- Councillor Richard Thake – County Councillor
- Councillor Chris Hinchliff – Employed by national charity CPRE, but not involved with CPRE Hertfordshire.

- (4) The Chair clarified the rules of debate for Members.
- (5) The Chair advised of the procedure in the event of a disturbance during the meeting.
- (6) The Chair advised that a comfort break would be taken following the Public Participation item, as well as later in the meeting if proceedings continued at length.
- (7) The Chair advised Members that the Boundary Review draft recommendations had been received and that all Members had been invited to submit their comments on this by 21 November 2022.

(At this point of the meeting Councillor Phil Weeder entered the Chamber at 19.40)

156 PUBLIC PARTICIPATION

Audio recording – 14 minutes 29 seconds

The Chair clarified the procedure for public participants and ensured that all registered speakers were in attendance.

The Chair invited Mr Kevin Hinton to provide Council with a verbal presentation. Mr Hinton thanked the Chair for the opportunity and raised the following points:

- Representing Norton Action Group, with over 800 supporters across the County.

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- Many of the concerns are safety, amenities and the preservation of Croft Lane which is within the conservation area of Letchworth. Many of the houses on Croft Lane date to the founding of the Garden City.
- Provision of housing is not an issue, but the accuracy and judgement regarding LG10 is an issue and fails to acknowledge the special and historic position of the Garden City.
- The development is not deemed to increase traffic and movements, but this cannot be true.
- The report states that local drivers are aware of the danger, but there is an increasing number of non-local drivers.
- Norton Action Group had consulted with a KC on this and had been advised that there was substance to their views.

There were no points of clarification from Members and the Chair thanked Mr Hinton for his presentation.

The Chair invited Ms Nikki Hamilton to provide Council with a verbal presentation. Ms Hamilton thanked the Chair for the opportunity and raised the following points:

- This policy was going against the government policy of building on brownfield sites first.
- This would see a significant increase of building on the greenbelt, which is a vital space to support the physical and mental wellbeing of residents.
- This goes against the NHDC policy to promote health communities.
- Greenbelt land is meant to be consistent and accessible, but the developments would force people to commute to reach outdoor spaces.
- Some of the sites identified would require significant work before they could provide housing and there were already pressures on the services in towns and villages.
- A new Garden City would have alleviated this issue and many residents who supported this were never able to give their preferred view.
- The developments proposed would decimate local wildlife and would be contrary to the Climate Emergency declared by the Council.
- In certain areas, the proposals would be of a huge cost to NHDC, and at the current size and location it would contravene the law and legal action could be taken.
- NHDC can work with local communities to find answers and compromises.
- If proposed developments go ahead in Letchworth, Stotfold and Arlesey there would be one field separating the three communities.

There were no points of clarification from Members and the Chair thanked Ms Hamilton for her presentation.

The Chair invited Mr Wilfred Aspinall to provide Council with a verbal presentation. Mr Aspinall thanked the Chair for the opportunity and raised the following points:

- Needed to adopt a climate of growth, to encourage small, custom and self-builds, which would encourage more home ownership.
- The Plan did not address the growth in population or propose schemes to make the area more prosperous.
- A review would be required to begin in 2023 and completed within 30 months and there would need to be serious consultation with residents.
- There was potential to extend the plan to 2041 in line with neighbouring authorities.
- Some people do not want housing, but housing builds prosperity and this then brings further tax returns to the Council and additionally retailers get money spent by new residents.

There were no points of clarification from Members and the Chair thanked Mr Aspinall for his presentation.

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The Chair invited Ms Cheryl Peers to provide Council with a verbal presentation. Ms Peers thanked the Chair for the opportunity and raised the following points:

- Spoke on behalf of Save the World's First Garden City group based in Letchworth.
- Site NS1, together with the adjoining development in Stevenage Borough, proposed 1700 homes, which would impact on Graveley and cause major traffic issues.
- With the reduction in housing figures in LG1 from 900 to 600 it would be possible to provide greenbelt land adjacent to the affected villages. This would prevent the urban sprawl concerns and would be in accordance with the Garden City principles.
- It may be that this space is filled in in future Local Plans, but it would provide at least another 9 years of greenspace for residents.

There were no points of clarification from Members and the Chair thanked Ms Peers for her presentation.

The Chair invited Mr Roy Parker to provide Council with a verbal presentation. Mr Parker thanked the Chair for the opportunity and raised the following points:

- Against the East of Luton development included within the North Herts Local Plan under the duty to co-operate with Luton Borough Council, which is now unnecessary.
- Luton adopted their Local Plan in 2017, based on figures from March 2016, which identified a housing need of 17,800 and capacity for only 8,500 within the borough.
- The unmet need of 9,300 was allocated to Central Beds and North Herts.
- The Inspector of the Luton plan required a full review of the Local Plan to be commenced before the end of 2019 and completed by mid-2021 for public examination, but this had not happened.
- At 28 February 2022 the housing need in Luton had reduced to 16,700 and they had identified house building capacity to 15,038. There had been a further 581 dwellings granted permission to date in 2022 and this has further reduced the unmet housing need in Luton.
- A review of the plan is legally required every 5 years and the 5 year deadline for the Luton Local Plan was 7 November 2022.
- Conditional approval should be applied to the East of Luton development until Luton has completed the required review.
- The review should be subject to public consultation and should be referred to the Secretary of State if opposed.

Councillors Michael Muir and Sam Collins made points following the presentation but were advised that this was not the appropriate place to raise these points and they could be made later in the meeting. The Chair thanked Mr Parker for his presentation.

The Chair invited Ms Hayley Ward to provide Council with a verbal presentation. Ms Ward thanked the Chair for the opportunity and raised the following points:

- Spoke on behalf of Save our Greenbelt to protect the greenbelt for residents and future generations.
- Despite the ability to remove all sites from Villages for Growth from the plan without affecting the requirements, they are still included and these should be removed from the plan as they are unsustainable.
- The greenbelt surrounding these villages was designated to prevent coalescence with nearby towns.
- The proposals to remove the greenbelt, given the Climate Emergency declared by the Council, account to environmental vandalism and climate change will be exacerbated by concreting over green spaces.
- Green spaces were important for physical and mental health of residents, as demonstrated through the pandemic.

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- There were many instances of flooding around the district recently and this will only get worse with additional housing.
- Infrastructure should be built first, not following the completion of housing.
- Traffic congestion was already unsustainable and residents changing habits would be required to address this.
- The impact of increased traffic will worsen air quality and increase illnesses. The Wymondley Parish Neighbourhood Planning Committee undertook air quality monitoring and found air pollutants to be in excess of limits set by the World Health Organisation.
- The Neighbourhood Plan adopted by NHDC had not been considered fully in the Local Plan.

There were no points of clarification from Members and the Chair thanked Ms Ward for her presentation.

The Chair invited Mr Paul Harding to provide Council with a verbal presentation. Mr Harding thanked the Chair for the opportunity and raised the following points:

- The Wymondley Parish sits at the centre of Stevenage, Hitchin and Letchworth and the greenbelt separating these towns and the villages surrounding has been important to North Herts.
- Greenbelt was established to prevent urban sprawl and stop mass developments and it had done so successfully for 70 years.
- There had to be exceptional circumstances to build on greenbelt land and the proposals here do not necessarily meet these.
- Once greenbelt land is removed, it will be difficult to recover and risks the merging of villages with surrounding towns.
- The greenbelt land was vital to residents physical and mental wellbeing.
- In the Wymondley Neighbourhood Plan 92% of respondents wanted the greenbelt protecting as it was.
- The delay in the adoption of the Local Plan would not have happened were the plan not flawed.
- Should Members be minded to adopt the plan, they should do so with the omission of the growth villages proposal.

There were no points of clarification from Members and the Chair thanked Mr Harding for his presentation.

The Chair invited Ms Carolyn Cottier to provide Council with a verbal presentation. Ms Cottier thanked the Chair for the opportunity and raised the following points:

- The proposals within the Local Plan for the East of Luton site mean North Herts will be more involved in the Luton airport expansion process.
- North Herts Council had previously refused a ring road in 2017, but this had been indirectly added by the Inspector by making North Herts Council a co-commissioning authority for the A505 corridor.
- There was an approved commercial estate, Green Horizons Park, which was not part of the airport development and was phase one of the expansion plans.
- The commitment of North Herts to support unmet housing need of Luton Borough Council is not necessary.

There were no points of clarification from Members and the Chair thanked Ms Cottier for her presentation.

The Chair invited Mr Phil Davis to provide Council with a verbal presentation. Mr Davis thanked the Chair for the opportunity and raised the following points:

- Spoke on behalf of Save Hitchin Green Belt which had launched a petition to save greenbelt sites west of Hitchin, which had attracted 5,500 supporters.
- Dudley Council had removed greenbelt sites from their Local Plan and continue to do so, due to the public response on the protection of greenbelt being too much to ignore.
- These sites have been described as not contributing significantly to the greenbelt and therefore should be removed, but this is not true and the sites do have qualities.
- The sites selected should have the least possible impact on wildlife, biodiversity and the wellbeing of residents.
- There is evidence of badgers, deer and foxes on these sites and there is significant birdlife.
- The meadows are untreated and have not had pesticides used, which makes them suitable for wildlife, but also absorb carbon.
- Hedgerows along these sites are used by bats for feeding.
- A Tree Protection Order had been placed on the smallest wood, but the building on the meadows would prevent wildlife movements.
- The developments are proposed to be on a ridge and therefore would be visible for miles.
- The sites would mean that more traffic would be created and this would be forced into town, further exacerbating already existing issues.

There were no points of clarification from Members and the Chair thanked Mr Davis for his presentation.

The Chair invited Mr David Dorman to provide Council with a verbal presentation. Mr Dorman thanked the Chair for the opportunity and raised the following points:

- Spoke against policy SP19 in the Local Plan, which regards the East of Luton plan, where 2100 homes are proposed with 1950 to meet the unmet need of Luton.
- They had challenged Luton Borough Council and the Planning Inspectorate to review the Luton Local Plan to ensure the exceptional circumstances still existed to build on the greenbelt.
- Central Beds was still the best fit to meet the unmet requirements of Luton and they were able to exceed the amount required, therefore there was no need for the East of Luton site.
- Luton has built around 11,000 dwellings with a further 2,300 planning approvals this year and therefore would be meeting its requirement.

There were no points of clarification from Members and the Chair thanked Mr Dorman for his presentation.

Following the conclusion of the Public Participation there was a short comfort break in proceedings until 21.05.

157 REPORT AND REFERRAL FROM CABINET ON NORTH HERTFORDSHIRE LOCAL PLAN 2011-2031

Audio recording – 94 minutes 35 seconds

The Chair invited the Executive Member for Planning and Transport, Councillor Ruth Brown, to present the report entitled 'North Hertfordshire Local Plan 2011-2031' and advised Members of the following:

- Thanked Members and Officers who had worked on the Plan and been involved in the process since 2011.
- All Members had attended sessions and drop-ins to ensure they understood the proposals before them in the Plan.
- Consultation had been ongoing and considerations had been taken and, with the inclusion of the Inspectors modifications, the Plan was sound.

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- It was not ideal that the greenbelt land was being lost, but the Inspector retained this in the interest of sustainability.
- There was a proposed 4000 hectares of greenbelt to be made around the district within the Plan.
- Greenbelt status alone does not protect the land and this has been evidenced in recent decisions with the rejection of a previous application at the Planning Control Committee, which was successful on appeal.
- The Plan would give the Council more control over developments, especially regarding biodiversity and affordability.
- It was important that infrastructure was developed early around new housing developments.
- The Local Development Scheme proposed would allow for the Council to update certain aspects of the Local Plan, and a review was due to start by December 2023.
- The Council was required to have a Plan in place by December 2023 and it was better to have an adopted Plan than not.
- No change could be made to individual sites through amendments or conditions as this would be deemed a material change.
- Sites allocated would still require permission for development and would be brought to the Planning Control Committee for approval.

Councillor Brown proposed and Councillor Ian Mantle seconded and reserved his right to speak.

Following this, the Chair began the debate and the following Members took part and asked questions:

- Councillor Richard Thake
- Councillor David Barnard
- Councillor Chris Lucas
- Councillor Alistair Willoughby
- Councillor Gerald Morris
- Councillor Judi Billing
- Councillor Keith Hoskins
- Councillor Tom Plater
- Councillor George Davies
- Councillor Ian Mantle
- Councillor Michael Muir
- Councillor Sam Collins
- Councillor Chris Hinchliff
- Councillor Tom Tyson
- Councillor Elizabeth Dennis-Harburg
- Councillor Sean Nolan
- Councillor Ralph Muncer
- Councillor Ian Albert
- Councillor Lisa Nash
- Councillor Claire Strong
- Councillor Adam Compton
- Councillor James Denselow
- Councillor David Levett
- Councillor Steve Jarvis
- Councillor Sean Prendergast

During the debate at 22.15 there was a short adjournment to allow for a comfort break and the meeting recommenced at 22.23.

Points raised in the debate included:

- The unmet housing need of Luton Borough Council had been met and there were still developments ongoing, with further land available in Central Beds.
- There were parts of the Plan that were not desired, but there were limited choices available and it was important to have protection against developers.
- The Plan would increase the Council's ability to secure affordable homes within developments.
- Much of the Plan required building on greenbelt land, and while further greenbelt land was proposed the damage will have already been done.
- The Inspector had reduced housing requirements but all allocated land is still included within the Plan for development.
- There was a desire to provide housing for residents.
- Sites HT5 and HT6 felt shoehorned into inappropriate areas, but this could be addressed during the review stage.
- Emphasis had been placed on Local Authorities to adopt a Local Plan from Central Government.
- The Plan gives a level of control, with applications having to be presented to the Planning Control Committee, who would be able to refuse developments on the grounds available to the Committee.
- Housing was already an issue in the district and many residents are unable to afford housing without support.
- The Plan allows for more affordable and social housing within developments.
- Unsuitable sites could be identified on a cross-party basis during the reviews.
- Local politicians had consistently underdelivered on housing and over the last 25 years house prices have risen by 6 times and this is not affordable for young people.
- Lack of housing has further impacts on communities, employers and families.
- Environmental policies included would allow the Council to take a more proactive role in protecting land and wildlife.
- New developments should be connected to existing developments, not gated communities dotted around the countryside.
- There were policies included to support self-builders.
- Despite the reduction in overall numbers, there was not a reduction to the 3200 dwellings proposed in Baldock.
- Not against housing development in North Herts, but important that it is in the right place.
- The policies were already out of date in some cases and no clear answer on what the review entails or what will be considered.
- A new settlement is required in this area of the country.
- The adoption of a Local Plan is a requirement of government.
- There were 28 social homes built in the last 5 years of the previous administration and this Plan would help to ensure those numbers increase.
- Many sites in the Local Plan were already subject to applications and the adoption of the Plan would allow for strategic master planning.
- Without the Plan, there would be a free-for-all from developers.
- There was a binary choice this evening, with no chance to amend or condition the proposals.
- Some countryside had been included for development but it was designed to minimise urban sprawl and maintaining existing communities. There would overall be a four times increase in greenbelt countryside.
- Any new settlement would be a long term project and would not address immediate housing needs.
- There was destruction included in the Plan and it seemed the mitigations were an afterthought.
- There needs to be infrastructure in place to support the new residents, as well as those already existing.
- It was important to look at the broader picture and the Plan as a whole, rather than specific sites.

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- Some sites should not be now included in the Plan, but adoption would allow for the protections to begin and a chance to review and update aspects of the Plan.
- Members had a duty to listen to residents and proposals should improve the environment and have the support of residents.
- Land for sale does not mean that it is suitable for housing and it was irresponsible to erode open spaces, which will impact on wildlife, ecology and flooding.
- Laying concrete in areas at risk of flooding is not suitable and the Plan did not address transport or traffic issues.
- There were no long term economic benefits to the Plan.
- The new Plan was needed to meet the housing land supply.
- The Council had a legal duty to consider the unmet need of Luton and the East of Luton site was the only viable option to do so.
- Members want the review of the Plan to start as soon as possible so it can be updated and edited appropriately.
- The Plan does propose encroachment onto the greenbelt, but this was preferable to the possibility of hostile developers.
- The greenbelt cannot be protected without an adopted Plan.
- As needs demand, the Plan can change and reviews will be ongoing.
- It was not just about sites identified, but about the policies included within it to ensure that there are benefits to the Plan.
- It was not a debate on whether something better could have been produced, but understanding the value of the Plan with the national planning constraints.
- The Plan would allow for better affordability of housing in the district.

Many Members also took the opportunity to thank the Officers and Members, current and former, who had put a great deal of effort into producing the Local Plan over the last 11 years.

In response to questions the Strategic Planning Manager advised:

- The policy within the Plan commits to a review and this would be conducted by working through policy by policy to ensure these remain relevant and revise those policies where this is not the case.
- There were three possible outcomes from a review of policies, that they were still relevant and suitable, that certain parts need updating or that the entire Plan will need re-evaluating.
- There were two 'reviews' which would take place. The first would be the review of policies and their relevance, and this would be conducted by Officers with changes approved by Members. If the Plan requires a review then this would depend on the situation at the time.
- Policies would be reviewed if there were no longer in line with national planning policies.
- This was a binary choice, and it would not be possible to add conditions onto the recommendations, as had been suggested through some public presentations and questions from Members.
- There was a small team working on Statutory Planning Documents and Town Centre strategies and only so much could be done. Letchworth would be first Town Centre Strategy to be looked at, were the Local Plan to be approved.
- Whether sites could be removed was unknown at this stage and would need to be reviewed in line with other policy considerations.

In response to points raised in the debate, Councillor Ruth Brown concluded:

- Thanked Members and members of the public who had spoken at the meeting and shared some of the concerns raised.
- It was important to be pragmatic and it was more than just building homes, the policies and strategies included were vital and would be lost without adoption.
- It would allow more control over affordable housing, the housing mix of developments and protection of the greenbelt.

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- There was no further opportunity to remove sites and a decision must be taken.
- A refusal would lead to hostile applications all over the district, while an adopted Plan would provide a framework to drive up standards.
- A review would be a worthwhile activity to ensure it remained up to date.

Having been proposed by Councillor Brown and seconded by Councillor Mantle, the Chair moved to a vote and it was:

RESOLVED:

- (1) That the outcomes of the examination set out in the Inspector's Report (IR), attached as Appendix 1, along with his recommended Main Modifications to the Plan, attached as Appendix 2, were noted.
- (2) That the final version of the North Hertfordshire Local Plan 2011-2031 ('the Local Plan'), attached at Appendix 3, incorporating both the Inspector's Main Modifications and the proposed Additional Modifications, attached at Appendix 4, was adopted as part of the statutory Development Plan for the District.
- (3) That the Policies Map, illustrated by Appendices 5a to 5g, was adopted in order to give geographical effect to the policies of the Local Plan.
- (4) That the updated Local Development Scheme, attached at Appendix 6, was approved.
- (5) That delegated authority was granted to the Service Director – Regulatory in consultation with the Executive Member for Planning and Transport to make any minor non-material corrections (including but not limited to cosmetic additions or presentational alterations) to the adopted Local Plan or the adopted Policies Map as considered necessary for their publication and publicity in accordance with the relevant regulations.

REASON FOR DECISION: To provide the District with an up-to-date Local Plan in accordance with the requirements of national legislation and policy.

The meeting closed at 10.57 pm

Chair