

Response to NHDC Local Plan Examination Matter 30 and 31 - CHERYL NORGAN

I agree with Town Legal LLP in their email of 27th November 2020 that it is unprecedented for a plan making authority (NHDC) to behave in the manner in which they are behaving right in the middle of a second round of hearing sessions. The matter should surely have been raised at a much earlier stage -e.g as part of the Main Modifications approved for public consultation.

The case for exceptional circumstances for the release of Green Belt land elsewhere must be predicated on all other non Green Belt land being thoroughly considered and assessed. NHDC's decision taken mid-way into the second round of hearings has wider implications and it is correct that the Inspector has asked for further comment to address the Green Belt exceptional circumstances test and Sustainability Appraisal issues.

The intention, according to MM216 Policy BK3 on Page 111 of the original NHDC Local Plan booklet, as originally submitted by NHDC, was to have "lower density housing appropriate on the eastern part of the site".

Were NHDC to build at a higher density on its non Green Belt land and brownfield land, as has been advised by CPRE representatives who held a meeting with Mr Nigel Smith and other Planning Officials, there would be more land available on which to build, and Green Belt land would be saved. Unfortunately the Planning staff have always ignored that wise advice.

There has also been an EGM held in October 2020 as requested by a Group of Councillors who were specifically asked by local constituents who voted for them, to seek a reduction of housing allocated in Green Belt sites by deleting sites and on the one hand there was a refusal from NHDC to do this, but on the other NHDC do actually wish to remove a whole site of 140 non Green Belt for reasons not yet revealed to the public. There was an interval during the public session in which all the Councillors received private legal advice from NHDC's barrister. This was held in private, and one or two things were said and commented on by Councillors stressing that there could be "rogue developments" without a Local Plan in place, so we are back to square one.

Knowing this, it is also almost impossible to make comment on the Main Modifications produced by the Council in respect to strategic sites such as NS1, as things are so uncertain on the numbers given by NHDC. Ms Cottier has demonstrated that there is no housing need in Luton, which NHDC relies upon.

NS1 - Graveley is categorised as a Category A Village (with a primary school and a pre-school) with a population of 487 as at the last Census. Barkway, in comparison is a village not categorised as a Category A village, with a population of 775. It is one of the largest non Green Belt allocations in the Local Plan.

As far as numbers are concerned, the question has already been asked by Mr Berkeley, and yet the Council is still seeking to alter its ever changing numbers. This serves only to add to the confusion – an example of the background to this confusion goes right back to 2015, and probably further.

Below is a portion of a document from January 2015 from Stephen McPartland M.P., the M.P. for Stevenage, Herts :

"The National Planning Policy Framework states that Local Plans must be supported by a local evidence base. For housing, this means it must plan to meet objectively assessed needs for market

and affordable housing and identify a five year supply of specific deliverable sites.

The plan encompasses a twenty year period instead of only five and has identified a variety of sites to hit an arbitrary housing target that NHDC is not able to justify. On the 25th October 2013, I submitted a Freedom of Information (FOI) request to NHDC, challenging the constant change in housing numbers required and seeking the evidence that supported these changes. The text of the FOI is included at the end of this submission.

After a 2 month wait, my FOI request was refused and no justification for the arbitrary housing numbers were given. Several weeks of negotiations then followed and some information was released, but nothing that could explain the arbitrary housing numbers and constant changes in totals. In fact the totals have changed again and the draft Local Plan is for 14,200 homes.

Stevenage Borough Council have consistently called for 10,000 homes West of the A1(M). Mr Miliband launched the Labour Party Right to Grow Policy in Stevenage, with the Leader of Stevenage Borough Council. Those 10,000 homes are not included in this draft Local Plan, which runs to 2031, so the housing figures put forward by NHDC do not add up.

In conclusion, it is clear that the draft Local Plan is not positively prepared, justified, effective or consistent with national policy.

A five year land supply should be identified and consideration given to the development of a new Garden City to meet future housing needs instead of adding increasing numbers of homes on the edge of communities already fully utilising the public services available.

25th October 2013 Freedom of Information request to NHDC:

"I would like to request from North Hertfordshire District Council all documents and emails regarding any discussions, meetings and minutes of any meetings by officers or portfolio holders of North Hertfordshire District Council that have taken place or are planned to take place regarding the number of houses in the draft local plan.

"I understand from the Housing Growth Targets consultation which NHDC ran from 17th February to 30th March 2012 that the consultation paper outlined eight different options for housing growth, ranging from 15,800 new homes down to 2,500 homes. The Council's preferred option (Option F) was indicated as approximately 7,000 new homes, based on meeting affordable housing needs. This is set out under Core Strategy within Planning and Policy, link is:

[http://www.northherts.aov.uk/index/environment and planning/planning/planning policy and projects-2/core-strategy.htm](http://www.northherts.aov.uk/index/environment%20and%20planning/planning/planning%20policy%20and%20projects-2/core-strategy.htm)

"Then a draft document, dated Oct 2013, which is on NHDC's website as part of the

consultation process on housing mentions a target of 10,700 additional dwellings, between 2011 and 2031, of which 1,220 have been delivered leaving 9,480. Below is the relevant extract at: [http://www.northherts.gov.uk/index/council and democracy/consultations/current and recent consultations.htm](http://www.northherts.gov.uk/index/council%20and%20democracy/consultations/current%20and%20recent%20consultations.htm)

"I believe figures of just over 12,000 dwellings are now being mentioned despite the fact we are still in October.

"There is substantial confusion as to why NHDC had a preferred option of approximately 7,000 new homes last year, which has now increased to 10,700 earlier this month and I understand a figure of over 12,000 new homes is now being sought a few weeks later. This is a substantial increase in the number of new homes and it is important to fully understand why the figures are increasing so quickly if we are to give our constituents any confidence in the local plan.

"The unilateral conversion of priority 3 sites into priority 1 sites that also seems to be taking place will cause great anger and many constituents will no doubt wish to raise this at the inevitable public inquiry. If NHDC has been directed to amend the figures by civil servants, the planning inspectorate or any other agency then I believe this freedom of information request will be able to highlight the individuals responsible. If there has been no such direction then I can see no reason why the number of new dwellings that was originally consulted on should not proceed as the basis for the local plan."

Stephen McPartland

Member of Parliament for Stevenage January 2015

H.M. Inspector's Question 30.5

In order to answer this question the supply of land within the Plan must first be known.

The supply of land depends upon the housing requirement, particularly when many of the proposed sites in the Local Plan are within the Green Belt (9800 homes)

Should the Council's figure of 13,000 for the housing requirement be considered in excess of the true need by the Inspector this would constitute a material change of circumstances (Aireborough NDF v Leeds City Council) such that the exceptional circumstances to support the release of Green Belt could disappear.

Q30.5 and 30.6 requires knowledge of the true housing requirement.

The NPPF 2012 states in para 158 (Plan making section):

158. Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.

Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.

[The most up-to-date and relevant evidence on housing need comes from the Economic Statistics Centre of Excellence \(ESCOE\) published 14th January 2021.](#)

[Economic Statistics Centre of Excellence - ESCoE : ESCoE](#)

The study is called Estimating the UK Population during the Pandemic and gives the change in the UK population from July to September 2020 compared to that period of 2019.

[Estimating the UK population during the pandemic - ESCoE : ESCoE](#)

The study shows a drop of 1.35 million in the UK population.

Employing the average UK household size of 2.4 this population fall indicates a drop in the UK house number of 563,000 houses.

Pro rata according to population this indicates a drop in North Herts of c 1130 houses over the 12 months whereas NHDC suggest an increase of 360 (ORS study based on 2018 ONS 10 year trend data) – a difference of 1490 over the 12 months.

In fact all of the five 2018 ONS variants of household projections seriously conflict to various degrees with the 2021 ESCOE data.

Thus the Planning Practice Guidance to base the OAN on the latest ONS household projections seriously conflicts with the requirement of 2012 NPPF Para 158.

Planning Policy must surely prevail over Guidance.

The conclusion is that question 30.5 cannot presently be answered.

The solution would seem to be that the Plan is put on hold until ONS post-Covid household projections become available.